

September 16, 2003

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

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

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Alderman Wayne Browning led all in prayer and the Pledge of Allegiance.

3. ROLL CALL AND CERTIFICATION OF QUORUM

Present to-wit: Mayor Philip B. Harrison, Aldermen David Ottmer, Michael S. "Mike" Mueller, Nancy P. Allen and Wayne Browning; thereby a quorum was established. Also present was City Administrator Lynn S. Roberts, City Secretary Susan Rosinski and City Attorney Charley Smith. Alderman O. William "Bill" Schmidt was absent.

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion was made by Alderman Browning, seconded by Alderman Ottmer to adopt the agenda as presented. Motion carried unanimously.

5. 5. CONSIDERATION/ACTION TO APPROVE MINUTES OF PREVIOUS MEETINGS

A motion was made by Alderman Browning, seconded by Alderwoman Allen to approve the minutes of the Regular Meeting of August 19, 2003, Special Meeting of August 26, 2003, Special Meeting of September 2, 2003 and Special Meeting of September 8, 2003 as presented. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

There was no one present.

7. 7. REPORT OR REQUEST(S) FROM MAYOR/COUNCIL MEMBERS/CITY ATTORNEY

Mayor Harrison presented a proclamation to Bellville General Hospital. Michael Morris, Margie Lovell and Steve Lackey represented the Bellville General Hospital.

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

Administrator Roberts announced that Fall Clean – Up Week would be October 20 – October 24, 2003.

Adm. Roberts reported that she had spoken with Attorney Smith in regards to a lease purchase plan with J & S Well Service for a new water well to be drilled behind City Hall.

9. 9. CONSIDERATION OF THE 2003 AUSTIN COUNTY FAIR CONTRACT AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Browning, seconded by Alderman Ottmer to approve the 2003 Austin County Fair Contract as presented. Motion carried unanimously.

10. 10. CONSIDERATION OF APPOINTMENT OF REPRESENTATIVE AND ALTERNATE TO THE HOUSTON –GALVESTON AREA COUNCIL AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Mueller, seconded by Alderwoman Allen to appoint Wayne Browning as Representative and David Ottmer as Alternate to the Houston – Galveston Area Council. Motion carried unanimously.

11. 11. CONSIDERATION TO WAIVE FEE IN REGARDS TO THE COOPERATION AGREEMENT WITH THE BELLVILLE HOUSING AUTHORITY AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderwoman Allen, seconded by Alderman Browning to waive the 10 % fee to the Bellville Housing Authority as referenced to in a Cooperation Agreement dated March 3, 1966. The motion also included that we would not seek back payment for this year and prior years. Motion carried unanimously.

12. 12. CONSIDERATION TO AMEND THE ORDINANCE CREATING THE BELLVILLE CITY PARKS BOARD AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Mueller, seconded by Alderman Ottmer to amend the ordinance creating the Bellville City Parks Board, which originally consisted of six members to nine members. Also included in the motion are that members must reside in the Bellville Independent School District and be registered voters. Motion carried unanimously.

13. 13. CONSIDERATION OF THE APPOINTMENT OF MEMBERS TO THE BELLVILLE CITY PARKS BOARD AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderman Browning to appoint Betty Hollon and Warren Scott, Sr. to the Bellville City Parks Board for three-year terms beginning September 16, 2003 – September 15, 2006. Motion carried unanimously.

14. 14. CONSIDERATION OF EXTENSION OF THE BELVILLE CITY LIMIT LINES AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderman Schmidt to table this item. Motion carried unanimously.

Mayor Harrison appointed an ad-hoc committee to meet and come to a consensus of where the city limit lines should be extended and also gave the committee the authority to contact a surveyor to have the property marked and obtain a legal description of the property. The committee consists of Chief Larry Matthews, Administrator Roberts and Alderman Browning.

15. 15. CONSIDERATION/APPROVAL OF THE TECHNICAL SUMMARY IN REGARDS TO SUBDIVISIONS AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Browning, seconded by Alderman Ottmer to accept the prepared Technical Specifications to the Subdivision Ordinance. Motion carried unanimously.

16. 16. PUBLIC BUDGET HEARING, PURSUANT TO TEXAS GOVERNMENT CODE 102.066(D) ON THE PROPOSED 2003-2004 BUDGET YEAR

A budget hearing was held. A discussion was held regarding the following items: the need for a ¾ ton pickup or a 1 ton pickup in the Parks Department, the Administrator's car allowance and the addition of \$16,000.00 for maintenance of a new water well that will be drilled at a later date.

17. 17. CONSIDERATION/ACTION TO ADOPT THE 2003-2004 FISCAL YEAR BUDGET FOR THE CITY OF BELLVILLE (ORDINANCE # 1230)

A motion was made by adopt the 2003-2004 fiscal year budget which included \$16,000.00 for a maintenance of a new water well and a ¾ ton pick up in the Parks Department. Mayor Harrison called for a vote. Alderwoman Allen and Aldermen Ottmer and Mueller voted aye and Alderman Browning voted nay. Motion carried.

18. 18. CONSIDERATION TO ADOPT THE 2003 TAX RATE AND ANY RELATED ACTION NECESSARY (ORDINANCE #1231)

A motion was made by Alderman Browning, seconded by Alderwoman Allen to adopt the 2003 tax rate in the amount of 0.3734 per one hundred dollar valuation. Motion carried unanimously.

19. 19. CONSIDERATION OF PROPERTIES IN NEED OF MAINTENANCE AND ANY RELATED ACTION NECESSARY

A list of properties in need of attention was given to Council at a prior meeting.

Attorney Smith explained the steps necessary in notifying a property owner of the need to maintain their property.

A motion was made by Alderman Browning, seconded by Alderman Allen to have Attorney Smith draft a letter notifying homeowners of our intent and if the problem could not be alleviated hold a hearing in the Municipal Court. Motion carried unanimously.

City Council will have the final approval of structures to be submitted to Municipal Court.

20. 20. CONSIDERATION OF FEES AND ANY RELATED ACTION NECESSARY – HERSCHEL SMITH

Herschel Smith was not in attendance; therefore no action was taken.

21. OPEN SESSION RECESSED

Open session recessed at 6:30 p.m.

22. EXECUTIVE SESSION CONVENED UNDER SECTION 551.072 ACQUISITION OF REAL PROPERTY AND SECTION 551.04 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR

DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE AND ANY RELATED ACTION NECESSARY

Executive Session convened at 6:35 p.m.

23. EXECUTIVE SESSION ADJOURNED

Executive Session adjourned at 6:45 p.m.

24. OPEN SESSION RE-CONVENED

Open Session re-convened at 6:49 p.m.

25. CONSIDERATION OF ACQUISITION OF REAL PROPERTY AND THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE AND ANY RELATED ACTION NECESSARY

No action taken.

26. ADJOURNMENT

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A motion was made by Alderwoman Allen, seconded by Alderman Browning to adjourn at 6:50 p.m. Motion carried unanimously.