

August 19, 2003

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

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

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. ROLL CALL AND CERTIFICATION OF QUORUM

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

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion was made by Alderman Ottmer, seconded by Alderman Browning to adopt the agenda as presented with the exception that agenda item number fourteen follow agenda item number eight and agenda item number seventeen follow agenda item number twenty-two. Motion carried unanimously.

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

A motion was made by Alderman Browning, seconded by Alderman Ottmer to approve the minutes of the Regular Meeting of July 15, 2003 and Special Meeting of July 22, 2003 as presented. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

No one was present that wished to address Council.

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

Alderman Browning voiced his concern on the following items:

- City street maintenance
- Equipment not being used
- Inactivity of the Parks Board
- Problems with ditches and drainage
- Home demolition

Inquired about the status of the extension of the city limit lines. Administrator Roberts responded that a letter had been written and she had been waiting on Council's decision as to how far they wished to extend the city limit lines.

The status of the speakers that were to be placed in the Council meeting room. (Speakers were on site and working).
Badges for city employees.

Alderman Ottmer asked that the city limit extension be placed on next month's meeting agenda.

Mayor Harrison stated he would like to assemble the Parks Board once again and then get with Council on some ideas.

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

Administrator Roberts informed Council that we had just been made aware that it was no longer necessary to have an asbestos abatement for homes (single-family dwellings) as in the past. She therefore had contacted Attorney Smith to have him verify the information and the steps necessary in home demolition.

Administrator Roberts announced that the city had not received the Texas Parks and Wildlife grant for Clark Park. She also stated she needed to contact the Lower Colorado River Authority (LCRA) about the funds that were granted for Clark Park and explore some options.

Administrator Roberts also announced that LCRA would be placing a weather station at the wastewater treatment plant.

9. CONSIDERATION TO AWARD FOR 2002-2003 AUDIT SERVICES AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Schmidt, seconded by Alderman Mueller that the city contract with Seidel, Schroeder and Company for 2002 – 2003 audit services. Motion carried unanimously. The cost of audit services is \$17,505.00.

10. CONSIDERATION OF APPOINTMENT TO THE AUSTIN COUNTY APPRAISAL DISTRICT BOARD AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderwoman Allen to appoint Bill Schmidt to serve on the Austin County Appraisal District Board for the un-expired term August 19, 2003 – December 31, 2003. Motion carried unanimously. Alderman Schmidt will be filling the vacancy created by Jim Bishop's resignation.

11. CONSIDERATION OF BANNER INSTALLATION FEES/RATES AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderman Schmidt to require a \$50.00 per banner fee for organizations that wished to have a banner placed over the State Highway by City crews and no charge to all non-profit organizations for placement of banners. The motion included that both groups be required to produce a permit from the State Highway Department and be allowed a maximum of two banners. Also included in the motion was that Attorney Smith and City Administrator Roberts have final editorial control of verbiage for banner. Motion carried unanimously.

12. CONSIDERATION TO APPROVE AND AMEND THE CURRENT SUBDIVISION ORDINANCE AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Browning, seconded by Alderwoman Allen to adopt Subdivision Ordinance #1229 less the Technical Summary as prepared by Attorney Smith. Motion carried unanimously. The Council wished to have O'Malley Engineers edit the Technical Summary for content and the approval of the Technical Summary will be placed as an item on the next regular meeting agenda.

13. CONSIDERATION OF ABANDONMENT OF STREET AND ALLEY AT SECOND AND S. MECHANIC FOR MILL CREEK CHURCH AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Schmidt, seconded by Alderman Ottmer to approve the abandonment of the street and right-of-way at E. 2nd and near N. Mechanic. Motion also included that the potential buyers be required to purchase all surrounding property within a period of ninety (90) days or have the abandoned property revert back to the City of Bellville. Motion carried unanimously.

14. REPORT ON FINAL INSPECTION AT THE WASTEWATER TREATMENT PLANT AND ANY RELATED ACTION NECESSARY

Tim Robertson of O'Malley Engineers appeared before Council and informed them that the construction of the wastewater treatment plant was complete. Mr. Robertson also presented the final estimate due to N & S Construction in the amount of \$118,021.55.

Mr. Frank Oliver and Mr. Bob Bush of N & S Construction were available for questions. After discussion, the consensus of Council was not to pursue liquidated damages.

A motion was made by Alderman Schmidt, seconded by Alderman Mueller to authorize final payment to N & S Construction in the amount of \$118,021.55. Motion carried unanimously.

15. CONSIDERATION OF COBALT BROADBAND INTERNET CONTRACT AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderman Mueller to allow Attorney Smith and Administrator Roberts to finalize the details for broadband services and pursue a contract with Cobalt Broadband Internet Services. Motion carried unanimously.

16. CONSIDERATION OF AMENDMENT TO MOBILE HOME ORDINANCE AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderman Schmidt that the current Mobile Home ordinance be changed to include that "all property owners immediately adjacent to the boundaries" be notified of the application rather than "all property owners within three hundred feet of the boundaries" be notified. Motion carried unanimously.

17. BUDGET WORKSHOP

A workshop was held to discuss the 2003-2004 fiscal year budget.

18. OPEN SESSION ADJOURNED

Open Session adjourned at 6:30 p.m.

19. EXECUTIVE SESSION CONVENED UNDER SECTION 551.071 TO DISCUSS PENDING OR CONTEMPLATED LITIGATION AND SECTION 551.04 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE AND ANY RELATED ACTION NECESSARY

Executive Session convened at 6:40 p.m.

20. EXECUTIVE SESSION RECESSED

Executive Session recessed at 7:45 p.m.

21. OPEN SESSION RE-CONVENED

Open Session re-convened at 7:50 p.m.

22. CONSIDERATION OF POTENTIAL OR CONTEMPLATED LITIGATION AND THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE AND ANY RELATED ACTION NECESSARY

No action taken.

23. ADJOURNMENT

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A motion was made by Alderman Schmidt, seconded by Alderman Browning to adjourn at 7:55 p.m. Motion carried unanimously.