

Minutes of the City Council

The City Council called Meeting of April 12, 2021

BE IT KNOWN THAT, a City Council of City of Richwood was held April 12, 2021, beginning at 6:00 PM PM in the Richwood City Hall, located at 1800 Brazosport Blvd. N, Richwood, Texas 77531.

I. CALL TO ORDER

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

II. INVOCATION

Tricia Ditto, Finance Director, led 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
Mark Brown II, Position 5:	Present

Others in attendance: Eric Foerster, City Manager; Kirsten Garcia, City Secretary; Patricia Ditto, Finance Director; Clif Custer, Public Works Director; Stephen Mayer, Chief of Police; Matt Allen, City Attorney

V. PUBLIC COMMENTS

William Yearsin - 244 Briar Creek - Stated Council member Strawn has displayed retaliation, intimidation, misuse city funds and integrity issues. Retaliation after public comments made in a past meeting, which resulted in his personal matters being brought up on the agenda tonight by Council member Strawn. He stated integrity issues because he was contacted by Council member Strawn regarding the farmers market, placing blame on staff for the topic being on the agenda. He added that there are issues of intimidation because city employees work hard to get paid to help the city, but employees are too intimidated to accept their overtime pay for fear of repercussions, He also stated there was a misuse of money, \$2520 have been used to speak to the city attorney, while no other Council member has done that.

Leslie Klug - 105 Hummingbird Ct - Stated that a couple of weeks ago an informal meeting was held with citizens from 5 neighborhoods of Richwood. At the meeting, they spoke about

history of the city and how problems came to be. She added that the meeting helped heal the divide in the city and everyone agreed to put the fighting in the past and move forward. She stated that the city would benefit greatly from more participation, and she would like to see Richwood, as in Council, Staff and Committees, become more personable more approachable.

Mark Guthrie - 100 June Ct - Thanked everyone for volunteering and echoed Mrs. Klug's sentiments. He added that it looks like there is more interest in the city and recommended opening another board and bringing the Planning & Zoning commission back to life. He added that we look at boards and limiting the terms, such as CCPD. He ended on the topic of limiting the sale of a legal product in the city, whether we like something or not, it's legal. He stated that he doesn't want to see the city set a precedent by prohibiting something legal just because we don't like it.

VI. PROCLAMATION

Mayor Boykin read the proclamations.

- A. Fair Housing Month, April 2021
- B. Rocky Martinez Day, April 13, 2021

VII. CONSENT AGENDA

- A. Approval of Minutes
 - 1. Special workshop held, February 22, 2021
 - 2. Regular meeting held, March 8, 2021
 - 3. Special meeting held, March 15, 2021
 - 4. Special meeting held, March 22, 2021
- B. Budget Report, February 2021

Motion to approve the consent agenda. This motion, made by Mark Brown II and seconded by Matthew Yarborough, Passed.

Yea: 5, Nay: 0

VIII. PRESENTATION

- A. Utility Rate Study Presentation, Strand Associates
Discussion held on the ability for growth, if the city could handle 2% increase annually.

IX. DISCUSSION AND ACTION ITEMS

- A. Discuss and consider a resolution to approve finished floor elevations for any and all residential construction in accordance with Richwood City Ordinances regardless of any deed or plat restrictions.
Eric Foerster, City Manager, presented.

Motion to approve resolution. This motion, made by Mark Brown II and seconded by Matthew Yarborough, Passed.

Yea: 5, Nay: 0

B. Discuss and consider further pursuit of funding for Flood Mitigation Projects.
Clif Custer, Public Works Director, presented.

Discussion held on financial implications on behalf of the City if we pursue.

Discussion held on previous project and possible issues with outside entities.

No further discussion.

Motion to approve pursuit of funding. This motion, made by Mike Johnson and seconded by Mark Brown II, Passed.

Yea: 5, Nay: 0

C. Discuss and consider a resolution to commit up to \$1610 in City Funds toward the replacement of residential fencing along the project easement for the CDBG-DR Contract No. 20-065-080-C233 - Hurricane Harvey - Infrastructure Disaster Recovery Program.

Clif Custer, Public Works Director, presented.

Motion to approve a resolution to commit up to \$1610 in City Funds toward the replacement of residential fencing along the project easement for the CDBG-DR Contract No. 20-065-080-C233 - Hurricane Harvey - Infrastructure Disaster Recovery Program. This motion, made by Mark Brown II and seconded by Mike Johnson, Passed.

Yea: 5, Nay: 0

D. Discuss and consider a resolution amending the FY 21 budget to fund cost of engineering for 2021 CDBG Water Line Replacement.

Clif Custer, Public Works Director, presented.

Discussion held on engineering costs.

Motion to approve a resolution amending the FY 21 budget to fund cost of engineering for 2021 CDBG Water Line Replacement. This motion, made by Mike Johnson and seconded by Matthew Yarborough, Passed.

Yea: 5, Nay: 0

E. Discuss and consider authorizing staff to participate in the American Rescue Plan

Eric Foerster, City Manager, presented.

Discussion held on possible downside to taking the funds.

Motion to approve staff to participate in American rescue plan. This motion, made by Matthew Yarborough and seconded by Melissa Strawn, Passed.

Yea: 4, Nay: 1
Mark Brown II: Nay

F. Discuss and consider a resolution amending the FY 21 budget to show estimated depreciation for Enterprise Fund.

Tricia Ditto, Finance Director, presented.

Discussion held on depreciation and how it affects our bottom line.

Motion to approve a resolution amending the FY 21 budget to show estimated depreciation for Enterprise Fund. This motion, made by Mike Johnson and seconded by Melissa Strawn, Passed.

Yea: 5, Nay: 0

G. Discussion regarding the Richwood Farmer's Market

Eric Forester, City Manager, presented, staff has questions regarding the contract and whether there was a conflict with a KRB member running the market.

Council member Strawn explained her concerns with the farmers market.
William Yearsin presented the farmer's market side.

Discussion held on whether there is a conflict of interest with farmers market in KRB.

Discussion held on precedent being set for a waiver of fees from other organizations.

H. Discussion regarding the sale of drug paraphernalia within Richwood city limits.

Kirsten Garcia, City Secretary, presented.

Discussion held on what action could be taken and how zoning could affect the sale of specific items within the city.

No action taken.

I. Approve items removed from consent agenda.

No items were removed from Consent Agenda.

X. EXECUTIVE SESSION

Council adjourned from regular session at 8:03 p.m.

A. 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. Eric Foerster, City Manager

B. Pursuant to Chapter 551.071, Consultation with Counsel on legal matters:

1. Contractual Agreement with City Manager

XI. ACTION AS A RESULT OF EXECUTIVE SESSION

City Council reconvened at 9:38 p.m.

A. 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. Eric Foerster, City Manager

B. Pursuant to Chapter 551.071, Consultation with Counsel on legal matters:

1. Contractual Agreement with City Manager

Motion to approve 6% pay raise for the position of City Manager on an annual basis. This motion, made by Mark Brown II and seconded by Mike Johnson, Passed.

Yea: 4, Nay: 1

Melissa Strawn: Nay

XII. CAPITAL IMPROVEMENT PROJECTS UPDATE

Eric Foerster, City Manager presented updates.

XIII. CITY MANAGER'S REPORT

No new report.

XIV. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson stated that Clif pulled an all-nighter a couple of weeks ago, and expressed thanks to him for keeping the water flowing.

Rory Escalante echoed Council member Johnson's comments, hopefully the water line tie-ins will give them some relief and save resources. He added thanks to the Police chief, for doing great work and really making a difference. Mr. Escalante read out code of ordinances regarding roles of officers and complaint process and the ways to resolve complaints.

Mark Brown stated a lot of good was said and good action taken. He added that things stated tonight were concerning, and he'd like a chance to redeem myself if that happened as well. He added that we not be quick on judgment, and let the process play out. He added kudos to Clif, the Fire Department, the Police Department, the farmers market, Keep Richwood Beautiful, and to Staff. He stated that projects are on time and under budget.

XV. MAYOR'S REPORT

Mayor reported on Police department efforts assisting a COVID patient and an injured officer. Expressed thanks to the fire department, to staff, public works, and KRB. Stated that we will be looking in the future at things we can do to better our response to emergencies, in events like the freeze.

XVI. FUTURE AGENDA ITEMS

Leslie Klug stood up during the meeting to give comment regarding broadcasting the meetings and resuming employee profiles.

CM Contract discussions.

XVII. ADJOURNMENT

Being there no further business, the meeting was adjourned at 9:58 p.m.

These minutes were read and approved on this 10th day of May 2021.

ATTEST:

Mayor