

MARCH 20, 2001

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

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

The meeting was called to order by Mayor Harrison at 5:30 p.m.

2. 2. INVOCATION AND PLEDGE OF ALLEGIANCE

Alderman Browning led all in the prayer and Pledge of Allegiance.

3. 3. ROLL CALL AND CERTIFICATION OF A QUORUM

Present to-wit: Mayor Philip B. Harrison, Aldermen David Ottmer, Michael S. "Mike" Mueller, James A. "Jim" Bishop, O. William "Bill" Schmidt and Wayne Browning; thereby a quorum was established. Also present were City Administrator Lynn S. Roberts and City Secretary Susan Rosinski. City Attorney Charley Smith appeared at 6:06 p.m.

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 the addendum posted March 16 follow agenda item number thirteen and the addendum posted March 19 be included with the executive session. Motion carried unanimously.

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

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A motion was made by Alderman Bishop, seconded by Alderman Ottmer to adopt the minutes of the Regular Meeting of February 20, 2001 and the Special Meeting of March 06, 2001 as presented. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

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There were no citizens present that wished to address Council.

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

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Mayor Harrison reported that he and other Council members had received complaints regarding the way in which the Spring Clean Up was being performed this year. Citizens were upset that city crews were not picking up debris as in previous years. It was the consensus of Council that staff was to inform citizens to have all debris placed by the curb by March 30, 2001 and that crews would be by to pick up from the curb.

Alderman Mueller inquired as to the status of the traffic signal light at E. Hacienda and Highway 36 South. Administrator Roberts informed Council that the light had been approved and that the Texas Department of Transportation was waiting on the railroad to install a traffic device before construction could begin.

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Mayor Harrison informed Council that the City of Houston was using an excavator to aid them in the demolition of dilapidated homes and buildings. It was the decision of the Council that the City of Bellville begin their demolition projects once again.

Mayor Harrison also announced that he had read in the Texas Municipal League monthly magazine that the Economic Development Corporation could now contract with the City for secretarial services.

Alderman Schmidt inquired about Boggy Creek. Attorney Smith informed him that the Council now had a lawsuit regarding Boggy Creek and it would be discussed in Executive Session.

Alderman Ottmer informed Council that there were three proposals coming before the Bellville Economic Development Corporation Board on April 9, 2001.

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

Administrator Roberts informed Council that we had no new employees at this time.

She reported that the new water tower would be completed in approximately one week and the controls were being installed in the building located behind City Hall.

Adm. Roberts informed Council that on April 6 there was a class on The Open Meetings Act scheduled in Austin.

9. CONSIDERATION OF 1999-2000 AUDIT AND ANY RELATED ACTION NECESSARY – GINGER SNIDER

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Ginger Snider, the City's auditor appeared before Council and presented the 1999-2000 annual audit. After review of the audit, a motion was made by Alderman Mueller, seconded by Alderman Schmidt to approve the 1999 – 2000 audit as presented with the exception that on page sixteen of the audit the name Austin County State Bank be changed to First National Bank of Bellville. Motion carried unanimously. Mrs. Snider stated in her management letter to Council " In my opinion, there could be better administrative controls, from an audit standpoint, regarding the Sens Center (Center). The volunteers at the Center are valuable and appreciated, but there is a gap in the administrative controls regarding the collection of revenues. It is my recommendation that the revenues; i.e. rentals, from the Center be made directly to the City."

Alderman Mueller inquired as to what marketing effort was being made by the Appraisal District to move property and whether the Appraisal District had a policy that governed the moving of property. Mrs. Phyllis Crawford of the Austin County Appraisal District will be contacted and asked to appear at the next regularly scheduled meeting.

10. CONSIDERATION OF RESOLUTION # 1164R IN SUPPORT OF THE PARKS BOARD IN APPLYING AND FILING FOR AN LCRA GRANT AND A TEXAS PARKS AND WILDLIFE GRANT AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Schmidt, seconded by Alderman Browning to adopt Resolution #1164R which supports the Bellville Parks Board in applying and filing for a Lower Colorado River Authority grant and a Texas Parks and Wildlife grant. Motion carried unanimously.

11. CONSIDERATION OF APPOINTMENTS TO THE ECONOMIC DEVELOPMENT CORPORATION BOARD AND ANY RELATED ACTION NECESSARY

This item was tabled.

12. CONSIDERATION OF FINANCING OPTIONS FOR COMPUTER SYSTEM AND ANY RELATED ACTION NECESSARY

Administrator Roberts informed Council that she and Alderman Mueller had met and discussed options for financing the new computer system. Alderman Mueller stated that the interest rate would be the prime rate minus one (which would be 7% at this time). After discussing the options, a motion was made by Alderman Schmidt, seconded Alderman Browning to select the option in which the First National Bank of Bellville gives the City a line of credit in which funds

could be advanced as needed. The motion also included that payments be made on a monthly basis and the note would be renewed

at the new fiscal year beginning October 1, 2001. Mayor Harrison called for a vote. Aldermen Schmidt, Browning, Ottmer and Bishop voted for and Alderman Mueller abstained due to his affiliation with the First National Bank of Bellville. Motion carried.

13. CONSIDERATION OF PROHIBITING CONSTRUCTION OF TOWERS WITHIN THE CITY LIMITS OF BELLVILLE AND ANY RELATED ACTION NECESSARY

Council discussed options regarding prohibiting the installation of towers within the City of Bellville and our extra territorial jurisdiction. The Council instructed Attorney Smith to prepare recommendations (permits) regarding the prohibition of towers and present the recommendations at the next regularly scheduled meeting. Motion carried unanimously.

14. OPEN SESSION ADJOURNED

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Open Session adjourned at 7:00 p.m.

15. EXECUTIVE SESSION CONVENEED UNDER TEXAS GOVERNMENT CODE SECTION 551.074, AND SECTION 551.086 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION,

REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, AND TO CONSIDER COMPETITIVE MATTERS

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Executive Session convened at 7:04 p.m.

16. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 7:30 p.m.

17. OPEN SESSION RE-CONVENED

Open Session re-convened at 7:31 p.m.

18. CONSIDERATION OF THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, AND TO CONSIDER COMPETITIVE MATTERS AND ANY APPROPRIATE ACTION NECESSARY

No action taken.

19. ADJOURNMENT

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A motion was made by Alderman Schmidt, seconded by Alderman Browning to adjourn at 7:32 p.m. Motion carried unanimously.

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Addendum to Regular Meeting
Of March 20,2001
Posted at 4:30 p.m., March 16, 2001

CONSIDERATION TO EXPEND ECONOMIC DEVELOPMENT FUNDS (\$19,500.00) FOR
ENGINEERING SERVICES FOR COMMUNITY PAVILION AND ANY RELATED ACTION
NECESSARY

A motion was made by Alderman Bishop to approve the Bellville Economic Development Corporation funding the engineering services (plans and specifications) for the community pavilion in the amount of \$19,500.00. Mayor Harrison called for a second to the motion three times. Motion died for lack of a second. The City Council believed that this was a good project; but it was not feasible at this time due to the current needs within the city.

Addendum to Regular Meeting
Of March 20, 2001
Posted at 4:00 p.m., March 19, 2001

EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE SECTION 551.071
TO DISCUSS PENDING OR CONTEMPLATED LITIGATION

This item was added to agenda item number fifteen.