

City of Post Oak Bend
City Council Minutes
January 12, 2021

LOCATION: VIA TELEPHONIC & VIDEO CONFERENCE VIRTUAL OPEN MEETING

The January 12, 2021 Open City Council Meeting was conducted virtually in accordance with the January 6, 2020 extension of Governor Greg Abbott's March 13, 2020 suspension of Texas Open Meetings Act requirements allowing open public meetings by video or telephone conference in an effort to limit face-to-face meetings to slow the spread of COVID-19.

1. Mayor Hank Warden called the January 12, 2021 City Council Meeting to order at 7:02 p.m. virtually via Zoom Video and Audio conference. Pledges to the American and Texas flags were recited. Council Members present: Joey Wages, Ronnie Sherrard and Tom Rogers. Council Members not present: Alison Novak, Mike Parker Also present: Barbara Bedrick, City Administrator/City Secretary

2. Consider and Act to approve Minutes: December 12, 2020 City Council Meeting

Motion to approve the December 12, 2020 City Council Minutes: Council Member Wages Second: Council Member Sherrard Vote: Unanimous Motion to approve the December 12, 2020 City Council Minutes: PASSED

3. Consider and Act to approve December 2020 Financial Report and disbursements – Report from City Secretary-Treasurer Barbara Bedrick

Mayor Warden said everyone received this report already and asked for any questions. Council Member Wages inquired about the COVID-19 CRF project re: funds received and designated amount. Secretary Bedrick stated the City received an initial amount (reported previously) of \$7,568. The City has submitted expenses for initial CRF funds. Additional expenditures are in process for City to best use grant funds that require no match component. The City is waiting on grant approval for COVID-19 self-tests, more medical-related items and website upgrades. I can send an update to council. The submission process for the federal expenses is complicated and time-consuming. Mayor Warden inquired about the timeline to use the \$30,000. Bedrick said since Congress passed a new stimulus package on December 29th, it includes extending expenditures in 2021 with new guidelines. Profit and Loss statement: Mayor Warden said sales tax income for 2020 was \$105,392. He said we are very fortunate and blessed by the 2020 income.

Motion to approve the December 2020 Financial Reports and disbursements: Council Member Wages Second: Council Member Sherrard Vote: Unanimous

Motion to approve the December 2020 Financial Reports and disbursements: PASSED

4. City Administrator/City Secretary Update

City Administrator Bedrick reported she's worked with residents who are trying to find a place to get the COVID-19 vaccination shots. Texas now reports that 28 statewide vaccination hubs are set to open. The City will post information updates for residents on the city website, postoakbend.org, & on Facebook/social media. Administrator updates:

- Texas has received/is distributing 1,580,400 COVID-19 vaccine doses. It is supposed to reach nearly one million people in 254 counties.
- The Texas Department of State Health Services (DSHS) reports today: 1,730,312 COVID-19 cases in Texas. Active Texas cases: 355,296. To date, DSHA is reporting 29,933 confirmed COVID-19 related deaths. We will update website & social media with the latest information.
- Recent Congressional approval of new COVID-1. .9 stimulus package includes an extension on submission of CARES ACT FUNDING for COVID-19 related expenses. (Approval for website upgrades is pending)
- Upcoming City Election is May 1, 2021. Candidate filing period begins Jan. 13, 2021. It runs through Feb. 12, 2021. Candidate applications are available on postoakbend.org city website.
- Church Update: Architect for new church/school contacted me regarding City zoning, building codes, etc. The current city building codes will apply for commercial buildings. Pastor has inquired about the zoning change. If re-zoning is required, the application would go before P&Z Commission who would set public hearings so area residents in Bend East could express their views.
- Mayor Warden Request: Building Permits Update: Under Construction: Three new homes: ion in the City- 2150 Co. Road 280, 2755 Co road 279 and 4825 FM 987. Property owners at 1920 Kandy Lane desire to build a shop next to residence. Discussion and information provided. To date, no application construction plans have been received by City. No building permit issued. The 4825 FM 987 property builder has exceeded the City Code timeline. City standard practice: charge new building permit. Mayor Warden said that needs to apply. .
- Culverts: (Mayor request) 4 permits were issued on County Rd 280: 2150 CR 280, Morales, Baber and Kilpatrick.

5. Citizen Comments: There were no citizen comments received.

6. Consider and Act on renewal of Texas Municipal League membership

A question was raised about the TML annual membership cost. Barbara reported: \$591.00. The City frequently utilizes TML services. Membership allows access to documents, handbooks and legal issue responses. Mayor Warden said we definitely get our money's worth. Council Member Rogers said he thought it was a good resource.

Motion to renew the City's Texas Municipal League membership: Council Member Rogers Second: Council Member Wages Vote: Unanimous Motion to approve the renewal of the City's Texas Municipal League membership: PASSED

7. ~~Consider and take action on resolution for City Council Financial Officer~~—Item was removed from agenda.

8. Consider and take action on City Investment Policy per Texas Local Government Code 2256.005(a)

Mayor Warden said a proposed city investment policy was distributed to council. Administrator Bedrick said the City is required to have a policy by state law. According to the Texas Investment Act and Texas Local Government Code 2256.005(a), a written investment policy is required if a city has any cash or bank investments. TML provided an investment policy. Council Member Wages noted the policy requirement for financial/investment officer training. Administrator Bedrick explained Texas requires financial/investment officer complete training every two years. Barbara said TML provides a link to online training. Council Member Wages said he reviewed most of the TML proposed investment policy. Mayor Warden said he would like to do further review.

Motion was made to table the proposed city investment policy until next month: Council Member Rogers Second: Council Members: Wages In favor: All Motion to table action on City Investment Policy until next month: PASSED

9. Discussion: Review City Commercial Building Construction regulations and Act to consider team appointments

Mayor Warden said when we moved here 18 years ago, a sign on this FM 987 property said future home of Country Bible Church. It no longer exists. City Administrator Bedrick and I have responded to questions and concerns from nearby property owners who are worried their backyards could soon face a concrete parking lot. Drainage, buffer zone and noise protection are likely key concerns. Barbara can spearhead this project, but I want a team of council members who have expertise to participate in this project. Administrator Bedrick said it's important that Council members develop a commercial building application. The City does have a residential building permit application and process in place. The church may need to request a zoning change. Bedrick stated, that according to the pastor, the church and Christian school will be 30,000 square feet, and will sit on 13 acres. She added the architect has contacted the City for information on codes, zoning, water, electricity, sewer and more. Mayor Warden said Council Members Sherrard and Rogers can bring added value to the project. At a minimum, Warden said the parking lot will be in our city limits and the City will oversee that. Council Member Sherrard stated a preliminary drainage plan with elevations will be critical. He said Bend East and the surrounding area are in a poor draining area. Often ditches overflow when it rains 5 inches in a short time. I was part of building the first two houses that back up to the church and there's definitely a drainage issue. My concern is that eventually excess water will wind up draining across Bend East. He added: noise, lights, drainage and a buffer are key concerns. Council Member Wages voiced similar concerns, saying that it's important we also consider the lighting plan and the placement of light shields on lights to help prevent disruption for neighbors. Mayor Warden said he appreciated all the input from the brainstorming session, and reiterated we need to help our citizens and also be a good neighbor. Council Member Rogers said the company doing the clearing of the land is the company he works for. He agreed zoning is a key issue, and added that we need to make sure we do right by our constituents. It's our obligation to review their plans carefully. TxDot said the church discussed a turning lane on FM 987, Barbara said, but officials there said it's not likely because to create a turning lane is very expensive. Mayor Warden set a January 18th Workshop re: the proposed church.

10. Mayor Warden stated we will now exit the regular council meeting session, and enter into Executive Session at 7:44 p.m. per Texas Local Government Code § 551.071 [Consultation with attorney, pending legal action, 2408 Kandy Lane]

(Executive/Closed Session)

11. Mayor Warden resumed the regular open city council meeting at 7:57 p.m.

12. Consider and take action on items discussed in Executive Session

Motion: Council Member Wages to authorize attorney to communicate a 30-day deadline to property owners to make the payment into an attorney trust, or the City will consider further legal action. Council Member Rogers amended the motion to allow the payment to be placed in escrow or trust. Second: Council Member Sherrard Vote: Unanimous

Motion to authorize attorney to communicate a 30-day-deadline for property owners to place fund payment to city in an attorney trust or into escrow, or further legal action will be considered: PASSED

13. Consider and act on naming Post Oak Bend City Hall/Community Center

Mayor Warden said this is something I thought about for a long time, and I asked Barbara to email this to council. I love history. I love our Post Oak Bend City, and what our forefathers have done for us locally and for the nation in the military. I think it's important we proactively recognize former mayor Raymond Bedrick who has done an awful lot for Post Oak Bend City. He served either as mayor or council member every year since the City was incorporated more than 40 years ago, and he surveyed the initial City boundaries. I am asking the Council to consider naming the community center, the Raymond and Betty Bedrick Post Oak Bend Community Center in honor of Mr. Bedrick for what he's done for the City and his wife. Council Member Sherrard said let's get the full council to consider. Mayor Warden agreed. Council Member Rogers made a motion to table Item 13 until all council members are present. Second: Council Member Wages. In favor: All Motion to table naming the community center after Mr. Bedrick until next meeting: Passed.

14. Adjournment: Motion to adjourn the January 12, 2021 Council Meeting: Council Member Wages. Second: Council Member Sherrard. The January 12, 2021 Regular City Council Meeting via Zoom was adjourned at 8:20 p.m.

APPROVE: _____

Hank Warden, Mayor

City of Post Oak Bend

ATTEST: _____

Barbara Bedrick, City Secretary

City of Post Oak Bend