

A regular meeting and public hearing of the City Council was held at City Hall on Tuesday, October 20, 2009.

1. Call To Order

Mayor Lott called the meeting to order. Reminded Council and audience meetings are conducted in strict compliance with Roberts Rule of Order.

2. Roll Call

Council present: Gary Coker, Dale Lemon, Mayor Pro - Tem Neal Bess Jr, Ray Bailey and Linda Diaz.

Also present: Tim Moss, City Manager; Charlie Stevenson, City Attorney; Homer Toscano, Director of Public Works, and Gary Stroud, Chief of Police.

3. Invocation

Invocation was given by Mayor Lott

4. Pledge of Allegiance

Pledge of Allegiance was recited.

5. Presentations by Citizens

Visitors: Mark and Holly Romero, Betty Herring, Bryan James, Ruby Griggs, Doug and Tammy Isaacs.

**Betty Herring spoke in regards to cleaning up her neighborhood. They are in process of working with her community and police department to get her neighborhood cleaned up.

**Ronald Lynn stated he was on the Planning and Zoning Board of Commissioners; he would like to be appointed to the Planning and Zoning Board of Adjustments. Mr. Lynn will be on the agenda at next Council meeting.

6. Consent Items

A. Approval of Minutes -September 15, 2009

Neal Bess made a motion to approve the minutes as written. Gary Coker seconded. All in favor; motion carried.

B. Approval of Bills- \$ 21,420.35

Ray Bailey questioned : Kronberg Flags and Flagpoles (American, Texas and City flags for City buildings). Oil Patch Brazos Valley (gas and diesel).

Ray Bailey made a motion to approve the bills. Linda Diaz seconded. All in favor; motion carried.

7. Public Hearings

A. Notice to Repair at 308 Willow Street

Tim Moss spoke in regards to 308 Willow St. Photos were taken and presented to Council. No efforts have been made since letters were sent and posted. Will discuss this agenda item more in new business.

****PUBLIC HEARING CLOSED****

8. Fire Department Report

Devin Lemon gave report. Total of 5 calls. Several members attended Angleton Fire School. Roster at 30 with 2 applications pending. Halloween festivities with Dr. Leal and Chamber on October 31st at Gazebo Park.

9. Old Business

A. Approve “Animal at Large” Ordinance

Charlie Stevenson read the ordinance regarding animals at large. Neal Bess made a motion to approve the ordinance as read. Dale Lemon seconded. All in favor; motion carried.

B. Notice to Repair at 203 S. Travis Street / Tim Moss

Tim Moss spoke in regards to a mobile home located 203 S. Travis Street. Letters were sent and home owner has spoken with Mr. Moss; however, no efforts have been made to repair the property. Discussion made. Neal Bess made a motion to demolish the mobile home located at 203 S. Travis and to file a lien on the property. Dale Lemon seconded. All in favor; motion carried.

C. Approve Minute Order on “No Cell Phone Use in School Zone”

Charlie Stevenson read the minute order regarding cell phone usage in school zones. Ray Bailey made a motion to approve the minute order as read. Dale Lemon seconded. All in favor; motion carried.

10. New Business

A. Notice to Repair at 308 Willow Street

This agenda item was discussed at the Public Hearing. Neal Bess made a motion to give the 60-day notice to the property owner to make repairs to the property at 308 Willow St. Ray Bailey seconded. All in favor; motion carried. Letter’s will be sent certified and first class as well as notice posted on property.

B. Property Tax Resale at 105 Travis Street

There has been a bid on property located at 105 Travis St. in the amount of \$2,888.00. Ray Bailey made a motion accept the bid on the property at 105 Travis St. Neal Bess seconded. All in favor; motion carried. (The initial motion was to accept the bid of \$1,970.00 which was in error. Motion was rescinded by Councilman Bailey and remade.)

C. Final Approval of Plat at 611 Ashley Wilson/ Holly Romero

Holly Romero was present and spoke requesting final approval of plat at 611 Ashley Wilson Rd. Neal Bess made a motion to give final approval of plat at 611 Ashley Wilson Rd. Gary Coker seconded. All in favor; motion carried.

D. New Business / Bryan James

Mr. James spoke before Council regarding brining in new businesses to Sweeny. No action taken.

E. Discuss Enforcing School Zone Traffic Laws / Leslie Vaugh

Mr. Vaugh spoke before Council regarding enforcing the school zone traffic laws. No action taken.

F. Contract with “Perdue” for Collections of Mowing, Demolition and Paving Lien and /or Assessments/ Tim Moss

Tim Moss spoke in regards to signing a contract with “Perdue” for collections of mowing, demo, and paving liens and or assessments. This is for property that has been sent back to the county after a sheriff’s sale then once that property is sold we could collect on those liens that have been filed. Discussion made. Gary Coker made a motion to approve a contract with “Perdue” for collections of mowing, demolition, and paving lien and or assessment. Dale Lemon seconded. Four in favor; Ray Bailey abstained. Motion carried.

G. Contract with “Perdue” for Collections on Court and Fines / Tim Moss

Tim Moss spoke in regards to signing a contract with “Perdue” for collections on court and fines. Discussion was made in addition to the changes that our Court Clerk (Tammy Odom) requested to be made to the contract. Our contract with American Municipal Services would need to be terminated and a 30 day notice given. Neal Bess made a motion to approve a contract with “Perdue” for collections on court and fines with the condition to terminate American Municipal Services contract and that the additional changes that have been requested are worked out . Gary Coker seconded. Four in favor; Ray Bailey abstained. Motion carried.

H. Discuss Amending Weed and Debris Ordinance #100-07 / Tim Moss

Tim Moss spoke - we have researched other ordinances from other cities regarding residents mowing/maintaining easements, ditches, and sidewalks. Mr. Moss stated he would like to add to our ordinance that the resident is responsible for this. Discussion made. Neal Bess made a motion to amend our weed and debris ordinance to show the changes as discussed. Gary Coker seconded. All in favor; motion carried.

I. Proclamation - Municipal Court Week

Charlie Stevenson read the proclamation regarding Municipal Court Week. No action taken.

***** Mayor Lott recognized Tammy Odom as being on the TML Board of Directors. She is the only Municipal Court Clerk in Texas as well as the only person from Brazoria County to serve on this board.**

11. Reports of Advisory Boards & Commissions
None

12. Mayor, Council and Staff Reports

Mayor Lott – Gave update on electrical contract. Working on railroad crossings with Dennis Bonnen’s office.

Gary Coker – None

Dale Lemon – None

Neal Bess – None

Ray Bailey – None

Linda Diaz – None

Tim Moss – City Wide Clean up September 24; meet at Gazebo Park at 8am.

Chief Stroud – None

Homer Toscano – None

13. Announcements
None

14. Closed Executive Session in Accordance with the Open Meetings Act, Tex. Gov’t Code § 511.071, § 551.072 and § 551.074.

OPEN MEETING:

15. Discussion and action on any items discussed in Executive Session

16. Adjournment

Being no further business meeting adjourned at 9:10 pm

PASSED AND APPROVED THIS _____ DAY OF _____, 2009

Reatta Minshew, City Secretary