

A regular meeting and public hearing of the City Council was held at City Hall on Tuesday, October 16, 2012 at 6 pm.

1. Call to Order

Mayor Kenneth Lott called the meeting to order. He stated the meetings are conducted in strict compliance with Roberts Rule of Order.

2. Roll Call

Council Present: Gary Coker, Dale Lemon, Ray Bailey, James Wise and Pat Moss. Also present: Cindy King, City Manager; Tim Wells, Chief of Police; Homer Toscano; Dir. of Public Works, Wendell Becker, Forman of Public Works and Charlie Stevenson, City Attorney.

3. Invocation

Invocation was given by Charlie Stevenson.

4. Pledge of Allegiance

Pledge of Allegiance was recited and lead by Chief of Police Tim Wells.

5. Presentation of Citizens:

Neal Bess Jr. who resides at 1408 Forest Park Court, addressed the council about the Industrial Park. He has heard around town that the EDC bought that property with grant money and that is not true. Mr. Neal stated that the property was bought with EDC money and the city received some grant money for the utilities and generators.

Agatha Sanchez who resides 602 5th Street, with the Beautification Committee announced the 3rd Annual Thanksgiving Feast will be November 18, 2012.

Visitors: Bill Hatchett, Agatha Sanchez, Neal Bess Jr., Dan Ellis, Peggy Ellis, Vicki Milian, Heather Wallace, Melissa Anderson, Paula Wallace, Sandra Blaine, Nancy Brown, Rodney Weems, Bill Brown, Gary and Alice Hood, Janet White, Crystal Pierce, Tricia Williams and William Houston.

6. Consent Items

A. Approval of Minutes - September 18, 2012

Dale Lemon made a motion to approve the minutes from September 18, 2012, as written. Gary Coker seconded. All were in favor, motion carried.

B. Approval of Bills - \$64,000.36

Ray Bailey made a motion to pay the bills in the amount of \$64,000.36. Dale Lemon seconded. All were in favor, motion carried.

7. Public Hearings

A. Regional Hazard Mitigation Plan 2011

Cindy King addressed the council and public that every five years we go in with Brazoria County on their Hazardous Mitigation Plan. To receive grant monies we must have our projects already listed with the county when the grant monies become available.

8. Fire Department Report

Chief Tim Webb gave the report.

9. Old Business

A. Discuss / Approve Policy for Person Use of City Vehicle

The policy will apply to all department heads. There will be a monthly mileage statement. Travel would be limited to a 30 mile one way radius; twice a week. If the Fire Chief or Fire Marshall is not also a city employee they may use their vehicle to drive to work as long as their place of employment is within a 10 mile one way radius from the city. Non-City related family members are allowed as passengers in the city vehicle within the Sweeny city limits only. Anyone in a city vehicle for personal use would need to sign a hold harmless agreement.

Dale Lemon made a motion to approve the policy for Personal Use of City Vehicle. James Wise seconded. All were in favor. Motion carried.

B. Discuss / Approve Agreement with HilCorp on MLK Park

Cindy discussed that she and Dale Lemon are still working on this. Dale Lemon made a motion to table for next month. Ray Bailey seconded. All were in favor. Motion carried.

C. Discuss / Approve Amendment to Zoning Ordinance:

- 1. Changes in R2 Requirements**
- 2. Rezoning of Streets R2B to R2**
- 3. Change in R2B Requirements**

Charlie Stevenson stated the changes he made to the ordinance:

- 1) The R2 minimum living area for houses is now: 1200 square feet.
- 2) A requirement for off street parking was change for both R2 and R2B to remove the requirement for a garage and/or carport and to require a minimum 400 square foot hard surface parking area, either concrete or asphalt.
- 3) Carports and Garages that are constructed may extend beyond the front of the house as long as the structure meets setback requirements / building codes.

Dale Lemon made a motion to approve the amendments to the Zoning Ordinance. Pat Moss seconded. All were in favor. Motion carried.

D. Discuss/Approve Contract with Brazoria PD for Jail Service

Cindy King addressed the council and told them Police Chief Tim Wells and Court Clerk Tammy Odom have reviewed the contract and are in favor. Dale Lemon made a motion to approve the contract with Brazoria PD for Jail Service. Ray Bailey seconded. All were in favor. Motion carried.

10. New Business

A. Adopt Resolution on Regional Hazard Mitigation Plan 2011

Dale Lemon made a motion to adopt the resolution on Regional Hazard Mitigation Plan 2011. James Wise seconded. All were in favor. Motion carried.

B. RV Park / Mary Nairn

The following citizens spoke against having an RV Park on FM 1459: Mary L. Nairn, Sandy Blaine, Dan Ellis, Gary Hood and Jalyn Whitewick

City Attorney Charlie Stevenson explained that the council has no relationship with the buyer or the seller, if they make a deal, it's a private deal and we as the city are not involved in that. All we get to do is make decisions for the city and nothing has come before us to make any decision. **NO ACTION.**

C. Discuss Possible Ordinance Regarding Dog Waste Clean-Up / Peggy Tomas

Peggy Tomas addressed council and stated she was having a problem with a citizen walking his dog, not on a leash, and will stop at her address to let his dog go the bathroom. The dog goes in her driveway, by her trash can and in her yard. Ms Tomas asked the owner to please stop his dog from this or pick up his waste. The owner cursed Ms. Tomas and told her there is nothing she could do. Ms. Tomas is asking council to discuss having an animal waste removal ordinance. Ray Bailey made a motion to approve adding dog waste removal to the animal ordinance. Gary Coker seconded. All were in favor. Motion carried.

D. Discuss / Approve Paw Prints on Elm Street / Project Grad.

Stephanie Holly with Project Graduation asked council for permission to paint large paw prints, blue and white, on streets in Sweeny. They will be selling the paw prints as a fund raiser for Project Graduation.

Ray Bailey made a motion to approve the paw prints. Dale Lemon seconded. All were in favor. Motion carried.

E. Approve Sign on City Property for Halloween Festival at Gazebo Park / Dr. Leal

Dale Lemon made a motion to approve the sign on city property to advertise for Dr. Leal's Halloween Festival. Cindy asked if we could approve a "blanket" approval for every year. The council agreed. Pat Moss seconded. All were in favor. Motion carried.

F. Discuss / Approve Walk of Trees/ Chamber

Dale Lemon suggested we donate \$75.00 to West Brazos Cares instead of purchasing a Christmas tree for a needy family. Mr. Lemon stated a needy family needs food more than a Christmas tree. Gary Coker seconded. All were in favor. Motion carried.

G. Discuss Laptops / Tablets for Council

Will Hunter with Cinerius, presented the council with a proposal for laptop computers. Ray Bailey had mentioned that each month we use so much paper in the council packets that we need to look into computers for all persons, five council, mayor, secretary, attorney and city manager. Will had a bid of \$4399.30 for ten (10) laptops.

Ray Bailey made a motion to accept the bid of \$4399.30 for ten laptops to be used for the city council meetings. James Wise seconded. Gary Coker and Dale Lemon were in favor. Pat Moss opposed. Motion Carried.

H. Maintenance of Streets /Pat Moss

NO ACTION.

I. Proclamation: Municipal Courts Week

Ray Bailey made a motion to proclaim Nov. 5-9, 2012 as Municipal Court Week in the City of Sweeny. Dale Lemon seconded. All were in favor. Motion carried.

11. Mayor, Council and Staff Reports:

12. Closed Executive Session: Discuss City Manager 7:08 pm

OPEN MEETING: 7:30 pm

13. Discussion and action from Executive Session.

Ray Bailey made a motion to give Cindy King a \$2,200.00 year raise for 2012-2013. Pat Moss seconded. Dale Lemon abstained. Motion carried.

14. Adjournment 7:32 pm

PASSED AND APPROVED THIS _____ DAY OF _____, 2012

Reatta Minshew, City Secretary