



BAY CITY

REVISED MINUTES • NOVEMBER 4, 2014

Council Chambers

Special Meeting

6:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER & CERTIFICATION OF QUORUM

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

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

1. Report

DISCUSS, CONSIDER AND/OR APPROVE THE RECOMMENDATIONS PROPOSED BY THE BUILDING ORDINANCE COMMITTEE AND PROVIDE DIRECTION TO STAFF TO ADOPT ANY RESOLUTIONS AND/OR ORDINANCES NECESSARY.

Councilwoman Julie Estlinbaum

Councilwoman Estlinbaum provided everyone with a handout of the committee's recommendations, and reviewed each recommendation.

Recommendation 1:

Councilwoman Estlinbaum explained that this recommendation was already established in the City's Code of Ordinances. Mayor expressed his concern with the recommendation. He stated that the sustainability of the different committees and being able to keep up with them. He suggested having a Council liaison that would be responsible to provide updates on them.

Recommendation 2:

Councilwoman Estlinbaum suggested that the flow chart for the appropriate use of an engineer be displayed, so that people could see it. Mrs. Jasek stated that the City had been using it, but it would help them out with enforcement if the chart was officially adopted by the City.

Recommendation 3:

Councilwoman Estlinbaum explained that this recommendation would change the makeup of the Variance Committee. She stated that the committee should include representatives from the Building Community and community members. It was Council's consensus not to have a Council Member on the Committee, because Council was the last place to go to resolve the issue. Council should not be on the Committee. Mrs. Clegg wanted to verify that the Committee would still receive their

request via email. The consensus of Council was for that to remain the same, but that the Committee should meet every so often in person.

The proposed make up would consist of the Public Works Director, two members of the community, and the Mayor as a non-voting ex-officio member.

Recommendation 4:

Councilwoman Estlinbaum stated that she would table this recommendation, and revisit it later. She added that the City planned to have a Workshop with Bureau Veritas, which would shine a light on this recommendation.

Recommendation 5

Mrs. Jasek explained that the City did complete some self-review. She provided examples of those times. Councilwoman Folse asked who was on the Plan Review Committee. Mrs. Jasek stated that they performed some plan reviews in-house, but they would be able to use Bureau Veritas, and the City currently uses Landrum. Councilwoman Estlinbaum stated that the Committee members stated that an Architect or a Structural Engineer should be to self-review their own plans. If they have a stamp, then the City should just accept it.

There was discussion back and forth because there were some instances where a second review would be necessary. Councilman Cornman stated that there should be the capability of self-review, if there is a single discipline. Councilwoman Folse asked who currently reviewed plans submitted to the City. Mrs. Jasek stated that used the City's Building Inspector and Landrum.

Councilwoman Estlinbaum stated that she and Marla would work to address some of the wording and bring it back to Council.

Councilman Cornman asked about renovations. Mrs. Jasek stated that it was something they were currently fighting.

Recommendation 6:

Mrs. Jasek informed Mayor and Council that the Plumbing Board required Plumbers to pull their own permits. Councilwoman Estlinbaum suggested that the City try the recommended way for a while to see if it would help contractors expedite their work. It was Council's consensus to try it that way, leaving out the Plumbing Permit.

Recommendation 7:

Mrs. Jasek explained that the existing Building Code was not a problem to her, and believed the City should adopt it.

MOTION BY COUNCILWOMAN FOLSE, SECOND BY MAYOR PRO TEM THAMES, TO APPROVE THE BUILDING COMMITTEE RECOMMENDATIONS 1, 2, 3, AND 6; AND LEAVING FOR FURTHER DISCUSSION RECOMMENDATIONS 4, 5 AND 6.

Council thanked Councilwoman Estlinbaum for all of her efforts. Councilwoman Estlinbaum thanked Mrs. Jasek and Mr. Calhoun for their work.

3. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Cornman notified Council that Planning Commission Co-Chair Ray Tennant, Jr. resigned and that they would have to do some regrouping.

Mayor Pro Tem Thames thanked Councilwoman Estlinbaum for taking on the task.

Councilwoman Folse reminded everyone of the Kiwanis Pancake Supper.

4. 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 Friday, October 21, 2014, 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



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 11/04/14 06:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1673

DISCUSSION ITEM (ID # 1673)

**DISCUSS, CONSIDER AND/OR APPROVE THE
RECOMMENDATIONS PROPOSED BY THE BUILDING
ORDINANCE COMMITTEE AND PROVIDE DIRECTION TO
STAFF TO ADOPT ANY RESOLUTIONS AND/OR
ORDINANCES NECESSARY.**