

MINUTES

RICHWOOD CITY COUNCIL MEETING

Monday, October 10, 2022 at 6:00 PM

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, October 10, 2022, beginning at 6:00 PM at Richwood City Hall, located at 1800 Brazosport Blvd. N., Richwood, Texas 77531 with the following agenda:

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

II. INVOCATION

Patricia Ditto, Finance Director, led the invocation.

III. PLEDGES OF ALLEGIANCE

Mayor Boykin led the pledges.

IV. ROLL CALL OF COUNCIL MEMBERS

Steve Boykin, Mayor:	Present
Mike Johnson, Position 1:	Present
Melissa Strawn, Position 2:	Present
Matthew Yarborough, Position 3:	Present
Rory Escalante, Position 4:	Present
Carey Lankford, Position 5:	Present

Others present: Eric Foerster, City Manager; Kirsten Garcia, City Secretary; Patricia Ditto, Finance Director; Clif Custer; Public Works Director; Stephen Mayer, Chief of Police; Philip Knop, City Attorney.

V. PUBLIC COMMENTS

William Yearsin, 244 Briar Creek – Stated he feels there is conflict of interest being on City Council and on the HOA board in Oakwood Shores. He spoke regarding the Council not acting on an item on such as a variance request. Saying that he disagrees with the Council staying silent on agenda items and not acting. He also spoke regarding a specific City Council Member who does not have the City's best interest at heart. Mr. Yearsin stated he has reached out to news outlets but we have a City on the move forward and yet still have a City Council Member on a witch hunt.

VI. CONSENT AGENDA

A. Approval of minutes from regular meeting held September 12, 2022.

Motion to approve minutes from regular meeting held September 12, 2022.

Motion made by Mike Johnson, Seconded by Carey Lankford.

Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Carey Lankford

Motion carried.

VII. DISCUSSION AND ACTION ITEMS

A. Discuss and consider approving North Water Plant booster pump station change order #2 in the amount of \$20,595.00

Clif Custer, Public Works Director, presented.

Morgan Ruiz from Strand presented the information regarding the change order.

Discussion held on what facilities will be upgraded.

Discussion held on costs and how they increased.

Discussion held on project scope, looking at future upgrades that are needed with projects.

Motion to approving North Water Plant booster pump station change order #2 in the amount of \$20,595.00

Motion made by Carey Lankford, Seconded by Mike Johnson.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion Carried.

Council Member Matt Yarborough stepped away prior to voting.

- B. Discuss and consider approving Resolution 22-R-70 amending the fiscal year 2022-2023 budget to allow transfer of \$37,000 from Capital Expenditures to Enterprise Fund.

Clif Custer, Public Works Director, presented.

Matt Yarborough had to leave due to a family emergency at 6:18 p.m.

Motion to approve Resolution 22-R-70 amending the fiscal year 2022-2023 budget to allow transfer of \$37,000 from Capital Expenditures to Enterprise Fund.

Motion made by Rory Escalante, Seconded by Carey Lankford.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

- C. Discussion and possible action regarding upcoming solid waste request for proposals.

Clif Custer, Public Works Director, presented.

Discussion held on possibility of getting additional pick up dates for regular trash and recycling and additional roll off days.

Discussion held on possible term agreements.

Discussion held on commercial accounts.

No further discussion.

No action taken.

- D. Discussion and appointment of the Charter Review Board members.

Kirsten Garcia, City Secretary, presented.

Discussion was held on how to choose which applicants to appoint.

The City received six applications for five positions on the board. The Mayor drew one name out of a jar and the remaining five would make up the Charter Review Committee.

Motion to appoint Mark Guthrie, Leslie Klug, Kimberly, Amanda Reynolds, and Lauren LaCount to serve on the Charter Review Commission.

Motion made by Mike Johnson, Seconded by Melissa Strawn.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion Carried.

- E. Discuss and consider Ordinance 22-499 amending Chapter 16, Police, of the Code of Ordinances to include additional provisions for appointment of reserve police officers.

Police Chief Mayer presented.

Motion to approve Ordinance 22-499 amending Chapter 16, Police, of the Code of Ordinances to include additional provisions for appointment of reserve police officers.

Motion made by Mike Johnson, Seconded by Melissa Strawn.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

- F. Discuss and consider approval of Resolution 22-R-68, appointing representative and alternate to serve on the Houston Galveston Area Council's 2023 General Assembly.

Motion to approve Resolution 22-R-68, appointing Mayor Boykin as representative and Mike Johnson as alternate.

Motion made by Carey Lankford, Seconded by Rory Escalante.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

VIII. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer, Public Works Director, presented his CIP update.

Discussion held on roads in Oakwood Shores, residents had questions regarding trash pick up.

Clif stated that Public works will be taking care of trash.

IX. EXECUTIVE SESSION

Pursuant to Chapter 551.0745, Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee:

- 1. Discussion, consideration, and possible action regarding Sec. 341.012 of the Texas Local Government Code requiring the governing body to confirm the appointment of reserve police officers to the City's reserve police force.

Adjourned to closed session 7:46

Open session reconvened at 8:08 p.m.

Motion to approve James Senegal, William Adair, Jacob Garcia, Jeff Dixie and Robin Ostermeyer to the Police Reserve Force.

Motion made by Rory Escalante, Seconded by Melissa Strawn

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

- 2. City Manager

Motion to request the District Attorney to procure an Attorney General's opinion regarding our City Manager serving as a reserve officer and dual office holding, common law doctrine and incompatibility.

Motion made by Melissa Strawn, Seconded by Rory Escalante

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

Pursuant to Chapter 551.071, Consultation with Counsel on legal matters

Held this executive session first due to visitor of the board.

1. Possible litigation regarding code violation.

Adjourned to closed session 6:50 p.m.

Open session reconvened at 7:45 p.m.

X. ACTION AS A RESULT OF EXECUTIVE SESSION

Pursuant to Chapter 551.071, Consultation with Counsel on legal matters

No action taken.

Pursuant to Chapter 551.0745, Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee:

1. Discussion, consideration, and possible action regarding Sec. 341.012 of the Texas Local Government Code requiring the governing body to confirm the appointment of reserve police officers to the City's reserve police force.

Motion to approve James Senegal, William Adair, Jacob Garcia, Jeff Dixie and Robin Ostermeyer to the Police Reserve Force.

Motion made by Rory Escalante, Seconded by Melissa Strawn

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

2. City Manager

Motion to request the District Attorney to procure an Attorney General's opinion regarding our City Manager serving as a reserve officer and dual office holding, common law doctrine and incompatibility.

Motion made by Melissa Strawn, Seconded by Rory Escalante

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

XI. CITY MANAGER'S REPORT

Eric Foerster updated on records retention status.

XII. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson advised he attended KRB's meeting and everything went well. They are a great group; he is happy to be a part of it. Also expressed appreciation to Chief that National Night Out went well, good job.

Melissa Strawn addressed Mr. Yearsin's public comment stating that any issues should be addressed to her and she would like to work things out.

Rory Escalante expressed kudos to Clif and his crew for outfall ditches looking great, and the work on road construction. He added he would like compatibility issues checked regarding HOA members serving on City Council on City Council agenda as he has already sought advice on the issue and was told there was no conflict.

Carey Lankford expressed kudos to Clif on progress and to Chief for an amazing national night out and great program, added that he was sorry he didn't make it out.

XIII. MAYOR'S REPORT

Mayor Boykin commended Chief on National night out - heard good and bad regarding the progress on the drainage. would like to say that the roadwork going again is great and looking forward to the new water plant getting up and running.

XIV. FUTURE AGENDA ITEMS

HOA compatibility issues.

XV. ADJOURNMENT

Being there no further business, the meeting was adjourned at 8:16 p.m.

These minutes were read and approved on this 14th day of November 2022.

Mayor

ATTEST:

City Secretary