

April 20, 2021

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

CITY OF BELLVILLE

Chapter 551 of Texas Government Code allows a meeting to which the public does not have access in certain limited instances. The Council may consult with their attorney regarding pending or contemplated litigation. The Council may have a closed meeting to deliberate the purchase, exchange, lease or value of real property. An open session is not required to consider evaluation, discipline, or dismissal of an employee unless there is a specific complaint or charge against an officer or employee and the employee or officer wants an open session. The purpose of the agenda is to give notice to the public about the item that will be considered. If any item on the agenda falls within the exceptions to the open meeting law, the Council has the right to adjourn the open session and convene a closed meeting. However, no action may be taken in an executive session. The Council will reconvene in open session before taking any action on an agenda item.

1. 5:00 P.M. CALL TO ORDER

Mayor James Harrison called the meeting to order at 5:00 p.m.

2. INVOCATION AND PLEDGES OF ALLEGIANCE

Alderman Wayne Browning led all in prayer and Pledges of Allegiance.

3. CERTIFICATION OF A QUORUM

Present-to-wit: Mayor James Harrison, Aldermen Clay Kistler, Garrett Dornon, Wayne Browning, Arlie Kendrick, Alderwoman Ashley Slater; 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

Alderman Dornon asked for items E, F, and G to be pulled from the Consent Agenda and be addressed separately. The motion was made by Alderman Browning and seconded by Alderman Kendrick to adopt the Agenda for the Regular Meeting of April 20, 2021 after dropping Agenda Item 13 and removing Items E, F, and G from Consent Agenda. Motion carried unanimously.

5. CONSIDERATION TO APPROVE MINUTES OF PREVIOUS MEETINGS

The motion was made by Alderman Browning and seconded by Alderman Dornon to approve the Minutes of the Regular Meeting of March 16, 2021 and the Special Meeting of March 23, 2021 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 speak.

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

City Administrator Shawn Jackson reported early voting has begun and also manual meter reading. He also mentioned the March gas bill is in line with previous years and thanked Council and City Attorney Smith for working through this ordeal with the gas situation.

8. 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)

Alderman Kistler asked that the next agenda include a discussion regarding 18-wheeler parking and citizens using city streets to operate shop repairing cars. Alderman Kendrick commended the city personnel for fixing the West Main leak and requested the Luhn and Masonic leak be looked at. He also inquired on the quiet zone. Mayor Harrison presented a Proclamation to Cowboy Szymanski and thanked Shawn and Charley for their extra efforts regarding the high gas bill from WTG. Attorney Smith commented the gas situation is not completely resolved, but we are on the right track.

9. CONSENT AGENDA – ITEMS LISTED ARE OF ROUTINE NATURE AND MAY BE ACTED ON IN A SINGLE MOTION UNLESS REQUESTED OTHERWISE BY MEMBER OF COUNCIL

The motion was made by Alderman Dornon and seconded by Alderman Kistler to approve the Consent Agenda after pulling Items E, F, and G. and adopting 2 Resolutions (Grantworks) on Item (H) pertaining to Section 4. One copy as written and the second Resolution adding City Council to Section 4. Motion carried unanimously.

- (A) CONSIDERATION AND ACTION TO APPROVE 1<sup>ST</sup> QUARTER 2021 INVESTMENT REPORT
- (B) CONSIDERATION AND ACTION TO REAPPOINT KYLE MUELLER AND GARY MORRIS TO THE BUILDING STANDARDS COMMISSION
- (C) CONSIDERATION AND ACTION TO REAPPOINT SHANE GORDON, FAYE BEERY, AND SANDRA GILBERT AND TO APPOINT SHADEL ENGLER TO THE SENS ACTIVITY CENTER BOARD
- (D) CONSIDERATION AND ACTION TO REAPPOINT CHARLES HOLMES, ELLA BROWNING, BRENDA RANDLE, AND LORENZO MCFARLAND TO THE BELLVILLE HOUSING AUTHORITY BOARD
- (E) CONSIDERATION AND ACTION TO APPROVE EDC 2020-2021 BUDGET AMENDMENTS

The motion was made by Alderman Dornon and seconded by Alderman Browning to approve the EDC 2020-2021 budget amendments. Motion carried unanimously.

- (F) CONSIDERATION AND ACTION TO APPROVE EDC GUIDELINES AND CRITERIA FOR THE BUSINESS IMPROVEMENT GRANT PROGRAM

The motion was made by Alderman Kendrick and seconded by Alderman Kistler to approve the EDC Guidelines and Criteria for the Business Improvement Grant Program as presented. Motion carried unanimously.

- (G) CONSIDERATION AND ACTION TO APPROVE EDC BUSINESS IMPROVEMENT GRANT PROGRAM APPLICATION

The motion was made by Alderman Dornon and seconded by Alderwoman Slater to approve the EDC Business Improvement Grant Program Application as presented. Motion carried unanimously.

- (H) CONSIDERATION AND ACTION TO APPROVE AMENDMENT TO RESOLUTION 1641R DATED MARCH 23, 2021 BY AMENDING DOLLAR AMOUNTS IN SECTION 3 AND SECTION 6
- (I) CONSIDERATION AND ACTION TO APPROVE RESOLUTION ADOPTING A PUBLIC ACCESS PLAN FOR USE DURING CONSTRUCTION OF PUBLIC INFRASTRUCTURE PROJECTS FUNDED THROUGH THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT – DOWNTOWN REVITALIZATION PROGRAM

- 10. CONSIDERATION OF AMENDMENTS TO CITY OF BELLVILLE CODE OF ORDINANCES – CHAPTER 1, GENERAL PROVISIONS AND ANY RELATED ACTION NECESSARY

City Attorney Charley Smith advised Council that Chapter 1 – General Provisions of the Code of Ordinances had been amended by adding underlined information and deleting the struck information. Alderman Browning preferred to have a clean copy without markups. The motion was made by Alderman Kendrick and seconded by Alderman Dornon to approve the amended Chapter 1 of the Code or Ordinances with the agreement to present a clean, unmarked copy to Council ASAP. Voting aye were Aldermen Kendrick, Dornon, and Kistler and Alderwoman Slater. Voting nay was Alderman Browning. Motion passed.

- 11. CONSIDERATION OF OFFER BY LORENZO MCFARLAND TO PURCHASE TRACT OF LAND BEING .123 ACRES IN JOHN NICHOLS LEAGUE, ABSTRACT 73 (R09931) FOR A PURCHASE PRICE OF \$2,567.49 AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Dornon and seconded by Alderman Kistler to move this item into Executive Session. Motion carried unanimously.

- 12. CONSIDER / DISCUSS AUTHORIZATION FOR THE CITY OF BELLVILLE TO ISSUE REQUESTS FOR PROPOSALS (RFPs) FOR ADMINISTRATIVE SERVICES AND REQUESTS FOR QUALIFICATIONS (RFQs) FOR PROFESSIONAL SERVICES FOR THE AMERICAN RESCUE PLAN ACT OF 2021

The motion was made by Alderman Dornon and seconded by Alderman Kendrick to authorize the City to issue requests for proposals for administrative services and requests for qualifications for professional services for the American Rescue Plan Act of 2021. Motion carried unanimously.

- 13. REQUEST BY TURNVEREIN PROJECT TO AUTHORIZE SURVEY OF TURNVEREIN TO FACILITATE TEXAS HISTORICAL COMMISSION GRANT AND AUTHORIZE RELATED COSTS IF ANY AND ANY RELATED ACTION NECESSARY

This item was deleted from Agenda.

14. OPEN SESSION RECESSED

Open Session recessed at 6:03 p.m.

15. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE, SECTION 551.071 PENDING OR CONTEMPLATED LITIGATION – GAS UTILITY SYSTEM AND TEXAS GOVERNMENT CODE, SECTION 551.086 UTILITY COMPETITIVE MATTERS – CITY OF BELLVILLE GAS UTILITY SYSTEM – GAS SALES CONTRACT BETWEEN WTG GAS MARKETING, INC. AND CITY OF BELLVILLE, TEXAS AND ASSOCIATED ISSUES

Executive Session convened at 6:05 p.m.

16. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 6:36 p.m.

17. OPEN SESSION RECONVENED

Open Session reconvened at 6:38 p.m.

18. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION – GAS UTILITY SYSTEM AND UTILITY COMPETITIVE MATTERS – CITY OF BELLVILLE GAS UTILITY SYSTEM – GAS SALES CONTRACT BETWEEN WTG GAS MARKETING, INC. AND CITY OF BELLVILLE, TEXAS AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Dornon and seconded by Alderwoman Slater to accept the bid offered by Mr. Lorenzo McFarland of \$2,567.49 for the tract of property known as R09931. Motion carried unanimously.

19. ADJOURNMENT

The motion was made by Alderman Browning and seconded by Alderman Kendrick to adjourn at 6:39 p.m. Motion carried unanimously.