

SEPTEMBER 21, 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 Pro Tem Garrett Dornon 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 Pro Tem Garrett Dornon, Aldermen Wayne Browning and Clay Kistler, Alderwoman Ashley Slater; thereby a quorum was established. Also present were City Administrator Shawn Jackson and City Secretary Betty Hollon. Absent were Alderman Arlie Kendrick and City Attorney Charley Smith. Mayor Harrison arrived at 5:55 p.m.

4. CONSIDERATION TO ADOPT AGENDA

The motion was made by Alderman Browning and seconded by Alderwoman Slater to approve the Agenda for the Regular Meeting of September 21, 2021 after moving Agenda Items 10, 11, 13, and 14 after Item 20. Motion carried unanimously.

5. CONSIDERATION TO APPROVE MINUTES OF PREVIOUS MEETINGS

The motion was made by Alderwoman Slater and seconded by Alderman Browning to approve the Minutes of the Regular Meeting of August 17, 2021, the Special Meeting of August 26, 2021, the Special Meeting of September 2, 2021 and the Special Meeting of September 7, 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 Fall Clean-Up is September 27th thru October 2nd, a Special Meeting/Workshop to discuss Employee Personnel Policy Manual will be held Tuesday, September 28th and the City has received ½ funds of the American Rescue Plan Grant.

Chief Smalley recognized Kevin Bellville for his transfer to the Detective Position effective October 1st and introduced our new Officer Jeremy Davis and his canine Rocky.

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

Alderman Browning suggested we investigate Zoom for future Council Meetings and commented on the 911 Program at the Police Department and thanked Chief Smalley.

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

(A) CONSIDERATION OF APPOINTMENT TO THE BELLVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD

(B) CONSIDERATION TO APPOINT MAYOR HARRISON THE REPRESENTATIVE TO THE GENERAL ASSEMBLY OF THE HOUSTON-GALVESTON AREA COUNCIL FOR THE YEAR 2022 AND ALDERMAN BROWNING THE OFFICIAL ALTERNATE

The motion was made by Alderman Kistler and seconded by Alderwoman Slater to appoint Justin Peck to the EDC Board and to reappoint Mayor James Harrison the Representative to the General Assembly of the H-GAC for the year 2022 and Alderman Browning the official alternate. Motion carried unanimously.

10. PUBLIC HEARING TO CONSIDER PROPOSED 2021 TAX RATE

Public Hearing began at 5:30 p.m. and closed at 5:31 p.m. No one spoke.

11. PUBLIC HEARING TO CONSIDER PROPOSED 2021-2022 BUDGET

Public Hearing began at 5:31 p.m. and closed at 5:33 p.m. No one spoke.

12. CONSIDERATION OF 2020-2021 BUDGET AMENDMENTS AND ANY RELATED ACTION NECESSARY

Finance Officer Rachael Lynch presented budget amendments for current budget to Council. The motion was made by Alderwoman Slater and seconded by Alderman Browning to approve the budget amendments. Motion carried unanimously.

13. CONSIDERATION TO ADOPT 2021-2022 FISCAL YEAR BUDGET AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Slater and seconded by Alderman Kistler to move for the adoption of Ordinance 1655 adopting the maintenance and operations component of the 2021-2022 Fiscal Year Budget, which will require raising more revenue than would be raised under the no-new-revenue for maintenance and operations and call for a roll call vote. Alderwoman Slater then withdrew her motion. Alderwoman Slater then made the motion that was seconded by Alderman Browning to move for the adoption of Ordinance 1655 adopting the maintenance and operations component of the 2021-2022 Fiscal Year Budget, which will require raising more revenue than would be raised under the no-new-revenue for maintenance and operations and decreasing budget \$7,023 based on tax rate 0.3020 and call for a roll call vote. Alderman Position 1 – Wayne Browning voted aye, Alderman Position 2 – Arlie Kendrick absent, Alderwoman Position 3 – Ashley Slater voted aye, Alderman Position 4 – Clay Kistler voted aye, Alderman Position 5 – Garrett Dornon voted aye.

The motion was made by Alderwoman Slater to move for the adoption of Ordinance 1655 which contains a \$0.00 debt service component of the 2021-2022 Fiscal Year Budget and called for a roll call vote. Alderman Position 1 – Wayne Browning voted aye, Alderman Position 2 – Arlie Kendrick absent, Alderwoman Position 3 – Ashley Slater voted aye, Alderman Position 4 – Clay Kistler voted aye and Alderman Position 5 – Garrett Dornon voted aye.

The motion was made by Alderwoman Slater to move that the City Council take a separate ratification vote to ratify the property tax increase of 7.9% reflected in the budget and called for a roll call vote. Alderman Position 1 – Wayne Browning voted aye, Alderman Position 2 – Arlie Kendrick absent, Alderwoman Position 3 – Ashley Slater voted aye, Alderman Position 4 – Clay Kistler voted aye and Alderman Position 5 – Garrett Dornon voted aye. Motion carried unanimously. Budget adopted.

14. CONSIDERATION TO ADOPT 2021 TAX RATE AND ANY RELATED ACTION NECESSARY

The motion was made by Alderman (Mayor Pro Tem) Dornon and seconded by Alderwoman Slater to move that the property tax rate be increased by the adoption of a tax rate of .3020 which is effectively a 7.9% increase in the tax rate and call for a roll call vote. Alderman Position 1 – Wayne Browning voted aye, Alderman Position 2 – Arlie Kendrick absent, Alderwoman Position 3- Ashley Slater voted aye, Alderman Position 4 – Clay Kistler voted nay, and Alderman Position 5 – Garrett Dornon voted aye. Motion carried 3 to 1.

15. CONSIDERATION TO APPROVE EDC 2021-2022 FISCAL YEAR BUDGET AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Slater and seconded by Alderman Browning to approve the EDC 2021-2022 Fiscal Year Budget as presented. Motion carried unanimously.

16. CONSIDERATION OF AMENDMENT TO CODE OF ORDINANCES – CHAPTER 3, BUILDING REGULATIONS, AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Slater and seconded by Alderman Browning to approve the amendments to Chapter 3 – Building Regulations, of the Code of Ordinances. Motion carried unanimously.

17. CONSIDERATION OF AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES BY ADDING ARTICLE 4.05 HOTEL AND MOTEL REGULATION AND INSPECTION AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Slater and seconded by Alderman Kistler to approve the amendment to Chapter 4 of the Code of Ordinances by adding Article 4.05 – Hotel and Motel Regulations and Inspection. Motion carried unanimously.

18. CONSIDERATION OF AIRPORT LEASE AND ANY RELATED ACTION NECESSARY

City Administrator Shawn Jackson reported a revised lease has been sent to Ms. Hamilton and we are waiting to hear from her. No action necessary per Mayor Pro Tem Garrett Dornon.

19. DISCUSSION REGARDING CHANGE IN TRAFFIC PATTERNS TO ALLEVIATE TRAFFIC CONGESTION NEAR O'BRYANT PRIMARY SCHOOL AND ANY RELATED ACTION NECESSARY

Chief Smalley advised Council traffic congestion has been alleviated around O'Bryant Primary and suggests we leave as is and if we have problems in the future we deal with them on a case-by-case basis. No further action needed per Mayor Pro Tem Dornon.

20. CONSIDERATION TO APPROVE CONTRACT FOR ARCHITECTURAL SERVICES FOR NEW POLICE DEPARTMENT BETWEEN CITY OF BELLVILLE AND BURNS ARCHITECTURE, LLC AND ANY RELATED ACTION NECESSARY

The motion was made by Alderwoman Slater and seconded by Alderman Browning to approve the contract for architectural services with Burns Architecture, LLC for police station project. Motion carried unanimously.

21. OPEN SESSION RECESSED

Open Session recessed at 5:50 p.m.

22. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE 551.071 PENDING OR CONTEMPLATED LITIGATION REGARDING NATURAL GAS CONTRACT

Executive Session convened at 5:53 p.m.

23. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 6:03 p.m.

24. OPEN SESSION RECONVENED

Open Session reconvened by Mayor Harrison at 6:04 p.m.

25. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION REGARDING NATURAL GAS CONTRACT

The motion was made by Alderwoman Slater and seconded by Alderman Dornon to authorize the City Administrator to execute the consultant contract with Gas Supply Consulting, Inc. and execute amended 2021-2022 gas contract with WTG Gas Marketing, Inc. Motion carried unanimously.

26. ADJOURNMENT

The motion was made by Alderman Browning and seconded by Alderwoman Slater to adjourn at 6:06 p.m. Motion carried unanimously.