

Sept. 17, 2020

**CITY COUNCIL MEETING  
CITY OF OYSTER CREEK, TEXAS  
August 20<sup>th</sup>, 2020 6:00 p.m.**

A Meeting of the City Council of the City of Oyster Creek, Texas, was held on **Thursday, the 20<sup>th</sup> day of August, 2020** beginning at **6:00 p.m.** at the Oyster Creek City Hall, 3210 FM 523, within the corporate limits of said City, official notice having been posted at least 72 hours before the meeting and notification delivered to Brazosport Facts. Officials present were: Mayor Justin Mills; Council Members: James Dvorak, Erik Chitwood, and Harold Vandergriff. City Supervisor Toby Guenter, Police Chief Ruben Gonzalez, CFO Lanita Chitwood and City Secretary Andrea Ford were also present. Absent: Councilmen Darrell Raska, Lonnie Carr and Attorney Larry Boyd. Visitors: 2.

1. **CALL TO ORDER & INVOCATION** – The meeting was called to order by Mayor Justin Mills and invocation given by Councilman Harold Vandergriff at 6:03 p.m.
2. **BUSINESS OF VISITORS NOT ON THE AGENDA** – Nothing at this time.
3. **ROUTINE REPORTS & BUSINESS** – Mrs. Jo Westmoreland was present to represent Fire Chief Mark Westmoreland as he was fighting a grass fire caused by the storms earlier in the day. Mr. Calvin Merriman mentioned the BWA meeting on the 28<sup>th</sup> of the month.
4. **APPROVAL OF MINUTES FOR PREVIOUS MEETING(S)** – A copy of the minutes from the meeting of August 6<sup>th</sup>, 2020 were reviewed and a motion to approve was made by Councilman Erik Chitwood. Councilman James Dvorak seconded the motion. 3 Ayes, 0 Nays. Motion carried.
5. **CONSIDER INSTALLING EMERGENCY BOAT RAMPS** – Because Mr. Westmoreland wasn't present, Mayor Mills explained that this is being proposed for the loop of the creek that doesn't have access for emergency services. They have had to go into the water a couple of times and being that there is no access, having a boat ramp would help alleviate this. Mr. Westmorland submitted a proposal to have a ramp put in across from the Fire Department and one on Duncan for \$10,000 for both ramps. Councilman Vandergriff suggested putting the ramp in with the bulkhead that the Economic Development is working on. The Council talked about putting floating boat ramps in, they spoke about getting jet skis and storing them in the Fire Department, they spoke about putting the ramps on City property so that it reduces the amount of liability and they spoke about different types of ramps and even installing two more ramps for a total of four. If these get installed, they will be closed to the public. For emergency use only. No action was taken at this time so that they could get more information on it.
6. **POLICE AND FIRE CHIEF REPORTS** – Mrs. Jo Westmoreland was present to give the Fire Chief Report for Mr. Westmoreland because he was fighting wildland fires that were caused by a storm earlier in the day. She reported the following: Three (3) wildland mutual aid w/ Freeport, a 10-50 major entrapment mutual aid w/ Freeport, a grass fire that was cancelled in route, a grass fire in Demi John that was



also cancelled in route, a trailer fire in Demi John, a boat fire in Kirby Marina, a structure fire in Surfside that was cancelled in route, a 10-50 major traffic, command wildland fish and wildlife, a forced entry (welfare check), and a lift assist with Demi John. The money market account has \$23,195.66 and the main account has \$28,994.41 and that they moved the accounts to First State Bank.

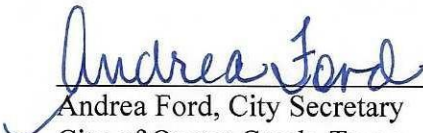
Police Chief Ruben Gonzalez reported the following for the month of July 2020:


273 – Officer responses	33 – Incidents reported
20 – Agency assists	274 – Closed patrols completed
1 – Warrant attempts	1 – Warrants served
140 – Traffic stops	91 – Citations
107 – Warnings	9 – Arrests
1 – Crashes worked	

7. **EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE SECTION 551.074 TO DELIBERATE CONCERNING COMPENSATION OF EACH EMPLOYEE** – Mayor Mills paused the regular meeting at 6:35 p.m. and the Council went into executive session. At 7:15 p.m., executive session was finished, the Council resumed the regular meeting.
8. **GENERAL DISCUSSION OF BUDGET AND TAX RATE** – Mayor Mills explained that all the department have made cuts and they still had a little bit to go. He said that he thinks it is doable. The budget that was presented to the Council was figured on the tax decrease of \$.238518. Councilman Vandergriff argued his point for the tax rate of \$.293346 saying that they would still be bringing in some money for the City while having a tax decrease. Councilman Chitwood argued his point for the tax rate of \$.238518 saying that with the way things are right now with the economy, the City should not be doing extra things and should be cutting back. Mayor Mills seconded Councilman Chitwood's thoughts, saying that the City should not be growing right now. Mayor Mills said that the water rates are fixing to be raised because it is a service. A motion to go with the tax rate of \$.293346 that would generate \$534,994 was made by Councilman Vandergriff. Mayor Mills called for a second numerous times and no one seconded his motion. CFO Chitwood explained that if they were to go with the tax rate that Councilman Vandergriff made a motion to propose and they wanted to change their mind by the meeting where they have to adopt it, they could, but they could only go with a lower tax rate at that time. If they all agree on proposing the lowest tax rate of \$.238518 tonight, they can't go higher or change their mind on it because it is the lowest tax rate that they can propose. Councilman Chitwood made a motion to propose the tax rate of \$.238518 and Councilman Dvorak seconded. 2 Ayes, 1 Nay. Motion carried.
9. **SET TIME, DATE, AND PLACE FOR PUBLIC HEARING ON BUDGET** – Budget Public Hearing was set for September 10<sup>th</sup>, 2020 at 6 p.m.

Sept. 17, 2020

10. **PROPOSE (NOT ADOPT) TAX RATE BY A RECORD VOTE** – For the tax rate of #.238518, the votes were as follows: Councilman James Dvorak voted aye, Councilman Erik Chitwood voted aye, and Councilman Vandergriff voted nay.
11. **SET DATE, TIME, AND PLACE OF COUNCIL MEETING TO CONSIDER ORDINANCES ADOPTING BUDGET AND TAX RATE** – This meeting was set for September 17<sup>th</sup>, 2020 at 6 p.m. at 3210 FM 523, Oyster Creek, TX. A motion to approve the date, time and place was made by Councilman Chitwood and seconded by Councilman Dvorak. 2 Ayes, 1 Nay. Motion carries. A motion was made to authorize Mayor Mills to change the dates of the hearing and meeting on the budget and tax rate if he considers it necessary was made by Councilman Chitwood and seconded by Councilman Dvorak. 3 Ayes, 0 Nays. Motion carried.
12. **CONSIDER RESOLUTION AUTHORIZING THE SELECTION OF A PROFESSIONAL SERVICE PROVIDER FOR THE CDBG-MIT GRANT FUNDED BY THE TEXAS GENERAL LAND OFFICE** – Mayor Mills explained that they received some bid packages from some engineering companies and they have been looked at and graded. The engineer that scored the highest on the grading sheets was John D. Mercer. He read the caption of Resolution #296, authorizing a professional service provider for the CDBG-MIT grant project. Councilman Erik Chitwood made a motion to pass Resolution #296 and Councilman James Dvorak seconded. 3 Ayes, 0 Nays. Motion carried.
13. **CONSIDER POSSIBLE ACTION CONCERNING COVID-19 EMERGENCY** – Nothing new to report or change at this time.
14. **REVIEW MISCELLANEOUS BILLS** – No bills list was provided tonight.
15. **CONSIDER SETTING DATES FOR SPECIAL MEETING(S)** – Nothing at this time.
16. **ADJOURN** – Mayor Mills urged everyone to be at the meetings because of it being budget and tax time. Council meeting was adjourned at 8:10 p.m.

  
Andrea Ford, City Secretary  
City of Oyster Creek, Texas

  
Justin Mills, Mayor  
City of Oyster Creek, Texas