

CITY OF BAY CITY
MINUTES • JULY 14, 2020

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

William Cornman

Mayor Pro Tem

Jason W. Childers

Councilman

Brent P. Marceaux

Councilwoman

Becca Sitz

Councilwoman

Julie Estlinbaum

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

CALL TO ORDER

Mayor Robert K. Nelson called the meeting to order at 6:05 p.m.

INVOCATION & PLEDGE

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

Councilwoman Becca Sitz

CERTIFICATION OF QUORUM**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 Becca Sitz

APPROVAL OF AGENDA

Motion made by Councilman Marceaux, Seconded by Mayor Pro Tem Childers.

Voting Yea: Mayor Nelson, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion to approve the agenda 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.

Andy Spence thanked Council for getting the 16th pool fixed.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

Motion made by Councilwoman Estlinbaum to approve the Consent Items, Seconded by Mayor Pro Tem Childers.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz. Motion carried.

1. Meeting Minutes of Budget Workshop on June 18, 2020
2. Meeting Minutes of Budget Workshop on June 16, 2020

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**3. STATUS UPDATE ON 16TH STREET POOL.**

Shawna Burkhart, City Manager

Ms. Burkhart gave an update regarding the 16th Street pool and that they are pulling together key stakeholders on July 20th at 10:00 am to discuss ideas to extend the life

of the pool and the time line, as well as a new pool and Hilliard Pool. The meeting will be held in the City Council Chambers.

4. PRESENTATION OF RECOGNITION OF BAY CITY MAIN STREET 2020 NATIONAL ACCREDITATION.

Shawna Burkhart, City Manager

Ms. Burkhart stated that Texas Main Street through the Texas Historical Commission has given our Main Street program recognitions and national recognition for 2020. Shelly Story with Main Street stated that when Main Street is an accreditation where we are evaluated by both Texas Main Street and by National Main Street. There are ten different criteria. The accreditation makes them eligible for grants.

5. RECEIVE A REPORT FROM WCA ON THE SANITATION OPERATIONS IN THE CITY OF BAY CITY AND DISCUSS, CONSIDER AND/OR APPROVE WCA'S CPI RATE INCREASE REQUEST PURSUANT TO THE SOLID WASTE CONTRACT WITH WCA.

Krystal Mason, Code Compliance Officer

Ms. Mason gave an update and on sanitation operations. Ms. Mason stated that most complaints are brush pick up. Ms. Mason informed Council that we now have a procedure for bush and large pickup. WCA will tag piles that are not in compliance, email CE and they will followup with the customer why they were not in compliance. Derrick Bainge with WCA addressed council, pointed out the strong partnership with City with the help of Ms. Mason.

Motion made by Councilwoman Estlinbaum to approve the CPI rate, Seconded by Mayor Pro Tem Childers.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion carried.

6. DISCUSS, CONSIDER AND/OR APPROVE AN EVALUATION FORMAT AND/OR EVALUATION CRITERIA FOR THE CITY MANAGER'S PERFORMANCE EVALUATION.

Councilman Bill Cornman

Council reviewed various form samples to use to evaluate the City Manager's performance. The final collaborated form will be brought back for Council approval on the July 28th Council meeting.

7. **DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION DESIGNATING A PROFESSIONAL ENGINEERING FIRM FOR THE 2020 TEXAS CAPITAL FUND DOWNTOWN REVITALIZATION/MAIN STREET PROGRAM OF THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) PROGRAM FOR APPLICATION AND PROJECT IMPLEMENTATION.**

Alyssa Dibbern, Engineering Tech

The resolution was tabled to resubmit for bids. Council authorized Shawna Burkhardt to pull the trigger on the selected engineering service.

Motion made by Councilman Cornman to table, Seconded by Mayor Pro Tem Childers.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion carried.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilwoman Becca Sitz requested that the Cleanup Campaign be placed on the next agenda. Attorney Anne Marie Odey informed Council that there is a request for opinion from the Attorney General regarding adding a candidate to the ballot.

ADJOURNMENT

Motion made by Councilman Cornman adjourn, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion carried and the meeting adjourned at 6:53 p.m.

AGENDA NOTICES:

Action by Council Authorized: The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Executive Sessions Authorized: This agenda has been reviewed and approved by the City’s legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

CERTIFICATION OF POSTING

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on **Friday, July 10, 2020 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, dholubec@cityofbaycity.org for further information.

PASSED AND APPROVED, this _____ day of _____, 20____.

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

 JEANNA THOMPSON
 CITY SECRETARY