

# MINUTES

## RICHWOOD CITY COUNCIL MEETING

Monday, April 11, 2022 at 6:10 PM

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BE IT KNOWN THAT a City of Richwood City Council will meet Monday, April 11, 2022, beginning at 6:10 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 6:10 p.m.

II. ROLL CALL OF COUNCIL MEMBERS

Steve Boykin, Mayor:	Present
Mike Johnson, Position 1:	Present
Melissa Strawn, Position 2:	Present
Matthew Yarborough, Position 3:	Absent
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; Philip Knop, City Attorney.

III. PUBLIC COMMENTS

There was no public comment.

IV. CONSENT AGENDA

- A. Approve March 2022 Budget Report
- B. Approve minutes from regular meeting held March, 21, 2022.

***Motion to approve consent agenda.***

***Motion made by Mark Brown II, Seconded by Rory Escalante.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

V. DISCUSSION AND ACTION ITEMS

- A. Final review and action on re-plat of lots 1 & 2; of the West Reserve Tract of the Tamarind Woods Subdivision, also known as 1410 FM 2004.

***Motion to approve re-plat of lots 1 & 2; of the West Reserve Tract of the Tamarind Woods Subdivision, also known as 1410 FM 2004.***

***Motion made by Mark Brown II, Seconded by Melissa Strawn.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

- B. Discuss and consider approving Preferred Industrial Contractor's proposed change order in an amount not to exceed \$37,000.00.

Clif Custer, public works director, presented.

Tom Rogers with preferred industrial presented.

Discussion held on possibility of steel prices dropping similar to how they have risen.

Discussion held on the bid and that it was a firm bid. Questions arose on how supplier quotes change.

Discussion held on costs changing again, Mr. Rogers stated the tank is already built so this change order is to recoup costs.

Discussion held on staff and legal opinion of change order.

Discussion held on firm bid vs cost plus agreement that was executed.

Discussion held on whether this amount is in the budget to be covered.

Discussion held on bid process and effects of having to rebid this job.

Discussion held on the purchase process for Preferred Industrial during the stages of the project.

Discussion held on the Attorney's advice on this request.

Discussion held on the 15% hedge added to the bid, whether it is added to every aspect of the bid.

***Motion to approve approve Preferred Industrial Contractor's proposed change order in an amount not to exceed \$37,000.00.***

***Motion made by Mike Johnson, Seconded by Mark Brown II.***

***Voting Yea: Mike Johnson, Melissa Strawn, Mark Brown II***

***Voting Nay: Rory Escalante***

- C. Discuss and consider a property owners request for additional time to remedy ongoing Code of Ordinances violation.

Kirsten Garcia, City Secretary, presented.

Mr. Avalos presented his side.

Mr. Avalos is requesting to stop the fence 200 feet prior to the end of his lot.

Mr. Avalos request the property owner be contacted to see if the fence could be cut short of the property line.

Discussion held on commercial property fencing in other areas of the city.

Discussion held on ways to move forward in action or table.

Discussion held on driveway existing on the adjacent property.

Discussion held on how the business was affected by the pandemic.

***Motion to table agenda item C for next months meeting.***

***Motion made by Mark Brown II, Seconded by Rory Escalante.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

- D. Discuss and consider possible issues regarding current TCEQ permit request that may affect the City.

Michael Durham, resident, 31434 Bayou Bend presented concerns with the pending TCEQ permit.

Tammy Zierber - request city work with other cities to get feedback on this.

Cindy Moriarty - affirms what Mr. Durham stated in his presentation - she has concerns that this could be a large issue should we see another high water issue that affects the City as a whole.

Betsy David - Riverside - property has seen higher water levels than every before. So this is a large concern for property owners who live along the bayou. She is also concerned with the food that is harvested from this bayou.

Discussion held on public hearing to be held by TCEQ on this matter.

Jim Wells - adv he lives on the bayou and he used to run a wastewater treatment plant. He stated he has concerns with the ability of this property to maintain the treatment plant and ensure that everything is done within code.

Discussion held on the City contacting surrounding cities to attempt to create change.

Discussion held on whether this is a issue better suited for Army Corp of Engineers or TCEQ as it affects an intercoastal waterway.

***Motion to direct the mayor to contact the TCEQ to request a public meeting and also reach out to Army Corp of Engineers regarding the public concerns.***

***Motion made by Melissa Strawn, Seconded by Mark Brown II.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

- E. Discuss and consider adoption of Ordinance 22-488, establishing liability for the damage of city streets and right of ways during construction of residential and commercial properties.

Eric Foerster, City Manager, presented.

***Motion to adopt Ordinance 22-488, establishing liability for the damage of city streets and right of ways during construction of residential and commercial properties.***

***Motion made by Mark Brown II, Seconded by Melissa Strawn.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

- F. Discuss and consider adoption of Ordinance #22-489, amending the Appendix C - Fee Schedule of the Code of Ordinances to include a reinstatement fee for all permits revoked due to stop work orders.

Discussion held on current processes and how these fees will assist staff.

***Motion to adopt Ordinance #22-489, amending the Appendix C - Fee Schedule of the Code of Ordinances to include a reinstatement fee for all permits revoked due to stop work orders.***

***Motion made by Mark Brown II, Seconded by Rory Escalante.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

- G. Discuss and consider directing staff to begin the bid process for Solid Waste Services.

Clif Custer, public works director, presented.

Discussion held on issues other cities are facing with switching to companies that aren't local.

Discussion held on looking into prices that would come for residential vs. commercial.

Discussion held on timeline for bid and decision making.

***Motion to table this item.***

***Motion made by Mark Brown II, Seconded by Mike Johnson.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

- H. Discuss and consider options regarding project revision for the American Rescue Plan Act Grant.

Clif Custer, public works director, presented.

Discussion held on possibility of price increases due to the current economy.

***Motion to approve project revision for the American Rescue Plan Act Grant not to exceed \$35,000.***

***Motion made by Mike Johnson, Seconded by Mark Brown II.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

- I. Discuss and consider approving resolution 22-R-62 designating certain exempt city vehicles for the issuance of regular license plates and authorizing the City Manager or designee to apply for such regular license plates.

Eric Foerster, City Manager, presented.

Discussion held on how the item came up and how the issue was resolved prior to the meeting.

***Motion to approve resolution 22-R-62 designating certain exempt city vehicles for the issuance of regular license plates and authorizing the City Manager or designee to apply for such regular license plates.***

***Motion made by Mark Brown II, Seconded by Mike Johnson.***

***Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Mark Brown II***

#### VI. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer, public works director, presented.

#### VII. CITY MANAGER'S REPORT

Eric Foerster reported that he is still working on server quote for the PD, gave an ARPA grant update, advised staff is still working on billing issue with AT&T. He reported that Staff will hold a hurricane prep meeting on 4/26/22, we still one officer out on COVID there is a determination appointment on the 25th of this month, and the splash pad should open later this week.

#### VIII. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson – Expressed congratulations to KRB for their TXDOT grant. He added that they do great work and what an accomplishment it is. He appreciates all the hard work done by staff.

Mark Brown II expressed congratulations to KRB for getting the award, he added that he would like to recognize first responders and thanks for the efforts, thanks to city staff, great job yall are doing great things and we appreciate your efforts. Mark also mentioned the Easter Egg Hunt this Saturday.

IX. MAYOR'S REPORT

Mayor reported that this week is the telecommunications officer's week. Think about those that are behind the console there for the officers on the streets.

Now is the time to begin planning for the storm season, and refer anyone you know that needs assistance to City Hall.

X. FUTURE AGENDA ITEMS

Tabled Items

- Avalos

- Waste Connections, get annual spend

Trees leaning over the road

Fencing Ordinance

Impact of Waste water Intro Bastrop / Affect stormwater master plan

XI. ADJOURNMENT

Being there no further business, the meeting adjourned at 8:27 p.m.

**These minutes were read and approved on this 9th day of May 2022.**

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Mayor

ATTEST:

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City Secretary