

CITY OF BAY CITY

MINUTES • AUGUST 24, 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

This meeting was called to order by Mayor Pro Tem Jason Childers at 6:02PM.

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

Mayor Pro Tem certified that a quorum was present and that Mayor Robert K. Nelson was excused from the meeting.

PRESENT

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

ABSENT

Mayor Robert K. Nelson

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

PUBLIC COMMENTS

Ellie Westmoreland, 620 6th Street, commented on the hazardous conditions of the roads in the Moore Addition. Caroline Dickerson, 600 3rd Street, spoke about the road conditions in her neighborhood advising that we needed a long term solution to fix the roads. Debbie Dinard, Heather Robinson, and Louis West all spoke about the road conditions and safety issues for the children in their neighborhood. Joan Haas stated that the asphalt repair looks great until it rains and it washes away.

Bob Button thanked the City Manager, Council, and Mayor Pro Tem for reopening the pools as it is great for the kids and the community. He advised that it is great to work with the city.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

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

1. **Minutes of Regular Council Meeting on July 27, 2021**
2. **Minutes of Council Workshop on August 10, 2021**
3. **Minutes of Regular Council Meeting on August 10, 2021**

PUBLIC HEARINGS

4. **Public Hearing ~ Pursuant to Texas Local Government Code, Section 370.002, The City of Bay City, Texas shall conduct a Public Hearing to review the Ordinance Codified in Division 2 of Article II of Chapter 66 of the Code of Ordinances and receive public comment on the City of Bay City's Curfew Ordinance.** Robert Lister, Chief of Police

Robert Lister, Chief of Police, stated that the City is required to re-review the Curfew Ordinance every three years. Chief Lister stated that there are no proposed changes to the curfew ordinance that was updated three years ago when we changed the age from 15 to 16. Ms. Odefey, City Attorney, explained the Local Government code, and stated that there is an emergency COVID curfew in affect, but the City Code is the underlying document. Councilman Westmoreland questioned the State Statutes verses the City Ordinance.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

5. **Presentation ~ Presentation of Airport of the Year to the Bay City Regional Airport to James Mason, Airport Manager.**

Council gave a video presentation of the Airport of the Year awarded to the Bay City Regional Airport. James Mason, Airport Manager, was nominated by his peers to receive the TX DOT Airport of the year. Mayor Pro Tem Jason Childers presented the award to James Mason and airport staff.

6. **Proposal ~ Discuss, consider, and/or approve a proposed Interlocal Agreement with Matagorda County to assist with costs related to road repairs.** Shawna Burkhart, City Manager

Shawn Burkhart, City Manager, reviewed the proposal and stated that the road repairs will not occur until next summer and we can bring back at that time as a budget amendment or incorporate in to plans. Councilwoman Sitz asked if we had asked for a

concrete proposal and Ms. Burkart did not believe they had. Councilman Folse asked what percentage are the asking and Ms. Burkart replied half. Councilman Westmoreland stated that he has a hard tie agreeing to pay construction for a street repair that is in good shape inside city and is not in favor at this time. Councilwoman Brown asked if this has been allocated in the budget and Ms. Jones replied that it had not and is waiting on Council decision. Ms. Burkart added that it would factor into any future consideration for tax rate. Mayor Pro Tem Childers stated that he is in favor of moving forward and believes it is a good deal.

Councilwoman Brown made a motion to table until the first Council meeting in March, Seconded by Councilman Folse. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

7. Presentation ~ Presentation of Regional Drainage Study. Matt Braezeale, Jones & Carter

Mr. Gao Lee of Jones and Carter did a presentation of the Regional Drainage Study. Jones and Carter did a 1D/2D hydrate model of the major streams for the city to provide options for the regional detention basin. A survey and hydrology flow study were conducted. Mr. Lee advised that the survey included 40 bridges that might have an impact. He stated that this survey could be used as a base model for any future development in the city. Some of the areas mentioned were Bucks Bayou, Hardeman Slough, and Cottonwood Creek. For Bucks Bayou, a 133 acre detention area could be created leaving approximately 1552 acres for development. Hardeman Slough could have a 373 acre detention area leaving approximately 534 acres for development. This area may require an interlocal agreement between Bay City, Van Vleck and TXDOT. In regards to Cottonwood Creek, the regional detention area would be more west towards LCRA.

8. Budget ~ Discuss cost of street rehabilitation for Moore and Highland Additions to include utilities. Barry Calhoun, Public Works Director

Public Works Director, Barry Calhoun, addressed the street rehabilitation of the Elliott, Moore and Highland Additions. He advised that Elliott is currently in the design phase. He advised the roadway construction for Highlands would be approximately \$1.9 million and a full depth reconstruction for Moore Addition would be almost \$3 million. He stated that water and sewer lines have to be addressed. Mayor Pro Tem Childers asked Mr. Calhoun how he would categorize the neighborhoods by street condition. He advised that Elliott is the worst followed by Moore Addition and then Highlands. Mayor Pro Tem Childers asked if the flooding would break down the integrity of the roadway and if so, could we get funding to help make the repairs. Mr. Calhoun stated that we would have to provide photographs of what the roadway looked like prior to the flooding. Anne Marie Odefey, City Attorney, advised that she would send Mr. Calhoun and Shawna Burkart a list of upcoming flood drainage funding.

9. **Contract ~ Discuss, consider, and/or approve awarding the construction quote for the City Hall Roof Replacement Project to Centurion Industries Inc. in the amount of \$ 247,810.00 and authorize the City Manager to execute a contract to form by the City Attorney.** Scotty Jones, Finance Director

Council discussed going for bids versus using TIPS and the possibility of additional engineering costs. Item was tabled.

10. **Tax ~ Consider placing a proposal to adopt a Tax Rate for the 2022 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

Finance Director, Scotty Jones, addressed Mayor Pro Tem, City Manager and Council in regards to the proposed tax rate. The budget was balanced with a tax rate of \$0.6350. They were also given another option of \$0.6450 to consider. Both rates are lower than the current tax rate.

Motion made by Councilwoman Brown to place a proposal to adopt a tax rate of \$0.6350 as an action item on the agenda of the September 14, 2021 Council meeting and publishing notice, Seconded by Councilwoman Sitz. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

11. **Tax ~ Consider setting a Public Hearing on the Proposed 2022 Fiscal Year Tax Rate for Thursday, September 9, 2021.** Scotty Jones, Finance director

Motion made by Councilwoman Brown to approve setting a Public Hearing on the Proposed 2021 Fiscal Year Tax Rate for Thursday, September 9, 2021. Seconded by Councilman Folse. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

12. **Budget ~ Consider setting a Public Hearing on the City of Bay City's proposed 2022 Fiscal Year Budget and the City of Bay City's Five-Year Capital Improvement Plan for Thursday, September 9, 2021.** Scotty Jones, Finance Director

Motion made by Councilman Westmoreland to set a Public Hearing on the City of Bay City's proposed 2022 Fiscal Year Budget and the City of Bay City's Five-Year Capital Improvement Plan for Thursday, September 9, 2021, Seconded by Councilwoman Brown. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

13. **Budget ~ Consider setting a Public Hearing on the Bay City Community Development Corporation's proposed 2022 Fiscal Year Budget for Thursday, September 9, 2021.** Scotty Jones, Finance Director

Motion made by Councilwoman Brown to set a Public Hearing on the Bay City Community Development Corporation's proposed 2022 Fiscal Year Budget for Thursday, September 9, 2022, Seconded by Councilman Folse. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

CLOSED / EXECUTIVE SESSION

There was no closed session.

OPEN SESSION

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Westmoreland spoke about the lack of sidewalks on Nichols and inquired whether or not the funding from TXDOT could be used to put some in. He also spoke about a leak on 3rd Street and advised that a citizen informed him that they were told it would be months before the leak would be addressed.

Councilwoman Sitz thanked the Rotary Club for a fabulous concert. She also spoke about the household hazardous waste event that would take place on 10/9/2021. She stated that there are some streets that have dirt on them and that the street sweeper needed to be used to keep it out of the drainage system.

Councilman Folse stated that the hazardous waste day is the first Tuesday of every month and that you can set it for home pick up.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and the meeting adjourned at 8:00 pm.

PASSED AND APPROVED, this 12th day of October, 2021.

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

JEANNA THOMPSON
CITY SECRETARY