

**CITY OF BAY CITY**  
MINUTES • AUGUST 23, 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

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

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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. A quorum was certified.

**PRESENT**

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

**INVOCATION & PLEDGE**

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

*Councilwoman Floyce Brown*

**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.*

*Councilwoman Floyce Brown*

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENTS**

Bill Key, Shantilly Lane, concerned for people walking along S60 with no public bench to rest.

David Torres, Cottonwood, stated that council does not keep their promises once they get on the bench and that potholes, lights, and tall grass is not being fixed.

Ry Ryman, Chateaux Dr., expressed his concern that the Hamman Road Drainage Project next phase will not start soon enough as they have increased the flow to the bottleneck.

Eddie Douglas, Chaparral Dr., stated that their road is too narrow and has not had any repairs since annexed.

**ACKNOWLEDGEMENT FROM CITY MANAGER**

Shawna Burkhart, City Manager, announced that Mr. Patrick Smith has been selected as the new Tourism Manager and will introduce him at the next council meeting.

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

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

1. **Meeting minutes of Regular Council Meeting of August 9, 2022**
2. **Meeting minutes of Council Workshop meeting on August 9, 2022**
3. **Meeting minutes of Council Workshop meeting on August 11, 2022**
4. **Meeting minutes of Council Workshop meeting on August 16, 2022**

**DEPARTMENT REPORTS**

5. **Public Works Reports.**

Barry Calhoun, Public Works Director, presented the departments progress on various projects and work order stats.

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

6. **Report ~ Presentation of report of findings regarding the keeping of swine within the city limits.**

Dotty Grandstaff, Animal Impound Manager and Animal Control Supervisor, provide council her findings regarding the keeping of pigs. Ms. Grandstaff reviewed the environmental and disease concerns. Councilman Westmoreland asked is water wells down the creek could be impacted and Ms. Grandstaff stated she did not know.

7. **Presentation ~ Discussions regarding the keeping of swine within city limits.**

Chris Bischoff, Country Estate resident, addressed council with concerns of council allowing the pig farm, provided map of neighborhood and area effected by odor carried by wind. Clarence Fenner, also a Country Estate resident, addressed council and asked that they protect his safe space.

8. **Variance ~ Discuss, consider, and/or approve a variance to the Animal Ordinance allowing for the raising of pigs.**

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Benjamin Flores addressed the neighbor's concerns stating he will only have a total of 10 pigs that will rotate on property and has looked into the dangers of diseases transferred to humans and the ag said not much.

Motion made by Councilwoman Sitz to not approve the variance, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried and the variance for allowing for the raising of pigs was disapproved.

9. **Bid ~ Discuss, consider, and/or approve the construction bid for the North Drive Drainage Improvements 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 Matagorda Construction and Materials.** Barry Calhoun, Public Works Director

Motion made by Councilwoman Brown to approve the construction bid to Matagorda Construction and Materials, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

10. **Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City Council of the City of Bay City, Texas, amending Chapter 22 "Buildings and Building Regulations" of the Code of Ordinance by adopting a new Article XI "Vacant Buildings" to the City of Bay City's Code of Ordinances to provide for the regulation of vacant buildings and property; repealing all related ordinances or parts of ordinances in conflict therewith; providing for a severability clause; providing for publication and prescribing an effective date.** Dan Shook, Fire Marshal

Motion made by Councilwoman Sitz to approve the ordinance with corrections, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried and council was polled.

11. **Tax ~ Consider placing a proposal to adopt a Tax Rate for the 2023 Fiscal Year as an action item on the agenda of a future Council meeting, specifying therein the desired tax rate and publishing notice thereof.** Scotty Jones, Finance Director

Motion made by Councilman Westmoreland to approve placing a proposal to adopt a tax rate for fiscal year 2023 as an action item on the September 13, 2022 Council agenda with a desired rate of 0.63500 per 100 value and publishing notice thereof, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried and council was polled.

**12. Tax ~ Consider setting a Public Hearing on the Proposed 2023 Fiscal Year Tax Rate for Thursday, September 8, 2022.** Scotty Jones, Finance director

Motion made by Councilwoman Sitz to approve the Public Hearing date for the Tax Rate, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

**13. Budget ~ Consider setting a Public Hearing on the City of Bay City's proposed 2023 Fiscal Year Budget and the City of Bay City's Five-Year Capital Improvement Plan for Thursday, September 8, 2022.** Scotty Jones, Finance Director

Motion made by Mayor Pro Tem Folse the Public Hearing date for the Proposed 2023 Fiscal Year Budget and five-year Capital Improvement plan, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

**14. Budget ~ Consider setting a Public Hearing on the Bay City Community Development Corporation's proposed 2023 Fiscal Year Budget for Thursday, September 8, 2022.** Scotty Jones, Finance Director

Motion made by Councilwoman Brown the Public Hearing date for the Bay City Community Development Corporation's Proposed 2023 Fiscal Year Budget, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

**15. Records & Archives ~ Discuss, consider, and give staff direction regarding council photo preservation and displays**

Jeanna Thompson, City Secretary and Records Manager, discussed the need to preserve and archive the past Mayor and Council photos that are hanging on the walls. Ms. Thompson also stated that there was very limited space to hang any more photos and made some recommendations regarding the displays as well as asking the Historical Commission for assistance. Mayor Pro Tem Folse agreed the photos needed to be preserved and archive but wants all photos displayed and liked the idea of the Historical Commission assistance. Mayor and Council agreed that the photos need to be displayed and asking the Historical Commission for display ideas and all photos to be digitally archived.

**CLOSED / EXECUTIVE SESSION**

There was no executive session.

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

Councilman Westmoreland expressed gratitude for the mowing done by the Post Office. Councilwoman Sitz asked Ms. Burkhart if we had heard anything from TxDOT on the sidewalk because she knows they are planning begin to start soon and we still do not have easements. Councilwoman Sitz also state that she and Jessica Russell attended the Drainage District meeting working on plan to help organize the process and preliminary drainage from Bold Fox passed. Shawna Burkhart stated that the Planning Commission was meeting on September 8th at 4:00 pm to review the preliminary plat from Bold Fox.

**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 Westmoreland, Councilman Finlay. Motion carried and the meeting adjourned at 7:33 pm.

**PASSED AND APPROVED**, this 13th day of September 2022.

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

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JEANNA THOMPSON  
CITY SECRETARY