

CITY COMMISSION MINUTES
December 11, 2012
9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on December 11, 2012 at 9:00 a.m. in the City Commission Room at City Hall, 200 E. Fourth Street with the following members present:

GREGORY L. WORTHAM, Mayor
LARRY MAY, Mayor Pro-Tem
JEROD PEEK, Commissioner
JIM MCKENZIE, Commissioner

RICKY CASTRO, Commissioner
EDWARD BROWN, City Manager
PATTY TORRES, Interim City Secretary
PETER SHERIDAN, City Attorney

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

1. Mayor Wortham called the meeting to order.
2. Kari Fry, minister of First Presbyterian Church gave the invocation.
3. Mayor Wortham led the pledge of allegiance.
4. Motion was made by Mayor Pro-Tem May, seconded by Commissioner Peek to approve minutes for the meeting held on November 13, 2012. The motion carried unanimously.
5. Action Items:
 - A. Motion was made by Commissioner McKenzie, seconded by Commissioner Castro to approve the renewal contract with Melody's Southwest Consortium for drug and alcohol testing services. The motion carried unanimously.

**COPY OF CONTRACT IN FULL IS LOCATED IN THE
ORDINANCE AND CONTRACT BOOK XII PAGE 735.**

- B. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem May to appoint Richard Fergeson as City appointee to the County-City Library Board, to fill term of Frances Johnson, term to expire December 31, 2013. The motion carried unanimously.
- C. Motion was made by Commissioner Peek, seconded by Commissioner McKenzie to appoint Beverly Creed, Martha Taylor and Marina Nemir as City appointees to the Pioneer Museum Board, new terms to expire December 31, 2014. The motion carried unanimously.

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- D. City Commission opened and considered bids on construction of new SNAP building. The low bid was from Coe Construction in the amount of \$366,000. John Voller with eHT recommended that the Commission table the vote awarding the contract until he has an opportunity to properly confirm the deducts.

COPY OF BID SHEET IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGE 736.

- E. City Commission considered alternatives to construction of new SNAP building. Motion was made by Commissioner McKenzie, seconded by Mayor Pro-Tem May to table items D and E until January to consider all options. The motion carried unanimously.
- F. Ken Becker, SEED Executive Director presented a request to double the original incentive to Cape and Sons to \$500,000. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem May to approve the incentive. The motion carried unanimously.
- G. Motion was made by Commissioner Peek, seconded by Commissioner McKenzie to approve SEED proposal to sell real estate located in the Industrial Park to Washita Valley (40 acres) and Select Energy (30 acres) for \$4,000 per acre. The motion carried unanimously.
- H. Motion was made by Commissioner McKenzie, seconded by Mayor Pro-Tem May to purchase a Vermeer brush chipper through the Texas Buy Board. This is a budgeted item in the Capital Improvements Fund for Refuse Disposal at a cost of \$40,000.00. The motion carried unanimously.
- I. Motion was made by Mayor Pro-Tem May, seconded by Commissioner McKenzie to enter into Executive Session pursuant to the provision of 551.072 of the Texas Government code to deliberate on the purchase, sale or lease of real property and 551.074, personnel matters; to deliberate employment of City Secretary/City Comptroller position. The motion carried unanimously.
- J. Motion was made by Mayor Pro-Tem May, seconded by Commissioner McKenzie to enter into Regular Session. The motion carried unanimously.
- K. No action was necessary from the Executive Session.
- L. Motion was made by Commissioner Peek, seconded by Commissioner McKenzie to abandon the following street located in the Business Park: A

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1.559 acre tract out of Section 44, Block 22, T & P Ry. Co. Surveys, Nolan County, Texas and to consider quit claim deed to adjoining owner Sweetwater Enterprise for Economic Development. The motion carried unanimously.

COPY OF ORDINANCE AND QUITCLAIM DEED IN FULL ARE LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 737-741.

6. City Manager's Report.
 - A. Sales tax revenues for October and November are down from the same period last year by \$312,681.67, but are up from 2010 by \$9,742.22. These figures are for total sales tax revenues with 75% going to the City and 25% to SEED.
 - B. Zoning issue for consideration at January 8, 2013 meeting for Devon Energy Bradford Lane property (E-1 to K).
 - C. Police Station planning is underway. Contract signed with Wiginton Hooker Jeffry Architects, P.C.
 - D. TCEQ suspended surface water rights in Brazos River Basin excluding municipal rights.
 - E. Pump barge has been placed at Oak Creek Lake to pump water into intake tower when necessary.
 - F. City Manager and Mayor met with Senator Duncan's staff and Representative Susan King and staff regarding Bitter Creek Water Supply Corporation's \$7.5 million loan application with the Texas Water Development Board.
 - G. The Required Document of Eminent Domain Authority in Texas has been filed with the Texas Comptroller of Public Accounts in compliance with Senate Bill 18.
 - H. City Manager is in discussion with SEED staff regarding assistance in funding Lamar Street water and wastewater relocations for TxDot Lamar Street reconstruction project. An item for consideration of the SEED Board will be on their January 7, 2013 agenda and on the City Commission agenda for January 8, 2013.

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- I. City Commission will open and consider bids on the Lamar Street water and wastewater relocations for Lamar Street reconstruction project at the January 8, 2013 meeting.
7. Public Input.

None.
8. Commissioner McKenzie made a motion seconded by Commissioner Castro to adjourn. There being no further business, the meeting adjourned at 10:10 a.m.

Gregory L. Wortham, Mayor

ATTEST:

Patty Torres, Interim City Secretary

Persons signing register: Wesley Barnes, Orvil Brown, Evelyn Barnes, Ron Robinson, Mike Voss, Steve Justice, Rev. Kary Fry, Jim Clements, Edith Flippo, Patsy Dacus, Ken Becker, Jerry Smith, Gil Cherry, and Tommy Parker.