

CITY COMMISSION MINUTES

May 20, 2014

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on May 20, 2014 at 9:00 a.m. in the City Commission Room at City Hall, 200 E. Fourth Street with the following members present:

GREG WORTHAM, Mayor

JIM MCKENZIE, Mayor Pro-Tem

LARRY MAY, Commissioner

RICKY CASTRO, Commissioner

JEROD PEEK, Commissioner

EDWARD BROWN, City Manager

PATTY TORRES, City Secretary

Absent: **PETE SHERIDAN**, City Attorney

Staff members present: Public Works Director Russell Jones, Chief of Police Brian Frieda, Utilities Director Eddy Campbell, Emergency Services Director Grant Madden and City Services Director Kirk Harris.

1. Mayor Wortham called the meeting to order.
2. Clay Jacobson, Minister of Lamar Street Baptist Church gave the invocation.
3. Mayor Wortham led the pledge of allegiance.
4. Motion was made by Commissioner May, seconded by Commissioner Peek to approve minutes for the meeting held on April 8, 2014. The motion carried unanimously.
5. Action Items:
 - A. Motion was made by Commissioner May, seconded by Commissioner Castro to canvass election results from the May 10, 2014 City election. The motion carried unanimously.
 - B. Motion was made by Commissioner Castro, seconded by Commissioner May to adopt a Resolution declaring official results of the May 10, 2014 City election. The motion carried unanimously.

**COPY OF RESOLUTION IN FULL IS LOCATED IN THE
ORDINANCE AND CONTRACT BOOK XIII PAGES 33-35.**

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- C. City Secretary, Patty Torres administered the oath of office to Commissioners Jim McKenzie and Jerod Peek.

COPY OF OATHS IN FULL ARE LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 36-37.

- D. Motion was made by Commissioner Peek, seconded by Commissioner May to adopt a Resolution Appointing Jim McKenzie Mayor Pro-Tem for the City of Sweetwater and prescribing term thereof. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGE 38.

- E. Motion was made by Commissioner Peek, seconded by Commissioner May to approve the Mid-Year Agreed Upon Procedures Report for the period ended March 31, 2014 as prepared by Cathrine Wilks, Certified Public Accountant. The motion carried unanimously.

COPY OF REPORT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 39-41.

- F. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner Castro to approve second reading of an ordinance establishing classifications and number of positions for the fire and police departments pursuant to Chapter 143 of the Texas Local Government Code; providing a severability clause; finding and determining that the meetings at which the ordinance is passed are open to the public as required by law; and providing for an effective date. The motion carried unanimously.

COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 42-44.

- G. City Commission to consider approval of an ordinance amending Chapter 19, Article VII, Section 19-214 to provide for reduced speed limit on designated portions of Fifth Street from its intersection with Elm Street to its intersection with Fowler Street, providing for a "school zone", providing

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a penalty for violation and declaring an emergency. The motion carried unanimously.

COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 45-46.

- H. Motion was made by Commissioner May, seconded by Mayor Pro-Tem McKenzie to ratify City Manager's acceptance of the resignation of Paul McCarthy as Civil Service Commissioner. The motion carried unanimously.
- I. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to ratify the City Manager's appointment of Larry Ludlum as Civil Service Commissioner, term to expire January 2015. The motion carried unanimously.
- J. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner Castro to adopt a resolution of the City Commission of the City of Sweetwater, Texas, denying the rate increase requested by Atmos Energy Corp., mid-tex division under the Company's 2014 annual rate review mechanism filing in all cities exercising original jurisdiction; requiring the Company to reimburse Cities' reasonable ratemaking expenses pertaining to review of the RRM; authorizing the City's participation with Atmos Cities Steering Committee in any appeal filed at the Railroad Commission of Texas by the company; requiring the Company to reimburse Cities' reasonable ratemaking expenses in any such appeal to the Railroad Commission; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; and requiring delivery of this resolution to the Company and the Steering Committee's legal counsel. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 47-50.

- K. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to consider a resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of 11 cents per capita to the Steering Committee to fund

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regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. The motion carried unanimously.

**COPY OF RESOLUTION IN FULL IS LOCATED IN THE
ORDINANCE AND CONTRACT BOOK XIII PAGES 51-52.**

- L. Motion was made by Commissioner May, seconded by Commissioner Peek to terminate the lease agreement with G.M. Morgan, Inc. dba Sweetwater Lake Marina for City-owned property known as the Lake Sweetwater Bait Shop. The motion carried unanimously.

**COPY OF AGREEMENT IN FULL IS LOCATED IN THE
ORDINANCE AND CONTRACT BOOK XIII PAGES 53-54.**

- 6. City Manager's Report.
 - A. Commission Budget Workshop to be held on May 27, 2014 at the Water Treatment Plant on Hillsdale Rd. beginning at 8:00 a.m.
 - B. Enprotec/Hibbs & Todd, Inc. has performed a water availability assessment and has determined that we should remain in Stage I of our Drought Contingency Plan for now. Stage II drought conditions will be considered as we progress into the summer months.
 - C. Report on Wasp Museum lease discussion and problems with Federal Aviation Administration deed restrictions applicable to property.
- 7. Public Input.

None.
- 8. Commissioner Peek made a motion, seconded by Commissioner May to adjourn. There being no further business the meeting adjourned at 9:25 a.m. The motion carried unanimously.

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Gregory Wortham, Mayor

ATTEST:

Patty Torres, City Secretary

Persons signing register: Tommy Parker, Cathy Wilks, Clay Jacobson, Steve Holcomb and Joe Paty.