

November 18, 2003

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

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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

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Alderman 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 were City Administrator Lynn S. Roberts, City Attorney Charley L. Smith and City Secretary Susan Rosinski. Alderman O. William "Bill" Schmidt was absent due to illness.

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

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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

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A motion was made by Alderman Browning, seconded by Alderman Mueller to approve the minutes of the Regular Meeting of October 21, 2003 and Special Meeting of November 12, 2003. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

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Citizens Gary Morris and Julie Nicholson voiced their concern about dogs running at large in the parks. They inquired as to whether signs could be placed in the parks notifying whom to contact in case of emergency.

Alderman Mueller stated he would like to see signs placed in the parks regarding the leash law.

Delwin Rettig spoke on the bond issue and the need to make improvements now.

Mr. Rettig also questioned the reason as to why the city went with concrete poles at Sonic on S. Front Street as at one time the city had mentioned placing guardrails around the poles at that location. Mayor Harrison and Administrator Roberts responded that this particular line is a major line that serves a vast majority of the city and that they felt this was the safest way to do it.

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

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Alderman Browning presented some information that he had received during the November HGAC meeting. He stated that HGAC had many good services and he would like to see the City use them. Adm. Roberts informed Council that we have used HGAC for purchasing vehicles in the past.

Alderwoman Allen presented Council with a Regional Forecast booklet from HGAC that sited changes and growth within the next 25 years.

Alderman Ottmer informed Council that he had inspected the Library specifications and plans and he found nothing out of the ordinary.

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

Administrator Roberts informed Council that she had spoken with a representative from TxDot and they do have rules and regulations that govern the placement of signs (garage sale, political, etc.) in the State right-of-ways. The representative also informed her that they would try to better enforce their regulations in our area.

9. 9. CONSIDERATION OF THE EXTENSION OF THE BELLVILLE CITY LIMIT LINES AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Mueller, seconded by Alderman Browning to have Attorney Smith draw up the necessary paperwork to annex the roadbed along State Highway 36 North to the golf course and the roadbed of State Highway 36 South to Lucky's. Motion carried unanimously. This is to be presented at the December meeting.

10. 10. CONSIDERATION OF WATER WELL CONTRACT WITH J & S WATER WELL SERVICE AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Ottmer, seconded by Alderwoman Allen to sign the contract with J & S Water Well Service that leases the land located behind City Hall to J & S Well Service in order for them to drill a water well. The motion also included that J & S re-lease the water well back to the city for a twelve-year period. Motion carried unanimously. A quarterly payment is to be made to J & S Well Service in the amount of \$9,371.29 for the water well.

11. 11. CONSIDERATION OF POSSIBLE DEMOLITION SITES WITHIN THE CITY AND ANY RELATED ACTION NECESSARY

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Council was presented a list of properties in need of maintenance. After discussion, a motion was made by Alderman Ottmer, seconded by Alderman Browning to verify that letters had been sent to the property owners of 726 W. Main, 248 W. Austin, and a property only identified as S. Lincoln Street informing them of the need of maintenance to their property. Upon verification that letters have been mailed demolition may commence.

Alderman Mueller requested that a representative from the Austin County Appraisal District appear at the December meeting to discuss the steps in filing on a property owner for delinquent taxes.

12. 12. CONSIDERATION TO AMEND THE HOUSE MOVING ORDINANCE AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Mueller, seconded by Alderman Browning to amend the House Moving Ordinance to coincide with the Mobile Home Ordinance in regards to contacting property owners immediately adjacent to the property where the home is to be moved upon. Motion carried unanimously.

13. 13. CONSIDERATION OF AGREEMENT FOR TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY FOR SMALL TOWN CHRISTMAS AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Ottmer, seconded by Alderwoman Allen to enter into an agreement with TxDot for temporary closure of FM1456/N. Holland Street from Cottonwood Cottage at 8 N. Holland to the Lawton J. Clark residence at 34 N. Holland for Small Town Christmas. Motion carried unanimously.

14. 14. CONSIDERATION TO AMEND THE SUBDIVISION ORDINANCE TO INCLUDE SPECIFICATIONS AND PLANS FOR COMMERCIAL DEVELOPMENT AND ANY RELATED ACTION NECESSARY

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A motion was made by Alderman Ottmer, seconded by Alderman Mueller to adopt the Technical Summary for commercial and industrial developments as presented by Attorney Smith. Motion carried unanimously.

15. 15. CONSIDERATION/APPROVAL OF CAPITALIZATION POLICY AND ANY RELATED ACTION NECESSARY

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Motion was made by Alderman Mueller, seconded by Alderwoman Allen to adopt the Capitalization Policy as presented. Motion carried unanimously. This policy was recommended

by the our auditing firm, Seidel, Schroeder and Co. LLP and is needed due to an auditing procedure known as GASB34.

16. CONSIDERATION OF SPECIAL USE PERMIT FOR HOME TO BE LOCATED AT

230 W AUSTIN AND ANY RELATED ACTION NECESSARY– ROY WALLER AND MARIA PACHEA

A motion was made by Alderman Ottmer, seconded by Alderman Mueller to approve the Special Use Permit for a home to moved on the property owned by Roy Waller at 230 W. Austin Street. Motion carried unanimously.

17. CONSIDERATION OF SPECIAL USE PERMIT FOR HOME TO BE LOCATED AT

1129 E 4TH AND ANY RELATED ACTION NECESSARY – ABRAHAM VILLASANA -

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A motion was made by Alderman Ottmer, seconded by Alderman Mueller to approve the Special Use Permit for a home to be moved on the property owned by Abraham Villasana at 1129 E. 4th Street. Motion carried unanimously.

18. CONSIDERATION OF LEFT TURN SIGNAL AT SH159 AND SH36 AT NEWMAN’S BAKERY AND ANY RELATED ACTION NECESSARY

A discussion was held regarding the placement of a left turn signal at State Highway 159 and State Highway 36 at Newman’s Bakery. After discussion, the consensus of Council was to contact TxDot and ask for their recommendation and the actual time frame till completion.

19. OPEN SESSION RECESSED

There was no need for an Executive Session; therefore Council adjourned.

20. EXECUTIVE SESSION CONVENED UNDER TEXAS GOVERNMENT CODE SECTION 551.071 PENDING OR CONTEMPLATED LITIGATION AND TEXAS GVOERNMENT CODE 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

21. EXECUTIVE SESSION ADJOURNED

22. OPEN SESSION RE-CONVENED

23. CONSIDERATION OF PENDING OR CONTEMPLATED LITIGATION AND THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL; OF A PUBLIC OFFICER OR EMPLOYEE AND ANY RELATED ACTION NECESSARY

24. ADJOURNMENT

A motion was made By Alderman Browning, seconded by Alderwoman Allen to adjourn at 6:57 p.m. Motion carried unanimously.