MINUTES

RICHWOOD CITY COUNCIL MEETING

Monday, November 08, 2021 at 6:00 PM

BE IT KNOWN THAT a City of Richwood City Council was held Monday, November 08, 2021, 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, Mayor Pro Tem:	Present
Rory Escalante, Position 4:	Present
Mark Brown II, Position 5:	Present

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

V. PUBLIC COMMENTS

There was no public comment.

VI. CONSENT AGENDA

A. Approval of minutes from regular meeting held, October 11, 2021.

B. Approve resolution 21-R-60 amending the FY 21-22 budget previously approved for FY 20-21.

Motion to approve consent agenda.

Motion made by Matthew Yarborough, Seconded by Mark Brown II.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Mark Brown II

VII. DISCUSSION AND ACTION ITEMS

A. Discussion regarding possible drainage projects, presented by Strand Associates.

Jared Engelke with Strand Associates presented drainage project information.

Discussion held on grading of the ditch and difference between east and west side of the ditch.

B. Discuss and consider approving Matula and Matula change order #3 in an amount not to exceed $8,641.54.

Clif Custer presented.

Discussion held on geo-technical specification and quality of work with the change order.

Discussion held on other roads already completed and why the change now.

Discussion held on other routes available to residents during this time.

Discussion held on costs change.

Discussion held on engineering recommendations.

Discussion held on timing of construction.

Discussion held on current budget status and funding sources.

No action taken.

C. Discuss and consider options regarding bid award for contract 6-2020 for the North Water Plant Booster Pump Station.

Clif Custer presented.

Discussion held on current bid and materials specified.

Ryan Tinsley presented information on possible future deductive change orders.

Discussion held on original cost estimate and the delta in the bid submitted.

Discussion held on original budget for the project and ability to cover the costs.

Motion to award bid contract award for contract 6-2020 for the North Water Plant Booster Pump Station to W.W. Peyton not to exceed $1.9.

Motion made by Mark Brown II, Seconded by Mike Johnson.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Mark Brown II

D. Discuss, consider, and select an engineering service provider to complete project implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of Treasury, other federal or state agency.

Discussion held on costs.

Motion to award Strand Associates as engineering service provider to complete project implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of Treasury, other federal or state agency.

Motion made by Mark Brown II, Seconded by Matthew Yarborough.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Mark Brown II

E. Discuss and consider awarding 2021 CDBG Walnut Drive Water Main Replacement, HUD#B-20-UC-48-0005, CFDA#14.218, Contract 4-2021 to Scohil Construction Services, LLC.

Clif Custer presented.

Motion to award 2021 CDBG Walnut Drive Water Main Replacement, HUD#B-20-UC-48-0005, CFDA#14.218, Contract 4-2021 to Scohil Construction Services, LLC.

Motion made by Mark Brown II, Seconded by Mike Johnson.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Mark Brown II

F. Discuss and consider adoption of ordinance #21-482, amending Chapter 3, Article I, Section 3-9 of the Code of Ordinances.

Kirsten presented.

Discussion held on removing ordinary sensitivity.

Motion #21-482, amending Chapter 3, Article I, Section 3-9 of the Code of Ordinances with discussed amendment.

Motion made by Mike Johnson, Seconded by Matthew Yarborough.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Mark Brown II

G. Discuss and consider authorizing the City Manager to execute updated contract with BBG Consulting.

Eric presented.

Motion to authorize the City Manager to execute updated contract with BBG Consulting.

Motion made by Matthew Yarborough, Seconded by Mark Brown II.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Mark Brown II

H. Discuss and consider adoption of ordinance #21-483, amending Appendix C - Fee Schedule of the Code of Ordinances.

Kirsten presented.

Motion to adopt ordinance #21-483, amending Appendix C - Fee Schedule of the Code of Ordinances.

Motion made by Mike Johnson, Seconded by Mark Brown II.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Mark Brown II

I. Discuss and consider pursuing grant funding for flood mitigation.

Discussion held on funding possibilities.

No action taken.

VIII. 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. City Manager

Council recessed into excessive session 7:25 p.m.

IX. ACTION AS A RESULT OF 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:

Council reconvened at 8:21 p.m.

1. City Manager

Motion to engage in 3 year agreement with Eric Foerster with the following amended terms:

Residency. Mr. Foerster requests the provision that the manager "must establish a permanent residence in the City by the end of the six (6) month period following entry into this Agreement" be struck, in its entirety. However, Mr. Foerster agrees to maintain residency as per City Policy (within a 30-minute response time) within 6 months of the contract date, or as agreed to by Council. Furthermore, Mr. Foerster is not seeking relocation assistance.

Salary. Mr. Foerster is requesting his salary increase from $90,000.00 to $115,000.00.

Term. Mr. Foerster is requesting a three (3) year extension.

Evaluations. Mr. Foerster is seeking to strike both quarterly and six-month evaluations. Instead, Mr. Foerster is seeking an annual evaluation process wherein council shall reserve the right to conduct an evaluation of Mr. Foerster on a more frequent basis if desired.

Severance/buyout. Mr. Foerster is seeking a severance amount for unilateral severance as follows: (i) 80% of his base pay for the first year; (ii) 70% of his base pay for the second year; and (iii) 60% of his base pay for the third year.

Motion made by Mark Brown II, Seconded by Matthew Yarborough.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante, Mark Brown II

X. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer presented updates.

XI. CITY MANAGER'S REPORT

Eric Foerster gave his report.

XII. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson thanked Keep Richwood Beautiful for hosting trunk or treat, he was unable to attend but heard it went really well. Sunday, he stated he saw the Police Department handing out candy. He added that KRB will be putting flags out for Veterans Day tomorrow morning and any help is appreciated. He expressed appreciation to KRB and Staff for all of their hard work.

Melissa Strawn encourages everyone to attend the Veterans Day parade and took time to recognize all Veterans in attendance of the meeting. She also recognized the Marine Corp's birthday.

Matt Yarborough commented on the recently adopted tax rate, stated he understands resident weren't happy with the rate. But, soon after, we experienced a storm that cost the city for repairs. So he wanted to express why he pushed for the current rate. He happy we are prepared and protecting ourselves for future growth.

Mark Brown II also expressed appreciation to KRB for trunk or treat and for placing flags for Veterans Day. He added that this coming weekend is KRB's fall sweep from 9-11 am, and he hopes everyone comes. He expressed thanks to the police officers on for engaging kids and keeping us safe on Halloween. He stated he was very pleased with staff, he thinks we are heading in the right direction. While he doesn't agree with Councilman Yarboroughs thoughts on the tax rate, he can understand his opinion. He added that he appreciates Council's efforts to show up and be ready. He ended with another thanks to staff.

XIII. MAYOR'S REPORT

Mayor reported on encounter with citizens and expressed his enjoyment with interacting with the citizens.

XIV. FUTURE AGENDA ITEMS

No future agenda items.

XV. ADJOURNMENT

Being there no further business, the meeting was adjourned at 8:50 p.m.

These minutes were read and approved on this 13th day of December 2021.

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Mayor

ATTEST:

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City Secretary