

CITY COMMISSION MINUTES
AUGUST 13, 2013
9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on August 13, 2013 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, Commissioner
JEROD PEEK, Mayor Pro-Tem
JIM MCKENZIE, Commissioner

PETER SHERIDAN, City Attorney
EDWARD BROWN, City Manager
PATTY TORRES, City Secretary

Absent: **RICKY CASTRO**, Commissioner

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

1. Mayor Wortham called the meeting to order.
2. Stephen Gehring, of First United Methodist Church gave the invocation.
3. Mayor Wortham led the pledge of allegiance.
4. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to approve minutes for the meetings held on July 9, 2013 and July 23 2013. The motion carried unanimously.
5. Action Items:
 - A. The Commission opened and considered proposals on Self-Insured Group Health, Dental and Life Insurance Employee Benefit for FY 2013-2014. The City received a proposal from Blue Cross for medical and State Farm for life insurance. The proposals were taken by Tommy Morris, Broker of Record to analyze and review. Motion was made by Commissioner McKenzie, seconded by Mayor Pro-Tem Peek to accept recommendation of accepting Blue Cross bid for medical, and Ameritas for dental, with no increase in cost. Low bid for life insurance from Met Life was accepted. The motion carried unanimously.
 - B. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to enter into a public hearing on the Proposed Budget for 2013-2014. The motion carried unanimously. This year's Proposed Budget does not raise more property taxes than last year's budget. There was no public input.

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- C. Motion was made by Commissioner May, seconded by Commissioner McKenzie to close the public hearing and enter into regular session. The motion carried unanimously.
- D. No action was necessary from the public hearing.
- E. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to approve the Central Rate Schedule for the 2013-2014 Budget. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 855-882.

- F. Motion was made by Commissioner McKenzie, seconded by Commissioner May to approve first reading of the Appropriations Ordinance for the 2013-2014 Budget. The motion carried unanimously.
- G. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to approve first reading of an Ordinance to adopt the 2013-2014 Budget. The motion carried unanimously.
- H. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner May to enter into a public hearing to discuss the proposed tax rate of \$.48 (48 cents) per \$100 valuation for Tax Year 2013. The motion carried unanimously.
- I. Motion was made by Commissioner May, seconded by Mayor Pro-Tem Peek to close the public hearing and return to regular session. The motion carried unanimously.
- J. No action was necessary from the public hearing.
- K. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to approve first reading of an Ordinance fixing and levying a tax for the year 2013 upon all City property within the corporate city limits of the City of Sweetwater, Texas. This year's proposed tax rate does not exceed the effective tax rate. A motion to adopt an ordinance, resolution or order setting the tax rate does not require the language about "tax increase" as stated in 26.05 (b) of Property Tax Code. Mayor Wortham, Mayor Pro Tem Peek, Commissioner May, and Commissioner McKenzie, voted for the motion. Commissioner Castro was absent.

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- L. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to approve first reading of an Ordinance Amending the 2012-2013 Budget. The motion carried unanimously.

- M-Q. Motion was made by Commissioner May, seconded by Commissioner McKenzie to authorize staff to go out for bids for fuel, oil and lubrication products, hot mix cold lay asphalt, ready mix concrete and weed killer for 2013-2014. The motion carried unanimously.

- R. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to appoint Patty Torres as City Secretary/City Comptroller, effective August 16, 2013. The motion carried unanimously. City Attorney, Peter Sheridan administered the Oath of Office to Ms. Torres.

- S. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to enter into a public hearing to consider a recommendation from the Planning and Zoning Commission regarding the following request:
 - 1). A request to re-zone a tract of land described as 5.524 acres in Section 59, Block 22, T & P Railroad Surveys in Sweetwater, Nolan County, Texas, from a "R" Residential with Livestock to an "H" Business District. Said tract is located at the Southwest corner of the intersection of W. Bradford Lane and Lamar. The motion carried unanimously.

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

- U. Motion was made by Commissioner May, seconded by Commissioner McKenzie to approve recommendation of Planning and Zoning Commission to re-zone a tract of land described as 5.524 acres in Section 59, Block 22, T & P Railroad Surveys in Sweetwater, Nolan County, Texas, from a "R" Residential with Livestock to an "H" Business District. The motion carried unanimously.

- V. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner May to conduct a public hearing to consider the status and make any necessary findings regarding substandard structures. The motion carried unanimously. City Services Director, Kirk Harris presented details regarding the problems and recommendation on nine substandard structures.

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Property owner Jim Wilson spoke to Commission regarding the structure at 504 Hill.

- W. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to close the public hearing and enter into regular session. The motion carried unanimously.
- X. Motion was made by Commissioner May, seconded by Mayor Pro-Tem Peek to approve staff's recommendations on the substandard structures. The motion carried unanimously.

COPY OF THE RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 883-885.

- Y.-Z. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner May to ratify the Georgia-Pacific Amendment No. 1 of Water Supply Contract and the Industrial District Contract between Georgia-Pacific Gypsum, LLC as executed by Mayor Wortham. The motion carried unanimously.

COPY OF THE CONTRACTS IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 886-911.

- A.A. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to approve the 2013-2014 Budget for Sweetwater Enterprise for Economic Development (SEED) as passed by the Board of Directors at their July 2013 meeting. The motion carried unanimously.
- B.B.-C.C. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to exercise the option to extend the City's Depository Contract and Sweetwater Enterprise for Economic Development's Depository Contract with First Financial Bank through September 30, 2015. The motion carried with Mayor Pro-Tem Peek, Commissioner McKenzie and Mayor Wortham voting in favor and Commissioner May abstaining.
- D.D. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to enter into executive session pursuant to the provision of 551.072 of the Texas Government Code to deliberate regarding the purchase, sale and/or lease of real property. The motion carried unanimously.
- E.E. Motion was made by Commissioner May, seconded by Commissioner McKenzie to enter into regular session. The motion carried unanimously.

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- F.F. No action was necessary from the executive session.
 - G.G. City Commission opened and considered (unsolicited) bids from C.D. Trimble Properties, LLC for lots 6, 9, 10, 11 of Block 20 of Southside Addition and for Lot 23 of Block 16 of Southside Addition. Motion was made by Commissioner McKenzie, seconded by Mayor Pro-Tem Peek to sell the lots for \$600 each to C.D. Trimble Properties, LLC. Commissioner May voted against and Mayor Wortham, Mayor Pro-Tem Peek and Commissioner McKenzie voted in favor. The motion carried.
6. City Manager's Report.
- A. Update on SNAP building progress.
 - B. Mayor and Commissioners should consider nomination of two SEED Board members at September 10, 2013 meeting for a three year term beginning October 1, 2013. Art Maberry and Billy Whisenant terms expire September 30, 2013.
 - C. TML Annual Conference will be held in Austin October 9-11, 2013.
 - D. The application for financial assistance for water infrastructure construction for development of the Hunter Well Field and pipeline has been filed with the Texas Water Development Board and has been accepted as administratively complete.
 - E. The City of Sweetwater's 2013 certified collection rate from the Nolan County Central Appraisal District was 96%. The same as 2012.
 - F. Union Pacific Railroad has notified the City that they are constructing a crew change track between Loop 549 and Musgrove Street. City has 6" water line on north side and 12" water line on south side, crossing under at Hoyt. City will be required to relocate lines at our cost.
7. Public Input.
- None.
8. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner McKenzie to adjourn. There being no further business, the meeting adjourned at 10:30 a.m. The motion carried unanimously.

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Gregory L. Wortham, Mayor

ATTEST:

Patty Torres, City Secretary

Persons signing register: Ken Becker, Jim Clements, Jim Willson and Art Maberry.