

## **CITY COMMISSION MINUTES**

**April 9, 2013**

**9:00 A.M.**

The City Commission of the City of Sweetwater, Texas met in regular session on April 9, 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

**RICKY CASTRO**, Commissioner

**EDWARD BROWN**, City Manager

**PETE SHERIDAN**, City Attorney

**PATTY TORRES**, Interim City Secretary

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

1. Mayor Wortham called the meeting to order.
2. Nikki Jones, Minister of St. Stephens Episcopal 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 March 12, 2013. The motion carried unanimously.
5. Action Items:
  - A. Governor Rick Perry has proclaimed April 14-20, 2013 as Public Safety Telecommunicators Week and the City Commission recognized Police Department 911 and dispatch personnel. Brian Frieda, Police Chief, recognized Cory Stroman, Carla Hebert, Yolanda Saddler, Belindia Seale and Andrea Rivera.

**COPY OF PROCLAMATION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGE 789.**
  - B. Mayor Greg Wortham proclaimed Sunday, April 14, 2013 as "A Day of Prayer for Rain".

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- C. City Commission opened and considered bids on Bulk Water Station to be located at Highland High Service Pump Station. After reviewing bids, John Voller of Enprotec/Hibbs & Todd recommended staff accept low bid of \$312,000 from Purcell Contracting of Meridia, Texas. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner May to accept the bid. Motion carried unanimously.
- D. City Commission opened bids on used dump truck for Solid Waste Disposal Department. Two bids were received, with neither meeting specifications. Motion was made by Commissioner Peek, seconded by Commissioner Castro to reject both bids. Motion carried unanimously.

### **COPY OF BID SHEET IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGE 791.**

- E. Motion was made by Commissioner Peek, seconded by Commissioner May to authorize City staff to dispose of surplus assets through a public auction to be held as soon as possible. The motion carried unanimously.
- F. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner May to approve a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. The motion carried unanimously.

### **COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 792-793.**

- G. Motion was made by Commissioner Peek, seconded by Commissioner Castro to authorize staff to purchase one 26 to 30 horsepower John Deere tractor mower for Source of Supply Department through Texas Buy Board to obtain State of Texas low bid. The motion carried unanimously.
- H. Motion was made by Commissioner May, seconded by Commissioner Peek to authorize staff to go out for bids for one  $\frac{3}{4}$  T pickup 4 WD extended cab for Source of Supply, one  $\frac{1}{2}$  T pickup extended cab for Wastewater Treatment and one  $\frac{3}{4}$  T pickup with utility bed for Central Garage and Stores. The motion carried unanimously.

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- I. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to conduct a Public Hearing to consider a request for the abandonment and closure of the following right of way: That portion of East 5<sup>th</sup> Street between Elm and Fowler Streets, being 80 feet in width and 180 feet in length. The motion carried unanimously.

Jerry Riggs spoke in favor of the closing, citing safety concerns of children crossing to the church facility.

Atmos Energy Representative advised the Commission of a 4" gas line in that location.

Gabriel Castillo and Elmira Collins, both property owners in the area spoke against the closing.

- J. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to close the public hearing and enter into regular session. The motion carried unanimously.

- K. Commissioners are concerned with the closure of the street and asked for alternatives to closing it. Chief of Police Brian Frieda spoke to the Commission about barriers and temporary closings during critical times. It was suggested that TxDot be contacted about possible school zone signage. No action taken.

- L. Should the request to close 5<sup>th</sup> Street be granted, City Commission to consider City staff recommendation that a no build/no encroachment easement be retained for the entire area since there are utilities in said block. No action taken.

- M. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to consider the first reading and adoption of an ordinance amending Chapter Seventeen of the Code of Ordinances entitled "Licenses and Business Regulations" to provide uniform development of Recreational Vehicle Parks. The motion carried unanimously.

- N. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner May to consider the first reading and adoption of an ordinance amending Chapter Seven of the Code of Ordinances entitled

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"Buildings and Construction" to adopt more current editions of certain model codes. The motion carried unanimously.

- O. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to consider the first reading and adoption of an ordinance amending Chapter Ten of the Code of Ordinances entitled "Fire Prevention and Protection" to adopt a more current edition of the model code. The motion carried unanimously.
- P. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to approve renewal of the Lake Sweetwater Bait Shop lease agreement with G.M. Morgan, Inc. with certain changes as proposed by lessee and to authorize City Manager to negotiate those changes. The motion carried unanimously.
- Q. Motion was made by Mayor Pro-Tem McKenzie, seconded by Commissioner Peek to grant permission to lessees to sell off premises beer at the Sweetwater Bait Shop and also the Golf Pro Shop. The motion carried unanimously.
- R. Motion was made by Commissioner Peek, seconded by Mayor Pro-Tem McKenzie to approve an ordinance whereby the City of Sweetwater, Texas and Taylor Electric Cooperative agree that Taylor Electric Cooperative be permitted to erect and maintain its electric energy lines with all necessary or desirable appurtenances (including underground conduits, poles, towers, wires and transmission lines) and the City grants its consent for the use of its present and future streets, alleys, highways, and public grounds in said City, under regulations and restrictions as stated therein and that the City of Sweetwater, Texas, shall receive an annual payment for same, all as therein provided. The motion carried unanimously.

**COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 794-795.**

- S. Motion was made by Commissioner May, seconded by Mayor Pro-Tem McKenzie to approve an electric power substation as proposed by Taylor Electric Cooperative. The motion carried unanimously.

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- T. Motion was made by Commissioner May, seconded by Mayor Pro-Tem McKenzie to authorize City Manager to negotiate an interlocal agreement with Texas State Technical College to develop a public access television station utilizing the "PEG" portion of the Cable Franchise "rental" payments as accumulated to date and collected in the future. The motion carried unanimously.
  
- U. Motion was made by Commissioner Peek, seconded by Commissioner May to approve the Quarterly Investment Report. The motion carried unanimously.

**COPY OF REPORT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGE 796.**

- 6. City Manager's Report.
  - A. Schedule a budget workshop on 2013-2014 Budget for May 16, 2013 at the Water Treatment Plant on Hillsdale Road, time to be determined.
  - B. Schedule a strategic planning workshop for May 31, 2013 for the purpose of discussing City issues relating to the oil boom such as annexation, zoning, development and ordinance issues, time and place to be determined.
  - C. SNAP building is progressing with foundation work being completed.
  - D. New Police Station plans are proceeding and hopefully by May meeting we should be ready to go out for bids.
  - E. City Staff is working on the "container ordinance" as directed by the City Commission; and we expect to have suggested amendments to the ordinance by the May 14, 2013 meeting.
  - F. Grant Madden, Emergency Services Director, would like to invite Commissioners and public to 105<sup>th</sup> birthday celebration of Sweetwater Fire Department. It will be held on Saturday, May 4, 2013 from 10:00 a.m. – 2:00 p.m. at the Fire Department.
  
- 7. Public Input.
  - None.

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8. Mayor Pro-Tem McKenzie made a motion, seconded by Commissioner Peek to adjourn. There being no further business the meeting adjourned at 10:12 a.m. The motion carried unanimously.

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Gregory Wortham, Mayor

**ATTEST:**

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Patty Torres, Interim City Secretary

Persons signing register: Jim Clements, Jacque McCoy, Mike Crowley, Gil Cherry, Elmira Collins, Gabriel Castillo, Carolyn Lawrence, Alan Carmichael, Darryl Schriver