

October 18, 2005

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 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, James A. "Jim" Bishop, Carol H. Courville and Jerome Peters; thereby a quorum was established. Also present was City Administrator Lynn S. Roberts and City Attorney Charley L. Smith

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

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

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

A motion was made by Alderwoman Courville, seconded by Alderman Browning to approve the minutes of the Special Meeting of September 13, 2005 and Regular Meeting of September 20, 2005. Mayor Harrison called for discussion. Alderman Peters commented on minutes of September 13, 2005 and also asked that the extended warranty (from one year to three years) provided by Mercer Construction be incorporated into the minutes of September 20, 2005. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

Delwin Rettig appeared before Council to inform them of the "back room" at the Bellville Super Video store. The "back room" allegedly contains x-rated videos. He asked that all council members address the owners of the store and if necessary the Attorney General.

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

Mayor Harrison and Alderman Richardson commended the people/volunteers of Bellville for a job well done during the Hurricane Rita evacuation. The kind letters the City had received from evacuees impressed all members. Mayor Harrison requested a letter of appreciation to all volunteers be submitted to the Bellville Times.

Alderman Peters mentioned the City of Bellville Code of Ordinances was now on the Internet. Peters also commented on the automatic meter reading devices (payoffs and batteries), traffic concerns, the Safe Routes to School Program and a meeting scheduled for October 21, 2005 with the Texas Department Transportation.

Alderman Courville inquired about engineering presentations and cash statements. Engineering presentations will be placed on the next few agendas.

Alderman Browning stated Bell Oaks Subdivision was shaping up and noticed a few driveways in the subdivision were low. Browning commented on the drainage near the Butch Luedke property in Bell Oaks Subdivision and also the need of traffic control safety measures to be followed.

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

Administrator Roberts stated we are in hopes of receiving the Texas Parks and Wildlife contract in the next few weeks.

Adm. Roberts showed the council and audience in attendance a graph showing the history of gas prices and announced gas prices will continue to rise.

Attorney Smith requested that the Substandard Housing ordinance be placed on the next agenda.

9. 9. CONSIDERATION OF ONCE WEEKLY GARBAGE PICK UP AND ANY RELATED ACTION NECESSARY – WAYNE LESSMAN

Wayne Lessman appeared before Council to offer the suggestion of once weekly garbage pick up. Mr. Lessman stated this would help with the rising costs of fuel.

10. 10. CONSIDERATION TO REQUEST TXDOT TO TURN HIGHWAY 36 INTO FOUR LANES TO BYPASS SEALY AND BELLVILLE AND ANY RELATED ACTION NECESSARY – WAYNE LESSMANN

Wayne Lessman spoke on the need of a bypass to alleviate traffic coming through town.

11. 11. CONSIDERATION OF REPLAT OF RESERVE G, SECTION ONE OF BRIARWOOD SUBDIVISION AND ANY RELATED ACTION NECESSARY – JIM O’JIBWAY AND CLAY KISTLER

John Pledger of Pledger, Reue and Associates, along with Clay Kistler and Jim O’Jibway appeared before Council and asked for consideration of a re-plat of Reserve G, Section One of the Briarwood Subdivision. Said plat contains eight lots for patio homes.

After discussion, Attorney Smith advised the current Subdivision ordinance did not address patio homes. It was noted the Subdivision ordinance needed to be amended to reflect a 40’ radius instead of a 55’ radius for cul-de-sacs and patio homes needed to be incorporated into the ordinance.

A motion was made by Alderman Richardson and then seconded by Alderman Bishop to accept the re-plat of Reserve G, Section One of Briarwood Subdivision. Motion carried unanimously.

Re-plat will be presented to O’Malley Engineers for examination.

12. 12. CONSIDERATION OF APPOINTMENTS TO PARKS BOARD AND ANY RELATED ACTION NECESSARY

A motion was made by Alderwoman Courville and then seconded by Alderman Richardson to reappoint Kathryn King, Mark Montgomery and Michael Mueller to the Bellville City Parks Board. Motion carried unanimously. The term of office for the reappointed members is October 18, 2005 – October 17, 2008.

13. 13. CONSIDERATION OF AMENDMENT TO MOBILE HOME/INDUSTRIALIZED HOME ORDINANCE AND SUBDIVISION TECHNICAL MANUAL AS IT RELATES TO INDUSTRIALIZED HOUSING ORDINANCE AND ANY RELATED ACTION NECESSARY

After much discussion in regards to the mobile home/industrialized home ordinance a motion was made by Alderman Peters “to adopt an ordinance that says that we will not allow any manufactured homes in Bellville except in mobile home parks or other designated areas.” The motion was then seconded by Alderman Bishop. In addition to the above motion, Alderman Peters proposed “an ordinance to allow industrialized housing in Bellville as long as it meets our governing standards and is inspected by our building inspector.” Peters also wished “to propose to change our building standards of our technical section of our Subdivision ordinance where it meets the same wording of the other two, eliminating manufactured housing and allowing industrialized housing.”

Consensus of the Council was to have Attorney Smith compose the necessary ordinances and present them at the next meeting.

Alderman Peters withdrew his motion and Alderman Bishop withdrew the second to the motion.

14. 14. CONSIDERATION TO AWARD BID FOR 2006 BUCKET TRUCK AND ANY RELATED ACTION NECESSARY

A motion was made by Alderwoman Courville and seconded by Alderman Peters to award the bid received from Versalift for a 2006 bucket truck in the amount of \$119,944.00. Motion carried unanimously.

15. OPEN SESSION RECESSED

Open Session recessed at 7:00 p.m.

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

Executive Session convened at 7:06 p.m.

17. 17. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 7:55 p.m.

18. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION AND ANY RELATED ACTION NECESSARY

No action taken.

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

No action taken.

20. ADJOURNMENT

A motion was made by Alderman Browning and seconded by Alderman Bishop to adjourn at 8:00 p.m. Motion carried unanimously.