

**CITY OF BAY CITY**  
**MINUTES • JANUARY 12, 2021**

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Regular Meeting**

**6:00 PM**

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**1901 5TH STREET  
BAY CITY TX, 77414**



**Mayor**

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Robert K. Nelson

**Councilman**

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Jim Folse

**Mayor Pro Tem**

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Jason W. Childers

**Councilman**

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Brent P. Marceaux

**Councilwoman**

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Becca Slitz

**Councilwoman**

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Floyce Brown

***Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.***

**CALL TO ORDER**

Mayor Robert K. Nelson called the meeting to order at 6:00 pm.

**INVOCATION & PLEDGE**

Texas State Flag Pledge: *"Honor The Texas Flag; I Pledge Allegiance To Thee, Texas, One State Under God, One And Indivisible."*

Mayor Pro Tem Jason Childers led the invocation and pledge.

**CERTIFICATION OF QUORUM**

Mayor certified that there was a quorum.

**MISSION STATEMENT**

The City of Bay City is a community that fosters future economic growth, strives to deliver superior municipal services, invests in quality of life initiatives and is the gateway to the great outdoors. We encourage access to our unique historical and eco-cultural resources while maintaining our small-town Texas charm.

Mayor Pro Tem Jason Childers read the mission statement.

**APPROVAL OF AGENDA**

Motion made by Mayor Pro Tem Childers to approve the agenda, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**PUBLIC COMMENTS**

None

**APPROVAL OF MINUTES****1. Minutes of City Council Regular meeting on December 15, 2020.**

Motion made by Councilwoman Brown to approve the minutes of the Regular Council meeting of December 15, 2020, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

There were no consent items.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**

**2. Appointment ~ Discuss, consider and/or approve the appointment and swearing in of Daniel Shook as Fire Marshall for the City of Bay City.**

Shawna Burkhart provided a background on Dan Shook employment history of work as a paramedic, police officer, and Fire Marshal. Ms. Burkhart added that Mr. Shook was highly qualified and had many certifications. Mr. Shook stated that he and his wife appreciate the City and the opportunity.

Motion made by Councilwoman Sitz, Seconded by Mayor Pro Tem Childers to appoint Dan Shook as Fire Marshal.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion Carried.

Mr. Shook was then sworn in by the City Secretary.

**3. DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN CONNECTION WITH THE RECEIPT OF FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD THROUGH THE CLEAN WATER STATE REVOLVING FUND; AND APPROVING OTHER MATTERS INCIDENTAL THERETO.**

Mayor Pro Tem Childers asked is this tied to the rate increase. The City financial advisor, Mr. James Gilley with U.S. Capital Advisors, answered yes. Shawna Burkhart, City Manager, noted that a notice of intent will be published in the paper before. Mayor Pro Tem Childers stated that we've done the rate/and rollout and asked if everything was done. Ms. Burkhart responded with a "no" and stated that the roll out did not go out smoothly. Ms. Burkhart added that the water conservation pricing, required by state, hit water and irrigation accounts, and we need to bring back to not hit irrigation accounts as hard and will bring back on 26th. Mayor Pro Tem Childers asked if consultants that helped on study will be at the next meeting. Ms. Burkhart stated that she will ask them to attend

Motion made by Mayor Pro Tem Childers to approve the resolution, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**4. Resolution ~ Discuss, consider, and/or adopt a resolution by the City Council of the City of Bay City, Texas authorizing publication of notice of intention to issue certificates of obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund; and approving other matters incidental thereto.**

Motion made by Mayor Pro Tem Childers to approve the resolution, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers,

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Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

5. **Ordinance ~ Discuss, consider, and/or approve an ordinance of the City Council of the City of Bay City, Texas amending the City of Bay City Code of Ordinances Chapter 46 "Floods"; adopt Floodplain Management measures that satisfy 44 Code of Federal Regulations (CFR) Section 60.3(d) of the National Flood Insurance Program (NFIP) regulations; adopt the National Flood Insurance Program Flood Insurance Study (FIS) with accompanying flood insurance rate maps dated January 15, 2021; providing an effective date; and directing the City Secretary to publish the caption in accordance with the City Charter.**

Barry Calhoun, Public Works Director, and Alyssa Dibbern, City Engineer Tech, presented the Ordinance. Mr. Calhoun recommended changes to flood ordinance adding that parts of Bay City is in flood zone and need to manage. Ms. Dibbern gave a summary of cost of flooding to property owners. The City is in good standing with NFIP, new rate maps ready to adopt Friday. Mayor Nelson polled the council.

Motion made by Mayor Pro Tem Childers to approve the Ordinance, Seconded by Councilwoman Brown.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

6. **Report ~ Update on the progress on the construction of the new E-row t-hangars.**

James Mason, Airport Manager, gave Council an update on the progress of construction of the new E-Row T-hanges.

## **CLOSED / EXECUTIVE SESSION**

Council adjourned into an executive session at 6:34 p.m.

7. **Executive session pursuant to Texas Government Code Section 551.087, (1) to discuss or deliberate regarding commercial or financial information that BCCDC has received from a business prospect that BCCDC seeks to have locate, stay, or expand in Bay City and with which BCCDC is conducting economic development negotiations; and/or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).**
8. **Executive Session to consult with legal counsel about legal matters pursuant to Section 551.071(2) of the Texas Government Code.**
9. **Closed meeting to discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (To discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an Officer or Employee, or to hear a complaint or charge against an Officer of Employee).**

**OPEN SESSION**

Council reconvened into the Regular session at 8:08 p.m.

Council took no action on items in the Executive session.

**ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS**

**ADJOURNMENT**

Motion made by Mayor Pro Tem Childers to adjourn, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried and Council adjourned at 8:10 p.m.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

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ROBERT K. NELSON, MAYOR  
CITY OF BAY CITY, TEXAS

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JEANNA THOMPSON  
CITY SECRETARY