

May 19, 2020

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

CITY OF BELLVILLE

Chapter 551 of the Texas Government Code allows a meeting to which the public does not have access in certain limited instances. The Council may consult with their attorney regarding pending or contemplated litigation. The Council may have a closed meeting to deliberate the purchase, exchange, lease or value of real property. An open session is not required to consider evaluation, discipline, or dismissal of an employee unless there is a specific complaint or charge against an officer or employee and the employee or officer wants an open session. The purpose of the agenda is to give notice to the public about the item that will be considered. If any item on the agenda falls within the exceptions to the open meeting law, the Council has the right to adjourn the open session and convene a closed meeting. However, no action may be taken in an executive session. The Council will reconvene in open session before taking any action on an agenda item.

1. 5:30 P.M. CALL TO ORDER

Mayor James Harrison called the meeting to order at 5:30 p.m.

2. INVOCATION AND PLEDGES OF ALLEGIANCE

Alderman Wayne Browning led all in prayer and Pledges of Allegiance.

3. CERTIFICATION OF A QUORUM

Present-to-wit: Mayor James Harrison, Aldermen Arlie Kendrick, Wayne Browning and Garrett Dornon, Alderwoman Ashley Slater; thereby a quorum was established. Alderman Kistler arrived at 5:34 p.m. Also present were City Administrator Shawn Jackson, City Attorney Charley Smith and City Secretary Betty Hollon.

4. CONSIDERATION TO ADOPT AGENDA

The motion was made by Alderman Browning and seconded by Alderman Kendrick to adopt the Agenda for the Regular Meeting of May 19, 2020 after correcting the spelling of mobile on Agenda Item 21 on line 1. Motion carried unanimously.

5. CONSIDERATION TO APPROVE MINUTES OF PREVIOUS MEETINGS

The motion was made by Alderman Kendrick and seconded by Alderwoman Slater to approve the Minutes of the Regular Meeting of April 21, 2020, the Special Meeting of April 17, 2020 and the Special Meeting of May 12, 2020 as presented. Motion carried unanimously.

6. CITIZEN'S FORUM *(Any public comment that is made on an item that is not on the posted final agenda will only be heard by the City Council. No formal action, discussion, deliberation, nor comment will be made by the Council.)*

No one wished to address Council.

7. QUESTIONS AND COMMENTS FROM MAYOR/ COUNCIL MEMBERS/CITY ATTORNEY (DISCUSSION IS LIMITED TO STATEMENTS OF POLICY OR STATEMENTS OF FACTUAL MATTERS, OR THE REQUEST THAT A MATTER BE PLACED ON THE NEXT MEETING'S AGENDA)

Alderman Dornon thanked the citizens for coming out to vote and inquired on past-due utility bills and plans on major projects. Alderman Kendrick commended the Electric Dept. for their quick response on recent outage, thanked Public Works Director, Ben Munsch for his work on Mill Street, and thanked the Mechanic, Terry Tidwell for putting the roller back in operation. Alderman Kendrick inquired on the white, ½ ton pickup stored at the Curry St. location; could the Parks Department use this vehicle? City Administrator Shawn Jackson responded the vehicle is not operational and will be auctioned off. Alderman Kendrick also inquired on the \$35,000 Gas Department Project in Bell Oaks

which City Administrator reported is on hold. Alderman Browning commented he is happy to be back on Council and inquired on the tall grass near Trump Burger on Highway 36. Mayor Harrison welcomed the new Council members and mentioned New Wave had a major line cut that affected many customers.

8. REPORT OR REQUEST(S) FROM CITY ADMINISTRATOR/DEPARTMENT HEADS

City Administrator Shawn Jackson reported he had met with engineers on the S. Masonic Street Project and the plans are to go out for bids in June and award in July. Also Budget Workshops will begin in August. Mr. Jackson also commented sales tax revenue is down.

9. PUBLIC HEARING TO REVIEW PERFORMANCE AND OBTAIN COMMENTS REGARDING 2017 TEXAS CDBG PROGRAM COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 7217020

Mayor Harrison opened the public hearing at 5:47 p.m. for public comments. No one spoke. The hearing closed at 5:48 p.m.

10. CONSIDERATION OF ACCEPTANCE OF 2018-2019 ANNUAL AUDIT PRESENTED BY BROOKSWATSON & COMPANY AND ANY RELATED ACTION NECESSARY

Mr. Jon Watson presented the 2018-2019 Annual Audit to the Council. The motion was made by Alderman Kistler and seconded by Alderman Dornon to accept the 2018-2019 Audit as presented. Motion carried unanimously.

11. CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 1592 (THE 2019-2020 CITY BUDGET) SECTION 101-011 STYLED SALARY & BENEFITS FINANCE/HUMAN RESOURCES DIRECTOR AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Slater and seconded by Alderman Kistler to amend the 2019-2020 City Budget Section 101-011 styled Salary & Benefits Finance/Human Resources Director in the amount \$21,271. Alderman Kendrick abstained. Motion carried.

12. CONSIDERATION OF REQUEST FOR APPROVAL OF A "MINOR PLAT" AS DEFINED IN SECTION 10.02.031 OF THE SUBDIVISION ORDINANCE OF THE CITY OF BELLVILLE WHICH IS A RE-SUBDIVISION OF A 2.673 ACRE TRACT WHICH IS A PART OF EASTERLY CORNER OF RESERVE "B" BRIARWOOD SUBDIVISION, SECTION ONE RECORDED IN VOLUME 1, PAGE 11, AUSTIN COUNTY PLAT RECORDS AND BEING THE SAME LAND DESCRIBED IN THE DEED RECORDED IN CLERK'S FILE NO. 110650 OF OFFICIAL PUBLIC RECORDS OF THE AUSTIN COUNTY TEXAS AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderman Dornon to approve the replat of a 2.673 acre tract which is a part of easterly corner of Reserve "B" Briarwood Subdivision, Section One recorded in Volume 1, Page 11, Austin County Plat Records. Motion carried unanimously.

13. CONSIDERATION OF APPOINTMENTS TO STRATEGIC PLAN COMMITTEE AND ANY RELATED ACTION NECESSARY

The motion was made Alderman Dornon and seconded by Alderwoman Slater to approve the appointments of Linda Niehuus, Grant Lischka, Trey Werner and Jason Sartain to the Strategic Plan Committee for a one-year term. Motion carried unanimously.

14. CONSIDERATION OF OFFER OF COMPROMISE ON REAL PROPERTY LIEN AT 248 W. AUSTIN AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Dornon and seconded by Alderman Kendrick to move this item to Executive Session. Motion carried unanimously.

15. CONSIDERATION OF APPOINTMENTS TO BUILDING STANDARDS COMMISSION AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Dornon and seconded by Alderman Kistler to reappoint two public members – Kyle Mueller and Gary Morris and appoint one Council member – Wayne Browning to the Building Standards Commission. Motion carried unanimously.

16. CONSIDERATION OF APPOINTMENT TO BELLVILLE HOUSING AUTHORITY AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Browning and seconded by Alderman Kendrick to reappoint Sidra Richardson to the Bellville Housing Authority Board for a two-year term. Motion carried unanimously.

17. CONSIDERATION OF APPOINTMENT TO SENS ACTIVITY CENTER BOARD AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderman Browning to appoint Jessica Gordon to the Sens Activity Center Board for a two-year term. Motion carried unanimously.

18. CONSIDERATION OF MAKING S. MILLER A ONE-WAY STREET GOING NORTH TO SOUTH AND ANY RELATED ACTION NECESSARY

To assist with traffic flow problems and dumpster issues on South Miller, the motion was made by Alderman Kendrick and seconded by Alderman Browning to amend the traffic ordinance and make South Miller a one-way street. This item will be put on next month's agenda.

19. CONSIDERATION OF AMENDMENT TO THE CITY OF BELLVILLE FLEXIBLE SPENDING PLAN AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Dornon and seconded by Alderman Browning to amend the City of Bellville Flexible Spending Plan due to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to allow the Plan to reimburse the cost of over-the-counter drugs and products without a prescription. Motion carried unanimously.

20. CONSIDERATION OF ARTICLE 3.07.010 BILLBOARDS AND SIMILAR SIGNS ORDINANCE TO PERMIT PROGRAMABLE ELECTRONIC BILLBOARDS AND ANY RELATED ACTION NECESSARY

Mayor Harrison recused himself at 6:46 p.m. and Mayor Pro Tempore Clay Kistler took over the meeting. Aldermen Wayne Browning and Arlie Kendrick were not in favor of this type of signage for the City of Bellville. They both thought it could be dangerous to drivers. Alderman Dornon suggested more research be done. City Administrator Shawn Jackson will contact the owner to get more information. The motion was made by Alderman Dornon and seconded by Alderman Kendrick to table and put on next month's agenda. Motion carried unanimously. Mayor Harrison resumed the meeting at 7:04 p.m.

21. CONSIDERATION OF AMENDMENT TO SECTION 3.03.042(A)(3) OF THE MOBILE HOME PARK ORDINANCE DELETING REQUIREMENT OF ADJACENT LANDOWNER CONSENT AND SUBSTITUTING LANGUAGE REQUIRING NOTICE TO ALL LANDOWNERS WITHIN 200 FEET OF PROPOSED PERMIT SITE OF THE DATE AND TIME ON THE AGENDA ON WHICH THE MATTER WILL APPEAR FOR COUNCIL CONSIDERATION AND ANY RELATED ACTION NECESSARY

City Attorney Charley Smith recommended this item go to Executive Session.

22. OPEN SESSION RECESSED

Open Session recessed at 7:05 p.m.

23. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE, SECTION 551.071 PENDING OR CONTEMPLATED LITIGATION AND TEXAS GOVERNMENT CODE 551.072 DELIBERATION OF ACQUISITION AND DISPOSAL OF REAL PROPERTY

Executive Session convened at 7:08 p.m.

24. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 8:08 p.m.

25. OPEN SESSION RECONVENED

Open Session reconvened at 8:10 p.m.

26. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION, DELIBERATION OF ACQUISITION AND DISPOSAL OF REAL PROPERTY AND ANY RELATED ACTION NECESSARY

Agenda Item 21 – The motion was made by Alderman Dornon and seconded by Alderman Kendrick to approve the Amendment to Section 3.03.042(A)(3) of the Mobile Home Park Ordinance deleting requirement of adjacent landowner consent and substituting language requiring notice to all

landowners within 200 feet of the proposed permit site of the date and time on the agenda on which the matter will appear for Council consideration. Motion carried unanimously.

Agenda Item 14 – The motion was made by Alderwoman Slater and seconded by Alderman Browning to have a committee composed of Alderman Dornon, Alderman Kendrick and Attorney Smith to research options regarding the property at 248 W. Austin. Motion carried unanimously.

27. ADJOURNMENT

The motion was made by Alderman Browning and seconded by Alderwoman Slater to adjourn at 8:11 p.m.