

CITY COMMISSION MINUTES

February 21, 2012

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on February 21, 2012 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
JEROD PEEK, Commissioner
RICKY CASTRO, Commissioner

LARRY MAY, Commissioner
EDWARD BROWN, City Manager
PETE SHERIDAN, City Attorney
CAROLYN LAWRENCE, City Secretary

Staff members present: Chief of Police Jim Kelley, City Services Director Kirk Harris, Utilities Director Eddy Campbell, and Emergency Services Director Grant Madden.

1. Mayor Wortham called the meeting to order.
2. Chris Rodriguez, minister of Highland Heights United Methodist Church gave the invocation.
3. Mayor Wortham led the pledge of allegiance.
4. Motion was made by Commissioner Peek, seconded by Commissioner Castro to approve minutes for the meeting held on January 10, 2012. The motion carried unanimously. The originally scheduled meeting for February 14, 2012 was not held due to the lack of a quorum.
5. Action Items:
 - A. Motion was made by Commissioner May, seconded by Mayor Pro-Tem McKenzie to approve the Comprehensive Annual Financial Report (Audit) for the fiscal year ended September 30, 2011. The motion carried unanimously. The report was presented by Cathy Wilks, CPA who stated the City received a clean opinion on the financial statements.

COPY OF AUDIT FINDINGS IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 456-457.

- B. Motion was made by Commissioner May, seconded by Commissioner Castro to approve an Ordinance Ordering an Election of the Qualified Voters of the City of Sweetwater to be held May 12, 2012 for the purpose of electing two City Commissioners (Precincts 2 and 4); designating a polling place and appointing election judges. The motion carried unanimously.

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COPY OF ORDINANCE 2012-02 IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 458-464.

- C. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to reappoint Trey Aiken and John Spaulding as City appointees and Kathy Rainey as joint City-County appointee to the Auditorium Board with terms expiring February 28, 2014. The motion carried unanimously.
- D. City Commission heard the annual report regarding Racial Profiling Statistics, given by Police Chief Jim Kelley.

COPY OF REPORT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 465-471.

- E. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to authorize staff to go out for bids on AC5 or AC10 if necessary asphalt and Grade 4 crushed rock to be used in 2012 streets seal coating project. The motion carried unanimously.
- F. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner Castro to reappoint members of the City/County Airport Zoning Board, Bill Haley as City appointee and Ms. Jay Neal as joint City/County appointee, both terms to expire February 28, 2014. The motion carried unanimously.
- G. Motion was made by Commissioner Peek, seconded by Commissioner May to approve a Resolution Recognizing the Contributions of the Ludlum Family to the Economic Life of Sweetwater and Further Recognizing the 50th Anniversary of Ludlum Measurements, Inc. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGE 472.

- H. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner Castro to approve an Ordinance Naming the Street Dedicated by Sweetwater Enterprise for Economic Development to the City of Sweetwater Which Serves as the Entrance to the 88 Acre Industrial Park as "Ludlum Drive." The motion carried unanimously.

COPY OF ORDINANCE 2012-03 IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 473-476.

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- I. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to approve a Resolution of the City of Sweetwater Suspending the March 6, 2012, Effective Date of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex") Requested Rate Change to Permit the City Time to Study the Request and to Establish Reasonable Rates; Approving Cooperation With Atmos Cities Steering Committee ("ACSC") and Other Cities in the Atmos Mid-Tex Service Area to Hire Legal and Consulting Services and to Negotiate With the Company and Direct Any Necessary Litigation and Appeals; Requiring Reimbursement of Cities' Rate Case Expenses; Finding That the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and ACSC's Legal Counsel. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 477-478.

- J. No action was taken on contracts to be executed simultaneously, 2012 Lease and Water Supply Agreement, 2012 Sewer Farm Lease, and Grazing Lease Agreement.
6. City Manager's Report.
 - A. Election Calendar is in packets.
 - B. We received notification from the U.S. Department of Justice giving preclearance on our 2011 redistricting plan.
 - C. We have relocated Senior Nutrition Activities Program to park building previously used to store Trail of Lights fixtures. We are proceeding with tear down of old building and started 2-16-12.
 - D. We received notification that the speed limit on Interstate 20 has been raised to 75 mph effective when signage is in place.
 - E. February 15, 2012 we made a payment for bond interest of \$307,045.
 - F. January sales tax remittance from the state was up 29% from the prior year. Sales tax revenues are up 57% fiscal year to date.
 - G. City Manager is discussing and negotiating Oil and Gas Leases with landmen and companies interested in leasing City owned properties. Any lease proposals will be brought to City Commission for final approval.

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7. Public Input.

None.

8. Commissioner Peek made a motion, seconded by Mayor Pro Tem McKenzie to adjourn. There being no further business, the meeting adjourned at 9:23 a.m. The motion carried unanimously.

Gregory Wortham, Mayor

ATTEST:

Carolyn Lawrence, City Secretary

Persons signing register: Tom Parker, Jacque McCoy and Ken Becker.