

CITY OF BAY CITY

MINUTES • FEBRUARY 08, 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

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 Regular Council meeting was called to order by Mayor Robert K. Nelson at 6:01 pm.

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

Quorum certified.

PRESENT

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

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

Jesse Ramirez, 301 Ave H, Van Vleck, presented council with lease termination letter from hotel to residents with grant rent relief for 12 to 15 month. Mr. Ramirez stated that the owner signed and not residents for grant, then evicted stating the the rent relief was cancelled. Tomorrow all will be evicted. Those residents felt like they had hope and now taken from them. They are requesting the evictions be placed on hold.

PUBLIC HEARING

- 1. A public hearing before the City Council to hear any and all persons desiring to be heard on or in connection with any matter or question involving the proposed annexation into the City of Bay City, Texas, tracts of land totaling approximately 280.35 acres of land.**

Jessica Russell, BCCDC Executive Director, spoke on behalf of annexation and thinks its wonderful and all entities support and moving so swiftly.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 2. Annexation ~ An Ordinance of the City Council of the City of Bay City, Texas, annexing 280.35 acres of land located on the north side of State Highway 35 along the south side of Old Van Vleck Road as further described herein, into the City's Municipal Boundaries.**

Anne Marie Odefey, City Attorney, review the annexation and service agreement. The Development Standards included changes requested from the workshop. LCRA tract is not included and still working on. Alex Kamkar with Bold Fox addressed Council regarding item 27 on the development standards. Councilman Westmoreland thanked Mr. Kamkar for agreeing to add item 27 to the standards. Mayor Nelson stated that the local realtors wanted to know if they will be included, Mr. Kamkar stated that the marketing program included local realtors.

Motion made by Councilwoman Sitz to approve the annexation of 280.35 acres of land located on the north side of State Highway 35 along the south side of Old Van Vleck Road, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 3. Streets ~ Discuss, consider, and/or approve the proposed parking plan and signs for downtown Bay City with implemented compact parking spaces.**

Alyssa Dibbern, Engineering Tech, reviewed the parking plan for downtown. Councilwoman Sitz asked Council to refer to the TxDOT agreement and angle parking. Councilwoman Sitz suggested in front of museum be parallel. Mayor Nelson stated stenciling the signs is best and asked if they can put a perpendicular line that shows where the space ends. Mayor Pro Tem Childers stated that it means nothing if we don't enforce. Project should be completed within a month.

Motion made by Councilman Folse to use stencil on compact car signs and to accept the plan with exceptions of parallel between 6th and 7th street on Hwy 60 and all parallel on North side of 35, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse,

Councilwoman Sitz, Councilman Westmoreland. Motion carried.

4. **Report ~ Discussion and direction regarding needs for drainage projects.** Barry Calhoun, Public Works Director. gave presentation of current drainage projects.
5. **Contract ~ Discuss, consider, and/or approve Work Order No. 7 to the standard contract agreement between the City of Bay City, Texas, and Garver LLC, for professional engineering services for the design, bid, and construction of a new water plant (SH35 East Water Plant Well No. 12) and provide technical support for the Bay City Regional Airport water well if necessary under the Texas Water Development Board SRF Projects.**

Barry Calhoun, Public Works Director, presented the contract to begin design of the east water plant, 2 acres across the road from the theater. Property was donated by Tenaris. There had been discussions about including airport well with ARP funds and Mr. Calhoun suggested that Garver do a technical review of the airport well, if we so chose do so, and was added to contract. Shawna Burkhart, City Manager, added that if we decide to use ARP funds, since we cant get TWDB funds, for the airport then we will have the technical review done. Engineering will take 6 to 8 months and construction a year. Councilman Folse is concerned if we don't do a well then why a tech review.

Motion made by Mayor Pro Tem Childers to approve Work Order No.7 with Garver, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

6. **Contract ~ Discuss, consider, and/or approve the Civil Engineering and Surveying Service contract for the Hamman Road Drainage Improvement Project Phase 1b and Phase 2 combined henceforth renamed the Hamman Road Drainage Improvement Project Phase 1b Revised .**

Barry Calhoun, Public Works Director, gave brief summary.

Motion made by Councilman Folse to approve the Civil Engineering and Surveying Service contract, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

7. **Contract ~ Discuss, consider, and/or approve the Civil Engineering and Surveying Services Contract for the United Rentals Drainage Improvements.**

Barry Calhoun, Public Works Director, summarized and stated that it was similar to the Hamman Road situation. The contract is still under review by Grantworks. Mr. Calhoun also added that they will be assessing if ditch will work there instead of pipes.

Motion made by Mayor Pro Tem Childers to approve the Civil Engineering and Surveying Services Contract, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

8. **Ordinance ~ Discuss, consider, and/or approve an ordinance authorizing the issuance of the City of Bay City, Texas, Tax and Surplus Revenue Certificates of Obligation, Series 2022A (CWSRF); authorizing execution and delivery of a paying agent/registrar agreement and an escrow agreement relating to such certificates; prescribing the form and said certificates; levying a tax and pledging surplus revenues of the Water and Sewer System in payment thereof; and enacting other provisions relating thereto.**

Scotty Jones, Finance Director, presented the ordinance authorizing issue of certificates of obligations. Mayor Pro Tem Childers asked that we've done some loans consolidating and is that a possibility in the future- James Gilley, U.S. Capital Advisor, stated it may be possible.

Motion made by Councilwoman Sitz to approve the ordinance, Seconded by Mayor Pro Tem Childers.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

9. **Ordinance ~ Discuss, consider, and/or approve an ordinance authorizing the issuance of the City of Bay City, Texas, Tax and Surplus Revenue Certificates of Obligation, Series 2022B (DWSRF); authorizing execution and delivery of a paying agent/registrar agreement and an escrow agreement relating to such certificates; prescribing the form and said certificates; levying a tax and pledging surplus revenues of the Water and Sewer System in payment thereof; and enacting other provisions relating thereto.**

Scotty Jones, Finance Director, presented the ordinance authorizing issue of certificates of obligations.

Motion made by Mayor Pro Tem Childers to approve the ordinance, Seconded by Councilwoman Sitz.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 10. Ordinance ~ An Ordinance of the City Council of the City of Bay City, Texas, ordering a regular municipal election to be held on the 7th day of May 2022; designating the place and manner holding the election; providing for the posting and publication of notice; providing a savings clause; providing an open meetings clause; and providing an effective date.**

Jeanna Thompson, City Secretary, presented the ordinance calling for the election adding that the County will be doing a joint election with the city due to a State constitution election ordered on the same day.

Motion made by Mayor Pro Tem Childers to approve the ordinance, Seconded by Councilwoman Brown.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 11. Agreement ~ Discuss, consider, and/or approve an agreement with Texas Transportation Commission to provide the funding toward the State's cost of design, construct, and erection of markers regarding the D.R. "Tom" Uher Memorial Highway.** Shawna Burkhart, City Manager

Motion made by Mayor Pro Tem Childers approved the funding, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 12. Budget ~ Discuss, consider, and/or approve funding for participation of re-scoping of the Natatorium project.**

Shawna Burkhart, City Manager, stated that city, county, and BCISD met regarding funding the natatorium, they want each entity to pay \$5000 towards cost of rescoping on the downsize and phased of the proposed project. Ms. Burkhart stated that as far as she knows is no one has yet committed. Councilman Folse stated the if we do, then it should be contingent on if the other two participate.

Motion made by Councilwoman Brown to approve the funding contingent on the other entities provide funding, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Westmoreland commented on the job well done on Camofest. Councilman Westmoreland requested Ms. Burkhart to check on water leak between Nancy, 4th and 5th streets. He also asked about the 16th street pool and what is going to happen.

Councilman Folse asked Ms. Burkhart for an update on the water leak at 4th and Nichols and the zipper use.

Mayor Pro Tem Childers asked if there were any damages reported from the freeze, and Ms. Burkhart stated that there were not.

Councilwoman Brown asked Ms. Burkhart for an update on the leak at Whitson and JP Davis.

Councilwoman Sitz stated that a citizen asked about noise free trains and loud cars.

Mayor Nelson gave an update regarding railroads.

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, Councilman Westmoreland. Motion carried and the meeting adjourned at 7:32 pm.

PASSED AND APPROVED, this 22nd day of February 2022.

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

JEANNA THOMPSON
CITY SECRETARY