

JUNE 15, 2021

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. 5:00 P.M. CALL TO ORDER

Mayor James Harrison called the meeting to order at 5:01 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 Garrett Dornon, Clay Kistler, Wayne Browning and Arlie Kendrick, Alderwoman Ashley Slater; thereby a quorum was established. Also present were City Administrator Shawn Jackson, City Attorney Charley Smith and City Secretary Betty Hollon.

4. CONSIDERATION/ACTION TO ADOPT AGENDA

The motion was made by Alderman Kendrick and seconded by Alderman Browning to approve the Agenda for the Regular Meeting of June 15, 2021 as presented. Motion carried unanimously.

5. CONSIDERATION TO APPROVE MINUTES OF PREVIOUS MEETINGS

The motion was made by Alderman Dornon and seconded by Alderwoman Slater to approve the Minutes of the Regular Meeting of May 18, 2021 and the Special Meeting of June 8, 2021 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 speak.

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

City Administrator Shawn Jackson reported a Workshop with the EDC is planned for Tuesday, June 22nd.

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

Mayor and Council thanked the police department and all other agencies involved with the Active Shooter Drill at the High School. Alderman Kistler stressed the importance of observing variances concerning drainage and its effect on others. Mr. Kistler also inquired on the striping at N. Holland by the courthouse. Alderman Kendrick inquired on the new phone system and temporary generator at City Hall, mosquito spraying, dead tree at mini-park and water line on FM 1456 which needs maintenance. Alderman Browning inquired on noon whistle, tree trimming and round table discussion with heads of the community. Mayor Harrison informed all that the City of Bellville was presented the "Partners in Education Award" by the Bellville School System.

9. CONSIDERATION OF ORDINANCE ANNEXING THAT CERTAIN 26.335 ACRES SITUATED IN THE JAMES CUMMINGS SURVEY, ABSTRACT NO. 31, DESCRIBED BY METES AND BOUNDS ATTACHED TO THE REQUEST FOR ANNEXATION FILED BY THE OWNER, NESH FARMS SCHUMANN ROAD, LLC AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderman Browning to approve the annexation of the 26.335 acres situated in the James Cummings Survey, Abstract No. 31, described by metes and bounds attached to the request by the owner, Nesh Farms Schumann Road, LLC. Motion carried unanimously.

10. CONSIDERATION OF AN ORDINANCE PROHIBITING USE OF PUBLIC PROPERTY FOR PRIVATE COMMERCE AND ANY RELATED ACTION NECESSARY

Originally the motion was made by Alderman Kistler and seconded by Alderwoman Slater to adopt the Amendment to the Code of Ordinances titled Section 4.01.01 Automobile Repair on Public Property is Prohibited. It reads: Except for an emergency repair as defined hereafter, no person or business entity may use any portion of a public street, alley, park, playground, athletic field or municipal owned parking lot of the City of Bellville to make repairs to a motor vehicle. An emergency repair is a repair necessary to allow a temporarily disabled vehicle to be driven off public property using its own power within thirty minutes of the time the car becomes inoperable. After discussion Alderman Kistler withdrew his motion and then made the motion to adopt the Farmers Branch (a) ordinance. There was no second. After more discussion, Alderman Dornon made the motion and it was seconded by Alderman Browning to adopt the Section 4.01.01 Automobile Repair on Public Property is Prohibited as written. Motion carried unanimously.

11. CONSIDERATION OF AMENDMENT TO CODE OF ORDINANCES – CHAPTER 2, ANIMAL CONTROL AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Slater and seconded by Alderman Kendrick to approve the amendment to Chapter 2 of the Code of Ordinances amending the definition of “livestock” under Section 2.01.001. Motion carried unanimously.

NO EXECUTIVE SESSION

12. OPEN SESSION RECESSED

13. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE 551.071 PENDING OR CONTEMPLATED LITIGATION AND TEXAS GOVERNMENT CODE 551.072 TO DELIBERATE THE ACQUISITION AND DISPOSAL OF REAL PROPERTY

14. EXECUTIVE SESSION ADJOURNED

15. OPEN SESSION RECONVENED

16. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION AND ACQUISITION AND DISPOSAL OF REAL PROPERTY

17. ADJOURNMENT

The motion was made by Alderman Browning and seconded by Alderman Kendrick to adjourn at 6:07 p.m. Motion carried unanimously.