

**CITY OF BAY CITY**  
**MINUTES • DECEMBER 01, 2020**

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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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Jim Folse

**Mayor Pro Tem**

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Jason W. Childers

**Councilman**

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Brent P. Marceaux

**Councilwoman**

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Becca Slitz

**Councilwoman**

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Floyce Brown

***Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.***

**CALL TO ORDER**

Meeting was called to order by Mayor Nelson at 6:08 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 Brent Marceaux*

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Jason W. Childers  
Councilwoman Floyce Brown  
Councilman Jim Folse  
Councilman Brent P. Marceaux  
Councilwoman Becca Sitz

**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 Marceaux*

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENTS**

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

There were no comments.

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

- 1. One year contract extension between the City of Bay City, Texas and EPIC Aviation, LLC, pursuant to the terms of the original agreement executed January 1, 2015.**

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

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

- 2. Discussion ~ Discuss, consider, and/or take action regarding the Empowerment For Exceeding Together (E4E2) lease on 2320 Avenue K.**

Pricilla Robinson with E4E2 has lease agreement with City and the Mayor asked if the building was still in use. Ms. Robinson said it is still in use but due to COVID doing GED online, CPR classes in evening, pre-school at building. Not charging fees, non-profit. Decided this year cut down on expenses students have to pay their own testing fees. Zoom twice a week for classes. Was asked if she wanted to partner with the library and she does not. Councilman Marceaux asked what age group was the pre-school and Ms. Robinson replied five year olds. Councilwoman Brown asked about GED, since you can go online what are they utilizing E4E2 for, and Ms. Robinson stated to answer questions and tutoring. Mayor Pro-Tem Childers reviewed the lease and asked City Attorney Anne Marie Odefey if there is any re-structuring of the lease. She suggested that an annual report from E4E2. Mayor Pro-Tem Childers suggested to open up use on lease to be more broad. Council took no action.

- 3. Agreement ~ discuss, consider, and/or approve an Interlocal Agreement between the City of Bay City and Matagorda County regarding the Bay City Library.**

Scotty Jones presented for Samantha Denbow. Interlocal Agreement is for administration and the changes were to article 8 and 9. The building is County owned and the County will be responsible for maintenance and repairs.

Motion made by Mayor Pro Tem Childers to approve the Interlocal Agreement between the City and Matagorda County regarding the Bay City Library, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion Carried.

**4. Ordinance ~ Discuss, consider and/or approve an ordinance amending the personnel guidelines.**

Rhonda Clegg, Director of Human Resources, reviewed the proposed changes. Mayor asked how promotion will effect budget, answer was not much. Mayor polled votes from Council.

Motion made by Mayor Pro Tem Childers to approve the the Ordinance amending the Personnel Guidelines, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**5. Ordinance ~ Discuss, consider and/or approve an ordinance of the City of Bay City, Texas, revising the 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 Aviation fees and charges and consolidating those fees and charges for convenience; providing for repeal; providing for ratification; providing for penalty; providing for severability; and providing an effective date.**

Mayor Nelson polled votes from Council.

Motion made by Mayor Pro Tem Childers to approve the Ordinance revising the Airport Fees, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**6. Report ~ Update on taxiway relocation project with TXDOT aviation and the construction on E-Row construction.**

James Mason, Airport Manager, gave an update on the e row project, contractor on site since October 26th. Problem with select fill dirt not certified, it was removed and brought back sand to mix. Feb 5th was construct end date, currently 3 weeks behind schedule. There have been incidents where they could work and did not. Delay was due to not show to mobilize and there were no weather issues. Airport engineer is on them for daily reports. Taxiway project is going well.

**7. Resolution ~ Discuss, consider, and/or adopt a resolution by the City Council of the City of Bay City, Texas authorizing publication of notice of intention to issue Certificates of Obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Clean Water State Revolving Fund; and approving other matters incidental thereto.**

Motion made by Mayor Pro Tem Childers to table item till next meeting, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

- 8. Resolution ~ Discuss, consider, and/or adopt a resolution by the City Council of the City of Bay City, Texas authorizing publication of notice of intention to issue Certificates of Obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund; and approving other matters incidental thereto.**

Motion made by Mayor Pro Tem Childers to table item till next meeting, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

- 9. Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City of Bay City, Texas Code of Ordinances, Chapter 114 "Utilities", providing rules and regulations in compliance with State law for efficient and safe operations of the City's utility water and wastewater systems.**

Mayor Nelson polled votes from Council.

Motion made by Councilman Marceaux to approve the Ordinance amending the Utilities Ordinance, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

## **CLOSED / EXECUTIVE SESSION**

- 10. Pursuant to section 551.071 and 551.072 of the Texas Government Code, the City Council will deliberate the purchase, exchange, lease or value of real property (Deliberation in an Open Meeting would have a detrimental effect on the position of the Governmental Body in negotiations with a third party).**

Council adjourned into an executive session at 6:54 pm.

Council reconvened into a Regular meeting at 7:18 pm

## **OPEN SESSION**

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

Motion made by Mayor Pro Tem Childers to approve the option as discussed in the closed session, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson,

Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS**

Mayor Nelson recognized new council.

**ADJOURNMENT**

Motion made by Councilwoman Brown to adjourn the meeting, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried and the meeting adjourned at 7:24 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

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

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JEANNA THOMPSON  
CITY SECRETARY