

CITY COMMISSION MINUTES

February 12, 2013

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on February 12, 2013 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
LARRY MAY, Commissioner

EDWARD BROWN, City Manager
PATTY TORRES, Interim City Secretary

Absent: **RICKY CASTRO**, Commissioner, **PETE SHERIDAN**, City Attorney

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

1. Mayor Wortham called the meeting to order.
2. Brian Brownlow, Minister of First United Methodist Church gave the invocation.
3. Mayor Wortham led the pledge of allegiance.
4. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to approve minutes for the meeting held on January 8, 2013. The motion carried unanimously.
5. Action Items:
 - A. Motion was made by Commissioner Peek, seconded by Commissioner May to approve the Comprehensive Annual Financial Report (Audit) for the fiscal year ended September 30, 2012 which was presented by Catherine Wilks, CPA. The motion carried unanimously.

COPY OF AUDIT FINDINGS IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 748-749.

- B. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner Peek to approve an Ordinance Ordering an Election of the Qualified Voters of the City of Sweetwater to be held May 11, 2013 for the purpose of electing a Mayor and two City Commissioners (Precincts 1 and 3) of said City; The motion carried unanimously.

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COPY OF ORDINANCE 2013-03 XII IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 750-754.

- C. Motion was made by Commissioner May, seconded by Mayor Pro-Tem McKenzie to reappoint Larry Ludlum as City appointee to the Auditorium Board with term expiring February 28, 2015. The motion carried unanimously.
- D. Chief of Police, Brian Frieda, presented the annual report regarding Racial Profiling Statistics to the Commission. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to approve the report. The motion carried unanimously.

COPY OF REPORT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 755-767.

- E. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner May to authorize staff to go out for bids on AC5 asphalt and Grade 4 crushed rock to be used in 2013 streets seal coating project. The motion carried unanimously.
- F. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to appoint Kimberly Gray to the County/City Library Board to replace Larry Lawrence with term expiring December 31, 2015. The motion carried unanimously.
- G. Motion was made by Commissioner May, seconded by Mayor Pro-Tem McKenzie to appoint Bill Johnson to replace Ben Turner and reappoint Paul McCarthy, alternate member, as City appointees to the Airport Zoning Board. Those terms will expire February 28, 2015. The motion carried unanimously.
- H. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to enter into a public hearing to consider requests for the abandonment and closure of the following right-of-ways:
 - 1. Platted as a future dead-end street extension of Industrial Drive, currently undeveloped and located in the western portion of Lot 8, Industrial Park. A similar, yet developed, parallel, dead-end street currently exists approximately 155' to the east.
 - 2. A 12.5' X 600' platted but undeveloped alley in Block 37, Southside Addition, located between Murrah and Sam Houston Streets, west to east, and Florida Avenue and West Bradford Lane, north to

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south. There are numerous portions of streets and alleys currently closed in this area.

The motion carried unanimously.

Paul Johnson, property manager spoke to the Commission regarding the request for the closure at Industrial Drive. The property will be used for an Industrial yard.

Jim Clements addressed the issue of any Oncor property at the location.

- I. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to close the public hearing. The motion carried unanimously.
- J. Motion was made by Commissioner May, seconded by Mayor Pro-Tem McKenzie to approve the requests for abandonment and closure of following right of ways:
 - 1. Platted as a future dead-end street extension of Industrial Drive, currently undeveloped and located in the western portion of Lot 8, Industrial Park. A similar, yet developed, parallel, dead-end street currently exists approximately 155' to the east.
 - 2. A 12.5' X 600' platted but undeveloped alley in Block 37, Southside Addition, located between Murrah and Sam Houston Streets, west to east, and Florida Avenue and West Bradford Lane, north to south. There are numerous portions of streets and alleys currently closed in this area.

The motion carried unanimously.

- K. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to approve a resolution confirming and ratifying the central rate schedule for the various fees, licenses, permits and rates charged by the City of Sweetwater, Texas, for the fiscal year 2013 and adopting such central rate schedule. Rate schedule changes include adding "wholesale customers" to the water rate schedules and increasing residential refuse collection rates by ten percent.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGE 768.

- L. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner Peek to approve a resolution of the City of Sweetwater,

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Texas, supporting Sweetwater Enterprise for Economic Development funding of Bradford Lane Lamar Street (SH70) sewer line project. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGE 769.

- M. City Commission reviewed quarterly assessment of Oak Creek Reservoir and City's well field system and recommendation by Enprotec/Hibbs & Todd, Inc. to remain in Stage I of the Drought Contingency and Water Conservation Program.
- N. City Commission reviewed preliminary concept plans for the new Police Station for information only.
- O. Motion was made by Commissioner Peek, seconded by Commissioner May to approve the first reading of ordinance amending chapter nineteen of the code of ordinances of the City of Sweetwater entitled "motor vehicles and traffic", by amending article VI entitled "stopping, standing and parking", by amending division I entitled "generally"; by adding section 19-170 entitled "parking of commercial vehicles"; by adding section 19-171 entitled "parking of trailers; mobile recreation equipment on public property or streets" and defining mobile recreation equipment; by adding section 19-172 entitled "parking adjacent to schools"; by adding section 19-173 entitled "parking prohibited on narrow streets"; providing sections 19-174 through 19-185 as "reserved"; and by amending article IX section 19-251 entitled "junk vehicle defined". The motion carried unanimously.
- P. Motion was made by Commissioner May, seconded by Mayor Pro-Tem McKenzie to approve a resolution for City of Sweetwater approval of West Central Texas Council of Government (WCTCOG) Hazard Mitigation Plan update. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 770.

- Q. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to consider a lease renewal with the United States Department of Agriculture for Hangar "E" at Avenger Field Airport. The motion carried unanimously.
6. City Manager's Report.

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- A. Election Calendar is in packets.
 - B. The Texas Water Development Board will consider the Bitter Creek Water Supply Corporation \$7.5 million loan application in Austin February 28, 2013. Mayor Gregory Wortham, City Manager Edward Brown and Keith Kindle of Enprotec/Hibbs & Todd, Inc. will attend meeting and will speak against the application.
 - C. The pre-construction meeting for the Senior Nutrition Activities Program building was conducted February 5, 2012. Construction is scheduled to begin February 18, 2013.
 - D. We have performed an inventory of shipping containers within the City. There are 66 and we have contacted owners regarding compliance with new ordinance. One business owner complained about ordinance, that it was not business friendly.
 - E. February 15, 2013 we will make a payment for bond interest of \$290,550.
 - F. Atmos gas customers bills will increase as a result of rate settlement. The customer charge will increase.
 - G. MacDonald Companies has submitted application to Texas Department of Housing and Community affairs for housing tax credits and/or funds to assist in constructing 40 unit apartment community for seniors.
 - H. Code Enforcement and building inspection (planning) have shown an increase in activity as oil related business is expanding.
7. Public Input.
- Jacque McCoy thanked the City for their help in erecting the wind blades at the east and west entries to Sweetwater.
- Tom Parker, of Oak Creek Lake commended the Commission and asked that they be vigilant with protecting the Lake areas from any impending problems brought on by the oil activity.
8. Commissioner Peek made a motion, seconded by Mayor Pro Tem McKenzie to adjourn. There being no further business, the meeting adjourned at 10:03 a.m. The motion carried unanimously.

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Gregory Wortham, Mayor

ATTEST:

Patty Torres, Interim City Secretary

Persons signing register: Paul Johnson, Cathy Wilks, Jacque McCoy, Tom Parker, Beverly Madden, Garry Madden, Gil Cherry, Brian Brownlow and Carolyn Lawrence.