

City of Post Oak Bend
City Council Minutes
June 8, 2021

1. Mayor Alison Novak called the June 8, 2021 City Council meeting to order at 7:00 p.m. Council recited the pledges to the American and Texas flags. City Council Members Present: Joey Wages, Mike Parker, Tom Rogers and Ronnie Sherrad. Also present: Barbara Bedrick, City Administrator/City Secretary

2. Mayor Novak welcomed all council members to a new year, expressing excitement over working with them.

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3. Motion to approve Minutes of May 11, 2021 Regular City Council Meeting: Council Member Wages Second: Council Member Rogers Vote: Unanimous

Motion to approve Minutes of May 11, 2021 Regular City Council Meeting: PASSED

Motion to approve May 11 Planning & Zoning Commission Meeting Minutes: Council Member Parker Second: Council Member Wages Vote: Unanimous

Motion to approve May 11 Planning & Zoning Commission Meeting Minutes: PASSED

4. Consider and Act to approve May 2021 Financial Report and disbursements – Financial Officer Mike Parker, City Administrator-Secretary Barbara Bedrick

Financial Officer Mike Parker read the Profit and Loss statement, noting the City revenues received in May were \$11,710 including \$6053 in sales tax income and \$5,032 from a building code violation fine. Expenses totaled \$6,665.

Motion to approve the May 2021 Financial Report and disbursements: Council Member Wages Second: Council Member Sherrad Vote: Unanimous

Motion to approve the May 2021 Financial Report and disbursements: PASSED

5. City Administrator Update – Barbara Bedrick reported on:

5.1 Building Permits: City administration has set up a tracking system for the City's building permits issued. A copy was provided to Council. Inspection Records were received on all current projects. Emails have been sent on outstanding projects.

5.2 Cheshire 2-lot plat on FM 987: Filed at County

5.3 Financial Update: Quickbooks crash

5.4 2021 Hazard Mitigation Grant: Storm siren update and the public outreach program. Some infrastructure and drainage opportunities are available so sent to Council. Council Member Parker has expressed interest.

5.5 Incident Damage @ City Hall - 36,000 pound Bus Limo stuck on city property/ damage

5.6 Special Election Order: two council vacancies, to be held next uniform election date, Nov. 2, 2021. TML and Secretary of State both point to a law regarding holdover council officers. Per the Texas Constitution, Article 16, Section 17: Service of Public Officer Pending Qualifications of successor. All officers of the state shall continue to perform the duties of their offices until their successors shall be duly qualified. According to TML, Secretary of State this would mean that current council member Joey Wages may serve as a holdover officer until a qualified successor is elected or named. This was adopted to help cities to have a quorum for council meetings.

6. Citizen Comments: There were none.

7. Discuss and elect council member to serve as president pro tem / mayor pro tem for a term of one year, according to Texas Local Government Code Sec. 22.037. (b).

Mayor Novak said she would like to nominate Council Member Mike Parker to serve as mayor pro tem.

Motion to elect Council Member Parker as mayor pro tem for a one-year term, according to Texas Local Government Code Sec. 22.037 (b): Council Member Rogers Second: Council Member Wages In Favor: Unanimous

Motion to elect Council Member Parker as mayor pro tem for one-year term, according to Texas Local Government Code Sec. 22.037 (b): PASSED

8. Discuss and Act on Resolution No. 06082021-R, a Resolution of the City of Post Oak Bend, Texas ordering a Special Election to be held on the next uniform election date, November 2, 2021, for the purpose of electing (2) city council members to fill current vacancies

Mayor Novak called on Administrator Bedrick who stated the resolution and special election order are standard boilerplate documents. The next uniform election date is November 2, 2021. Secretary of State was contacted on filing dates since the agency hasn't posted. Council Member Parker referenced the reason the vacancies cannot be filled by appointment is because there are two seats vacant. If there were only one seat like when he was initially appointed, an

appointment could have been made. Since there are two vacancies, the state requires a special election be ordered which was also reported in prior council meetings.

Motion to approve City of Post Oak Bend Resolution # 06082021-R, a Resolution of the City of Post Oak Bend, Texas ordering a Special Election to be held on next uniform election date, November 2, 2021, for the purpose of electing (2) two city council members to fill two current vacancies: Council Member Wages Second: Council Member Rogers In Favor: Unanimous

Motion to approve City of Post Oak Bend Resolution # 06082021-R, a Resolution of the City of Post Oak Bend, Texas ordering a Special Election to be held on next uniform election date, November 2, 2021, for the purpose of electing (2) two city council members to fill two current vacancies: PASSED

Motion to approve the City of Post Oak Bend Order of Special Election: Council Member Rogers Second: Council Member Wages In Favor: Unanimous

Motion to approve the City of Post Oak Bend Order of Special Election: PASSED

9. Mayor Novak stated the results of the City of Post Oak Bend's Road Boring Project by ETTL Engineers & Consultants, Inc. is in and Barbara sent it to Council to review. Council Member Rogers said he's familiar with geotechnical studies and shared insight on the project results. Council Member Wages asked questions about cost of proposed repairs. Council Member Sherrard said the report mentions various options to consider. Administrator Bedrick reported the study engineer was asked to attend tonight but was unavailable until July meeting, Sherrard said he thought it was a good idea for engineer to present. Barbara said Council may want to have Tyler Hendrickson, Velvin and Weeks, discuss its study. Mayor Novak agreed that would be good.

10. Suspend open Council Meeting to go into Executive/Closed Session as authorized by Texas Government Code, Section 551.071 (Consultation with attorney) at 7:26 p.m. re: Building Code Violations- 1700 CR 280, R. Gardner

10.1 Executive Session

11. Mayor Novak reconvened the Council Meeting at 7:42 p.m.

12. Consider and take action on item in Executive Session

Council Member Sherrard made a motion to waive requirement for a letter of acquiescence to owner of 1700 CR 280 on the attorney letter requiring new building permit application, payment of new permit fee and reduced penalty fee, and once City receives payment, incomplete inspections will be scheduled with Bureau Veritas. Second: Council Member Rogers Second: Council Member Rogers In Favor: Unanimous

Motion to waive requirement for a letter of acquiescence to owner of 1700 CR 280, on attorney letter requiring new building permit application, payment of new permit fee and reduced penalty fee, and once City receives payment, incomplete inspections will be scheduled with Bureau Veritas. PASSED

13. Act to extend the time frame for City of Post Oak Bend Building Permits to nine months versus current 6 months effective immediately with new permit applications

Motion to extend the City of Post Oak Bend Building Permits to nine months versus the current six months effective immediately with new building permit applications for single family residential structures: Council Member Parker Second: Council Member Wages In Favor: Unanimous

Motion to extend the City of Post Oak Bend Building Permits to nine months versus the current six months effective immediately with new building permit applications for single family residential structures: PASSED

14. Motion to adjourn: Council Member Rogers Second: Council Member Wages
The June 8, 2021 City Council Meeting adjourned at 7:48 p.m.

Attest:

Approved:

Barbara Bedrick, Administrator-Secretary
City of Post Oak Bend

Alison Novak, Mayor
City of Post Oak Bend