

CITY OF BAY CITY
MINUTES • APRIL 13, 2021

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

**1901 5TH STREET
BAY CITY TX, 77414**



Mayor

Robert K. Nelson

Councilman

Jim Folse

Mayor Pro Tem

Jason W. Childers

Councilman

Brent P. Marceaux

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

CALL TO ORDER

The meeting was called to order at 6:00 pm by Mayor Robert K. Nelson.

INVOCATION & PLEDGE

Texas State Flag Pledge: *"Honor The Texas Flag; I Pledge Allegiance To Thee, Texas, One State Under God, One And Indivisible."*

Councilwoman Floyce Brown

CERTIFICATION OF QUORUM**PRESENT**

Mayor Robert K. Nelson
Councilwoman Floyce Brown
Councilman Jim Folse
Councilwoman Becca Sitz

Quorum present

ABSENT

Mayor Pro Tem Jason W. Childers
Councilman Brent P. Marceaux

Also present was Shawna Burkhart, City Manager, and Anne Marie Odefey, City Attorney.

MISSION STATEMENT

The City of Bay City is a community that fosters future economic growth, strives to deliver superior municipal services, invests in quality of life initiatives and is the gateway to the great outdoors. We encourage access to our unique historical and eco-cultural resources while maintaining our small-town Texas charm.

APPROVAL OF AGENDA

Motion made by Councilwoman Brown to approve the agenda, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

PUBLIC COMMENTS

David Torrez, 1616 cottonwood, stated that he was concerned about trucks parking at gym and other areas downtown. He was also concerned about rebar on 12th street road.

APPROVAL OF MINUTES

- 1. Minutes of Regular Council Meeting on March 23, 2021**

Motion made by Councilwoman Sitz to approve the minutes of March 23, 2021, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

2. Ratification of P3 Works Agreement to provide Administration Services for Public Improvement District.

Motion made by Councilwoman Sitz to approve, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

3. Public Hearing ~ Public Hearing to receive public comments on the City of Bay City's Federal Environmental review for the proposed new Northeast Water Plant site funded through the Texas Water Development Board Drinking Water State Revolving Fund.

Dan Olson with Garver Engineering introduced his associate Tracy Michel, Lead Environmental Scientist. Ms. Michel gave a presentation on the Northeast Water Plant site on highway 35. Councilwoman Sitz stated that she was concerned about using future prime commercial real estate for a water plant. David Torrez, citizen, stated that he does not believe this benefits the city residents, just Tenaris. Shawna Burkhart added that the land is from a development agreement.

4. Variance ~ Discuss, consider, and/or approve a variance to Chapter 22 set back requirements at Meadowlawn S/D, Lot 5 & N 1/2 Lot 6, Block 9 (1900 Mary Street). (Maria Monroy)

Shawn Burkhart, City Manager, stated that Ms. Monroy had come before Variance Committee and the committee decided they needed a survey to determine the property lines. Ms Monroy was unable to get the survey due to attorney deceased. During COVID last summer, Ms Monroy had asked how far back but did not get a response due to office closures and vendor placed the shed to close to property line. Asking Council to approve the variance. Complainant was notified but does not recall making the complaint.

Motion made by Councilwoman Sitz to approve the variance to the set back requirements, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

5. Agreement ~ Discuss, consider, and/or approve a Work Order between the City of Bay City and Gaver, LLC for project no. 21W09105 Water Meter Replacement Program.

Mr. Dan Olson with Garver Engineering reviewed the agreement. The agreement is to assist with bidding for the water replacement project. Scotty Jones, Finance Director, added that the agreement was reimbursable.

Motion made by Councilwoman Brown to approve the agreement, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

6. Resolution ~ Discuss, consider, and/or adopt a Resolution to designate authorize signatures to execute documents on behalf of the City of Bay City for the 2020 Texas CDBG program grant no. 72220002 for sidewalk improvements.

Alyssa Dibbern, Engineering Tech, presented the resolution and stated the sidewalk improvements were between Avenue I and H, and Avenue H and G.

Motion made by Councilwoman Sitz to approve the signature resolution, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

7. Resolution ~ Discuss, consider, and/or adopt a Resolution adopting required Community Development Block Grant Civil Rights policies.

Motion made by Councilwoman Sitz to approve the civil rights policy resolution, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

8. Proclamation ~ A proclamation declaring April as Fair Housing Month. Alyssa

Mayor introduced and read the Fair Housing Proclamation.

9. Grant ~ Discuss, consider, and/or authorize the City of Bay City to issue requests for proposals (RFP) for administrative services and requests for qualifications (RFQ) for professional services for the American Rescue Plan Act of 2021.

Scotty Jones, Finance Director, stated that there is more funding available supporting COVID Support. Ms. Jones added this was a no match grant and there is time to plan before 2024.

Motion made by Councilwoman Sitz to approve the City to issue RFP's for administrative services and RFQ's for professional services for the American Rescue Plan Act of 2021, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson,

Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

10. Discussion ~ discussions regarding downtown parking on 7th Street and limit to vehicle length.

Councilman James Folse stated that three times he had to drive around a vehicle parked on 35. Shawna Burkhart informed that a 3rd party hired did not stripe correctly and has to come back and re-stripe. Councilman James Folse thought that the parking spaces would be angled more with a line and compact only. Mayor Nelson added that we have to have TxDOT permission and have been working on a resolution. Councilwoman Brown says its time we do something. Councilwoman Sitz stated that there have been many accidents and reports and she is hoping we can resolve. Item to be placed on future agenda to discuss more.

CLOSED / EXECUTIVE SESSION

Items on Executive Session were tabled.

- 11. Pursuant to Texas Government Code Section 551.087, (1) to discuss commercial or financial information that BCCDC has received from a business prospect that BCCDC seeks to have locate, stay, or expand in Bay City and with which BCCDC is conducting economic development negotiations; and/or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).**
- 12. Pursuant to the Texas Government Code Section 551.074 (To discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: City Manager.**

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilwoman Brown stated that she noticed the street sweeper was fixed and out sweeping. Shawna Burkhart replied that the sweeper is not working properly. Ms. Odefey stated that we got an extended warranty and Ms. Burkhart she would address it with the Public Works Director. Councilwoman Brown says she spoke with John Deer and they would train someone to operate the sweeper.

Councilwoman Sitz announced that we have a group of do-gooder called "Inspire Bay City" who are repainting concrete signs and power washing funded by the Beautify Bay City project.

Anne Marie Odefey stated that Judge Hardin has signed the dismissal of the Bay City Housing Authority lawsuit.

Councilwoman Sitz requested Nile Valley update next meeting

Mayor stated the BASF will let another contractor/city to correct damage on the railroad crossing.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried and the meeting adjourned at 7:00 pm.

PASSED AND APPROVED, this ____ day of _____, 2021.

ROBERT K. NELSON, MAYOR
CITY OF BAY CITY, TEXAS

JEANNA THOMPSON
CITY SECRETARY