

CITY OF BAY CITY
MINUTES • SEPTEMBER 24, 2024

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Mayor Pro Tem

Becca Sitz

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilman

Blayne Finlay

Councilman

Benjamin Flores

We envision Bay City as a thriving, family-centered community where our citizens can live, work, worship, and play, while welcoming visitors to experience our beautiful environment and diverse culture.

CALL TO ORDER AND CERTIFICATION OF QUORUM

This meeting was called to order at 6:28 p.m.

PRESENT

Mayor Robert K. Nelson
Councilman Blayne Finlay
Councilman Benjamin Flores
Councilman Jim Folse
Councilman Brad Westmoreland
Mayor Pro Tem 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."*

Mayor Pro Tem Becca Sitz

MISSION STATEMENT

The City of Bay City promotes economic growth and invests in quality-of-life initiatives through collaboration. We respond promptly and professionally to residents' concerns and strive to deliver superior municipal services.

Mayor Pro Tem Becca Sitz

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

There were no public comments.

AWARDS & PROCLAMATIONS

1. **Proclamation ~ Proclamation recognizing October 5, 2024 as "Bay City Teachers' Day"**. Mayor Robert K. Nelson

ACKNOWLEDGEMENT FROM CITY MANAGER

Scotty Jones, Interim City Manager, announced that Monday, September 30, 2024, there will be a virtual high school graduation for the Library's first year students. In addition, she announced other Parks and Recreation events, as well as National Night-Out on October 1, 2024.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Councilman Benjamin Flores submitted for consideration, for the \$150 stipend that Police Officers receive for shoes, that they have the flexibility to apply that to equipment and uniforms in the following years as well. Councilman Blayne Finlay mentioned that he drove through LeTulle Park and remarked that it looks good. He thanked Public Works for all their hard work. Nile Valley Road is functional now, but a work in progress. Councilman Brad Westmoreland spoke of a request to have the grass mowed at the retention pond in the back of the new section of the Del Norte subdivision. Councilman Jim Folse voiced his concern of the state of the bridge at Nile Valley Road and the frequency of the large trucks that access the road. He requested there be monitoring. Mayor Pro Tem, Becca Sitz stated that there is graffiti popping up in many places throughout the City.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

Motion made by Councilman Westmoreland to approve consent items, with changes, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

2. **City Council Workshop meeting minutes of June 18, 2024.**
3. **Regular Council Meeting minutes of July 23, 2024.**
4. **Regular Council Meeting minutes of August 27, 2024.**
5. **City Council Workshop meeting minutes of August 27, 2024.**
6. **Regular Council Meeting minutes of September 10, 2024.**
7. **Policy ~ Discuss, consider, and/or approve the Budgetary and Financial Management Policy.** Jennifer Leverett, Finance Director
8. **Resolution of the City of Bay City, Texas, adopting an Investment Policy.**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

9. **Contract ~ Discuss, consider, and/or approve a contract between the City of Bay City, Texas and YMCA of the Golden Crescent, Victoria, Texas for the management of Valiant Pool.**

Interim City Manager, Scotty Jones stated the contract is between the City of Bay City and the YMCA only at this time. The City will not have any financial obligation with Valiant/ 16th Street pool during the duration of the contract. On page 2 of the contract, a change was made to number 14. The termination notice is now 60 days. Mayor Nelson stated that the gas at the pool does not currently cost the City, but the YMCA needs to be aware that they will be responsible for that cost. Councilman Flores stated his only concern is if the cost of demolition increases later, the YMCA covers that cost. Mayor Nelson suggested the City present the gas cost and the possibility of the cost in demolition increasing to the YMCA before an agreement is made. A base line cost for demolition was suggested to be \$160,000.

Motion made by Councilman Folsie to approve the contract between the City of Bay City, Texas and YMCA of the Golden Crescent, Victoria, Texas for the Management of Valiant Pool, with the condition of first providing the YMCA with the information of the gas costs and the chance of demolition costs increasing, before consideration, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

10. Ordinance ~ An ordinance of the City Council of the City of Bay City, Texas. Amending Chapter 70 "Parks and Recreation", Section 70-25 "Use Permit" and Section 70-29 "Alcoholic Beverages"; Providing for a cumulative & conflicts clause, providing for a severability clause; and providing for an effective date.

Interim Director of Parks and Recreation, Kelly Penewitt, reviewed other City's ordinances for reference to special events. She noticed that most cities have ordinances for special events. The allowance of alcohol at special events at City parks and facilities will require security, which will need to be coordinated through the Bay City Police Department, with a notice of at least 60 days in advance. This will be noted through the rules and regulations. Outside of special events, alcohol will still not be allowed. Mayor Nelson recommends some revision and would like to review the ordinance more thoroughly. Council agrees to approve with the stipulation that the information on page 58 Section 70-29C be removed and reviewed to be added back after revisions are made.

Motion made by Councilman Flores to approve an ordinance of the City Council of the City of Bay City, Texas. Amending Chapter 70 "Parks and Recreation", Section 70-25 "Use Permit" and Section 70-29 "Alcoholic Beverages"; and removing the proposes Section 70-29(c), Providing for a cumulative & conflicts clause, providing for a severability clause; and providing for an effective date, with changes, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

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- 11. Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas, adopting a Fee Schedule attached hereto as Exhibit "A" and labeled "Appendix B" to be added to the Code of Ordinances of the City of Bay City, Texas; adopting fees and charges for various City services and consolidating those fees and charges for convenience; providing for repeal; providing for ratification; providing a penalty; providing for severability; and providing an effective date.**

Scotty Jones, Interim Finance Director, stated that the only change since last discussion was the addition of parks event permit fee and a deposit up to \$200 in the alcohol policy for parks and recreation events. Council discussed "up to \$200" and requested the fee schedule be revised to just read a flat \$200 deposit.

Motion made by Councilman Finlay to approve the Ordinance with correction of the alcohol deposit, adopting a Fee Schedule, Seconded by Councilman Folsie. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 12. Budget ~ Discuss, consider, and/or approve the Bay City Community Development Corporation's Budget for Fiscal Year 2025.**

Jessica Russell, BCCDC Executive Director, stated the only changes made were a few reductions in anticipation and preparedness, should funding be needed for the aquatic center.

Motion made by Councilman Folsie to approve the Bay City Community Development Corporation's Budget for Fiscal Year 2025, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 13. 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, Interim City Manager, stated the City of Bay City Five Year Capital Improvement Program Public Hearing was held on September 17, 2024 at 5pm for the fiscal years 2025-2029. All the information from that hearing is available to the public.

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

- 14. Ordinance ~ An Ordinance adopting an Operating Budget for the City of Bay City, Texas for Fiscal Year 2025 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, Interim City Manager

Councilman Westmoreland and Councilman Finlay thanked Interim City Manager, Scotty Jones and her team for the hard work on the city budget.

Motion made by Councilman Westmoreland to approve an Ordinance adopting an Operating Budget for the City of Bay City, Texas for Fiscal Year 2025 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, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 15. 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 2025.** Scotty Jones, Interim City Manager

Motion made by Councilman Flores to approve ratifying the Property Tax increase reflected in the Budget for the City of Bay City Fiscal Year 2025, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 16. Ordinance ~ An Ordinance adopting the Tax Rate of \$0.56916 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, 2025, levying a maintenance and operations rate of \$0.43447 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 \$0.13469; providing for a lien 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, Interim City Manager

Motion made by Councilman Finlay to approve the property tax rate be increased by the adoption of a tax rate of \$0.56916, which is effectively a 6.76 percent increase in the tax rate, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned the regular session and went into executive session at 7:18 p.m.

- 17. Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**

RECONVENE AND ACTION

Council reconvened back into a regular session at 7:31 p.m. and took no action on items in executive session.

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

There were no comments.

ADJOURNMENT

Motion made by Councilman Folse to adjourn, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried and the meeting adjourned at 7:32 p.m.

PASSED AND APPROVED, this 8th day of October 2024.

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

 JEANNA THOMPSON
 CITY SECRETARY