

CITY OF BAY CITY

MINUTES • MAY 10, 2022

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

Jim Folse

Mayor Pro Tem

Jason W. Childers

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

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

CALL TO ORDER

Mayor Robert K. Nelson called the meeting to order at 6:00 PM.

INVOCATION & PLEDGE

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

Mayor Pro Tem Jason Childers

CERTIFICATION OF QUORUM

Mayor Robert K. Nelson certified that a quorum was present.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Jason W. Childers
Councilwoman Floyce Brown
Councilman Jim Folse
Councilwoman Becca Sitz
Councilman Brad Westmoreland

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.

Mayor Pro Tem Jason Childers

APPROVAL OF AGENDA

Motion made by Councilwoman Brown to approve the agenda with changes to Item #5, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

PUBLIC COMMENTS

Tim Bell, 1605 7th st., thanked Councilman Jason Childers for an outstanding 5 years, he did an excellent job and Bay City is a better place.

Charles Allison, Allison Benefits Consultant, addressed the public and introduced his team members. Mr. Allison stated that everybody likes to buy local, but go elsewhere due to pricing, expertise, and pointed out reasons the City should use his firm.

Christella Rodriguez, Captain at the Bay City Police Department, stated that tomorrow starts police week and Juan Delgado will be recognized along with 600 officers in Washington DC, June 15th there will be a memorial gathering at the police station and May 20th is a blood drive for a local investigator faced with medical issue.

David Torrez, 1616 Cottonwood, heard a conflict on Facebook as to who has the power with council and asked why aren't the potholes being fixed.

APPROVAL OF MINUTES

- 1. Regular Council Meeting minutes of April 12, 2022**
- 2. Regular Council Meeting minutes of April 26, 2022**

Motion made by Councilman Folse to approve the minutes with corrections to the minutes of April 12th item #3, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

There were no consent items.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 3. Policy ~ Swearing-in of elected Mayor Robert K. Nelson from the May 7, 2022 General Election.**

Robert K. Nelson was sworn in as Mayor by City Secretary, Jeanna Thompson.

- 4. Policy ~ Swearing-in of elected Council Members Bradley Westmoreland, Becca Sitz, and Blayne Finlay from the May 7, 2022 General Election.**

Bradley Westmoreland, Becca Sitz, and Blayne Finlay were sworn in as Council Members, positions 3, 4 and 5 respectfully, by Mayor Robert K. Nelson.

- 5. Award ~ Recognition of Jason Childers for his years of service to the City of Bay City as a Councilmember.**

Mayor Robert K. Nelson presented the resolution and plaque to Jason Childers for his years of service on Council.

- 6. Appointment ~ Discuss, consider, and/or approve the election of Mayor Pro Tem.**

Motion made by Mayor Robert K. Nelson to nominate Councilman Jim Folse as Mayor Pro Tem, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilman

Finlay, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

7. Appointment ~ Discuss, consider, and/or approve the appointment of Councilman Blayne Finlay to the Bay City Community Development Board.

Motion made by Mayor Robert K. Nelson to appoint Blayne Finlay to the board, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Folse, Councilwoman Brown, Councilman Finlay, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

8. Appointment ~ Discuss, consider, and/or approve the appointment of Justin Rhodes to the Main Street Board.

Tina Israel, Main Street Manager, introduced Justin Rhodes.

Motion made by Councilwoman Brown to approve the appointment of Justin Rhodes, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Folse, Councilwoman Brown, Councilman Finlay, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

9. Report ~ Discuss, consider, and/or approve the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ending September 30, 2021.

Scotty Jones, Finance Director, noted the new name of annual audits stating that the committee reviewed the audit in detail. Melissa Terry, HWU, went over items in the audit stating that the city received a clean opinion, the highest a city can receive. There were no findings and Ms. Terry briefly explained different sections. Councilman Westmoreland asked Ms. Terry if there are any general changes to do better and Ms. Terry replied that there was not and that Scotty Jones does a great job and the city has all the consultants and expertise available.

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

10. Agreement ~ Discuss, consider and/or approve the selection committee's benefit consultant recommendation.

Rhonda Clegg, Director of Human Resources, stated that council requested that the city go out for bids. We received two submissions and the committee reviewed and recommended we remain with our current provider. Shawna Burkhart added that in the second paragraph under recommendations it discusses their ability to negotiate on

behalf of the city, as she shared with one council member prior to this meeting, the bid is always important and the price point is always import, but the real magnitude of the value the consultant brings is in the ability to drive down the cost, so if it come in at 20% from Blue Cross Blue Shield and the consultant works to bring down to 7% then that an actual savings of \$185,000 tangible dollars saved. That's where the consultants value really matters.

Councilman Westmoreland stated that this was not unanimous opinion of the selection committee and he was opposed. He disagreed with recommendation with sticking with HUB. After looking through the RFPs and documents and talking with business owners and community members who do utilize Mr. Allison and positive feed back and experience they have with Allison Benefits Consultant, he is confident that Allison Benefits Consultant can provide a strong level of service to the city as well as negotiating capacity for us. Councilman Westmoreland recommended going with Allison Benefits Consultant and we should support our local businesses.

Mayor Nelson stated that he was on the committee and based his scoring on the information that he had. Adding that they went back a second time and still did not get the information requested. Shawna Burkhart added that we work at council's discretion and the assessment was based on tools provided.

Motion made by Councilman Westmoreland to award to Allison Benefits Consultant, Seconded by Councilwoman Sitz. Voting Yea: Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Voting Nay: Mayor Nelson. Voting Abstaining: Councilwoman Brown. Motion carried.

11. Lease ~ Discuss, consider, and/or approve the termination of 2320 Avenue K lease agreement with Empowerment for Exceeding Together "E4E2" and giving notice to tenant.

Shawna Burkhart, City Manager, stated that the lessee has not had utilities since October. Termination of lease will be 30 day from date of notice.

Motion made by Councilwoman Sitz to terminate the lease agreement, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Folse, Councilwoman Brown, Councilman Finlay, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

12. Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City Code of Ordinances Chapter 74 "Peddlers and Solicitors"; Article II ("Permit"); amending Section 74-33 "Required"; providing for a cumulative & conflicts clause; providing for a severability clause; and providing for an effective date.

Jeanna Thompson, City Secretary, presented the ordinance. Council discussed additional subjects regarding vendors and agreed to approve this part and come back at a later date to review more regarding Chapter 74 of the Code of Ordinance.

Motion made by Mayor Robert K. Nelson to approve the ordinance, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Folse, Councilwoman Brown, Councilman Finlay, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned the regular meeting to convened into an executive session at 7:22 pm.

- 13. Pursuant to the Texas Government Code Section 551.074 (To discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: Mayor & City Manager**

OPEN SESSION

Council reconvened the regular session at 7:48 and took no action on item #13.

ITEMS / COMMENTS FROM MAYOR, COUNCIL MEMBERS AND CITY MANAGER

Council welcomed new council member Blayne Finlay.

Shawna Burkhart announced that invitations have been sent for a private social gathering of council and a notice of possible quorum will be posted. Ms. Burkhart stated that the facilitator for Customer Service Training is not available and she is looking for someone else. Ms. Burkhart reviewed the upcoming budget workshop schedules.

Councilwoman Brown asked if an individual had a permit to get water and Ms. Burkhart replied that that she did not think so but will check in to.

Councilman Westmoreland asked about the pothole on Nile Valley Road and Ms. Burkhart replied that it has been addressed and contractor contacted. Councilman Westmoreland commented on the high attendance during the 1st quarter at the Library and praised their work.

Major Pro Tem Folse asked about the Day of the Dead committee and if they need help and Ms. Burkhart replied that they are having a meeting this week but there seems to be complications. Council awarded the committee those duties and did due diligence presenting their plans to the tourism board but the board dissolved to one member and terms have expired. Councilwoman Sitz asked what happen to the three that wanted to join the board. Mayor Nelson asked if we don't have a Tourism Manager, how do we have a board and that's why we have a committee. Councilwoman asked that the board appointments on the next agenda. Burkhart added that we are just keeping the board in the loop.

Mayor Nelson stated that avenue I will be back open in 7 days after concrete cures.

Jeanna Thompson, City Secretary, stated that the city is in the process of recodification and requested council to forward and changes to codes they would liked discussed.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Folse, Councilwoman Brown, Councilman Finlay, Councilwoman Sitz, Councilman Westmoreland. Motion carried and the meeting adjourned at 8:10 PM.

PASSED AND APPROVED, this 24th day of May 2022.



ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS



JEANNA THOMPSON

CITY SECRETARY

