

# CITY OF BELLVILLE

## MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

MARCH 21, 2023

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

Mayor Harrison led all in prayer and Pledges of Allegiance.

3. CERTIFICATION OF A QUORUM

Present-to-wit: Mayor James Harrison, Aldermen Garrett Dornon, Arlie Kendrick, Monte Richardson, Alderwoman Ashley Slater, and Betty Hollon; thereby a quorum was established. Also present was City Administrator Shawn Jackson, City Secretary Rachael Lynch, and City Attorney Luke Cochran.

4. CONSIDERATION/ACTION TO ADOPT AGENDA

The motion was made by Alderman Kendrick and seconded by Alderman Dornon to approve the Agenda of the Regular Meeting of March 21, 2023, as presented. Motion carried unanimously.

5. CONSIDERATION TO APPROVE MINUTES OF PREVIOUS MEETING

The motion was made by Alderwoman Hollon and seconded by Alderman Dornon to approve the minutes for the Special Meeting of February 14, 2023 and Regular Meeting of February 21, 2023, 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 comments.

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

Shawn informed Council of the workshop with EDC on April 6<sup>th</sup> after their regular schedule meeting. He also informed Council that mosquito spraying will begin the week of April 3<sup>rd</sup>. Alderwoman Hollon asked if the Audit will be on the April Agenda. Police Chief Smalley introduced new patrol officer Andrew Freude and Johari Brown who is sponsored by the city to attend the police academy in April.

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

Alderman Kendrick thanked the Electric Department, Ben, Preston, Esaul on the issue regarding an 18-wheeler damaging a fire hydrant. He would like to add an agenda item to the next agenda regarding truck traffic on E Glenn/ N Mechanic Street. He also inquired about the wells that went down.

Alderwoman Hollon thanked the employees for taking out the timbers in the visitors parking area. She informed Council of the successful car show. She inquired about the Smart Meter Portal and Training on the Building Permit Module.

9. PRESENTATION OF TDA FORM A1024 CDBG SECTION 3 GOALS AND CONCEPTS AS RELATED TO THE CDBG PROGRAM AND GRANT CONTRACT NUMBER CDM21-0014 AND CDV21-0210.

Shirleen from Grant Works give the Presentation.

10. 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. DISCUSS, CONSIDER AND ADOPT A RESOLUTION TO DESIGNATE AUTHORIZED SIGNATORIES FOR THE 2022 TEXAS CDBG PROGRAM, GRANT AGREEMENT NUMBER CDV21-0210.

B. DISCUSS, CONSIDER, AND APPROVE A RESOLUTION ADOPTING REQUIRED CDBG CIVIL RIGHTS POLICIES.

C. PROCLAIM APRIL AS FAIR HOUSING MONTH

A motion was made by Alderman Kendrick and seconded by Alderman Richardson to approve all consent items. Motion carried unanimously.

11. UPDATE ON QUIET ZONE.

Shawn Jackson gave an overview of the Quiet Zone. He explained that in March 2019, the city was given an estimate of \$153,446. In April 2021 the city was given a revised estimate of \$448,989. Then July of 2021 BNSF provided two cost sharing estimates of \$406,328.20 and \$316,748.40. In August of 2021, Quiet Zone Technologies informed the city that they were no longer taking customers at the time. The project has been put on hold due to the lack of funding.

12. DISCUSS CONSTRUCTION ON 159 AND BRIAR RIDGE DRIVE.

Bridget and Glen Kourik talked about their concerns regarding a Beauty Salon School going next door to them. Her other concerns were light pollution and drainage.

13. DISCUSS PARKING ON S. HOLLAND.

Galen Camp informed Council of the parking issues and further issues regarding complaints filed against him. Amber Blezinger explained that she has sent out emails to her customers, not to block driveways and mailboxes and working on other avenues for parking.

14. CONSIDER AND APPROVE AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 6, 2023, GENERAL CITY ELECTION ELECTED TO OFFICE AND ORDERING THE CANCELATION OF THE ELECTION.

The motion was made by Alderwoman Hollon and seconded by Alderman Dornon to approve the ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 6, 2023, GENERAL CITY ELECTION ELECTED TO OFFICE AND ORDERING THE CANCELATION OF THE ELECTION. Motion carried unanimously.

15. CONSIDER AND APPROVE A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING SALE OF SURPLUS PROPERTY.

The motion was made by Alderman Richardson and seconded by Alderwoman Slater to approve A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING SALE OF SURPLUS PROPERTY. Motion carried unanimously.

16. CONSIDER AND APPROVE A LEASE AGREEMENT BETWEEN THE CITY OF BELLVILLE AND AUSTIN COUNTY FAIR ASSOCIATION, INC. FOR CITY PARK.

The motion was made by Alderwoman Slater and seconded by Alderman Kendrick to approve A LEASE AGREEMENT BETWEEN THE CITY OF BELLVILLE AND AUSTIN COUNTY FAIR ASSOCIATION, INC. FOR CITY PARK. Motion carried unanimously.

17. **PUBLIC HEARING** - ANNEXATION ON A TRACT OF LAND CONSISTING OF 57.189 ACRES LOCATED IN THE J CUMMINGS SURVEY, A-31, BELLVILLE, AUSTIN COUNTY, TEXAS.

Public Hearing opened at 6:44 p.m.

Anney King, Matt Bauerschlag, Margaret Lovell, Kim Shoquist, Steve Lackey, Deborah Kristen, Glen Huebner, Linda Niehuss all spoke regarding their concerns for the use of this land being considered for annexation.

Public Hearing Closed at 7:06 p.m.

18. **EXECUTIVE SESSION:** The city council adjourned into executive session at 7:06 p.m.

- a. SECTION 551.071 TEXAS GOVERNMENT CODE – CONSULTATION WITH ATTORNEY – CONSULTATION WITH CITY ATTORNEY REGARDING ANNEXATION OF A TRACT OF LAND CONSISTING OF 57.189 ACRES LOCATED IN THE J CUMMINGS SURVEY, A-31, BELLVILLE, AUSTIN COUNTY, TEXAS
- b. SECTION 551.072 TEXAS GOVERNMENT CODE – DELIBERATION REGARDING REAL PROPERTY – DELIBERATE THE EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OWNED BY THE CITY

19. **RECONVENE INTO OPEN SESSION:** The city council reconvened into regular session at 7:48 p.m.

- a. DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE APPROVING ANNEXATION OF A TRACT OF LAND CONSISTING OF 57.189 ACRES LOCATED IN THE J CUMMINGS SURVEY, A-31, BELLVILLE, AUSTIN COUNTY, TEXAS.

The motion was made by Alderman Richardson and seconded by Alderman Dornon to approve the ORDINANCE APPROVING ANNEXATION OF A TRACT OF LAND CONSISTING OF 57.189 ACRES LOCATED IN THE J CUMMINGS SURVEY, A-31, BELLVILLE, AUSTIN COUNTY, TEXAS. Motion carried unanimously.

- b. DISCUSSION AND POSSIBLE ACTION TO SELL REAL PROPERTY OWNED BY THE CITY AND DESCRIBED AS PROPERTY ID 2819 (WARNER RD OFF BELLVILLE) AND PROPERTY ID 17189 (20 S. HARRIS STREET).


The motion was made by Alderman Richardson and seconded by Alderman Dornon to approve the SELL REAL PROPERTY OWNED BY THE CITY AND DESCRIBED AS PROPERTY ID 2819 (WARNER RD OFF BELLVILLE). Motion carried unanimously.

The motion was made by Alderwoman Slater and seconded by Alderman Dornon to approve the SELL REAL PROPERTY OWNED BY THE CITY AND DESCRIBED AS PROPERTY ID 17189 (20 S. HARRIS STREET). Motion carried unanimously.

20. ADJOURNMENT

The motion was made by Alderman Kendrick and seconded by Alderwoman Hollon to adjourn at 7:50 p.m. Motion carried unanimously.

**ATTEST:**

  
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Rachael Lynch, TRMC, CMC  
City Secretary

  
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James Harrison, Mayor