

A regular meeting of the City Council was held at City Hall on Tuesday, November 20, 2007

**1. Call To Order**

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

**2. Invocation**

Invocation was given by Charlie Stevenson

**3. Roll Call**

Council present: Mayor Larry Piper, Gary Coker, Thomas Lemon, Neal Bess Jr., Rodney Weems, 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

**4. Pledge of Allegiance**

Pledge of Allegiance was recited.

**5. Presentations by Citizens - Mike Nixon – Spoke about himself; he is the new EMS Director for Sweeny Hospital District.**

Boy Scout Troop 561

Visitors: Al Lindley, Toby Reifel, Chris Lattie, Patricia Parrinello, Frank Lawrence, Kolton Crouch, David Mikel, Daniel Mikel, Debbie Ward, Doug and Tammy Issacs, Bryce Larson, Pake Fortenberry, Debra Fortenberry, Billy Holland

**6. Consent Items**

**A. Approval of Minutes - October 16, 2007**

**B. Approval of Bills- \$24,477.63**

Rodney Weems made a motion to accept the consent items. Gary Coker seconded. All in favor; motion carried.

**7. Public Hearings**

None

**8. Fire Department Report**

Devin Lemon gave the Fire Department report. Total 23 calls; 10- auto accidents, 1 -false alarm, 3 - life flight assist, 3- car fires, 1 - gas leak, 2 - grass fires, 2- mutual aid to other departments, 1- grease fire. They had three firefighter's and one instructor to Katy Extrication. The Fire Marshall attended State Fire Marshall's Training Conference in Austin. Roster is 25 with one application pending. December 1<sup>st</sup> will be Breakfast with Santa as well as Christmas in the Park. December 7<sup>th</sup> will be Teen Drinking and Driving Presentation at the High School.

## **9. Old Business**

### **A. Smoking Ban Ordinance/ Neal Bess Jr.**

Charlie Stevenson read the Ordinance. Neal Bess made a motion to accept the Smoking Ban Ordinance as read effective January 1, 2008. Thomas Lemon seconded. All in favor; motion carried.

### **B. Appoint Planning and Zoning Board of Adjustments**

Discussion was made. Three residents volunteered for the position: Danny Sheffield, Rodney Weems, and Frank Lawrence. Still need two more members. Rodney Weems made a motion to table until next meeting. Neal Bess seconded. All in favor; motion carried.

### **C. Drainage / Stevenson Slough**

Discussion made; Homer spoke with Jason from the County; they will be starting after Thanksgiving Holiday. We will look into E. Ashley Wilson to Stevenson Slough drainage. No action taken.

### **D. Joint Venture with Drainage District**

Tim Moss stated he spoke with Tim Pike; since the election the Drainage District is requesting to table until January 2008. Neal Bess made a motion to table the Joint Venture with Drainage District until January 2008. Gary Coker seconded. All in favor; motion carried.

### **E. City Ordinance on Junked Vehicles / Billy Holland**

Mayor Piper discussed the Ordinance. Discussion was made. Rodney Weems made the motion to amend the ordinance stating that the mechanic has to be ASE Certified or show \$50,000.00 in auto part sales for 2007. Motion died lack of second. Neal Bess made a motion to keep the ordinance as is. Gary Coker seconded. Four in favor; Rodney Weems abstained. Motion carried.

## **10. New Business**

### **A. Video Tape Council Meetings / Neal Bess**

Neal Bess spoke. Discussion made. Neal Bess made a motion to contact Mid-Gulf Coast Cable to get the equipment to tape our Council meetings. Linda Diaz seconded. Two in favor; 3 opposed; motion failed.

### **B. Sell of "In Trust" Property / Neal Bess**

Neal Bess spoke. Discussion made. Neal Bess made a motion to place signs on the property for sale to contact City Manager for bids. Gary Coker seconded. All in favor; motion carried.

### **C. Request Regulating Businesses with Occupancy Permits / Devin Lemon**

Devin spoke about the importance of all businesses having these permits and being up to code. Discussion made. Rodney Weems made a motion to amend the Zoning Ordinance

Sec. 110-12 Certificate of occupancy; (a) change the last sentence to include fire officials. And; same section (b) to state the business owner to display certificate of occupancy. Gary Coker seconded. All in favor; motion carried.

**D. Brazoria County Appraisal District Board of Directors**

Mayor Piper spoke. The City of Sweeny has nine votes. Neal Bess made a motion to cast all nine votes for Thomas Lemon. Rodney Weems seconded. All in favor; motion carried.

**E. Variance for Survey / Harvey Land**

Harvey Land was unable to attend. Gary Coker made a motion to table variance for survey until December next meeting. Rodney Weems seconded. All in favor; motion carried.

**F. Variance for Set Back Requirements at 3<sup>rd</sup> and Pecan / S. E. Roofing**

Discussion made. S. E. Roofing unable to attend. Neal Bess made a motion to table until December meeting. Thomas Lemon seconded. All in favor; motion carried.

**G. New Business / Patricia Parrinello**

Ms. Parrinello spoke. Discussion made. Neal Bess made a motion to table until December meeting. Gary Coker seconded. All in favor; motion carried.

**H. Variance on Carport / Colby Lawrence**

Mr. Lawrence spoke. Carport located at Second and Meador. Discussion made. Rodney Weems made a motion to amend the Zoning Ordinance - Sec. 110-69.2 R-2B side street setback to ten (10) feet; provided that it is not on a major street; and structure in question is at least 60 feet from center line of the front of property. Neal Bess seconded. All in favor. Motion carried.

**I. Convert Garage / John Saucerman**

Mr. Saucerman's daughter Kathy spoke. They are requesting to convert their carport to a garage. Discussion made. Since previous item's motion carried to change the ordinance, no action needed.

**J. Review Flood Hazard Ordinance / Tim Moss**

Tim Moss spoke. Discussion made. Rodney Weems made a motion to table the Flood Hazard Ordinance until December meeting. Neal Bess seconded. All in favor; motion carried.

**11. Reports of Advisory Boards & Commissions**

None

**12. Mayor, Council and Staff Reports**

**Gary Coker** – None

**Thomas Lemon** – None

**Neal Bess** – Read a Thank you from the resident at Sixth and Sycamore.

**Mayor** – Happy Thanksgiving  
**Rodney Weems** – None  
**Linda Diaz** – None  
**Tim Moss** – None  
**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. To Discuss: PERSONNEL**

**OPEN MEETING:**

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

Meeting closed at 8:40 PM. Meeting reopened at 9:41 PM. No action taken.

**16. Adjournment**

Being no further business meeting adjourned at 9:41 PM

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2007**

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**Reatta Minshew, City Secretary**