

December 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 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 Wayne Browning, O. William "Bill" Schmidt, Michael S. "Mike" Mueller and David Ottmer; thereby a quorum was established. Also present was City Attorney Charley Smith, City Administrator Lynn S. Roberts and City Secretary Susan Rosinski. Alderwoman Nancy P. Allen arrived at 5:42 p.m.

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 Alderman Mueller to approve the minutes of the Regular Meeting of November 18, 2003 as presented. Motion carried unanimously.

6. 6. CITIZEN'S FORUM

No one was present that wished to address Council.

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

Attorney Smith informed Council that there would be a hearing on demolition on Thursday, December 18 and possibly one property owner would be at the hearing.

Alderman Mueller stated that a developer would like to set up a workshop with Council to discuss a development in our extra-territorial jurisdiction. Alderman Mueller stated the developer did not want utilities at this point and he wished to ask for a variance.

A Special Meeting (workshop) was set for January 8, 2004 to meet with developers.

It was also noted that Attorney Smith needed to address our LP Gas ordinance.

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

Administrator Roberts informed Council that our Crimestoppers signs were being installed at S. Thomas, First National Bank, Fire Department, Vincik's, Zeiske Park and the Library.

Roberts also informed Council of the following:

Identification cards were being made for city employees.

J & S Well Service would start drilling the new well in January or February.

The Christmas luncheon would be held on Weds, December 17<sup>th</sup>.

A Christmas lights had been placed on a tree at Chesley (Mini) Park.

9. 9. DISCUSSION WITH AUSTIN COUNTY APPRAISAL DISTRICT INTERM CHIEF APPRAISER REGARDING TAX SALES AND ANY RELATED ACTION NECESSARY – THOMAS WADE AND DELINQUENT TAX ATTORNEY

Interim Chief Appraiser Tommy Wade along with Tax Attorneys Norman Nelson and Maris Harkins of Linebarger Goggan Blair & Sampson appeared before Council addressed the steps in the delinquent tax filling process.

Tommy Wade informed Council that he had received a bid on property identified as R19007 that had been struck off of the tax roll since 1995. The bid was in the amount of \$800.00. Mr. Wade asked Council if they wished to accept the bid in the amount of \$800.00. He also informed them that this bid would also be presented to Bellville Independent School District and Austin County, as each owned an equal portion of the property.

A motion was made by Alderman Ottmer, seconded by Alderman Schmidt to accept the offer of \$800.00 in order to have the property placed back on the tax roll. Motion carried unanimously.

10. 10. CONSIDERATION OF ISSUANCE OF CERTIFICATES OF OBLIGATION AND ANY RELATED ACTION NECESSARY – ANNE BURGER

Anne Burger of First Southwest appeared before Council and presented financial information concerning certificates of obligation.

A motion was made by Alderman Ottmer, seconded by Alderman Mueller to authorize First Southwest Company to proceed with the certificates of obligation and to authorize the amount of the certificates at the next meeting. Motion carried unanimously.

11. 11. CONSIDERATION TO AWARD LIBRARY RENOVATION AND EXPANSION BIDS AND ANY RELATED ACTION NECESSARY

Bids were received in the following amounts for expansion and renovation of the Bellville Public Library:

BWG General Contractors - \$338,897.00 and Gaeke Construction - \$292,000.00

A motion was made by Alderman Mueller, seconded by Alderman Browning to reject all bids on the library expansion and renovation. Motion carried unanimously. The consensus of Council was to recheck plans and re-bid at a later date.

12. 12. CONSIDERATION OF PAVILION FEES AND ANY RELATED ACTION NECESSARY

Administrator Roberts informed Council that persons renting the City Park Pavilion were not cleaning it properly after use and recommended an increase in fees.

A motion was made by Alderman Ottmer, seconded by Alderman Mueller to raise the Pavilion rental fee from \$25.00 to \$50.00 and the key deposit from \$75.00 to \$200.00 effective immediately. Motion carried unanimously.

13. 13. CONSIDERATION OF THE RENEWAL OF THE LEASE AT HACIENDA FIELD AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderwoman Allen to renew the Hacienda Field Lease agreement with Bellville Independent School District for a one- year period ending December 15, 2004. Motion carried unanimously.

14. 14. CONSIDERATION OF THE APPOINTMENT OF MEMBERS TO THE BELLVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD, AMENDMENT TO ORDINANCE AND CORRESPONDING CHANGES TO BYLAWS IF APPROPRIATE AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderwoman Allen that the ordinance and by-laws of the Bellville Economic Development Corporation be amended to be co-extensive with H.B. 2912. Motion carried unanimously. Attorney Smith was directed to prepare the necessary paperwork to amend the ordinance in regards to residency requirements.

A motion was made by Alderman Ottmer, seconded by Alderwoman Allen to appoint Michael Mueller to the Bellville Economic Development Corporation Board to fill an un-expired term due to the vacancy created by Robert Simpson. Motion carried unanimously. The term period is December 16, 2003 – December 17, 2004.

15. 15. CONSIDERATION OF APPOINTMENT TO THE AUSTIN COUNTY APPRAISAL DISTRICT BOARD AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Mueller, seconded by Alderman Ottmer to appoint O. William “Bill” Schmidt to the Austin County Appraisal District Board with the term being January 1, 2003 – December 31, 2005. Motion carried unanimously.

16. 16. CONSIDERATION OF APPOINTMENT TO THE 911 BOARD AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Schmidt, seconded by Alderman Ottmer to appoint John Mumme to the Austin County Emergency Communications District (911) Board with the term being January 1, 2004 – December 31, 2005. Motion carried unanimously.

At this point Alderman Browning excused himself from the meeting.

17. 17. CONSIDERATION TO APPROVE THE EXTENSION OF THE BELLVILLE CITY LIMIT LINES AND ANY RELATED ACTION NECESSARY

A motion was made by Alderman Ottmer, seconded by Alderwoman Allen to extend the city limits by annexing State Highway 36 North and South, State Highway 159 East and West, Farm-to-Market Road 1456 and Farm-to-Market Road 2429 parallel and adjacent to the current city limits. Mayor Harrison called for a vote. Alderman Ottmer, Allen, and Mueller voted aye and Alderman Schmidt voted nay. Motion carried.

18. 18. CONSIDERATION OF THE APPOINTMENT OF A HEALTH OFFICER AND ANY RELATED ACTION NECESSARY

A motion was made by Alderwoman Allen, seconded by Alderman Ottmer to appoint Dr. C. Christophe Gay as the City Health Officer for the period of December 16, 2003 – December 15, 2005. Motion carried unanimously.

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 GOVERNMENT 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

There was no need for an Executive Session.

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 Schmidt, seconded by Alderwoman Allen to adjourn at 7:10 p.m. Motion carried unanimously.