

**CITY OF BAY CITY**  
**MINUTES • SEPTEMBER 13, 2022**

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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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Blayne Finlay

**Mayor Pro Tem**

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Jim Folse

**Councilman**

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Bradley Westmoreland

**Councilwoman**

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Becca Sitz

**Councilwoman**

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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.*

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**CALL TO ORDER AND CERTIFICATION OF QUORUM**

The meeting was called to order by Mayor Robert K. Nelson at 6:00 pm.

Quorum certified.

**PRESENT**

Mayor Robert K. Nelson  
Councilwoman Floyce Brown  
Mayor Pro Tem Jim Folse  
Councilwoman Becca Sitz  
Councilman Blayne Finlay

**ABSENT**

Councilman Brad Westmoreland

**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 Jim Folse

**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.*

Mayor Pro Tem Jim Folse

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENTS**

Nick Carrillo, 5701 Chateaux Dr., addressed flooding and stated he had to use sand bags to keep water out of house. Jerry Schmitt, Chateaux Dr. addressed the traffic during school dismissal on Nichols and train at that time as well. Mr. Schmitt asked if the train could re-schedule. Mr. Schmitt thanked Mr. Davis for his temporary fix on drainage. Craig, Chateaux Dr, also addressed high water flowing to his property. Ry Ryman, 5103 Chateaux Dr., stated that

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all that has been done on the drainage project has made things worse and the east side drain is higher than the street.

### **ACKNOWLEDGEMENT FROM CITY MANAGER**

Shawna Burkhart, City Manager, introduced Patrick Darve Smith as the new tourism manager and summarized his experience.

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

- 1. Meeting minutes of Council Workshop meeting on August 23, 2022**
- 2. Meeting minutes of Regular Council Meeting of August 23, 2022**
- 3. City Council Special Called Meeting minutes of September 8, 2022.**

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

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

- 4. Contract ~ Discuss, consider, and/or award the construction bid for the Hamman Road Drainage Phase 1B Revised Project 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 JTM Construction, LLC.**

Barry Calhoun, Public Works Director, presented the construction bid. Mr. Calhoun and council discussed the drainage ditch and Mr. Calhoun stated that they will continue to closely monitor.

Motion made by Councilwoman Sitz to award the construction bid to JTM Construction, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Finlay. Motion carried.

- 5. Ordinance ~ Discuss, consider, and/or approve an ordinance granting to AEP Texas Inc., its successors and assigns, a non-exclusive franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under and through the streets, avenues, alleys and public places of the City of Bay City, Texas.** Scotty Jones, Finance Director

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

**6. Report ~ Discuss, consider and review proposed amendments to Appendix B Fee Schedule.**

Council discussed the Airport and Parks & Recreation proposed fee schedule. Hardeman Park Football field to be removed.

**7. Budget ~ Discuss, consider, and/or approve the Bay City Community Development Corporation's Budget for Fiscal Year 2023.** Jessica Russell, BCCDC Executive Director

Motion made by Councilwoman Sitz to approve the Bay City Community Development Corporation's Budget for Fiscal Year 2023, Seconded by Mayor Pro Tem Folsie. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folsie, Councilwoman Sitz, Councilman Finlay. Motion carried.

**8. Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting the City of Bay City Five Year Capital Improvement Program.** Scotty Jones, Finance Director

Motion made by Councilwoman Sitz to approve a Resolution of the City of Bay City, Texas adopting the City of Bay City Five Year Capital Improvement Program , Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folsie, Councilwoman Sitz, Councilman Finlay. Motion carried.

**9. Ordinance ~ An Ordinance adopting an Operating Budget for the City of Bay City, Texas for Fiscal Year 2023 and all designated, specified, noted, and indicated levies, rates, reserves, revenue provisions, and planned expenditure inherent, expressed, and included therein; providing for a cumulative clause: providing for severability: and providing for an effective date.** Scotty Jones, Finance Director

Motion made by Councilwoman Sitz to approve the ordinance adopting an Operating Budget for the City of Bay City, Texas for Fiscal Year 2023, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folsie, Councilwoman Sitz, Councilman Finlay. Motion carried.

**10. Budget ~ Consider, and/or approve a motion to ratify the Property Tax increase reflected in the Budget for the City of Bay City Fiscal Year 2023.** Scotty Jones, Finance Director

Motion made by Councilwoman Brown to ratify the Property Tax increase reflected in the budget, Seconded by Mayor Pro Tem Folsie. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folsie, Councilwoman Sitz, Councilman Finlay. Motion carried.

- 11. Ordinance ~ An Ordinance adopting the Tax Rate of \$0.63500 per \$100.00 of assessed valuation for the City of Bay City, Texas, for the purpose of paying the current expenses of the City for the Fiscal Year ending September 30, 2022, levying a maintenance and operations rate of \$0.48075 and for the further purpose of creating a sinking fund to retire the principal and interest of the bond indebtedness of the City, levying a debt service rate of \$0.15425; providing for alien on all real and personal property to secure payment of taxes due thereon; providing a severability clause herewith; and providing for an effective date.** Scotty Jones, Finance Director

Motion made by Councilwoman Brown that the property tax rate be increased by by the adoption of a tax rate of \$0.6350, which is effectively a 6.39 percent increase in the tax rate. Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Finlay. Motion carried.

- 12. Planning ~ Discuss, consider, and/or approve Financial Participation in the Public Improvement of TIRZ #4.** Shawna Burkhart

A motion to disapprove by Councilwoman Brown was made and seconded by Mayor Pro Tem Folse. Mayor Nelson requested that more investigation be done into the matter and would like to delay the vote. Councilwoman Brown and Mayor Pro Tem Folse both withdrew their motions and the item was tabled to the next meeting.

- 13. Appointment ~ Discuss, consider, and/or approve the appointment of a city representative and an alternate to Houston-Galveston Area Council's 2023 General Assembly.** Robert K. Nelson, Mayor

Motion made by Mayor Nelson to appoint Mayor Pro Tem Folse as the city representative and Councilman Westmoreland as the alternate, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Finlay. Motion carried.

## **CLOSED / EXECUTIVE SESSION**

There was no executive session.

## **ITEMS / COMMENTS FROM MAYOR, COUNCIL MEMBERS AND CITY MANAGER**

Mayor Pro Tem Folse thanked Barry Calhoun and Wes Davis on the drainage ditch on Hamman Road. Councilman Finlay thanked Scotty Jones on her budget and tax work. Councilwoman Brown thanked all the departments and council for their work adding that the City Manager puts a lot of time and didication to the city. Councilwoman Sitz stated that she is excited about the new Tourism Manager and would like to entertain a new logo.

## **ADJOURNMENT**

Motion made by Councilwoman Brown to adjourn, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Finlay. Motion carried and the meeting adjourned at 7:16 pm.

**PASSED AND APPROVED**, this 11th day of October 2022.

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ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

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JEANNA THOMPSON

CITY SECRETARY