

CITY OF BAY CITY
MINUTES • JUNE 22, 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

Bradley Westmoreland

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

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

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

CERTIFICATION OF QUORUM**PRESENT**

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

ABSENT

Councilman Brent P. Marceaux

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.

Councilwoman Floyce Brown

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

David Torrez, addressed the parking downtown and how the new striping did not work. Mr. Torrez is concerned about water meters always broke and city not replacing and the roads not getting patched.

APPROVAL OF MINUTES

1. **Minutes of Council Workshop meeting on May 25, 2021.**

Motion made by Mayor Pro Tem Childers to approve the minutes of the Council Workshop meeting on May 25, 2021, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

2. Minutes of City Council Regular Meeting on May 25, 2021.

Motion made by Mayor Pro Tem Childers to approve the minutes of Council Regular Meeting on May 25, 2021, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

3. Minutes of City Council Regular Meeting on June 8, 2021.

Motion made by Mayor Pro Tem Childers to approve the minutes of Council Regular Meeting on June 8, 2021, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

CANDIDATE INTRODUCTIONS

The following candidates introduced themselves and gave Council a brief summary of their qualifications and desire to serve: Imelda Howard, Josesh Enoch, Jessica Hartman, and Donnye Stone.

Candidate Brad Westmoreland, called from out of the country and gave Council a brief summary of his qualifications and desire to serve.

CLOSED / EXECUTIVE SESSION

- 4. Pursuant to the Texas Government Code Section 551.074 (To discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: City Council Position Number 3**

Council adjourned into an Executive Session at 6:27 pm.

OPEN SESSION

Council reconvened into a Regular Session at 6:46 pm

Motion made by Councilwoman Brown to appoint Brad Westmoreland as City Council Position 3, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**5. Policy ~ Swearing-in of appointed official for vacancy in Council Position number 3.**

Appointed candidate was not available to be sworn in and item was tabled.

6. Bids ~ Discuss, consider, and/or reject all construction bids for the Cottonwood Creek Diversion Channel Improvements Project Grant GLO-CDR 20-065-048-C142.

Barry Calhoun, Public Works Director, requested Council to reject all bids. All bids came in too low and lowest bidder has not done this type of work in years. Mr. Calhoun stated that they will up the scope of the work and rebid.

Motion made by Mayor Pro Tem Childers to reject all construction bids on the Cottonwood Creek Diversion Channel Improvements Project, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

7. Report ~ Receive a report from GFL (WCA) on the sanitation operations in the City of Bay City and discuss, consider, and/or approve GFL's CPI rate increase request pursuant to the Solid Waste Contract with GFL.

Derek Banks, with GFL, introduced the CPI rate increase request for solid waste. Also discussed the level of service, there has been improvement. February freeze set them back. There 49 bulk complaints since March this year, other categories have improved or maintained. Houston helped with catch up on bulk pick up on Saturdays. Now back on track. There are no plans for operational changes from WCA. Councilwoman Brown stated that there have been complaints about replacing trash bin having to bring in old one and Mr. Banks says that is a miscommunication that GFL needs to look into. Councilwoman Brown an apartment complex their dumpster is too high to get trash in. Mr. Banks stated he would look into as to which style they received. Krystal Mason, City Code Compliance Officer, addressed the challenges of last year and complimented Derek and crew working with City. Ms. Mason recommended the increase of 1.5%.

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

8. Report ~ Utility Billing Department update.

Scotty Jones, Finance Director, gave a report addressing the calls for utility billing. Ms. Jones reviewed the causes such as winter storm and the the collectors went done. As

the collectors come back on line, they showed water usage from the water from dripping and broke pipes water usage. They have been working with customers on payment plans and offsetting sewer. They have helped 253 customers and given \$45,000 in credit.

- 9. Property ~ Discuss, Consider, and/or grant a 15 foot wide Easement and Right of Way to AEP Texas Inc. within a tract of land containing 14,33 acres of land, more or less, out of the Thos. Cayce League, Matagorda County, Texas, and being a portion of Lot No. 5 of the Subdivision of the Elliot Lands, Matagorda County, Texas, being further described in Volume 99, Page 102, Deed Records of Matagorda County, Texas.**

Shawna Burkhart, City Manager, Parks and Recreation Director, presented a Right of Way thru Le Tulle park to upgrade LCRA power needs, this will reroute to follow road way instead of thru the trees. Shawn Blackburn, Parks and Recreation Director, gave more details of the need for the right of way.

Motion made by Mayor Pro Tem Childers to grant the easement right of way, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

- 10. Report ~ Report regarding sidewalk maintenance and pending sidewalks.**

Shawna Burkhart, City Manager, presented a report stating that in the 5 and 10 year Capital plans the City has included sidewalk maintenance. Has spoken to TxDOT, they are going south of 35 from Walmart to Hospital, but no time frame but have survey.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Mayor introduced Bay Scout Troop 45, working on their merit badges in citizen of the community and communication badge. Scouts were Levy Pierce and Grant Friesenhahn.

Councilwoman Sitz stated there was a safety issue on avenue g and cottonwood regarding the sidewalk. Asked to see the letter sent to Siemans.

Mayor Pro Tem Childers stated that he was glad to see the applications for Position 3 and qualified candidates and thanked those that had applied.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried and the meeting adjourned at 7:26 pm.

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

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY