

**CITY COMMISSION MINUTES**  
**October 8, 2013**  
**9:00 A.M.**

The City Commission of the City of Sweetwater, Texas met in regular session on October 8, 2013 at 9:00 a.m. in the City Commission Room at City Hall, 200 E. Fourth Street with the following members present:

**LARRY MAY**, Commissioner  
**JEROD PEEK**, Mayor Pro-Tem  
**JIM McKENZIE**, Commissioner

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

Absent : **GREGORY L. WORTHAM**, Mayor and **RICKY CASTRO**, Commissioner

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 Pro-Tem Peek called the meeting to order.
2. Commissioner May gave the invocation.
3. Commissioner McKenzie led the pledge of allegiance.
4. Motion was made by Commissioner May, seconded by Commissioner McKenzie to approve minutes for the meeting held on September 10, 2013. The motion carried unanimously.
5. Action Items:
  - A. Mayor Pro-Tem Peek welcomed Leadership Sweetwater participants.
  - B. Motion was made by Commissioner McKenzie, seconded by Commissioner May to approve the Quarterly Investment Report for the quarter ended September 30, 2013. The motion carried unanimously.

**COPY OF REPORT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGE 962.**

- C. City Commission considered bids for construction of new police station. Bids were opened September 10, 2013 during the Commission meeting. Motion was made by Commissioner McKenzie, seconded by Commissioner May to reject all bids. The motion carried unanimously.
- D. City Commission opened and considered bids for repairs to the Loop 549 ground storage tank. Jon Voller of eHT opened and announced the bids. After reviewing the bids, on the recommendation of Voller, motion was

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made by Commissioner May, seconded by Commissioner McKenzie to accept the low bid meeting qualifications from Blastco Texas, Inc. in the amount of \$54,000 with a completion date of 60 days. The motion carried unanimously.

### **COPY OF BID SHEET IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 963-964.**

- E. Motion was made by Commissioner McKenzie, seconded by Commissioner May to authorize staff to purchase an ambulance for EMS through state approved Buy Board low bid. The motion carried unanimously.
- F. Motion was made by Commissioner May, seconded by Commissioner McKenzie to approve second and final reading of an Ordinance Amending the Ordinance Approving and Adopting a Budget for the City of Sweetwater for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014. The motion carried unanimously.

### **COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 965-966.**

- G. Motion was made by Commissioner McKenzie, seconded by Commissioner May to adopt an Ordinance of the City Commission of the City of Sweetwater, Texas, approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2013 annual rate review mechanism filing in all Cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; requiring the Company to reimburse Cities' reasonable ratemaking expenses; repealing conflicting resolutions or ordinances; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; providing a most favored nations clause; and requiring delivery of this ordinance to the Company and the Steering Committee's legal counsel. The motion carried unanimously.

### **COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 967-979.**

- H. Motion was made by Commissioner May, seconded by Commissioner McKenzie to adopt a Resolution Expressing Official Intent to Reimburse

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Costs of Water and Sewer System Projects. The motion carried unanimously.

### **COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XII PAGES 980-981.**

- I. Motion was made by Commissioner McKenzie, seconded by Commissioner May to authorize eHT to advertise for bids to drill and complete 3 or more municipal water wells on the Hunter Well Field. Motion carried unanimously.
  - J. Motion was made by Commissioner McKenzie, seconded by Commissioner May to authorize staff to purchase a pumper truck for the Fire Department through state approved Buy Board low bid. The motion carried unanimously.
  - K. Motion was made by Commissioner McKenzie, seconded by Commissioner May to enter into Executive Session pursuant to the provisions of 551.071 and 551.072 of the Texas Government Code to consult with attorney regarding advice about pending or contemplated litigation and to deliberate on the purchase/sale or lease of real property. The motion carried unanimously.
  - L. Motion was made by Commissioner May, seconded by Commissioner McKenzie to return to Regular Session. The motion carried unanimously.
  - M. No action was necessary from the Executive Session.
6. City Manager's Report.
- A. The City of Sweetwater received the GFOA Certificate of Achievement for Excellence in Financial Reporting FYE 2012. The Finance Department should be commended for attaining this award for the 29<sup>th</sup> year.
  - B. The City of Sweetwater was awarded the Texas Comptroller Leadership Circle Gold Member award for meeting a high level of local government transparency on the City's website. The Finance/Administration Departments should be commended for attaining this award.
7. Public Input.
- None.

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8. Commissioner May made a motion seconded by Commissioner McKenzie to adjourn. There being no further business, the meeting adjourned at 10:00 a.m.

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Jerod Peek, Mayor Pro-Tem

**ATTEST:**

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Patty Torres, City Secretary

Persons signing register: Jeff Howard, Leah Andrews, Jim Clements