

MARCH 19, 2002

AGENDA OF A REGULAR MEETING OF THE CITY COUNCIL

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

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

2. 2. INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Warren Scott led all in the prayer and the Pledge of Allegiance.

3. 3. ROLL CALL AND CERTIFICATION OF A QUORUM

Present to-wit: Mayor Philip B. Harrison, Aldermen Wayne Browning, James A. "Jim" Bishop, Michael S. "Mike" Mueller, and David Ottmer; thereby a quorum was established. Also present was City Attorney Charley Smith, City Administrator Lynn S. Roberts and City Secretary Susan Rosinski. Alderman O. William "Bill" Schmidt was absent.

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion was made by Alderman Browning, seconded by Alderman Mueller to adopt the agenda as presented with the exception that agenda item number sixteen follow agenda item number nine. Motion carried unanimously.

5. 5. CONSIDERATION/ACTION TO APPROVE MINUTES OF PREVIOUS MEETING

A motion was made by Alderman Browning, seconded by Alderman Mueller to adopt the minutes of the Regular Meeting of February 19, 2002 and Special Meeting of February 26, 2002 as presented. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

Mr. Delwin Rettig appeared before Council voicing his concern regarding the gathering of the Ku Klux Klan in Bellville. He was concerned as to why the Ku Klux Klan was given permission to hold a rally in one of the city parks. Mayor Harrison explained that neither Council nor the City Administrator gave permission for this rally. He explained that we had received a call from a member of the Klan and were informed that they had planned to hold a rally in Bellville. Mr. Rettig then asked if there was an ordinance in place to deter such rallies from being held on city property. Mayor Harrison informed him that the City has no ordinances to keep rallies of any kind from coming to Bellville and entering our parks. He also stated that local law enforcement agencies would be taking the necessary precautions. Attorney Smith informed Mr. Rettig and citizens attending that this group would be exercising their right to freedom of speech.

7. 7. REPORT OR REQUEST(S) FROM MAYOR/COUNCIL MEMBERS/CITY ATTORNEY

Mayor Harrison announced that the American Cancer Society would be holding Relay for Life on April 26 and 27 in Sealy. This is a team event to fight cancer.

Mayor Harrison also announced that Bell Oaks Subdivision had started a newsletter and the City of Bellville's quick repair of streetlights was in this month's newsletter.

Alderman Browning inquired about demolition. Administrator Roberts informed him that letters had been written to property owners and we were beginning to have responses from property owners. She also stated that some property owners would be seen in Municipal Court this week regarding demolition.

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

Administrator Roberts informed Council that construction to the wastewater plant was progressing nicely.

Adm. Roberts informed Council that city crews were now through with the drainage clean up of Boggy Creek. Crews will still need to put the finishing touches on the property. Alderman Browning inquired as to whether Austin County was helping with the clean up. Administrator Roberts responded "no".

9. 9. CONSIDERATION TO CHANGE PROCEDURE REGARDING MAILED UTILITY PAYMENTS AND CANCELLATION OF LATE FEES ON UTILITY BILLS – WAYNE LESSMANN

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Mr. Wayne Lessman appeared before Council and informed them that he was very unhappy with the way the city was handling penalties in regards to utility bills. He suggested that the policy be changed so that all payments received postmarked by the 10th of the month be accepted as timely.

Mayor Harrison informed him that the procedure would be looked at and addressed.

10. 10. PRESENTATION AND DISCUSSION BY AUSTIN COUNTY LEADERSHIP COUNCIL REPRESENTATIVE – HERSHEL SMITH

Herschel Smith, representative of the Austin County Leadership Council appeared before City Council and invited them to march with him and citizens on April 6, 2002 at 10:00 a.m. for Racial Healing Day. The march will begin at City Hall at 10:00 a.m. and conclude on Highway 36 South at the Swansey Shopping Center. Mayor Harrison will also issue a proclamation promoting racial harmony.

11. 11. CONSIDERATION OF WASTEWATER AND GARBAGE CHARGES AND ANY RELATED ACTION NECESSARY

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Mayor Harrison announced that staff is currently studying the wastewater and garbage rate fees. This item was tabled until further study.

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

A motion was made by Alderman Ottmer, seconded by Alderman Browning to appoint Mr. Jim Grounds to the Sens Center Board for the term March 19, 2002 – April 14, 2003. Motion carried unanimously. Mr. Grounds will fill the vacancy created by the resignation of Ann Kness.

13. 13. DISCUSSION AND CONSIDERATION REGARDING ECONOMIC DEVELOPMENT CORPORATION FUNDS AND ANY RELATED ACTION NECESSARY

Alderman Mueller suggested that council reconsider how the economic development ½% sales tax be expended. It was the consensus of council to meet with the Economic Development Corporation Board in a workshop style setting and consider options.

14. CONSIDERATION OF SUBDIVISION ORDINANCE AND ANY RELATED ACTION NECESSARY

This item was tabled until further study. This agenda item will be placed on the April meeting agenda.

15. CONSIDERATION OF INTERLOCAL AGREEMENT WITH AUSTIN COUNTY REGARDING SUBDIVISIONS WITHIN THE CITY OF BELLVILLE'S EXTRA-TERRITORIAL JURISDICTION AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Browning, seconded by Alderman Ottmer to adopt the resolution in principal and take control over all subdivisions within our extra-territorial

jurisdiction to the extent permitted by Section 242.001 of the Texas Government Code and to direct the City Attorney and City Administrator to draft an appropriate inter-local agreement to be presented to council at the next meeting. Motion carried unanimously.

16. DISCUSSION REGARDING JOINT PARTICIPATION WITH BELLVILLE INDEPENDENT SCHOOL DISTRICT AND BELLVILLE PUBLIC LIBRARY FOR TEXSHARE DATABASE AND ANY RELATED ACTION NECESSARY – MARY ANN NOVASAD

Mrs. Mary Ann Novosad, Librarian for Bellville High School appeared before Council and discussed the possibility of the Bellville Public Library and the BISD uniting in the Texshare Database. This database would provide information through the Internet free of charge for students and patrons of the Bellville Public Library. It was the consensus of council that this would be an asset and we would help in anyway possible to make this resource available.

17. ADJOURNMENT

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Motion made by Alderman Browning, seconded by Alderman Ottmer to adjourn at 6:48 p.m.
Motion carried unanimously.