



BAY CITY

REVISED MINUTES • MAY 14, 2015

Council Chambers

Regular Meeting

7:00 PM

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

1. CALL TO ORDER & CERTIFICATION OF QUORUM

quorum called to order

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

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILMAN STEVEN JOHNSON

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 Jennifer Reinhold with the Junior Service League introduced their new members and stated that they were observing the City Council meeting as part of the provisional training.

Bay City resident Becca Sitz spoke in regards to Main Street. She stated that she was having difficulty with the building department and would like more hospitality. She spoke about the building codes and was advised that they would be on the meeting for June 11, 2015. She is concerned about downtown traffic causing business visibility issues. She believes Nile Valley could alleviate some of that traffic.

Bay City resident Jerry Hance spoke about negativity and that they needed to resolve their issues, so that the City could work towards positive things.

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 [3 TO 0]
MOVER:	Steven Johnson, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Folse, Johnson, Estlinbaum
ABSTAIN:	Bricker
EXCUSED:	Thames, Cornman

1. Report

CONSIDER AND/OR APPROVE THE MONTHLY FINANCIAL STATEMENTS AS OF APRIL 30, 2015.

Phill Conner, Finance Director

Enacted and approved this 14th day of May, 2015, at Bay City

2. Budget

RECEIVE REPORT AND TAKE ACTION ON THE FOLLOWING: ACCOUNTS PAYABLE 3/2, 3/5, 3/12, 3/19, 3/26, 4/2, 4/9, 4/16, 4/23, AND 4/29/2015; DIRECT PAYABLES 3/6, 3/19, AND 4/13/2015; AND UTILITY REFUNDS 3/5, 3/26, 4/23, AND 4/29/15.

Phill Conner, Finance Director

Enacted and approved this 14th day of May, 2015, at Bay City

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

1. Report

CONSIDER AND/OR APPROVE THE CANVASS OF THE ELECTION RETURNS FOR THE GENERAL AND SPECIAL ELECTION HELD ON SATURDAY, MAY 9, 2015.

Rhonda Clegg, City Secretary

City Secretary, Rhonda Clegg, presented the canvass of the 2015 General and Special elections for approval.

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

Enacted and approved this 14th day of May, 2015, at Bay City

2. Agreement

DISCUSS, CONSIDER AND/OR APPROVE AN INTERLOCAL AGREEMENT FOR RECIPROCAL RECREATIONAL FACILITIES USE 16TH STREET POOL AND BCISD INTERMEDIATE SCHOOL GYM.

Councilwoman Chrystal Folse

Councilwoman Chrystal Folse presented information about the Interlocal Agreement for Reciprocal Recreational Facilities Use 16th Street Pool and BCISD Intermediate

School Gym. She stated that programs were needed to put the gym to use. Councilwoman Julie Estlinbaum gave references to possible basketball or volleyball programs. Mayor Mark A. Bricker was in agreement that programs were needed.

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

Enacted and approved this 14th day of May, 2015, at Bay City

3. Ordinance

CONSIDER AND/OR APPROVE AN ORDINANCE SETTING DATES, TIMES AND PLACE FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF 33 PLATTED LOTS AND 3 RESERVE LOTS WITHIN THE LIVE OAKS ESTATES SUBDIVISION GENERALLY LOCATED NEAR 12TH STREET, EAST OF ANDREA DRIVE, BAY CITY, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARINGS; AUTHORIZING AND DIRECTING THE PUBLIC WORKS DIRECTOR TO PREPARE A SERVICE PLAN.

Mayor Mark A. Bricker polled the votes for the ordinance.

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

ORDINANCE

Enacted and approved this 14th day of May, 2015, at Bay City

4. Bid

CONSIDER AND/OR APPROVE AWARDED A BID TO J.T.B. SERVICES, INC., FOR DEMOLITION SERVICES TO DEMOLISH FIVE(5) ABANDONED RESIDENCES IN THE CITY OF BAY CITY AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF BAY CITY AND J.T.B. SERVICES, INC.

Barry Calhoun, Director of Public Works

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

Enacted and approved this 14th day of May, 2015, at Bay City

5. Agreement

DISCUSS, CONSIDER AND/OR APPROVE A CONTRACT BETWEEN THE CITY OF BAY CITY AND JONES & CARTER FOR A WATER DISTRIBUTION MODEL FOR THE CITY OF BAY CITY.

Mayor Mark A. Bricker & Matt Breazeale, Jones & Carter
Matthew Breazeale, with Jones & Carter, spoke to the council in reference to the 2015 Water Distribution Model. The model will allow the City to make changes/adjustments to the water lines via the computer and see the affect it would have prior to making any physical changes. The model is also capable of running different scenarios to see what would be more beneficial to the City.

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

Enacted and approved this 14th day of May, 2015, at Bay City

6. Report

STATUS UPDATE ON REPAIR OPTIONS FOR NILE VALLEY ROAD.

Item not discussed.

6. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilwoman Chrystal Folse spoke in regards to issues with the City pool and how kids were being bussed to El Campo.

Councilwoman Julie Estlinbaum advised that the Wellness Center was having a 5K and 10K on Saturday, May 16, 2015.

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

Rhonda Clegg
City Secretary