

CITY OF BAY CITY
MINUTES • OCTOBER 31, 2023

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

5:00 PM

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



Mayor

Robert K. Nelson

Mayor Pro Tem

Blayne Finlay

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilman

Benjamin Flores

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 5:02 p.m.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Blayne Finlay
Councilman Benjamin Flores
Councilman Jim Folse
Councilman Brad Westmoreland
Councilwoman Becca Sitz

INVOCATION & PLEDGE

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

Councilman Bradley Westmoreland

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.

Councilman Bradley Westmoreland

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

There were no public comments.

ACKNOWLEDGEMENT FROM CITY MANAGER

Shawna Burkhart commended the Public Works Director, Assistant Public Works Director, and Wesley Davis for clearing the water mains broken and road projects.

ITEMS / COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS

Mayor Pro Tem Finlay likes what Public Works has done, Mayor Pro Tem Finlay added that the Rice Festival parade was well attended and that the Police Department looked professional and thanked the Fire Department for their assistance. Councilman Folsie stated that he would like an app to track citizen requests. Councilman Folsie asked everyone to be careful driving tonight. Councilwoman Sitz stated that she would like to see people working on Highway 35 and 60. Mayor Nelson thanked the road and bridge department for fixing 50 potholes in two days with the new equipment. Councilman Westmoreland asked Mayor Nelson if there have been any updates on the railroad tracks on 35 and Mayor Nelson responded that he has had no response from the Railroad other than it should be done by the end of the year.

Councilman Flores thanked staff for the Public Works Facebook posting. Councilman Flores also addressed some comments on Facebook regarding his pigs and read a statement in regards to new legislation for "right to farm". Councilman Westmoreland stated that he received emails and texts and wants to set the record straight that he was not notified of Councilman Flores' pigs being brought back into the city limits. Councilman Westmoreland played a recording of public comments made by Councilman Flores during past council meeting. Councilman Flores stated that he never asked Council to change their mind and that this is State legislature. Mayor Pro Tem Finlay requested 100% clarification from the attorney and that his vote is still firm and does not want pigs.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**1. City Council Regular meeting minutes of October 10, 2023.**

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

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**2. Property ~ Discuss, consider, and/or approve a declaration of data processing materials and equipment as salvage property and authorize staff to dispose of said salvage property through the use of an e-waste salvage provider.**

Mark Flash, IT Manager, requested Council to declare property as salvage. Mr. Flash stated that the equipment was unusable and had no value and has an e-waste provider to pick up at no charge. Councilman Flores asked if hard drives have been removed and Mr. Flash stated yes.

Motion made by Councilwoman Sitz to approve a declaration of data processing materials and equipment as salvage property and authorize staff to dispose of said salvage property through the use of an e-waste salvage provider, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Councilwoman Sitz. Motion

carried.

3. Grants ~ Discuss, consider, and or approve various equipment to be funded by the American Rescue Plan Funds and authorize staff to proceed with procurement.

Krystal Mason, Assistant Public Works Director, presented stating that the paver was added. Shawna Burkhart, City Manager, added that she had asked a Commissioner regarding sharing equipment. All four commissioners share equipment and have a lot of projects, so unlikely they can share with the City. Councilman Folse asked if prioritized, what would be taken off and Ms. Mason replied the pneumatic roller. Councilman Westmoreland asked how much is left in ARPA funds and Ms. Burkhart replied she did not have that information readily available. Council asked that the pneumatic roller be brought back to council if funding available.

Motion made by Councilman Folse to approve various equipment to be funded by the American Rescue Plan Funds and authorize staff to proceed with procurement with exception of the pneumatic roller. Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

4. Agreement ~ Discuss, consider, and/or approve a Professional Services Agreement between the City of Bay City, Texas and LSPS Solutions, LLC for conducting Phase 2 of a study of the City of Bay City's water system service lines and preparing a service line inventory to comply with the U.S. EPA Revised Lead and Copper Rule, budgeted in Fiscal Year 2024 Capital Improvement Plan.

Herb Blomquist, Public Works Director, stated that the service line inventory was necessary to comply with a unfunded legislative mandate but the project is in budget. City will be able to identify many lines while at site repairs.

Motion made by Councilwoman Sitz to approve a Professional Services Agreement between the City of Bay City, Texas and LSPS Solutions, LLC, Seconded by Councilman Westmoreland.

Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

5. Minutes ~ Discuss, consider, and/or approve the revised minutes of the Regular Council Meeting on December 20, 2022. Jeanna Thompson, City Secretary

Jeanna Thompson, City Secretary, explained that item #6 of the minutes lacked a motion. Ms. Thompson stated she reviewed the recording and made the revisions from the recording to item #6.

Motion made by Councilwoman Sitz to approve the revised minutes of the Regular Council Meeting on December 20, 2022, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

6. Resolution ~ Discuss, consider, and/or approve a Resolution authorizing the City of Bay City to cast its official ballot for the Board of Directors for the Matagorda County Appraisal District. Robert K. Nelson, Mayor

Motion made by Councilman Flores to approve a Resolution authorizing the City of Bay City to cast its official ballot for the Board of Directors for the Matagorda County Appraisal District, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

7. Planning ~ Discuss and take action on the adoption of a truck route for the City of Bay City, Texas. Councilwoman Becca Sitz

Motion made by Councilwoman Sitz to adopt a proposed truck route with no funding, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Voting Nay: Mayor Pro Tem Finlay. Motion carried.

8. Planning ~ Discuss and take action on future aquatic priorities and projects. Councilman Flores

Council took no action.

CLOSED / EXECUTIVE SESSION

Council adjourned into an executive session at 6:19 p.m.

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

RECONVENE AND ACTION

Council reconvened back into regular session at 7:04 p.m. and took no action.

ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER

Councilman Folse thanked the crews for fixing the concrete on avenue J. Councilwoman Sitz stated that re-striping needs to be done on 6th street. Councilwoman Sitz also commented on the loan forgiveness meeting with Shawna Burkhart, Scotty Jones, TWDB, Garver and other entities, we found out by accident that on our application we are not low income. Shawna Burkhart explained that it came from census. Councilman Flores requested that the 2040 Plan

items be trackable and ask Council to consider a retreat. Councilman Flores also stated that he has received concerns that Tourism was not out there and need a strong strategy.

ADJOURNMENT

Motion made by Councilman Westmoreland to adjourn, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council adjourned at 7:14 p.m.

PASSED AND APPROVED, this 14th day of November 2023.

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

JEANNA THOMPSON
CITY SECRETARY