

CITY OF BAY CITY
MINUTES • NOVEMBER 01, 2022

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

Blayne Finlay

Mayor Pro Tem

Jim Folse

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

Through a united and collaborative effort, we seek to grow the City of Bay City with a diverse culture that is proud to call Bay City home. We envision a thriving family-centered community where citizens are involved in the future development of our city. We desire our citizens to work, play, worship and shop in the community in which we live. Visitors are welcomed and encouraged to enjoy the friendly environment and amenities the citizens and business owners have created together.

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Mayor Robert K. Nelson at 6:02 pm. A quorum certified.

PRESENT

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

ABSENT

Councilman Brad Westmoreland

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

PUBLIC COMMENTS

There were no public comments.

ACKNOWLEDGEMENT FROM CITY MANAGER

There were no acknowledgements.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. **City Council Regular Meeting minutes of October 25, 2020.**

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

DEPARTMENT REPORTS

2. Public Works Reports.

Barry Calhoun, Public Works Director, gave a report on Public Works projects. Mr. Calhoun stated that there are supply delays on the Elliot Addition project. United Rentals has asked that the lines under the parking lot be filled in instead of removed. Councilwoman Sitz asked about public restrooms at the Public Works facility.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

3. Bid Reject ~ Discuss, consider, and/or reject the construction bid submitted by AR Turnkee Construction Co., Inc. for the Cottonwood Creek Flood & Drainage Improvements Project, CDBG-DR GLO Grant #20-065-048-C142.

Barry Calhoun, Public Works Director, stated that AR Turnkee requested their bid be withdrawn.

Motion made by Councilwoman Brown to reject the construction bid submitted by AR Turnkee Construction, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Finlay. Motion carried.

4. Bid Award ~ Discuss, consider, and/or award the construction bid for the Cottonwood Creek Flood and Drainage Improvements Project, CDBG-DR GLO Grant #20-065-048-C142 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 JTM Construction LLC. Barry Calhoun, Public Works Director

Motion made by Councilwoman Brown to award the construction bid for the Cottonwood Creek Flood and Drainage Improvements Project to JTM Construction, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Finlay

5. Ordinance – Discuss, consider, and/or approve an Ordinance amending the Municipal Code of Ordinances Chapter 38, Environment, Article II, “Offensive Conditions” including Sec. 38-36 “Prohibited” and further define terminology by adding Article I, Sec. 38.01 - “Definitions.”.

Krystal Mason, Planning Manager, presented the ordinance amending Chapter 38 "Environment". Ms. Mason stated that the goal was to outline and define property lines. Mayor Nelson added that it defines what the property owner is responsible for. Councilwoman Sitz asked to table to give some time for feed back. Councilwoman

Brown stated that it offended her to wait having had complained for months. Ms. Mason agreed to put out notification to the public.

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

6. Agreement ~ Discuss, consider, and/or approve a Professional Service Agreement between David Pettit Development, LLC and the City of Bay City providing services relating to the creation of a Tax Increment Reinvestment Zone Number Five (TIRZ #5) .

Shawna Burkhart, City Manager, stated that Maddox is wanting to add a PID (Public Infrastructure Development) on top of TIRZ. Ms. Burkhart gave the amounts due by each entity to pay the DPED contract. Mayor Nelson stated that he would like the check from Maddox received before moving forward. Ms. Burkhart also advised that the city can not do the PID or the TIRZ until Maddox owns the property and it is annexed. Item was tabled and Ms. Burkhart will have David Pettit advise on PID.

CLOSED / EXECUTIVE SESSION

Council adjourned to go into an executive session at 7:01 pm. Councilman Westmoreland arrived and joined Council in the executive session.

- 7. Personnel ~ Closed meeting to discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (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: Chief of Police**
- 8. Legal ~ Executive Session pursuant to Section 551.071 of the Texas Government code (Consultation with Counsel on legal matters).**

RECONVENE AND ACTION

Council reconvened at 7:26 pm and took no action on items #7 and #8.

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

Councilwoman Sitz stated that Halloween was fun. Everyone was reminded the Day of The Dead event is this Saturday.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilman Westmoreland, Councilwoman Sitz, Councilman Finlay. Motion carried and the meeting adjourned at 7:31 pm.

PASSED AND APPROVED, this 15th day of November 2022.

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY