



Chad Mees, Mayor
 Phillip Weaver, Mayor Pro-Tempore
 Gayle Jones, Council Member
 Vickie Cooper, Council Member
 Jesse Luna, Council Member
 Shelton Gilmore, Council Member

NOTICE AND AGENDA OF A CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF BARTLETT, TEXAS

Notice is hereby given that the City Council of the City of Bartlett, Texas will hold a

Regular Called Meeting

6:30 PM
 Monday, March 25, 2024
 Bartlett City Hall
 140 W Clark Street, Bartlett, TX 76511

For citizen comments, please contact Brenda Kelley, City Clerk at (municipalcourt@bartlett-tx.us).

CALL TO ORDER, DECLARE A QUORUM, PLEDGE OF ALLEGIANCE, AND INVOCATION

CITIZENS COMMUNICATION

(The City Council welcomes public comments on items not listed on the agenda. However, the Council cannot respond until the item is posted on a future meeting agenda. Public comments are limited to 3 minutes.)

WORKSHOP AGENDA: REVIEW/DISCUSS AND PROVIDE DIRECTION

1. Update and discussion on capital projects.

PUBLIC HEARINGS

2. Hold a public hearing regarding a property located at Stone Pack Lane, Lots 13 (R591092) & 14 (R591093) to ask for a variance of Chapter 9, Sec. 04.06.003 Area Requirements, to allow for the placement of a mobile home.

REGULAR AGENDA: REVIEW/DISCUSS AND CONSIDER ACTION

3. Consideration and possible action to approve Resolution 20240325-01 designating downtown as a blighted area.
4. Consideration and possible action to approve Resolution 20240325-02 authorizing the submission of a Texas Community Development Block Grant program application to the Texas Department of Agriculture for the Downtown Revitalization Program
5. Consideration and possible action on the City’s operation hours for the Solar Eclipse Event on April 8th, 2024.
6. Consideration and possible action to allow for vacation carryover for police department due to personnel vacancy.
7. Consideration and possible action to increase salary range on posting for vacant police officer position.
8. Consideration and possible action to approve Messer Fort Law Firm to review and provide recommendations to update Personnel Policy for an amount not to exceed \$2,500.

EXECUTIVE SESSION:

In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

9. §551.086: Public Power Utilities – Competitive Matters
10. §551.072: Deliberation Regarding Real Property – Exchange



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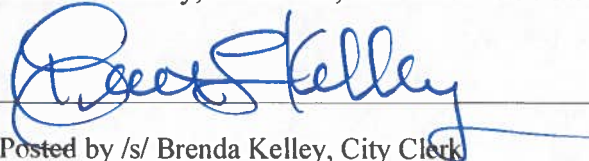
FUTURE AGENDA ITEMS

ADJOURN

All items listed on the agenda are eligible for discussion and/or action. The City Council reserves the right to retire into executive session at any time during the course of this meeting to deliberate any of the matters listed, as authorized by Texas Government 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about gifts and donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) 551.086 (Public Power Utilities) and 551.087 (Economic Development). All final deliberations and actions of the governing body shall be held in an open meeting as required by Texas Government Code 551.102.

I certify this agenda was posted, pursuant to Texas Government Code 551.043, at least 72 hours prior to the commencement of the meeting in accordance with the Texas Open Meetings Act.

Posted Thursday, March 21st, at or before 6:30 P.M.



Posted by /s/ Brenda Kelley, City Clerk

RESOLUTION 20240325-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARTLETT, TEXAS, DETERMINING THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND CONSTITUTES A BLIGHTED AREA.

WHEREAS, the City Council of the City of Bartlett has reviewed and evaluated conditions in the downtown district of the municipality; and

WHEREAS, the City Council has found conditions which are detrimental to the public health, safety, and welfare of the community within the downtown district, as follows:

- Physical deterioration of buildings/improvements
- Abandonment of properties
- Chronic high occupancy turnover rates or chronic high vacancy rates in commercial or industrial buildings
- Significant declines in property values or abnormally low property values relative to other areas in the community

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARTLETT, TEXAS THAT THE AREA IDENTIFIED BY THE FOLLOWING BOUNDARIES AND OUTLINE ON THE MAP ATTACHED HERETO AS EXHIBIT A HAS BEEN DETERMINED TO BE A BLIGHTED AREA.

Boundaries of the Blighted Area

North: E Bell Street
South: E Pietzsch St
East: SH 95; S Dalton Street
West: Emma Street

Passed and approved this 25th day of March, 2024.

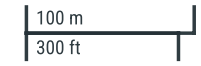
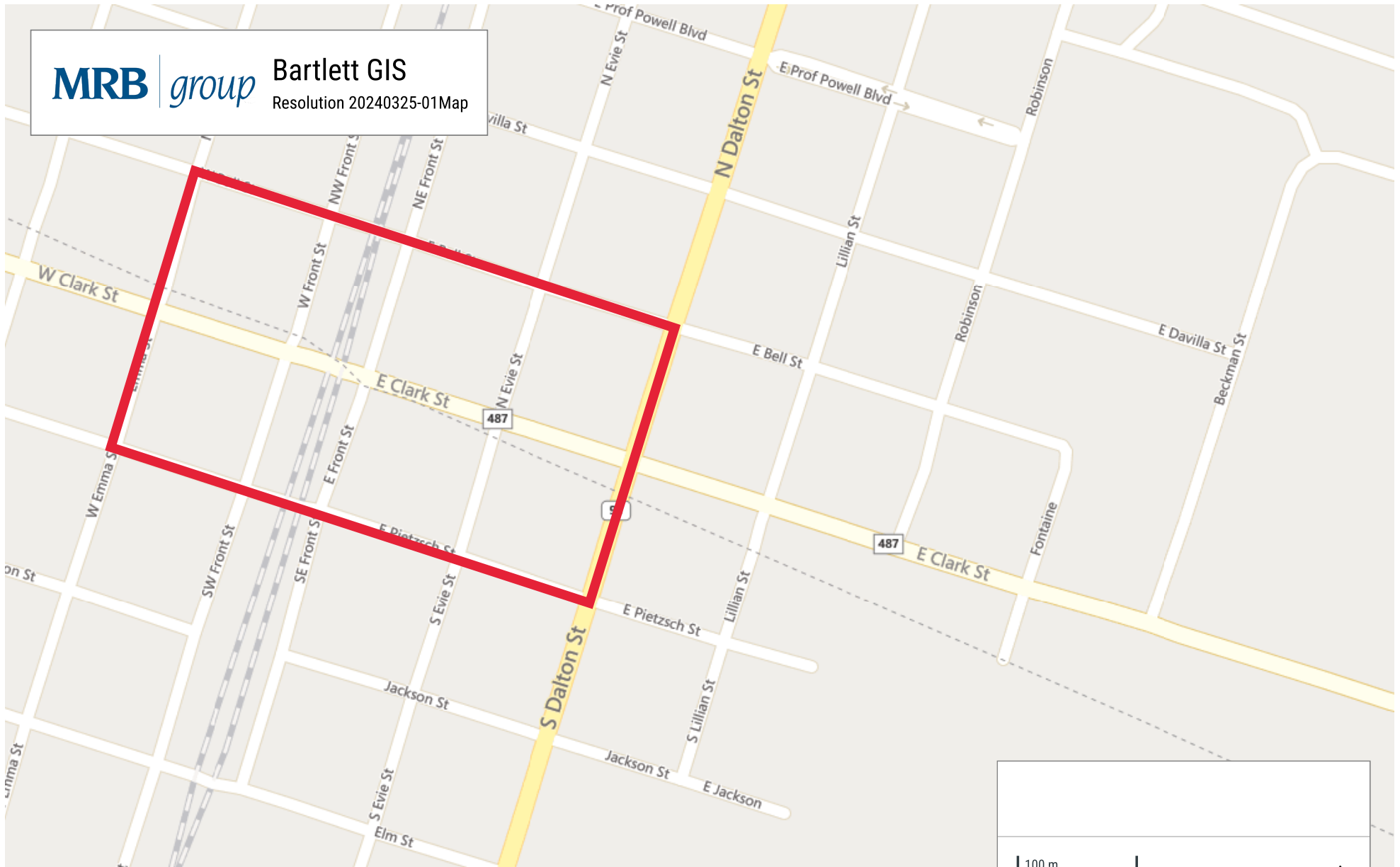
Brenda Kelley, City Clerk
City of Bartlett, Texas

Chad Mees, Mayor
City of Bartlett, Texas



Bartlett GIS

Resolution 20240325-01Map



RESOLUTION 20240325-02

A RESOLUTION OF THE CITY COUNCIL OF BARTLETT, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE DOWNTOWN REVITALIZATION PROGRAM.

WHEREAS, the City Council of the City of Bartlett desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of the City of Bartlett to apply for funding under the Texas Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BARTLETT, TEXAS,

1. That a Texas Community Development Block Grant Program application for the Downtown Revitalization Program is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture, and to be placed in competition for funding under the Downtown Revitalization Program.
2. That the City of Bartlett commits to dedicating no less than 51% of grant funds for sidewalk improvements and related accessibility implements that comply with the Americans with Disabilities Act (ADA).
3. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
4. That the City of Bartlett is committing to provide \$37,500.00 in matching funds toward the application's activities, with the specific usage and funding source to be determined prior to any award of grant funding.

Passed and approved this 25th day of March, 2024.

Brenda Kelley, City Clerk
City of Bartlett, Texas

Chad Mees, Mayor
City of Bartlett, Texas



City Council Meeting – Agenda Item Cover Letter

Item Caption: Consideration and possible action on the City’s operation hours for the Solar Eclipse Event on April 8th, 2024.

Background

The April 8, 2024 Total Solar Eclipse will bring many visitors to Williamson and Bell County due to our location in the Path of Totality (the Moon will completely cover the Sun) to view the eclipse. A total solar eclipse happens somewhere in the world every 18 months, but it only happens in the same place approximately every 375 years. The last time this area experienced a total solar eclipse was in the 1800s. Given the rarity of the event many the Solar Eclipse event is expected to double the population of both Williamson and Bell County several days prior to and the day of leading to extreme traffic congestion, strains on first responders, hospitals, food, grocery, and fuel shortages, along with local infrastructure.

Many Cities and School Districts have decided to close for April 8th to avoid having impacts to staff and residents, students, parents, etc. during regular business given the anticipated congestion of road networks, fuel shortages, and strain on infrastructure.



City Council Meeting – Agenda Item Cover Letter

Item Caption: Consideration and possible action to allow for vacation carryover for police department due to personnel vacancy.

Background

City personnel policy Section 4.03 Vacation Leave states that no officer or employee may accrue vacation leave in excess of 80 hours. Vacation hours in excess of 80 hours will be forfeited without pay.

Currently Police Chief Holt accrues 120 hours on their anniversary date and Officer Schwake accrues 80 hours on their anniversary date, and all vacation that is in excess of 80 on their next anniversary date is then forfeited.

Given the vacancy in the police department, and the challenges in taking time off while maintaining operations a one time request is being made to allow for vacation carryover for the Police Chief and Officer given their inability to use that time over the next few months.

Article IV. Attendance and Leave

Section 4.01 Attendance

- (a) Officers and employees must be present at their designated workplace, and ready to perform assigned duties in accordance with the Manual regarding hours of work, holidays, and leaves; and
- (b) Department Heads shall keep daily attendance records of officers and employees within their department and ensure compliance with the Manual; and
- (c) All approved absences shall be reported on a leave form and turned in with the attendance records each pay period; and
- (d) If an officer or employee expects to be tardy or absent, the officer or employee must notify his supervisor or department head as soon as practical; failure to notify the supervisor or department head may result in disciplinary action.

Section 4.02. Hours of Operation

All general workplaces of the City, will be kept open continuously from 8:00 a.m. until 5:00 p.m., Monday through Friday, except for holiday closures authorized by the City; all other workplace hours of operation will be determined by appropriate policy.

Section 4.03. Vacation Leave

Vacation leave is earned by full-time officers and employees according to the following anniversary schedule:

- (a) First through fifth year anniversary – forty (40) hours; and
- (b) Sixth through fourteenth year anniversary - eighty (80) hours; and
- (c) Fifteenth plus year anniversary – one hundred twenty (120) hours; and
- (d) The hours earned, will be posted on each anniversary date; and
- (e) No officer or employee may accrue vacation leave in excess of eighty (80) hours. Vacation hours in excess of eighty (80) hours will be forfeited without pay; and
- (f) All other officers and employees may be granted vacation leave without pay.

Section 4.04. Sick Leave

- (a) All full time officers and employees will be credited forty (40) hours of sick leave per year; and
- (b) Sick leave will be credited to each full time officer and employee immediately following successful completion of their initial probationary period, and upon their anniversary date thereafter; and
- (c) Sick leave is not discretionary leave and will only be used for an authorized absence involving an illness or injury, whether personal or involving their child who has not yet attained the age of eighteen (18) years of age and are still attending school; and
- (d) Any absence of an officer or employee involving a claim for sick leave, whether

compensated or not, for more than an officer or employee's standard workday, or carries over to the following day, must be verified by a qualified physician; and

- (e) Officers and employees who consistently use their sick leave as it is credited or who fail to accumulate sick leave are required to submit a doctor's statement in support of the alleged illness or injury; and
- (f) No officer or employee may accrue sick leave in excess of two hundred forty (240) hours. Sick leave hours in excess of two hundred forty (240) hours will be forfeited without pay.
- (g) All other officers and employees may be granted sick leave without pay and are subject to the same verification policies as full time officers and employees.

Section 4.05. Military Leave

Military leave shall not exceed the time as shown on the officer or employee's military orders and will be governed pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 and Texas Government Code §437.202, LEAVE OF ABSENCE FOR PUBLIC OFFICERS AND EMPLOYEES.

Section 4.06. Family and Medical Leave Act (FMLA) Leave

The City does not meet the requirements of the Family and Medical Leave Act.

Section 4.07. Maternity Leave

- (a) Any female employee is entitled to up to six (6) weeks of maternity leave without loss of employment; and
- (b) Maternity leave is not paid leave, except that accrued vacation and sick leave hours may be used concurrently with maternity leave, to offset any loss of pay.

Section 4.08. Emergency and Bereavement Leave

- (a) Full time officers and employees may be granted emergency leave with pay for a period not to exceed three (3) days in case of death, traumatic injury, or severe illness of any member within the second degree consanguinity or affinity; and
- (b) All other officers and employees may be granted emergency leave without pay for a period not to exceed three (3) days in case of death, traumatic injury, or severe illness of any member within the second degree consanguinity or affinity.

Section 4.09. Severe Illness and Debilitating Injury Leave

- (a) A qualified physician's statement that the officer or employee, or a family member within the first (1st) degree of consanguinity or affinity, is unable to return to work or requires constant care, will be required for an employee to be authorized Severe Illness and Debilitating Injury leave; and
- (b) Such leave is without pay, except that vacation and sick leave may be used concurrently to offset any loss of pay; and
- (c) Leave resulting from or necessitated by any cause of severe illness or debilitating injury, will not exceed two hundred forty (240) hours; and



City Council Meeting – Agenda Item Cover Letter

Item Caption: Consideration and possible action to increase salary range on posting for vacant police officer position.

Background

The City Council reviewed the salary survey that was conducted of similar sized cities at a recent Council meeting. As a part of that study, it was noted that our police officers are paid almost 21% below market.

Given the vacancy in the police officer position it is being requested to possibly post the hiring range between \$26-30 per hour dependent on qualifications to attract quality candidates in the competitive market.

A budget amendment would come before Council at a later date to apply to both the current officer and new position.

| Salary Survey | Population | Police Officer |
|---------------------------|------------|----------------|
| Bartlett | 1,643 | 20.27 |
| Florence | 1,201 | |
| Granger | 1,193 | 21.63 |
| Holland | 1,086 | 30.57 |
| Little River Academy | 1,989 | 27.00 |
| Rogers | 1,104 | 27.00 |
| Thorndale | 1,287 | 22.36 |
| Bell County | | 24.78 |
| Average | | 25.56 |
| Difference | | -20.69% |
| Recommendation | | 26.00 |
| % Change Over Current pay | | 22.04% |
| Market Comparison | | 1.73% |



City Council Meeting – Agenda Item Cover Letter

Item Caption: Consideration and possible action to approve Messer Fort Law Firm to review and provide recommendations to update Personnel Policy for an amount not to exceed \$2,500.

Background

Attorney Robin Cross with Messer-Fort Law Firm is our Human Resource subject matter expert. Council provided direction at the March 11th meeting to possibly have Messer-Fort assist with the remainder of the Personnel Policy review and update.

In her initial review for scope, several other updates are being recommended for compliance with laws and regulations. The full scope of work would entail:

- The list of Council-requested changes.
- In addition to the changes requested by Council, there have also been a few legislative changes (federal and state) which will need to be included.
- 2023 - The City will need to have a Line-of Duty Leave (Paid Police & Fire), Mental Health Leave (extending to EMS/Emergency responders) and a Tik Tok policy. The City will also need a current Pump Act (lactation policy) that addresses exempt (non-hourly) employees
- 2021 – Mental Health Leave (Paid Police & Fire); Quarantine Leave (Paid police & Fire), add required annual cyber-training for elected officials &/or employees using city’s computer system for 25% of their job duties, Sexual Harassment language in light of 2021’s HB 45 & SB 21 (amended Texas Labor Code to allow even small employers, with fewer than 15 employees to be sued for sexual harassment),
- 2020 - Bostock v. Clayton County (06/15/2020); most of this can be addressed by the gender-neutral language, but the EO provisions may require updating or review.
- The Grooming/Dress Code will need to be reviewed for compliance with the 2023 Crown Act
- Review of Search/Inspection provisions,) and Paid Military Leave (H.B. 1589)(2021), review of employee speech provisions against First amendment caselaw.
- Review of Drug Testing, in light of specified CDL testing protocols <https://www.fmcsa.dot.gov/regulations/drug-alcohol-testing-program> & required use of the Clearinghouse (may be able to implement less-expensive saliva testing for non-FMCSA safety sensitive positions)

The estimated time of work is 10-12 hours and the cost associated with that ranges from \$1,900 to \$2,280.