

MAY 15, 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, James A. "Jim" Bishop, O. William "Bill" Schmidt and Wayne Browning. Also present were City Attorney Charley Smith, City Administrator Lynn S. Roberts, and City Secretary Susan Rosinski. Alderman Michael S. "Mike" Mueller was absent.

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion made by Alderman Schmidt, seconded by Alderman Bishop to adopt the agenda as presented with the exception that the addendum posted on May 14 should follow agenda item number six. Motion carried unanimously.

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

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A motion was made by Alderman Browning, seconded by Alderman Ottmer to approve the minutes of the Regular Meeting of April 17, 2001. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

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There were no citizens present that wished to address council.

OATH OF OFFICE ISSUED TO ELECTED OFFICIALS

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Attorney Smith issued the Oath of Office to re-elected officials, Philip B. Harrison and O. William "Bill" Schmidt.

CERTIFICATES OF ELECTION ISSUED TO ELECTED OFFICIALS

Mayor Harrison issued Certificates of Election to the elected officials.

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

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Alderman Browning informed Council that the ditch at W. Meyers and W. Austin was once again filled with vegetation. He inquired as to whether we could concrete this ditch. He was informed that this was not a budgeted item in this year's budget.

Mayor Harrison stated that the City should have an ordinance in place regarding fencing around swimming pools. This item is to be placed on the May agenda.

Alderman Ottmer stated that he had had inquiries as to why the City is not repairing the streets. Mayor Harrison informed citizens present that we are involved in a five million dollar project in which we are improving the water and wastewater system. We will be replacing water and

wastewater lines over the next few years and it would not be feasible to resurface a city street and then have to trench through it to install a line.

Alderman Ottmer also informed Council that he had been questioned as to why citizens could not take limbs to the Recycling Center. After discussion it was the consensus of council to allow citizens to bring limbs to the Recycling Center.

Attorney Smith announced that the Texas Natural Resource Conservation Commission's attorney and the Public Interest Counsel recommended approving the wastewater permit without a hearing. Attorney Smith and Administrator Roberts will travel to Austin on May 23 for the official response.

Mayor Harrison inquired about the Colorado Valley Bus route. City staff will follow up on the status of the bus route.

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

Administrator Roberts introduced new librarian, Rebecca Valentine. She will be filling the position of head librarian on August 1, 2001 due to Alice Neel's retirement.

Adm. Roberts informed Council that Fred Kollman of the Texas Department of Transportation had contracted her and said that they would be seal coating from Gamma Grass Road on State Highway 36 through town. They would also be altering the turn lane by making it twelve feet in width instead of the current sixteen feet. She also reported that the State is still working with the railroad regarding the stop light installation at State Highway 36 and Hacienda.

9. 9. CONSIDERATION OF BELLVILLE ECONOMIC DEVELOPMENT PROJECTS AND ANY RELATED ACTION NECESSARY

Alderman Ottmer informed Council that the Bellville Economic Development Corporation Board had approved the application submitted by the Boy's and Girl's Club in the amount of

\$20,000.00. A motion was made by Alderman Schmidt, seconded by Alderman Browning to grant \$20,000.00 to the Boy's and Girl's Club. Motion carried unanimously. Said \$20,000.00 will be used in funding a portion of the operating budget of the Boy's and Girl's Club of Bellville.

Alderman Ottmer also informed Council that the Bellville Economic Development Corporation Board had approved the application submitted by Lana Johnson in the amount of \$25,000.00. A motion was made by Alderman Ottmer, seconded by Alderman Browning to grant \$25,000.00 to Lana Johnson of the Bellville Trading Company. Mayor Harrison called for a vote. Aldermen Ottmer, Schmidt and Browning voted aye and there were no nays. Motion carried. Alderman Bishop abstained due to the fact that he is the architect on this project. Said \$25,000.00 will be used to remodel an historic building located at 11 North Bell. This building will be a retail store, the Bellville Trading Company.

10. PRESENTATION BY AUSTIN COUNTY APPRAISAL DISTRICT'S CHIEF APPRAISER REGARDING PROPERTIES WITH DELINQUENT TAXES AND ANY RELATED ACTION NECESSARY- PHYLLIS CRAWFORD

Mrs. Phyllis Crawford, Chief Appraiser of the Austin County Appraisal District, Mr. Norman Nelson, Tax Attorney for the law firm, Lionberger, Heard, Goggan, Blair, Graham, Pena and Sampson and Ms. Elana Bissett, Area Manager appeared before Council and gave a report on the suit filing procedure and the marketing efforts used regarding properties with delinquent taxes.

11. CONSIDERATION OF HOUSTON – GALVESTION AREA COUNCIL'S CONSULTANT AGREEMENT AND ANY RELATED ACTION NECESSARY

Motion made by Alderman Browning, seconded by Alderman Schmidt to enter into a contract with Houston Galveston Area Council for grant writing services in the amount of \$584.00. Motion carried unanimously. Ms. Christy Durham of HGAC will perform grant writing services in order for the City of Bellville to possibly obtain funds through Lower Colorado River Authority and Texas Parks and Wildlife for construction of a new park.

12. CONSIDERATION OF STOP SIGN TO BE PLACED AT NICHOLS AND SOUTH HOLLAND STREETS AND ANY RELATED ACTION NECESSARY

Police Chief Jerral Johnson appeared before Council and asked for consideration of a stop sign to be placed at Nichols and South Holland. He informed Council that traffic had been monitored at this location and several citations had been issued. Mrs. Kim Henley of 919 S. Holland informed Council that she was concerned with people speeding and children playing in the area. After discussion, a motion was made by Alderman Browning, seconded by Alderman Ottmer to place stop signs at Nichols and S. Holland making this a four-way intersection. Motion carried unanimously.

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

Attorney Smith presented Council with an ordinance he had drafted controlling the placement of commercial antennas within the city limits and the extra-territorial jurisdiction of the City of Bellville. A motion was made by Alderman Bishop, seconded

by Alderman Schmidt to adopt the ordinance as presented. Motion carried unanimously. Said ordinance prohibits the installation or construction of radio, television or communication tower designed or intended to be used for commercial purposes without the approval of the City Council. Permits cannot be issued until permit fees and regulations are approved.

14. OPEN SESSION ADJOURNED

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Open Session adjourned at 6:16 p.m.

15. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE UNDER 551.071 AND 551.074 TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE AND ANY APPROPRIATE ACTION NECESSARY

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Executive Session convened at 6:18 p.m.

16. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 6:52 p.m.

17. OPEN SESSION RE-CONVENED

Open Session convened at 6:54 p.m.

18. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION AND THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE 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 6:55 p.m. Motion carried unanimously.