

AUGUST 20, 2019

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

CITY OF BELLVILLE

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

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

2. INVOCATION AND PLEDGES OF ALLEGIANCE

Pastor Monte Byrd led all in prayer and Pledges Allegiance.

3. CERTIFICATION OF A QUORUM

Present-to-wit: Mayor James Harrison, Aldermen Douglas Lottridge, Clay Kistler, Arlie Kendrick, Alderwomen Donna Jacob and Cassie Janish; thereby a quorum was established. Also present were City Administrator Shawn Jackson, City Attorney Charley Smith and City Secretary Betty Hollon.

4. CONSIDERATION TO ADOPT AGENDA

The motion was made by Alderman Lottridge and seconded by Alderman Kendrick to adopt the Agenda for the Regular Meeting of August 20, 2019 as presented. Motion carried unanimously.

5. CONSIDERATION TO APPROVE MINUTES OF PREVIOUS MEETINGS

The motion was made by Alderman Lottridge and seconded by Alderwoman Janish to approve the Minutes of the Regular Meeting of July 16, 2019 and the Minutes of the Special Meeting of August 6, 2019 as presented. Motion carried unanimously.

6. CITIZEN'S FORUM (Any public comment that is made on an item that is not on the posted final agenda will only be heard by the City Council. No formal action, discussion, deliberation, nor comment will be made by the Council.)

No one wished to address Council.

7. QUESTIONS AND COMMENTS FROM MAYOR/ COUNCIL MEMBERS/CITY ATTORNEY (DISCUSSION IS LIMITED TO STATEMENTS OF POLICY OR STATEMENTS OF FACTUAL MATTERS, OR THE REQUEST THAT A MATTER BE PLACED ON THE NEXT MEETING'S AGENDA)

Mayor James Harrison presented a Proclamation to the American Legion acknowledging their 100 year anniversary and proclaiming the week August 23 – August 29 as American Legion Week. Alderwoman Jacob thanked the American Legion for their service and commented on traffic issues and acknowledged the long-term employees at the City. Alderman Lottridge mentioned 19 of the Bellville Strategic Vision Surveys have been returned and encouraged everyone to fill one out.

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

City Administrator Shawn Jackson reported Fall Clean-Up (curbside pickup) will be the week of September 21 thru September 27. Also, the Bellville Strategic Vision Survey will be enclosed with this month's utility bill.

9. CONSIDERATION TO APPROVE 2019-2020 BELLVILLE ECONOMIC DEVELOPMENT CORPORATION BUDGET AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Jacob and seconded by Alderman Kendrick to approve the 2019-2020 BEDC Budget with the condition no director is hired until Council has approved the Strategic Committee Report. Motion carried unanimously.

10. CONSIDERATION OF APPOINTMENT TO BELLVILLE HOUSING AUTHORITY BOARD AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderwoman Jacob to appoint Dr. Lorenzo McFarland to the Bellville Housing Authority Board. Motion carried unanimously.

11. CONSIDERATION OF AMENDMENT OF ARTICLE 1.06 FINANCES, INVESTMENT AND CASH MANAGEMENT SECTION 1.06.031 GENERALLY; SECTION 1.06.032 INVESTMENT POLICY AND ANY RELATED ACTION NECESSARY

Per Cathy Ezell the City is required by Ordinance and the Public Funds Investment Act to review their Investment Policy on an annual basis. There have been no changes made to the Policy. The motion was made by Alderman Lottridge and seconded by Alderman Kistler to approve the Ordinance of the City of Bellville, Texas Superseding and Replacing Article 1.06 Finances, Investment and Cash Management Section 1.06.031 Generally; Section 1.06.032 Investment Policy. Motion carried unanimously.

12. CONSIDERATION TO APPROVE CONTRACT FOR THE COLLECTION OF DELINQUENT ACCOUNTS WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Lottridge and seconded by Alderman Kendrick to approve the Contract for the Collection of Delinquent Services with two (2) changes. Paragraph 7 wording "to place" replaced with submit for collection and Paragraph 12 adding "any and all applicable law including federal". Motion carried unanimously.

13. CONSIDERATION TO RENEW CONTRACT WITH BBG CONSULTING, INC FOR PROFESSIONAL INSPECTIONS AND SERVICES AND ANY RELATED ACTION NECESSARY

Some changes are necessary for the Agreement for Professional Services with BBG Consulting, Inc. The motion to table was made by Alderman Kistler and seconded by Alderman Kendrick. Motion carried unanimously.

14. CONSIDERATION TO AMEND FLOOD DAMAGE PREVENTION ORDINANCE REQUESTED BY TEXAS WATER DEVELOPMENT BOARD AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderwoman Jacob to amend the Flood Damage Prevention Ordinance as requested by the Texas Water Development Board. Motion carried unanimously.

15. CONSIDERATION OF ARTICLE 3.07.010 BILLBOARDS AND SIMILAR SIGNS ORDINANCE TO PERMIT PROGRAMMABLE ELECTRONIC BILLBOARDS AND ANY RELATED ACTION NECESSARY

Mayor Harrison passed the meeting over to Mayor Pro-Tempore Douglas Lottridge. The motion was made by Alderman Kendrick and seconded by Alderwoman Jacob to have City Attorney Charley Smith draw up a draft ordinance regarding programmable electronic billboards. Mayor Pro Tempore Douglas Lottridge called for the vote. Voting aye were Alderman Kendrick, Alderwoman Jacob and Alderwoman Janish. Alderman Kistler vote nay. Motion carried.

16. CONSIDERATION OF DISTRIBUTION OF HOTEL/MOTEL TAX COLLECTED BY THE CITY AND ANY RELATED ACTION NECESSARY

Currently, the Bellville Chamber of Commerce receives the hotel/motel tax collected by the City. Due to the opening of more Bed and Breakfasts in the City, more revenue is being collected. The motion was made by Alderman Lottridge and seconded by Alderman Kistler to give \$2,500 to the Chamber and put the balance in a separate fund set aside for future use to be determined by Council approval. Mayor Harrison called for the vote; voting aye were Aldermen Lottridge and Kistler and voting nay were Alderman Kendrick and Alderwoman Jacob. Alderwoman Janish abstained from the vote. Mayor Harrison voted aye to break the tie. Motion carried.

17. CONSIDERATION OF LEASE AGREEMENT FOR PUBLIC AIRPORT AND ANY RELATED ACTION NECESSARY

The current Airport Lease expires November 14, 2019. Comments were made about changing the term to a one-year lease and possibly relocating airport to another location. There were also comments regarding the maintenance the City does at the airport and the lack of maintenance provided by the owner and only a hand-full of citizens actually use the airport. It was mentioned the airport does bring in added revenue to the City. The motion was made by Alderman Kistler and seconded by Alderman Kendrick to table this item. Motion carried unanimously.

18. CONSIDERATION OF DIVISION OF PROPERTY DESCRIBED AS LOT A073 J NICHOLS TRACT A, 2.577 ACRES IN FILE #162685 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderwoman Jacob to allow Mr. Krupula to divide property described as Lot A073 J Nichols Tract A into two lots. Motion carried unanimously.

19. CONSIDERATION TO ALLOW TML POOL TO ENGAGE MITCHELL WILLIAMS REGARDING LATE FILING OF 2017 IRS FORMS 1095-C AND AUTHORIZE FORM 2848 IRS POWER OF ATTORNEY AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderman Kistler to approve Resolution #1586R allowing TML Pool authority to engage law firm Mitchell Williams to represent the City of Bellville in an IRS matter regarding Forms 1094-C and 1095-C and authorizing Mitchell Williams power of attorney. Motion carried unanimously.

20. OPEN SESSION RECESSED

Open Session recessed at 7:03 p.m.

21. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE, SECTION 551.071 PENDING OR CONTEMPLATED LITIGATION AND TEXAS GOVERNMENT CODE 551.072 DELIBERATION OF ACQUISITION AND DISPOSAL OF REAL PROPERTY AND TEXAS GOVERNMENT CODE 551.074 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE AND GOVERNMENT CODE 551.087 TO DELIBERATE ECONOMIC DEVELOPMENT NEGOTIATIONS

Executive Session convened at 7:05 p.m.

22. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 7:28 p.m.

23. OPEN SESSION RECONVENED

Open Session reconvened at 7:30 p.m.

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

No action.

25. CONSIDERATION OF ACQUISITION AND DISPOSAL OF REAL PROPERTY AND ANY RELATED ACTION NECESSARY

No action.

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

No action.

27. CONSIDERATION OF DELIBERATION OF OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT FOR EXPANSION ON CITY SERVICES

No action.

28. ADJOURNMENT

The motion was made by Alderman Kendrick and seconded by Alderman Lottridge to adjourn at 7:31 p.m. Motion carried unanimously.