

May 16, 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

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 Wayne Browning, Monte D. Richardson, 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. Alderman James A. "Jim" Bishop was absent due to illness.

4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion was made by Alderman Browning to adopt the agenda as presented with the exception agenda item number twelve follow agenda item number eight. Alderman Courville made the second to the motion. Motion carried unanimously.

5. CONSIDERATION/ACTION TO APPROVE MINUTES OF PREVIOUS MEETINGS

A motion was made by Alderman Richardson and seconded by Alderman Courville to adopt the minutes of the Regular Meeting of April 18, 2006 and Special Meeting of May 2, 2006 with the following changes: agenda item number nine of the minutes of May 2 be corrected to read "suspended without benefits and pay" and agenda item number five of the minutes of April 18 be corrected to read "motion carried." Motion carried unanimously.

6. CITIZEN'S FORUM

Gwen Henson appeared before Council and presented information on a sign honoring Kelly Kaminski and asked for consideration of such sign.

City Secretary Susan Rosinski issued the Statement of Elected Official and Oath of Office to elected officials Monte D. Richardson and Wayne Browning.

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

Alderman Peters indicated he had spoken with Mark Wulrich of TxDot regarding the highway project study and also mentioned the need for clean up at the Courts of Bellville Subdivision.

Alderman Browning inquired about the excessive blowing of the train whistle.

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

Administrator Roberts made mention of the following items:

The water tower has been drained and inspected as the twelve month warranty is near end.

The status of the demolition project letters recently mailed.

Wastewater Superintendent Arlie Kendrick appeared before Council and gave an update on the wastewater grant project.

Alderman Browning inquired as to whether the ditches in the area of the wastewater project were being cleaned.

Alderman Peters asked if there would be a water flow problem at 1<sup>st</sup> and 2<sup>nd</sup> Streets when it rained.

Administrator Roberts informed Council that the Parks Board will meet next week to review and adjust the final design of the park. The plan revision will be submitted to Council for approval.

Alderman Browning commented on the restroom at the park (Zeiske) and also the grass at the site of the old swimming pool.

Alderman Richardson inquired as to whether the city would seed the new playground area at the Margaret Chesley Park.

9. CONSIDERATION OF RESOLUTION ADOPTING REGIONAL MITIGATION PLAN AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Browning and seconded by Alderman Courville to adopt Resolution #1325R. Motion carried unanimously. Resolution adopts the Houston-Galveston Area of Council of Governments –Regional Hazard Mitigation Plan and also appoints the Police Chief to review the Hazard Mitigation Plan annually.

10. CONSIDERATION OF UPDATE AND AUGMENTATION OF CURRENT EQUIPMENT CONTROLS AND ANY RELATED ACTION NECESSARY

Administrator Roberts and Council discussed equipment control issues. Alderman Peters commented a policy for equipment control should be implemented prior to making a decision on software and related equipment.

11. CONSIDERATION OF AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION TO CONTRIBUTE FUNDS-LOCAL GOVERNMENT, APPROVE RESOLUTION AND GRANT SIGNATURE AUTHORITY AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Richardson and seconded by Alderman Browning to adopt Resolution #1326R and grant signature authority to the City Administrator. Motion carried unanimously. Resolution #1326R authorizes the City of Bellville to enter into an agreement with the Texas Department of Transportation to acquire right of way and adjust utilities for a highway project on State Highway 36. Resolution also authorizes the City to contribute funds in the amount of \$2,007.00 for said project.

12. CONSIDERATION OF REPLAT OF 2 LOTS AT CORNER OF E. 4<sup>TH</sup> AND S. AVENUE A.

A motion was made by Alderman Richardson and seconded by Alderman Courville to approve a re-plat of two lots located at E. 4<sup>th</sup> Street and Avenue A (lots 11 & 12 of Block E) owned by Rick Minter. Motion carried unanimously.

13. OPEN SESSION RECESSED

Open Session recessed at 6:20 p.m.

14. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE 551.074 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT,

DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE TO WIT THE CITY  
ELECTRICAL SUPERINTENDENT; TO WIT THE CITY ATTORNEY

Executive Session convened at 6:25 p.m.

15. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 7:04 p.m.

16. OPEN SESSION RECONVENED

Open Session reconvened at 7:06 p.m.

17. CONSIDERATION OF THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT,  
DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE TO WIT THE CITY  
ELECTRICAL SUPERINTENDENT; TO WIT THE CITY ATTORNEY ANY RELATED ACTION  
NECESSARY

A motion was made by Alderman Peters to terminate the City Electrical Superintendent effective immediately. Motion carried unanimously.

A motion was made by Alderman Courville to “dismiss the city attorney, Charley Smith, because of lack of confidence in his knowledge of city law and to move forward to hire a law firm that specializes in city law”. The motion was seconded by Alderman Peters. Mayor Harrison called for a vote. Alderman Courville and Peters voted aye, Alderman Richardson was opposed and Alderman Browning abstained. Motion carried.

18. ADJOURNMENT

The meeting adjourned at 7:10 p.m.