

CITY COMMISSION MINUTES

May 12, 2015

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on May 12, 2015 at 8:00 a.m. in the City Commission Room at City Hall, 200 E. Fourth Street and the Police Department Training Room, 400 E. Ave A. with the following members present:

JIM MCKENZIE, Mayor

JEROD PEEK, Mayor Pro-Tem

LARRY MAY, Commissioner

JIM LEE, Commissioner

RICKY CASTRO, Commissioner

EDWARD BROWN, City Manager

PATTY TORRES, City Secretary

PETE SHERIDAN, City Attorney

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

1. Mayor McKenzie called the meeting to order.
2. Brian Brownlow, Minister of First United Methodist Church gave the invocation.
3. Mayor Pro-Tem Peek led the pledge of allegiance.
4. A. Motion was made by Commissioner May, seconded by Commissioner Castro to approve minutes for the meeting held on April 14, 2015. The motion carried unanimously.
B. Mayor McKenzie read Governor Greg Abbott's proclamation of May 15, 2015 and May 10-16, 2015 as Peace Officers Memorial Day and Week.
5. Action Items:
 - A. City Attorney Pete Sheridan administered Oath of Office to Jim McKenzie, Mayor; Larry May, Commissioner Precinct 1 and Ricky Castro, Commissioner Precinct 3.

COPY OF OATH IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 202-204.

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- B. Motion was made by Commissioner May, seconded by Commissioner Lee to adopt a Resolution appointing Jerod Peek as Mayor Pro-Tem for the City of Sweetwater and prescribing the term thereof. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGE 205.

- C. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner Lee to approve the Mid-Year Agreed Upon Procedures Report for the period ended March 31, 2015 as prepared by Cathrine Wilks, Certified Public Accountant. The motion carried unanimously.

COPY OF REPORT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 206-208.

- D. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner May to approve the first reading and adoption of an 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 amending Section 19-151 entitled "Parking Prohibited or Restricted on Designated Streets", by amending Subsection (A) by adding Lakeview, from its intersection with State Highway 70 northerly 90 feet on the west side of the street, at all times. The motion carried unanimously.

COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGE 209.

- E. Motion was made by Commissioner May, seconded by Commissioner Lee to approve real property exchange agreement with the WASP Museum Board for City property adjacent to the airport. The motion carried unanimously.
- F. Motion was made by Commissioner Lee, seconded by Mayor Pro-Tem Peek to authorize staff to close a portion of the municipal golf course due to severe drought conditions. The motion carried unanimously.
- G. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner Castro to approve a change order for renovations at Pioneer Museum

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consisting of removing roll roofing on top ledge, balcony and side building and replace with new. The motion carried unanimously.

- H. Motion was made by Commissioner May, seconded by Commissioner Lee 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 2014 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 XIII PAGES 210-211.

- I. Motion was made by Commissioner May, seconded by Commissioner Castro to approve a resolution authorizing Mayor Jim McKenzie to execute contracts with the Texas Department of Aging and Disability Services. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGE 212.

- J. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner Lee 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.

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**COPY OF RESOLUTION IN FULL IS LOCATED IN THE
ORDINANCE AND CONTRACT BOOK XIII PAGES 213-217.**

- K. Motion was made by Commissioner Lee, seconded by Mayor Pro-Tem Peek to approve amendment/modification to the lease agreement between Randall and Ann Pate and the City of Sweetwater regarding Oak Creek lake property and premises known as Sportsman's Lodge-Marina. The amendment will extend the renewal period for up to three 5 year terms beyond the 2018 expiration. The motion carried unanimously.

**COPY OF AMENDMENT IN FULL IS LOCATED IN THE
ORDINANCE AND CONTRACT BOOK XIII PAGES 218-220.**

- L. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner Castro to recess to move to new police station training room for budget workshop. The motion carried unanimously.
- M. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner Castro to reconvene to conduct a budget workshop at the new police station training room to review the 2015-2016 budget needs of the City of Sweetwater as presented by the City Manager and City staff. The motion carried unanimously.

6. City Manager's Report.

- A. Reviewed March 25, 2015 routine Oak Creek dam, Lake Sweetwater dam, and Lake Trammell dam site visits by EHT (Enprotec/Hibbs & Todd) engineers.
- B. Enprotec/Hibbs & Todd, Inc. has performed a water availability assessment and has recommended that we should remain in Stage I of our Drought Contingency Plan for now. Stage II drought conditions will be considered as we progress into the summer months.
- C. The City has received the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA). This award is the highest form of recognition in governmental budgeting and represents a significant achievement.

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7. Public Input.

None.

8. Commissioner May made a motion, seconded by Commissioner Lee to adjourn. There being no further business the meeting adjourned at 11:12 a.m. The motion carried unanimously.

Jim McKenzie, Mayor

ATTEST:

Patty Torres, City Secretary

Persons signing register: Shaun Martin, Michael Ables, Sandra Spears, Cathy Wilks, Carol Cain, Brian Brownlow, Sage Diller, Debbie Anthony, Bill Johnson, and George DiJulio.