CITY OF BAY CITY

MINUTES • OCTOBER 26, 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	**Councilman**	**Councilwoman**
Jim Folse	Bradley Westmoreland	Becca Sitz
Mayor Pro Tem		**Councilwoman**
Jason W. Childers		Floyce Brown

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

CALL TO ORDER

The Regular Council meeting was called to order by Mayor Robert K. Nelson at 6:02 pm.

INVOCATION & PLEDGE

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

Councilman Jim Folse

CERTIFICATION OF QUORUM

Quorum present.

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

ABSENT
Mayor Pro Tem Jason W. Childers

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.

Councilman Jim Folse

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Tina Israel, Main Street Director, gave a summary of upcoming events. Ms. Israel also stated 3 goals of Main Street Strategic Plan was the downtown theater, vacant buildings, and beautification.

APPROVAL OF MINUTES

1. **City Council Workshop Meeting minutes of August 23, 2021**

2. **City Council Regular Meeting minutes of October 12, 2021**

Councilman Westmoreland stated that item number 6 of the October 12th minutes needed correction to show the approval was with simultaneous notification to Human Resources and the Chief of Police.

Motion made by Councilman Westmoreland to approve the minutes with corrections to the October 12th Regular Meeting minutes, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

PUBLIC HEARING

3. **Public Hearing of the City of Bay City, Texas , to consider the advisability of the creation of a public improvement district to make certain improvements over certain property located with the city.**

   Jessica Russell thanked Council for their assistance. There were no other public comments.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

4. **Project ~ Review and discuss bid cost estimate for the Texas Theater Project.**

   Heidi Martinez, Tourism Manager, stated that information has taken some time to get together. It is a large number but the contractor thinks cost will go down once supply costs goes down. Ms. Martinez recommended surveys and workshop to see if this is really what the community wants. Shawna Burkhart added that this is part of our 2025 bond issuance but did not have a good number to put with it, adding that work was not initiated because asbestos needed to be abated. If funded, envisioned to be bonded with the Public Safety building and pool. It is a 5 to 6 million bond. Councilman Folse asked if the facility is in a safe state or deteriorating. Ms. Burkhart replied that the building is deteriorating but is stable. Council expressed interest to take tour of current state of building. Ms. Martinez believes there is a possibility of funding through grants. Councilman Westmoreland asked if we have looked at other city theaters and what they have done and Ms. Martinez replied yes and have looked at them. Ms. Martinez suggested a workshop and surveys. Mayor suggested to postpone until we can do a workshop probably at the beginning of the year.

5. **Tourism ~ Discuss, consider, and/or approve the Tourism Logo.**

   Heidi Martinez, Tourism Manager, presented the tourism board members and summarized difficulty coming up with a homed in message to captivate an audience

and be creative. They had wanted a logo that did not cost a lot to embroider or print. The board wanted simple. Councilman Folse asked about the product that has a similar design and exact logo, is there a trademark issue? Ms. Martinez replied that since the products selling are different should be able to get our own copy rights. Carly Wall, Assistant City Attorney, stated that she and Anne Marie Odefey had check the State copyrights, but they have not checked for the national copyrights. Ms. Martinez added that the consultant will get the copy rights. Ms. Martinez stated that getting the logo approved is holding up sign projects. Councilwoman Sitz asked how Ms. Martinez found the company for the logo and Ms. Martinez replied that it was through a conference. Shawna Burkhart, City Manager, stated that Ms. Martinez brought 3 companies to her and they decided on Ryme and Reason, survey went out to board members and they have put in a great deal of work into this goal. Councilman Westmoreland asked if it was unanimous support from the board and Ms. Martinez replied yes. Councilman Westmoreland does not believe it reflects what we are about. Raleigh Conklin, Tourism Board Member, replied that you do not want to overload. Shea Ingram, Tourism Board Member added that she believes the logo encompasses the area, as she does not kayak or hunt, but the logo speaks to her. Councilwoman Sitz stated that we paid $27,405 to a company in Florida, when we have local talent here in Bay City and should have shopped local. Mayor Nelson stated that he does not have a problem with it and thinks its diverse.
Motion made by Councilwoman Brown to approve the Tourism logo, Seconded by Mayor Nelson. Voting Yea: Councilman Folse. Voting Nay: Councilwoman Sitz, Councilman Westmoreland. Motion carried by majority vote.

6. **Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas, authorizing the submission of a Texas Community Resiliency Program (CRP) application to the Texas Department of Housing and Community Affairs in support of the Economic Action Committee of the Gulf Coast.**

Alyssa Dibbern, Engineer Tech, presented the resolution to apply for grant to assist with repairs or new build of facility that Economic Action Committee is using.
Motion made by Councilman Folse to approve the resolution authorizing the submission of a Texas Community Resiliency Program application to the Texas Department of Housing and Community Affairs in support of the Economic Action Committee of the Gulf Coast, Seconded by Councilwoman Brown.
Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

7. **Contract ~ Discuss, consider, and/or approve Work Order No. 5 to the Standard Contract Agreement between the City of Bay City, Texas and Garver, LLC for professional Engineering Services for the design, bid, and construction of a new water plant (North Water Plant) under the Texas Water Development Board Funding Drinking Water SRF Projects.**

Barry Calhoun, Public Works Director, presented the contract. Mayor Nelson asked who will be overseeing, and Mr. Calhoun replied that they added management duties

to the contract. Mayor Nelson also stated that he had concerns with some verbiage in the contract.
Motion made by Councilwoman Brown approve Work Order No. 5 to the Standard Contract Agreement between the City of Bay City, Texas and Garver, LLC, Seconded by Councilman Westmoreland.
Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

8. **Presentation ~ Hamman Road Drainage project presentation from Jones & Carter.**

Brian Geier, Jones & Carter PE, reviewed the drainage project, phases and cost and focus on phase one. Jones & Carter are requesting/suggesting to increase size of 24" to 30" line along apartments at an additional cost of 8 to 10,000 dollars more. The increase size brings from a 2 year storm event to a 10 year storm event. Shawna Burkhart, City Manager, asked why is it that we are just coming to this, should have been done by October 1st and that we need to bid in next 2 weeks. Mr. Geier replied that they are ready to bid in one to 2 weeks but will need an easement from the Apartment complex. Mayor Nelson and Council members agreed that it makes sense to increase size.

9. **Property ~ Discuss, consider, and/or approve donating the City owned property, AB 0269 , I&GN Co., 3.077 acres (2624 16th St.) to the Bay City Independent School District.**

Shawna Burkhart, City Manager, presented the deed donating the pool back to Bay City I.S.D. if Council so choose to do so. Ms. Burkhart added that the School Superintendent did desire to take the property but need action from his board.
Motion made by Councilwoman Brown to approve donating the City owned property, AB 0269 , I&GN Co., 3.077 acres (2624 16th St.) to the Bay City Independent School District , Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

10. **Resolution ~ Discuss, consider and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the appointments to the Board of Directors of Reinvestment Zone Number One (#1), City of Bay City.**

Shawn Burkhart, City Manger stated that William Bell Jr. has resigned and and Councilman Jim Folse has agreed to serve.

Motion made by Councilman Westmoreland to approve a resolution of the City Council of the City of Bay City, Texas recognizing the appointments to the Board of Directors of Reinvestment Zone Number One (#1), Seconded by Councilwoman Sitz.Voting Yea: Mayor Nelson, Councilwoman Brown, Councilwoman Sitz, Councilman Westmoreland. Voting Abstaining: Councilman Folse. Motion carried.

11. Resolution ~ Discuss, consider and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the appointments to the Board of Directors of Reinvestment Zone Number Two (#2), City of Bay City.

Shawn Burkhart, City Manger stated that William Bell Jr. has resigned and and Julie Estlinbaum has agreed to serve.

Motion made by Councilwoman Brown to postpone till November 2nd, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

12. Appointment ~ Discuss, consider, and/or approve the appointment of TIRZ #1 Chairman of the Board.

Motion made by Mayor Nelson to postpone until November 2nd, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

13. Appointment ~ Discuss, consider, and/or approve the appointment of TIRZ #2 Chairman of the Board.

Motion made by Mayor Nelson to postpone until November 2nd, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

14. Resolution ~ 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.

Shawna Burkhart stated that Carolyn Thames has been asked to serve and she agreed to.
Motion made by Councilman Folse to 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 for candidate Carolyn Thames., Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

15. Streets & Bridges ~ Discussion regarding the Nile Valley Road Bridge guard rails and street lighting.

Councilman Folse stated that someone hit guard rail and lights are out. Mayor Nelson stated that he has spoken to Oscar. Barry Calhoun, Public Works Director, stated that they discovered that the lights are not working and that there is a break along the 2000 foot electric line that is under ground and difficult to locate where the break is and the best option is to install new line. Mr. Calhoun added that there has been difficulty getting material to replace the guard rails.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilwoman Brown stated that the logos and t-shirts represent us we should be more aware but would have preferred a more professional look for the TML Conference. Councilman Westmoreland concurred.

Councilwoman Sitz stated that she went to a realtor luncheon and that the Le Tulle Park sign is atrocious, plants are dead, and thinks we need to do better. Shawna Burkhart stated that the park director has been directed to fix.

Councilman Folse stated that a vendor from the TML conference sent a free sample of road repair material and looking for spot to try.

Councilman Westmoreland asked about the Leissner water leak and why it is taking so long. Ms. Burkhart stated that 9 mayor and 60 service line breaks and we will have a workshop.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and the meeting adjourned at 7:44 pm.

PASSED AND APPROVED, this 2nd day of November, 2021.

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

JEANNA THOMPSON
CITY SECRETARY

THE CITY OF BAY CITY, TEXAS