

JULY 20, 2021

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
CITY OF BELLVILLE

Chapter 551 of the 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 5:02 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 Garrett Dornon, Wayne Browning and 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. Alderman Clay Kistler arrived at 5:10 p.m.

4. CONSIDERATION TO ADOPT AGENDA

After the recommendation of the Mayor to move Agenda Item 17 after Item 8, the motion was made by Alderman Dornon and seconded by Alderman Kendrick to adopt the Agenda for the Regular Meeting of July 20, 2021. Motion carried unanimously.

5. CONSIDERATION TO APPROVE MINUTES OF PREVIOUS MEETING

The motion was made by Alderman Dornon and seconded by Alderman Browning to approve the Minutes of the Regular Meeting of June 15, 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.)*

Mr. James Burke thanked city employees for jobs well done.

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

City Administrator Shawn Jackson reported on the American Rescue Plan Act Grant and the Drainage Grant and Downtown Revitalization Grant.

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 commented on the detention pond runoff at the new Agriculture building. Alderman Kendrick inquired on Cochran and Sprain Street water main and Alderman Browning commented on Bell Cemetery and what we can do to enhance our streets, possibly rent a tar machine to fill in cracks.

9. PUBLIC HEARING – ANNEXATION OF 26.335 ACRES OF LAND IN THE JAMES CUMMINGS SURVEY, A-31

The Public Hearing was opened at 5:25 p.m. and closed at 5:28 p.m. No comments by the public were made.

10. CONSIDERATION OF APPROVAL OF ORDINANCE ANNEXING 26.335 ACRES OF LAND IN THE JAMES CUMMINGS SURVEY, ABSTRACT NO. 31 IN AUSTIN COUNTY TEXAS AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Slater and seconded by Alderman Kendrick to approve the Ordinance annexing 26.335 acres of land in the James Cummings Survey, Abstract No. 31 in Austin County Texas. Motion carried unanimously.

11. CONSIDERATION TO APPROVE 2ND QUARTER INVESTMENT REPORT AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderman Browning to approve the 2nd Quarter 2021 Investment Report. Motion carried unanimously.

12. CONSIDERATION OF ABATEMENT OF PROPERTY PER THE RECOMMENDATION OF THE BUILDING STANDARDS COMMISSION FOR PROPERTY IDENTIFIED AS 2014-02 AND ANY RELATED ACTION NECESSARY

Per the recommendation of City Attorney Charley Smith, the motion was made by Alderman Dornon and seconded by Alderman Kendrick to file suit in District Court. Motion carried unanimously.

13. CONSIDERATION OF ABATEMENT OF PROPERTY PER THE RECOMMENDATION OF THE BUILDING STANDARDS COMMISSION FOR PROPERTY IDENTIFIED AS 2017-02 AND ANY RELATED ACTION NECESSARY

Per the recommendation of City Attorney Charley Smith, the motion was made by Alderman Dornon and seconded by Alderman Kendrick to file suit in District Court. Motion carried unanimously.

14. CONSIDERATION OF ABATEMENT OF PROPERTY PER THE RECOMMENDATION OF THE BUILDING STANDARDS COMMISSION FOR PROPERTY IDENTIFIED AS 2020-01 AND ANY RELATED ACTION NECESSARY

Per the recommendation of City Attorney Charley Smith, the motion was made by Alderman Dornon and seconded by Alderman Kendrick to file suit in District Court. Motion carried unanimously.

15. CONSIDERATION OF ABATEMENT OF PROPERTY PER THE RECOMMENDATION OF THE BUILDING STANDARDS COMMISSION FOR PROPERTY IDENTIFIED AS 2020-02 AND ANY RELATED ACTION NECESSARY

Per the recommendation of City Attorney Charley Smith, the motion was made by Alderman Dornon and seconded by Alderman Kendrick to file suit in District Court. Motion carried unanimously.

16. CONSIDERATION OF APPROVAL OF ELK MEADOWS SUBDIVISION WITH A VARIANCE REDUCING THE SIDE SETBACK LINE FROM 10 FEET TO 5 FEET ON EACH SIDE OF THE LOTS AND ANY RELATED ACTION NECESSARY

Members of the public who spoke regarding variances and drainage on Elk Meadows Subdivision: Betty Hollon, Clark McKinley, Ken Elliott, Patsy Rutta, Michelle Heintschel, and Stephen Rogers. Agenda Item failed due to lack of motion.
17. CONSIDERATION TO APPROVE EDC PROJECT FOR MAIN STREET COLLECTIVE, LLC NOT TO EXCEED \$50,000 AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman Kendrick and seconded by Alderman Kistler to approve the EDC Project for Main Street Collective, LLC not to exceed \$50,000. Motion carried unanimously.
18. DISCUSSION REGARDING THE QUIET ZONE PROJECT AND ANY RELATED ACTION NECESSARY

Members of the public who spoke regarding the quiet zone: Pat Burns, Tammy Moore, Father Tim Bucek, and Jack Huitt. The motion was made by Alderman Kendrick and seconded by Alderwoman Slater to table this item and have a Special Meeting next week. Motion carried unanimously.
19. OPEN SESSION RECESSED

Open Session recessed at 6:58 p.m.
20. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE 551.071 PENDING OR CONTEMPLATED LITIGATION AND 551.072 DELIBERATION OF ACQUISITION AND DISPOSAL OF REAL PROPERTY AND 551.074 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE

Executive Session convened at 7:00 p.m.
21. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 8:12 p.m.
22. OPEN SESSION RECONVENED

Open Session reconvened at 8:14 p.m.
23. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION AND DELIBERATION OF ACQUISITION AND DISPOSAL OF REAL PROPERTY AND DELIBERATION OF APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE AND ANY RELATED ACTION NECESSARY

No action.
24. ADJOURNMENT

The motion was made by Alderman Browning and seconded by Alderman Kendrick to adjourn at 8:14 p.m. Motion carried unanimously.