

APRIL 17, 2001

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

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

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 the 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, City Secretary Susan Rosinski. City Attorney Charley Smith appeared at 5:37 p.m.

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

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

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

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A motion was made by Alderman Browning, seconded by Alderman Mueller to approve the minutes of the Regular Meeting of March 20, 2001. 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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Alderman Browning inquired as to whether we had started the annual mowing program.

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

Chief Jerral Johnson introduced new patroman, Jonathan Rutledge.

City Administrator informed Council that Well #9 was pumping, the installation of the water controls is nearly completed and Well #10 needs a pad. She also stated that the new water tower is now on line and the small water tower will be removed in a few weeks.

9. CONSIDERATION OF THE MEISCHEN SUBDIVISION AND ANY RELATED ACTION NECESSARY –
BETTY MEISCHEN – **ITEM DELETED FROM AGENDA**

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10. CONSIDERATION OF APPOINTMENT TO THE ECONOMIC DEVELOPMENT CORPORATION BOARD
AND ANY RELATED ACTION NECESSARY

This item was passed over as it is currently not ready for presentation.

11. CONSIDERATION OF APPOINTMENTS TO THE HOUSING AUTHORITY BOARD AND ANY RELATED
ACTION NECESSARY

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A motion was made by Alderman Schmidt, seconded by Alderman Ottmer to appoint Cleide Aitken to the Bellville Housing Authority Board for the retroactive term April 15, 2001 – April 14,

2003. Motion carried unanimously. Mayor Harrison later reappointed George Brown and Janet Nunn.

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

A motion was made by Alderman Ottmer, seconded by Alderman Browning to appoint Patsy Faken, Grace Bruce, Ruby Koehn to the Sens Center Activity Board for the retroactive term April 15, 2001 – April 14, 2003 and Lelton R. “Bob” Bruce for the un-expired term April 15, 2001 – April 14, 2002. Motion carried unanimously.

13. CONSIDERATION OF APPOINTMENT OF A SPECIAL JUDGE IN MUNICIPAL COURT AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Bishop, seconded by Alderman Schmidt to appoint City Attorney Charley Smith as a Special Judge in the Bellville Municipal Court when the need arises. Motion carried unanimously. Said appointment is made due to the fact that Judge Terri Resendez has had to recuse herself in a case.

14. CONSIDERATION OF DILAPIDATED PROPERTIES AND ANY RELATED ACTION NECESSARY

Code Enforcement Officer Myles Liescheski appeared before Council and informed them that he had made an inspection of four dilapidated structures within the city. The structures include a home located at 872 West Austin, an old garage/barn at 205 W. Chatham, a duplex at 228/230 S. Hilliard per City records and 232 S. Hilliard per Austin County Appraisal District records and a home at 218 S. Fields per City Records and 208 S. Fields per Austin County Appraisal District records. A motion was made by Alderman Schmidt, seconded by Alderman Browning to proceed with notification to the owners and then demolition of the above listed structures. Motion carried unanimously. The letter is to include that a lien will be asserted. Letter is to be approved by Attorney Smith.

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

This item was tabled.

16. OPEN SESSION ADJOURNED

Open Session adjourned at 6:00 p.m.

17. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE UNDER 551.071 551.074, AND SECTION 551.086 TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, AND TO CONSIDER, ADOPT, APPROVE, AMEND AND RATIFY COMPETITIVE MATTERS WITH GENTEX POWER CORPORATION INCLUDING LEGAL AND POLICY MATTERS AND ANY RELATED ACTION NECESSARY

Executive Session convened at 6:02 p.m.

A motion was made by Alderman Ottmer, seconded by Alderman Schmidt to take action pursuant to Texas Government Code 551.086. Motion carried unanimously.

18. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 7:09 p.m.

19. OPEN SESSION RE-CONVENED

Open Session re-convened at 7:10 p.m.

20. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION/ACTION REGARDING BOGGY CREEK, THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, AND TO CONSIDER, ADOPT, APPROVE, AMEND AND RATIFY COMPETITIVE MATTERS WITH GENTEX POWER CORPORATION AND ANY APPROPRIATE ACTION NECESSARY

A motion was made by Alderman Browning, seconded by Alderman Ottmer to authorize Attorney Smith to negotiate a written offer of assistance to the property owners along Boggy Creek. Motion carried unanimously.

21. ADJOURNMENT

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A motion was made by Alderman Schmidt, seconded by Alderman Browning to adjourn at 7:11 p.m. Motion carried unanimously.