



BAY CITY

REVISED MINUTES • OCTOBER 22, 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	Present	
William Cornman	Councilman	Present	
Chrystal Folse	Councilwoman	Absent	
Steven Johnson	Councilman	Present	
Carolyn Thames	Councilwoman	Present	

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILMAN BILL CORNMAN

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 Lazano, addressed the Mayor and Council to commend the City and the Police Dept. He stated that there were several dogs running loose as he was riding his bike. He saw Police Chief Barker and notified him of the issue. Chief Barker then relayed the information to Animal Control to get the dogs contained.

4. CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless requested by a member of the City Council. Public comment on consent agenda items may be heard without removing the item from the consent agenda. Each person providing public comment will be limited to 3 minutes.

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

1. Report

CONSIDER AND/OR APPROVE THE QUARTERLY INVESTMENT REPORTS FOR THE PERIODS ENDING MARCH 31, 2015 (as amended), JUNE 30, 2015, AND SEPTEMBER 30, 2015, AND DIRECT STAFF AS NECESSARY.

Beverly Griffith, Interim Finance Director

Enacted and approved this 22nd day of October, 2015, at Bay City

2. Report

RECEIVE REPORT ON ACCOUNTS PAYABLE FOR: 6/24, 6/25, 7/1, 7/9, 7/16, 7/23, 7/29, 8/6, 8/12, 8/20, 8/26, 9/3, 9/10, 9/17 and 9/24/15; DIRECT PAYABLES FOR: 6/5, 6/30, 7/14, 7/15, 7/21, 8/13 and 9/9/15; DIRECT PAYABLES (EFT) FOR 7/1, 7/15 and 9/15/15; AND UTILITY REFUNDS FOR: 7/1, 8/6 and 9/3/15; AND DIRECT STAFF AS NECESSARY.

Beverly Griffith, Interim Finance Director

Enacted and approved this 22nd day of October, 2015, at Bay City

3. Appointment

CONSIDER AND/OR APPROVE MAYOR'S APPOINTMENT OF JOSH FORTENBERRY TO THE PLANNING COMMISSION, AND DIRECT STAFF AS NECESSARY.

Mark A. Bricker, Mayor

Enacted and approved this 22nd day of October, 2015, at Bay City

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

1. Agreement

CONSIDER AND/OR APPROVE AUTHORIZING THE CREATION OF THE GULF COAST REGIONAL 9-1-1 EMERGENCY COMMUNICATIONS DISTRICT, AND DIRECT STAFF AS NECESSARY.

Mark A. Bricker, Mayor

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julie Estlinbaum, Mayor Pro-Tem
SECONDER:	Carolyn Thames, Councilwoman
AYES:	Estlinbaum, Cornman, Johnson, Thames
ABSENT:	Folse

Enacted and approved this 22nd day of October, 2015, at Bay City

2. Policy

RECEIVE AND DISCUSS AN UPDATE ON THE TRANSPORTATION MASTER PLAN, AND DIRECT STAFF AS NECESSARY.

Matt Breazeale, Jones & Carter

Matt Breazeale, of Jones & Carter, addressed the Mayor and Council to provide an update on the Transportation Master Plan. He stated that there would be a way to score one roadway against another, allowing the city to have input on which roadway takes priority. It will help to keep heavy traffic off of the local streets. Councilman Bill Cornman had some concerns about the roadway being close to the river. Mr.

Breazeale stated that they are aware and that a second bridge may be required. Councilman Cornman stated that the design needs to indicate that we are aware that the river may cause an issue.

3. Policy

CONSIDER AND/OR APPROVE AN ORDINANCE AMENDING RATES FOR BUILDING PERMITS, INCLUDING PLAN REVIEW, PLUMBING, ELECTRICAL, MECHANICAL AND FIRE PERMITS, AND ESTABLISH EFFECTIVE DATE FOR THE NEW RATES, AND TO DIRECT STAFF AS NECESSARY.

Marla Jasek, Assistant Director of Public Works

Assistant Director of Public Works, Marla Jasek addressed the Mayor and Council in regards to the ordinance that was presented at the last meeting. The wording was incorrect on the agenda item at the October 8, 2015 meeting so it had to be re-addressed. Councilman Bill Cornman moved to approve the ordinance and Mayor Pro Tem Julie Estlinbaum seconded the motion. The ordinance was approved. Mayor Mark A. Bricker polled the votes.

4. Policy

RECEIVE AND DISCUSS AN UPDATE ON THE STATUS ON THE ADOPTION OF THE 2015 INTERNATIONAL CODES AND 2014 NATIONAL ELECTRIC CODES, AND DIRECT STAFF AS NECESSARY.

Marla Jasek, Assistant Public Works Director

Assistant Director of Public Works, Marla Jasek , addressed the Mayor and Council on the status of adopting the 2015 International Codes and the 2014 National Electric Codes. She advised that they were making progress and would like to discuss it on the first council meeting in November. She also stated that she would like to recommend that the Variance Committee increase to 5 members and to not have both the Mayor and the Mayor Pro Tem serving on it. She advised that the Building Inspector is a non-voting member of the committee. Mayor Pro Tem Julie Estlinbaum stated that surrounding communities have citizens serving on their committee and that is something we should consider. Councilwoman Carolyn Thames agrees with adding citizens to this committee.

5. Policy

RECEIVE AND DISCUSS AN UPDATE ON THE ADOPTION OF TRUCK ROUTES, AND DIRECT STAFF AS NECESSARY.

Barry Calhoun, Public Works Director

Director of Public Works, Barry Calhoun, addressed the Mayor and Council in regards to the Truck Route Ordinance. At this time, there is not an ordinance. He stated that they were waiting to get with TX DOT so that it can be completed. Once completed, it will help to control truck traffic within the city. It would keep it on the highways and off of the city streets.

6. Resolution

DISCUSS, CONSIDER AND/OR ADOPT RESOLUTION TO DESIGNATE AN ADMINISTRATION SERVICE PROVIDER FOR THE CITY 2015'S FEMA HAZARD MITIGATION FUND CONTRACT FOR THE BACKUP GENERATORS PROJECT, AND DIRECT STAFF AS NECESSARY.

Barry Calhoun, Director of Public Works

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Julie Estlinbaum, Mayor Pro-Tem
AYES:	Estlinbaum, Cornman, Johnson, Thames
ABSENT:	Folse

RESOLUTION

Enacted and approved this 22nd day of October, 2015, at Bay City

7. Policy

DISCUSS PROPOSED CHANGES TO SANITATION ORDINANCE AND PROVIDE GUIDANCE TO CITY STAFF.

Dustin Hodges, Executive Assistant

Dustin Hodges, Executive Assistant to Mayor Bricker, addressed the Mayor and Council about changes to the Sanitation Ordinance. The ordinance would help get the heavy brush and heavy items collected. This would happen twice a month. Councilman Bill Cornman advised that it needed to include guidelines on which items can and cannot be placed on the curb for pick up. He also stated that we should place an article in the paper, along with photographs, to help bring awareness of illegal dumping to the citizens. WCA is working with Marla Jasek, Assistant Director of Public Works, in regards to "No Dumping" signs.

8. Report

UPDATE ON CURRENT WCA OPERATIONS, AND DIRECT STAFF AS NECESSARY.

Dustin Hodges, Executive Assistant

Dustin Hodges, Executive Assistant to Mayor Bricker, stated that they have revised the WCA brochures from last year. He advised that as soon as the ordinance is approved by Council they would be mailing them about and moving forward with the marketing campaign to let the citizens know when the new changes will begin. He stated that the weekly complaint logs that he has been receiving show a significant different since September 29, 2015. He stated that the new log has the full information about the complaints.

9. Report

RECEIVE UPDATE ON THE VISION 2040 PLAN, TAKE ANY NECESSARY ACTION, AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

Mayor Mark Bricker advised that a Special Call Workshop meeting would take place on November 5, 2015 at 6pm. Councilman Bill Cornman advised that they needed to talk about when they would do updates. Mayor Bricker advised that the ordinance states that the Planning Commission should keep the plan updated.

6. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Mayor Mark A. Bricker stated that he would be working on getting the missed audio from previous meetings placed onto the website.

7. 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 Thursday, October 15, 2015 before 6:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

Rhonda Clegg
City Secretary