

April 18, 2006

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

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

3. ROLL CALL AND CERTIFICATION OF QUORUM

Present to-wit: Mayor Philip B. Harrison, Aldermen Wayne Browning, Monte D. Richardson, James A. "Jim" Bishop, Carol H. Courville and Jerome Peters; thereby a quorum was established. Also present was City Administrator Lynn S. Roberts, City Secretary Susan Rosinski and City Attorney Charley Smith.

4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion was made by Alderman Browning and seconded by Alderman Bishop to adopt the agenda as presented. Motion carried unanimously.

5. CONSIDERATION/ACTION TO APPROVE MINUTES OF PREVIOUS MEETINGS

A motion was made by Alderman Browning and seconded by Alderwoman Courville to adopt the minutes as presented. Mayor Harrison called for comments. Alderman Peters commented on the wording of previous minutes and also the wording of the March 21 minutes in particular item number ten. Mayor Harrison called for a vote. Alderman Browning, Bishop, Courville and Richardson voted aye and Alderman Peters was opposed. Motion carried unanimously.

6. CITIZEN'S FORUM

Sherry Kutch of 818 Highway 159 E came before Council and wished to address the locations of billboards and showed Council photographs of billboard frames at different locations. Ms. Kutch suggested Council consider adopting a moratorium on issuing new permits for billboards until an informed decision could be made in regards to billboards.

Jim Freeman announced the Bellville Heritage Gathering is scheduled for Saturday, May 6 and invited Council to the opening ceremonies at 11:15 a.m. Mr. Freeman stated he would like Mayor Harrison to give a short address.

David Emsweiler of 641 N. Holland Street praised the utility department as well as staff in taking a complaint and the timeliness in responding to a gas leak at his residence.

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

Alderwoman Courville announced the City of Bellville as part of the Texas Yes Program was one of eleven Shining Star finalists that had received an award for communities working together. David Ottmer accepted the award on behalf of the City of Bellville.

Alderwoman Courville commented on her request of an executive session on last month's agenda, her concern of conflict of interest issues with the City Attorney and made mention of audit issues. Courville then asked if it was written policy that the Mayor was the only person that could place items on the agenda. Mayor Harrison responded "no, the only discretion the Mayor has it to deem if it is an appropriate time and as stated before not all members were here."

Alderman Peters inquired about the two different types of bonds (performance and payment) included in the subdivision ordinance. Attorney Smith clarified both types of bonds. Peters inquired about the staff checklist for subdivisions and as to whether the city had been sending notification to Southwestern Bell in regards to attachments on redundant poles.

Alderman Browning inquired as to whether the street contractor had completed the necessary repairs to the cracks in the street prior to the issuance of the final payment.

Alderman Richardson asked if there were plans to add playground equipment at the fair park.

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

Administrator Roberts commented on the following topics:

The wastewater project, a Heritage Gathering meeting, the park property that needs to be acquired, the old police department (Habitat for Humanity) building, the playground equipment at the Mini Park, concerns over rolling blackouts and ERCOT issues, and the voting machine for the election.

Alderwoman Courville inquired as to whom was responsible for the pick up of litter after baseball games. Administrator Roberts responded that the City provides the trash cans and the Little League is responsible for the trash pick up.

9. CONSIDERATION/APPROVAL OF 2004-2005 ANNUAL AUDIT AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Richardson and seconded by Alderman Browning to approve the 2004-2005 audit. After comments from Alderman Peters and Courville, Mayor Harrison called for a vote. Alderman Richardson and Bishop voted aye. Alderman Peters and Courville were opposed. Alderman Browning abstained. As there was a tie vote, Mayor Harrison voted aye. Motion carried.

10. CONSIDERATION OF APPOINTMENTS/REAPPOINTMENTS TO THE SENS CENTER BOARD AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Peters and seconded by Alderwoman Courville to reappoint Leroy Grebe, Sr., Harold Remmert and Billy Armstrong and appoint Kay Cunningham to the Sens Activity Center Board. Motion carried unanimously. The term is April 18, 2006 – April 17, 2008.

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

A motion was made by Alderman Browning and seconded by Alderman Richardson to reappoint Lynette Traylor and Alberta Broussard to the Bellville Housing Authority Board. Motion carried unanimously. The term April 18, 2006 – April 17, 2008.

12. CONSIDERATION OF APPOINTMENT TO BELLVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD AND ANY RELATED ACTION NECESSARY

This agenda item was passed over.

13. DISCUSSION TO CONSIDER RECOMMENDATIONS OF ABATEMENT FROM BUILDINGS STANDARDS COMMISSION AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Browning and seconded by Alderman Richardson to approve the abatement for properties identified as 2006-01, 2006-02, 2006-03, 2006-04 and 2006-06 as recommended by the Building Standards Commission. Motion carried unanimously.

14. RECONSIDERATION OF ORDINANCE #1310 CONCERNING BUILDINGS STANDARD COMMISSION AND ANY RELATED ACTION NECESSARY

A motion was made Alderwoman Courville and seconded by Alderman Bishop to remove the Police Chief and Fire Chief from the Buildings Standard Commission as they will be conducting the investigations and replace these individuals with a city alderman and one member of the public. Motion carried unanimously. The Police Chief and Fire Chief will be ex-officio members.

15. CONSIDERATION OF BID RECEIVED BY THE AUSTIN COUNTY APPRAISAL DISTRICT IN REGARDS TO PROPERTY IDENTIFIED AS R00602 A73 J NICHOLS, ACRES.50 AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Peters and seconded by Alderman Bishop to accept the bid (\$5,000.00) as received by the Austin County Appraisal District for property identified as R00602, A73 J Nichols , .50 acres. Mayor Harrison called for a vote. Alderman Peters, Courville, Richardson and Bishop voted aye and Alderman Browning was opposed. Motion carried.

16. OPEN SESSION RECESSED

Opens Session recessed at 6:40 p.m.

17. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNEMENT CODE 551.071 PENDING OR CONTEMPLATED LITIGATION AND TEXAS GOVERNMENT CODE 551.074 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE

Executive Session convened at 6:45 p.m.

18. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 7:40 p.m.

19. OPEN SESSION RECONVENED

Open Session reconvened at 7:45 p.m.

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

No action taken.

21. ADJOURNMENT

A motion was made by Alderman Bishop and seconded by Alderman Browning to adjourn at 7:46 p.m. Motion carried unanimously.