

February 17, 2004

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 prayer and the Pledge of Allegiance.

3. ROLL CALL AND CERTIFICATION OF QUORUM

Present to-wit: Mayor Philip B. Harrison, Aldermen Wayne Browning, Nancy P. Allen, Michael S. "Mike" Mueller; thereby a quorum was established. Also present was City Administrator Lynn S. Roberts, City Secretary Susan Rosinski, City Attorney and Charley Smith. Alderman O. William "Bill" Schmidt was absent and Alderman David Ottmer arrived at 6:12 p.m.

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion was made by Alderman Browning, seconded by Alderwoman Allen to adopt the agenda as presented. Motion carried unanimously.

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

A motion was made by Alderman Mueller, seconded by Alderwoman Allen to approve the minutes of the Regular Meeting of January 20, 2004. 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

Alderwoman Allen announced that Kay Bailey Hutchinson would be at Blinn College from 3:30 – 4:30 on Thursday, February 19 in support of State Representative Lois Kolkhorst.

Alderman Browning asked about the status of the placement of the city limit signs. Administrator Roberts replied that the State now has notification in writing and they can now proceed on the placement of the signs. Administrator Roberts also stated that the left turn signal at State Highway 36 and 159 should be installed soon.

Alderman Browning inquired about the following: demolition, the need for street repairs, and employee badges.

Alderman Mueller asked that the Mayor and Council attend TxDot meetings as it was important to establish a line of communication regarding future plans, (by-passes, road widening, etc.) and extend this information to potential developers. Alderwoman Allen asked Attorney Smith if it

was possible to meet with State Representatives and TxDot. Attorney Smith responded , “Yes, as long as it is not a quorum.”

Mayor Harrison stated that he was absent from the last Council meeting but wished to express that the City is not going to pursue certificates of obligation in the amount of 6 million. He also stated that the Council had talked about 3.5 million for projects along with 1 million for parks (this amount will be repaid by EDC funds) and would require no tax increases.

Alderman Browning inquired if the City ever had a Yard of the Month program. It was determined that the Chamber of Commerce was at present sponsoring this program.

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

Administrator Roberts commented on the following: Spring Clean-Up Week would be March 29th– April 2<sup>nd</sup> and the independent auditors had wanted to present the audit tonight but the audit was taking more time than expected and it would be presented next month. She also added that the preliminary work on the water well behind City Hall had begun with the installation of the conductor pipe and that the fence at the Library had been installed and they were now building a gate.

9. 9. CONSIDERATION OF THE APPOINTMENT OF JUDGES FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 15, 2004 AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Mueller, seconded by Alderwoman Allen to appoint Margaret Flanagan as Presiding Judge and Betty Johnson as Alternate Presiding Judge for the General Municipal Election to be held on May 17, 2004. Motion carried unanimously.

10. 10. CONSIDERATION OF THE CONTACT DATA REPORT FOR THE BELLVILLE POLICE DEPARTMENT AND ANY RELATED ACTION NECESSARY - CHIEF LARRY MATTHEWS

Chief Larry Matthews appeared before Council and presented the Contact Data Annual Report as prepared by Del Carmen Consulting. The data report contains information in regards to racial profiling and the Bellville Police Department. After discussion, (see tape for details), a motion was made by Alderman Browning, seconded by Alderman Mueller to approve the report as presented by Chief Matthews. Motion carried unanimously.

11. 11. CONSIDERATION OF A BUDGET AMENDMENT FOR THE PURCHASE OF A POLICE VEHICLE AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Mueller, seconded by Alderman Browning to amend the budget in the amount of \$2,624.00 for the purchase of a police vehicle. Motion carried unanimously.

12. 12. CONSIDERATION OF AN AMENDMENT TO GENERAL ORDER NUMBER 400-05 AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Browning, seconded by Alderman Mueller to amend General Order 400-05 as presented by Chief Larry Matthews. Motion carried unanimously.

13. OPEN SESSION RECESSED

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Open Session recessed at 6:15 p.m.

14. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE SECTION 551.071 PENDING OR CONTEMPLATED LITIGATION AND TEXAS GOVERNMENT CODE 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 6:16 p.m.

15. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 7:30 p.m.

16. OPEN SESSION RE-CONVENED

Open Session re-convened at 7:35 p.m.

17. CONSIDERATION OF PENDING 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.

18. ADJOURNMENT

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A motion was made by Alderman Browning, seconded by Alderwoman Allen to adjourn at 7:36 p.m. Motion carried unanimously.