

CITY OF BAY CITY
MINUTES • MARCH 09, 2021

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

Jim Folse

Mayor Pro Tem

Jason W. Childers

Councilman

Brent P. Marceaux

Councilwoman

Becca Sitz

Councilwoman

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 6:01 pm.

INVOCATION & PLEDGE

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

Councilman James Folse

CERTIFICATION OF QUORUM**PRESENT**

Mayor Robert K. Nelson
Councilwoman Floyce Brown
Councilman Jim Folse
Councilman Brent P. Marceaux
Councilwoman Becca Sitz

ABSENT

Mayor Pro Tem Jason W. Childers, excused

Quorum certified. Also present: Shawna Burkhart, City Manager and Anne Marie Odefey, City Attorney.

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.

Councilman James Folse

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

David Torrez, 1616 Cottonwood, discussed road conditions and how Golden Ave needs work.

Martha Brown who is with the Ebony Club and works with children, stated that for 39 years they have had summer camp, except last year due to covid, and have used the Service Center Auditorium. This year she was told it would be 200 a day to use the auditorium and they need 5 days, plus they have to pay the woman coming. They wont be able to give scholarships due

to the cost of the auditorium. Ms. Brown asked if the family know the city is charging that much to non-profit.

APPROVAL OF MINUTES

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

1. **Minutes of Council Workshop Meeting on January 26, 2021**
2. **Minutes of Regular Council Meeting on January 26, 2021**
3. **Minutes of Council Workshop Meeting on February 23, 2021**
4. **Minutes of Regular Council Meeting on February 23, 2021**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

5. **Report ~ Review residential usage of the HHW Solutions.** Krystal Mason, Code Compliance Officer

Krystal Mason, Code Compliance Officer, presented to Council an update on the HHW program. Participants are still running low. Estimate 2 to 2.5 tons of waste diverted from the landfill. Ms. Mason added that they have been working on different marketing schemes. Mayor Nelson asked what HHW thinks, Ms. Mason replied that he says it is low compared to other cities. Councilman Marceaux added that it is always worthy of review and consideration of its viability. Shawna Burkhart, City Manager, replied that we will continue review.

6. **Report ~ Bay City Police Department Annual Report and Highlights.** Robert Lister, Chief of Police

Robert Lister, Chief of Police, presented council the annual report of crime stats of the department. Chief first reviewed his racial profile report, use of force, fleet accident review, accident/injury report. Chief went over the crime stats for 2020. Chief stated that homicide increased 30% increase nationwide and our city had the most he has seen over his career. Three of the homicides were results of incidents that occurred at a club, that club has been closed and owner is evicting the tenant. Working on an ordinance to limit time open (how late) like some cities have. The department is getting gun locks to give away. Providing flyers to hotels to hand to guest to remind them to remove valuables from vehicles. Chief added that they will try to get the citizens on patrol going. Adding home and business inspection for break-in prevention, getting Sgt. Sullivan re-certified to do those inspections.

Councilman Marceaux stated that 2020 crazy year and noted that the Police Department training hours were down. Councilwoman discussed dispatch

communication issues.

7. **Ordinance ~ An Ordinance authorizing the issuance of the City of Bay City, Texas, Tax and Surplus Revenue Certificates of Obligation, Series 2021A (CWSRF); authorizing execution and delivery of a paying agent/registrar agreement and an escrow agreement relating to such certificates; prescribing the form of said certificates; levying a tax and pledging surplus revenues of the water and sewer system in payment thereof; and enacting other provisions relating thereto.**Scotty Jones, Finance Director

Scotty Jones, Finance Director, reviewed the proposed ordinance stating that is was a 30 year CO. Mayor Nelson polled the council.

Motion made by Councilman Marceaux to approve the Ordinance, Seconded by Councilwoman Brown.

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

8. **Ordinance ~ An Ordinance authorizing the issuance of the City of Bay City, Texas, Tax and Surplus Revenue Certificates of Obligation, Series 2021B (DWSRF); authorizing execution and delivery of a paying agent/registrar agreement and an escrow agreement relating to such certificates; prescribing the form of said certificates; levying a tax and pledging surplus revenues of the water and sewer system in payment thereof; and enacting other provisions relating thereto.**

Scotty Jones, Finance Director

Mayor Nelson polled council.

Motion made by Councilwoman Brown to approve the Ordiance Seconded by Councilman Folse.

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

9. **Report ~ Update on Winter Event within the community.**Shawna Burkhart, City Manager

Shawna Burkhart, City Manager, gave summary of overall observation was limited interaction with the County EOC. Their was a strong desire of the City directors to form their own EOC with a defined plan. in addition, concerns about provisions distributions. Received assistance from County Precinct 1, Airport, Parks and Recreation, Public Works, Heidi Martinez for communications with citizen, and Mayor Nelson. Service Stations were limited on gasoline during that period. There was fuel at our site for our equipment and will make sure necessary employees have access badges. There was

a problem with the afterhours emergency line, citizens using when not emergency. We needed a location for warming station, the Service Center and church provided services. We need to communicate to citizens at the same time each day. Need internal text protocol to summarize the day. Communication when city offices closed went thru Rhonda Clegg and that worked well. Barry Calhoun wants one person to communicate through. Councilman Marceaux asked about fuel, clarified that it was service stations not city warehouse. Councilwomen Brown asked when council be notified? Ms. Burkhart stated that she failed to do herself and will send daily feed.

Heidi Martinez reviewed the process communicating with citizens and information gathered. Main concern of citizens was water, lack of and pressure. She provided resources regarding protecting pipes. Each we received information from other entities and directors, we shared on Facebook. The key thing to remember is that the city was trying to remain transparent. Updates were made to website. Sent about 4 Facebook updates a day, graphics designed for those posts because Facebook improves the algorith so more visibility. Ms. Burkhart added that Heidi worked a lot of hours keeping up the posts, web, and getting volunteers.

Allysa Dibbern updated council on Public Works list of items and lessons learned. Communication was key. Water pressure did decrease due to frozen main. Suggest a "did you know" or fact sheet to prepare for winter storm. Need to winterize our city facilities and equipment and determine what rental equipment may be needed.

Ms. Burkhart added that one lesson learned was not have a water distribution in the center of town due to traffic issues.

Councilman Folse added that the warming station was a citizen concern. He also added that what we did not hear about is the fire department and no water.

10. Declaration ~ Discuss, consider, and/or approve a Declaration of Local State of Disaster. Robert K. Nelson, Mayor

Motion made by Councilman Marceaux to approve the Declaration of Local State of Disaster and to extend it 14 days, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned into Executive Session at 7:25 p.m.

11. Pursuant to Texas Government Code Section 551.087, (1) to discuss 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).

OPEN SESSION

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

Council reconvened into the Regular session at 8:05 p.m. There were no items to discuss.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Marceaux would thank Mayor, City Manager, and staff during the freeze and extra efforts. Councilman Marceaux would like Council to consider some level of compensation due to the scope of work that the Mayor did, which was above.

Councilwoman Brown stated concerns of Robinson and Duncan, she was informed name is City of Bay City Trustee. She stated the property is a dump, Code Enforcement has been called. Code Enforcement needs more training or more personnel, the City has jurisdiction. Councilwoman Brown added that the 2900 block of Avenue E has a partial privacy obstructing front door.

Councilwoman Sitz wants to know about street sweeper. Mayor Nelson responded that no one trained yet to drive the sweeper. Councilwoman Brown added that John Deer may provide training. Councilwoman Sitz stated that she wanted to parrot Mr. Torrez’s comment regarding the railroad tracks; Mayor Nelson responded that the Railroad fixed but job was not good and he has been in contact. Councilwoman stated that charger/mustang noise needs to be enforced. Ms. Burkhart responded that the City does not have a meter to record decibal.

Mayor Nelson thanked the businesses, churches, citizens, and organizations that helped during the winter storm recovery.

ADJOURNMENT

Motion made by Councilman Marceaux to adjourn, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried and Council adjourned at 8:17 p.m.

PASSED AND APPROVED, this ____ day of _____, 2021.

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

JEANNA THOMPSON
CITY SECRETARY