

CITY OF BAY CITY
MINUTES • OCTOBER 11, 2022

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

Blayne Finlay

Mayor Pro Tem

Jim Folse

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

Through a united and collaborative effort, we seek to grow the City of Bay City with a diverse culture that is proud to call Bay City home. We envision a thriving family-centered community where citizens are involved in the future development of our city. We desire our citizens to work, play, worship and shop in the community in which we live. Visitors are welcomed and encouraged to enjoy the friendly environment and amenities the citizens and business owners have created together.

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Mayor Robert K. Nelson at 6:01 pm.

INVOCATION & PLEDGE

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

Councilwoman Becca Sitz

MISSION STATEMENT

The City of Bay City is committed to fostering future economic growth by collaborating with our citizens, employers, current and future businesses, as well as the Community and Economic Development Centers. We strive to deliver superior municipal services and to invest in quality-of-life initiatives such as housing, businesses, jobs and activities for all citizens. We make a concerted effort to respond to resident's concerns in a timely and professional manner in order to achieve customer satisfaction.

Councilwoman Becca Sitz

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Jessica Russell, Executive Director of the Bay City Community Development Corporation, introduced Aron Ward with Zion Development and presented a recognition award as a new developer. Mr. Ward thanked the city for the opportunity.

ACKNOWLEDGEMENT FROM CITY MANAGER

Shawna Burkhart, City Manager, introduce the new City Engineer Tech Gabriel Lopez.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

Motion made by Councilwoman Sitz to approve the consent items, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

- 1. Meeting minutes of Council Special Called Meeting minutes of September 13, 2022.**
- 2. Meeting minutes of Council Special Called Meeting minutes of October 3, 2022.**
- 3. City Council Regular Meeting minutes of September 13, 2022**

DEPARTMENT REPORTS**4. LCRA Grant awarded to Parks & Recreation.**

Shawn Blackburn, Parks & Recreation Director, presented the award of a grant from LCRA providing \$50,000 in funding that will be used towards the Soccer Program projects.

5. Municipal Court Award Presentation.

Katy Plunkett, Municipal Court Administrator, expressed her passion to build an outreach program geared toward car seat and seat belt safety for the children of our community. Bay City Municipal Court was awarded the 2022 Municipal Traffic Safety Initiative as one of nine low volume court winners and one of twenty four overall winners in the State of Texas.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**6. Appointment ~ Discuss, consider, and/or approve the appointment of Kristi Lee to the Main Street Board.**

Tina Israel, Main Street Manager, stated that Kristi Lee was unable attend tonight. Ms. Israel provide council with a brief bio of Ms. Lee, Mayor Nelson added that he was impressed with Ms. Lee and believe she will make a good addition.

Motion made by Mayor Pro Tem Folse to approve the appointment of Kristi Lee to the Main Street Board, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

7. Policy ~ Discuss, consider and/or approved the 2023 City Holiday Schedule.

Rhonda Clegg, Director of Human Resources, presented the City Holiday schedule noting that it was the same as last year. Councilwoman Brown asked about how the Christmas Eve and New Years Eve holidays are observed and that this was a concern of hers.

8. Resolution ~ Discuss, consider, and/or approve a Resolution approving the submission of the "Project Justice" project grant application under the Criminal Justice Grant with the Office of the Governor, Criminal Justice Division.

Detective Sargent Chris Hadash reviewed the grant in which the first year was approved. They are now requesting the second year be approved.

Motion made by Councilwoman Brown to approve the resolution, Seconded by Councilwoman Sitz.

Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse,

Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

9. **Bid Award ~ Discuss, consider, and/or award the construction bid for the Cottonwood Creek Flood and Drainage Improvements Project, CDBG-DR GLO Grant #20-065-048-C142 and authorize the Mayor and/or City Manager to execute a contract approved to form by the City Attorney between the City of Bay City and AR Turnkee Construction Company, Inc.**

Barry Calhoun, Public Works Director, presented the proposed bid award adding that this was a 100% grant funded project stemming from Hurrican Harvey grants.

Motion made by Mayor Pro Tem Folse to award the bid to AR Turnkee, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay

10. **Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas adopting a "Budget Amendment #4" to the "Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2022"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.**

Scotty Jones, Finance Director, presented the proposed budget amendments.

Motion made by Councilman Westmoreland to approve the ordinance amending the 2022 budget, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

11. **Resolution ~ Discuss, consider, and/or adopt a resolution acknowledging the potential conflict of interest regarding the Home Program.** Scotty Jones, Finance Director

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

12. **Resolution ~ Discuss, consider, and/or adopt a resolution acknowledging the potential conflict of interest regarding the Home Program.** Scotty Jones, Finance Director

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

Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

13. Committee ~ Discuss, consider and/or approve the creation and appointments of an ADHOC Windstorm Committee.

Shawna Burkhart, City Manager, stated she would like herself, Scotty Jones and two councilmembers on the committee to look at windstorm.

Motion made by Councilwoman Brown to approve the creation of an ADHOC Windstorm Committee and appointing Shawna Burkhart, Scotty Jones, Councilman Westmoreland and Councilwoman Sitz, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

14. Committee ~ Discuss, consider, and/or approve the creation and appointments of a Real Property Advisory Committee.

Shawna Burkhart, City Manager, stated the real property owned by the city was persued by former Councilman Cornman. Ms. Burkhart stated that this is a large project that would need at least three meetings. Ms. Burkhart recommended that the committee consisted of five members and herself. Mayor Robert Nelson and Councilman Blayne Finlay both expressed a desire to be on the committee. Council is to submit there candidates to the City Manager.

Motion made by Councilman Finlay to approve the creation of a Real Property Advisory Committee, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

15. Ordinance ~ Discuss, consider and approve the temporary rescheduling of Council meetings from the 2nd and 4th Tuesday to the 1st and 3rd Tuesday, for the months of November and December 2022.- Shawna Burkhart, City Manager

Motion made by Councilwoman Brown, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilman Finlay. Voting Nay: Councilwoman Sitz, Councilman Westmoreland. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned the regular meeting to convene into an executive session at 6:52 pm.

16. Legal ~ Executive Session pursuant to Section 551.071 of the Texas Government code (Consultation with Counsel on legal matters).

- 17. Personnel ~ 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 or employee: Chief of Police**

RECONVENE AND ACTION

Council reconvened the regular session at 7:21 pm and took no action on items #16 and #17.

ITEMS / COMMENTS FROM MAYOR, COUNCIL MEMBERS AND CITY MANAGER

Councilwoman Brown asked about the solar panel solicitors in town. Councilman Finlay stated that National Night Out went real well in his neighborhood adding that Captain Rodriguez in depth about crime and Councilman Finlay thanked her and the department for their time. Councilwoman Brown stated that she went to the TML conference and thanked the City Attorney for her good hospitality as well as the City Manager and her husband. Councilwoman Sitz commented on the City Holidays stating that it is two more than any one else and we should revisit, announced that that the Food Truck festival is this Saturday, working with TxDOT regarding the sidewalk road adjacent as well as easements.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried and council adjourned at 7:27 pm.

PASSED AND APPROVED, this 25th day of October 2022.

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

JEANNA THOMPSON
CITY SECRETARY