

# **CITY OF BAY CITY**

## **MINUTES • DECEMBER 07, 2021**

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Regular Meeting**

**6:00 PM**

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



### **Mayor**

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Robert K. Nelson

### **Councilman**

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Jim Folse

### **Mayor Pro Tem**

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Jason W. Childers

### **Councilman**

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Bradley Westmoreland

### **Councilwoman**

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Becca Sitz

### **Councilwoman**

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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 6:00 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**

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

**PUBLIC COMMENTS**

There were no public comments.

**APPROVAL OF MINUTES**

1. **City Council Public Works Workshop minutes of November 16, 2021.**
2. **City Council Aquatic Center Workshop minutes of November 16, 2021**
3. **City Council Regular Meeting minutes of November 16, 2021**

**4. City Council Special Called Meeting minutes of November 30, 2021**

Motion made by Councilwoman Brown to approve the minutes corrections to the Aquatic Center Workshop, the Public Works Workshop, and the Regular Council Meetings on November 16th, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman

**CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL****5. Consider and/or approve invoices recommended by the TIRZ #2 Board to pay out of TIRZ #2 funds.**

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

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL****6. Presentation ~ Edward Byrne Memorial Justice Assistance Grant awarded to the Bay City Police Department in the amount of \$87,874.12.**

Robert Lister, Chief of Police, stated that the department was awarded the Edward Byrne Memorial Justice Assistance Grant. Chief Lister added that this is a three year grant, paying 100% of an additional Detective salary and a new vehicle the first year, followed by 80% of the salary the second year and 60% of the salary the third year. Chief Lister stated that the position salary increased after the submittal, therefore budget amendments will needed to reflect the change.

**7. Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City of Bay City Personnel Guidelines.**

Councilman Westmoreland had issue that he did not have a red-lined policy to review. Item was tabled until December 21st.

**8. Property ~ Discuss, consider, and/or approve infrastructure improvements to the downtown private/public parking lot located at 2236 Avenue G in partnership with Bay City Main Street, Bay City Community Development Corporation, the City of Bay City, and property owner.**

Tina Israel introduced the proposed parking lot and reviewed current conditions and proposed improvements. Ms. Israel stated the cost estimate to be around \$7,500. The proposed parking lot will be for both commercial and public parking with two handicapped parking spaces. The prospective new owners will not close on the property until the first of January. Ms. Odefey, City Attorney, added that the City will need something in writing that is for five years or auto renewal. Property is in the TIRZ #1 area which may assist with costs to improve. Council tabled the item until January 11th.

**9. Bids ~ Discuss, approve, and/or reject bid award for Elliot Subdivision Street Reconstruction and Waterline Improvements for the City of Bay City.**

Barry Calhoun, Public Works Director, presented the bid submittals adding that this included drainage. Councilman Westmoreland asked why are the signs leased instead of buying our own. Mr. Calhoun replied that this in the contract because the City does not want to take on the responsibility of traffic control. Ms. Odefey added that is would be a liability on the City to do themselves.

Motion made by Mayor Pro Tem Childers to approve the bid award Lester Contracting, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

**10. Bids ~ Discuss, approve, and/or reject the Hamman Road Drainage Project Phase 1a contractor bids.**

Barry Calhoun, Director of Public Works, summarized the bids, City sent out 10 requests for bids and only received two back, stating the lowest bid was \$89,770 more than budget but spoke with Finance Director and they are comfortable with the overage. We are looking at ARP money to utilize, and Scotty Jones, Finance Director, added that they do not have firm confirmation but highly likely. Mayor Pro Tem Childers asked if we can be reimbursed by ARP Funds, and Ms. Jones replied yes. Councilman Folse asked how long will it take to do phase 1a and Mr. Calhoun replied that he will need to confirm but should take about 45 days. Councilman Folse asked when do we start phase 1b and Mr. Calhoun replied as soon as we get ARP funds. Councilman Folse stated that his biggest worry is 1b and when do we start because spring is coming. Mr. Calhoun stated that if the ARP funds come in then we will do 1b with 1a, but the hold up is funding.

Ry Ryman, resident of Chateaux Drive, stated his concerns that phase 1a will only make things worse on his street and the city should just replace the drainage ditch to the creek. Mr. Ryman pointed out that where the bottleneck was. Mr. Ryman is concerned as to when the other phases will be completed.

Council requested that Hamman Road Drainage Project Phase 1b be on the next agenda.

Motion made by Councilman Folse to approve the bid award to T-Gray Utility, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

**11. Resolution ~ Resolution of Bay City, Texas, committing the City to provide local matching funds to secure and complete applications for the Hazard Mitigation Assistance (HMA) program.**

Motion made by Councilwoman Brown to approve the Resolution committing the City regarding the HMA Program, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 12. Resolution ~ A Resolution authorizing the submission of multiple hazard mitigation assistance (HMA) grant applications, appointing the Mayor as the Chief executive officer and authorized representative to act in all matters in connection with the FEMA Mitigation Grants.**

Motion made by Mayor Pro Tem Childers to approve the Resolution authorizing submissions of HMA Grant applications, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 13. Resolution ~ A Resolution by the City Council of the City of Bay City, Texas, authorizing publication of notice of intention to issue Certificates of Obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Clean Water State Revolving Fund, and approving other matters incidental thereto.**

Motion made by Councilman Westmoreland to approve the Resolution authorizing publication of notice of intention to issue Certificates of Obligation, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 14. Resolution ~ A Resolution by the City Council of the City of Bay City, Texas, authorizing publication of notice of intention to issue Certificates of Obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund, and approving other matters incidental thereto.**

Motion made by Councilwoman Brown to approve the Resolution authorizing publication of notice of intention to issue Certificates of Obligation, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 15. Policy ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting an amended investment policy.**

Motion made by Councilman Westmoreland to approve the Resolution adopting and amended investment policy, Seconded by Councilwoman Sitz. Voting Yea: Mayor

Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

**16. Ordinance ~ Discuss, consider, and/or approve an Ordinance adopting budget amendments for the quarter ending September 30, 2021.**

Motion made by Councilwoman Sitz to approve the Budget Amendment Ordinance, Seconded by Mayor Pro Tem Childers. Council was polled.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

**17. Appointment ~ Discuss, consider and approve appointing representatives to the proposed Aquatic Center project.**

Motion made by Mayor Pro Tem Childers to approve Councilman Brad Westmoreland and Councilman Jim Folse to serve as representatives, as well as Scotty Jones as Ad Hoc, for the Aquatic Center Project, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

## **CLOSED / EXECUTIVE SESSION**

Council adjourned and went in to an Executive Session at 7:57 pm.

**18. Pursuant to Texas Government Code 551.071(1) to consult with its attorney on attorney client matters.**

**19. Executive Session pursuant to Texas Government Code Section 551.087 (Deliberation regarding Economic Development).**

## **OPEN SESSION**

Council reconvened at 9:03 pm and took no action on items 18 and 19.

## **ITEMS / COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Councilman Folse thanked council's patients regarding Hamman Road drainage and letting the people talk. Councilman Folse also requested traffic support around Tinnin's Christmas light display on Avenue K.

Councilman Westmoreland requested future discussion, after looking at the Master Equipment list that some listed are what may be considers luxury vehicles, he would like to know more about this and discuss.

Mayor Nelson complimented Park & Recreation on the wonderful job they did on the parade and USO.

**ADJOURNMENT**

Motion made by Councilman Folse adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and Council adjourned at 9:09 pm.

**PASSED AND APPROVED**, this 21st day of December 2021.

  
ROBERT K. NELSON, MAYOR  
*Jason Childers*  
CITY OF BAY CITY, TEXAS

  
JEANNA THOMPSON  
CITY SECRETARY

