



BAY CITY

REVISED MINUTES • DECEMBER 3, 2015

Council Chambers

Regular Meeting

7:00 PM

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

1. CALL TO ORDER & CERTIFICATION OF QUORUM

Attendee Name	Title	Status	Arrived
Mark Bricker	Mayor	Present	
Julie Estlinbaum	Mayor Pro-Tem	Excused	
William Cornman	Councilman	Present	
Chrystal Folse	Councilwoman	Present	
Steven Johnson	Councilman	Present	
Carolyn Thames	Councilwoman	Present	

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILWOMAN CAROLYN THAMES

Texas State Flag Pledge:

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

3. PUBLIC COMMENTS

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

Bay City resident, Joe Halbert, suggested to the Mayor and Council that they try to put positive input as to what is going on in the city. He commended the Bay City Police Department for the work they did for the Christmas Food Box operation with his church. He stated that the police department is not just for our safety but they are a loving and caring group of people.

4. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

1. Personnel

BAY CITY POLICE DEPARTMENT WOULD LIKE TO INTRODUCE OFFICER MATTHEW TILLEY TO THE MAYOR AND CITY COUNCIL.

Bay City PD Captain Robert Lister

Bay City Police Department Captain Robert Lister introduced Officer Matthew Tilley to the Mayor and Council. Captain Lister gave a brief background on Officer Tilley advising that he was born and raised in Illinois and had a background in nuclear security.

2. Report

REVIEW AND DISCUSS A REPORT ON THE MATAGORDA CONVENTION AND VISITORS BUREAU (CVB), OPERATIONS OF THE BAY CITY CIVIC CENTER, AND DIRECT STAFF AS NECESSARY.

Mitch Thames, President/CEO Bay City Chamber of Commerce

Mitch Thames, Bay City Chamber of Commerce President, addressed the Mayor and Council by giving a presentation on the Matagorda Convention and Visitors Bureau (CVB). They are trying to bring in entities that work with tourism. They have been advertising to get people from out of town to visit Bay City. They have partnered with LCRA, Texas State Travel Association, and the Katy Times. They have a booth that they take to different shows to get information out there about the area. They use the booth at conventions and boat shows. However, they need volunteers to help with the booths so that the number of shows they can participate in can increase. They are trying to advertise in the hotels to get the guests involved in what the city has to offer so that they will stay longer. You can visit the website www.visitmatagordacounty.com to see what the area has to offer. Mayor Mark Bricker asked Mr. Thames about the rental fees for the Civic Center. He provided the Mayor and Council with the current deposits and rental charges. They also discussed the current rates for the cleaning services for the building.

3. Property

PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.072 CITY COUNCIL WILL DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY AS DELIBERATIONS IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PARTY.

Erik Frankson, Ward Real Estate

Eric Frankson with Ward Real Estate addressed the Mayor and Council in regards to the sale of city surplus property at 2702 Avenue B and 2708 Avenue B. The property at 2708 Avenue B had been previously voted on so that it could be sold. However, that property had been split in 1949. The owner of this property thought they were purchasing both parts but they had not. Mr. Fields, the property owners son, has been taking care of the lot for the last 15 years. He advised that he would like consideration if the property is to be sold. Mr. Frankson advised that the property has to be on the MLS website for 30 if it is sold. Councilman Bill Cornman advised that the splitting of the property should not have happened and that the half owned by the city should be given to Mrs. Fields and the property at 2702 Avenue B be placed for bids. Mayor Mark Bricker stated that the work done by Mr. Fields could be considered work towards the price of the property. Councilwoman Carolyn Thames agreed. The Council also spoke with Mr. Frankson in regards to the property at 1512 Avenue G. He advised that the Friends of Elderly uses the land and building owned by the county which is the north lot but they are using the property at 1512 Avenue G as a parking space. It has been fenced in along with the building. It was advised that a liability waiver was needed or the property needed to be transferred over to Matagorda County.

RESULT: TABLED

Next: 12/17/2015 7:00 PM

4. Bid

DISCUSS, CONSIDER, AND/OR APPROVE EPIC AVIATION AS THE BRANDED FUEL PROVIDER FOR THE BAY CITY REGIONAL AIRPORT AND DIRECT STAFF AS NECESSARY.

John Garr, Community Services Director

Community Services Director, John Garr, addressed the Mayor and Council to seek approval to award Epic Aviation as the airports fuel provider. He advised that they went out for bids and also sought out a longer contract. Epic Aviation was the lowest bid along with giving the best incentives for the longer contract.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Carolyn Thames, Councilwoman
AYES:	Cornman, Folse, Johnson, Thames
EXCUSED:	Estlinbaum

Enacted and approved this 3rd day of December, 2015, at Bay City

5. Agreement

DISCUSS, CONSIDER, AND/OR APPROVE ADOPTING TRANSPORTATION MASTER PLAN AND DIRECT STAFF AS NECESSARY.

Matt Breazeale, Jones & Carter

Matt Breazeale, Jones and Carter, addressed the Mayor and Council in regards to the Transportation Master Plan. He advised that the goal was to develop a tool that the city can use for future needs. The thoroughfares are classified by function and show the existing roadways and the proposed right-of-ways. There is an asset management plan that will be used in the future to help rank the streets such as the amount of use. Councilman Steven Johnson asked if this was only a draft of the plan. This document is a conceptual document meaning that things may change depending on how the city develops. Mr. Breazeale advised that some things have been done. Councilman Bill Cornman moved to approve the plan and Councilman Johnson seconded the motion. This item carried as a moving document.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Steven Johnson, Councilman
AYES:	Cornman, Folse, Johnson, Thames
EXCUSED:	Estlinbaum

Enacted and approved this 3rd day of December, 2015, at Bay City

6. Policy

DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE REGULATING DESIGNATED ROUTES FOR TRUCK TRAFFIC AND DIRECT STAFF AS NECESSARY.

Barry Calhoun, Public Works Director

It is effective when the signs get put up. The votes were polled.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chrystal Folse, Councilwoman
SECONDER:	William Cornman, Councilman
AYES:	Cornman, Folse, Johnson, Thames
EXCUSED:	Estlinbaum

Enacted and approved this 3rd day of December, 2015, at Bay City

7. Report

UPDATE REPORT ON PROGRESS TO SUPPLY UTILITY SERVICES TO DUNN HEAT EXCHANGER AND DIRECT STAFF AS NECESSARY.

Barry Calhoun, Public Works Director

Barry Calhoun, Director of Public Works, addressed Mayor and Council to provide an update on supplying utility services to Dunn Heat Exchanger. He advised they are currently using water and that AEP gave a connection date of December 16, 2015.

8. Agreement

DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION AUTHORIZING THE CITY OF BAY CITY TO CAST ITS OFFICIAL BALLOT FOR THE BOARD OF DIRECTORS FOR THE MATAGORDA COUNTY APPRAISAL DISTRICT.

Mayor Mark A. Bricker

It was voted to give all 285 votes to Joe Enoch.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carolyn Thames, Councilwoman
SECONDER:	Chrystal Folse, Councilwoman
AYES:	Cornman, Folse, Johnson, Thames
EXCUSED:	Estlinbaum

Enacted and approved this 3rd day of December, 2015, at Bay City

9. Agreement

REVIEW AND DISCUSS UPDATES ON THE PROPOSED THEATER ARTS CENTER AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

Per Mayor Mark Bricker, this items was moved to the Executive Session.

RESULT:	TABLED	Next: 12/17/2015 7:00 PM
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5. EXECUTIVE SESSION

1. Report

DISCUSS, CONSIDER, AND TAKE POSSIBLE ACTION RELATIVE TO SETTING THE MAYOR'S SALARY FOR THE CURRENT FISCAL YEAR.

Councilman Bill Cornman

The Council discussed the Mayor's salary and the Theater Arts Center.

6. OPEN SESSION

1. Report

RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY FOR ITEMS DISCUSSED IN EXECUTIVE SESSION

Mayor Mark A. Bricker

The Executive Session adjourned at 9:40 PM.

Mayor Mark Bricker advised that the Ignite Church offered to donate the building that is being proposed as the new Theater Arts Center. They are going to pursue this and hope to have an action item to place on the agenda for the second meeting in January.

Councilman Bill Cornman made a motion to increase the Mayor's salary by 2% and making it retro active to the beginning of the fiscal year. Councilwoman Chrystal Folsie seconded the motion. The motion carried.

7. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilwomen Chrystal Folsie and Carolyn Thames stated they went to the preview for the Festival of Lights. They advised that Parks and Recreation did a great job. Councilman Bill Cornman stated that he would like to see the building fees be re-addressed at the next meeting. Mayor Mark Bricker advised that the building fees have already been passed.

8. ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized:

The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be Agenda City Council August 8, 2013 in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Executive Sessions Authorized:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General

known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

This is to certify that the above notice of a Workshop Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Monday, November 30, 2015 before 6:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

Lillie Norris
Deputy City Secretary