

A public hearing and regular meeting of the City Council was held at City Hall on July 17, 2012 at 7:00 p.m.

1. Call to Order

Mayor Kenneth Lott called the meeting to order.

2. Roll Call

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

3. Invocation

The invocation was given by Charlie Stevenson.

4. Pledge of Allegiance

Pledge was lead by councilman James Wise.

5. Presentation of Citizens:

Rita McMillian addressed the council in regards to the sidewalks. She would like to see the funds that is set aside for sidewalks, be used for just that, sidewalks.

Visitors: Tyler Mays, Dennis Mays, Kyle McDonald, Kasey Martin, Brandi Martin, Russell Hammond, Sandy Hammond, Olga Schulte, Rita McMillan, Teresa Holland, P.J. Nelson.

6. Consent Items

A. Approval of Minutes: June 19, 2012

Dale Lemon made a motion to approve the minutes of June 19, 2012. James Wise seconded. All were in favor. Motion carried.

B. Approval of Bills - \$18,657.31

Ray Bailey made a motion to approve the bills in the amount of \$18,657.31 Dale Lemon seconded. All were in favor. Motion carried.

7. Public Hearings

Consumer Confidence Report

8. Fire Department Report

Tim Webb gave the report.

9. Old Business

A. Update on Water System

Cindy King addressed the council and said Water Wells #1,3 and 4 are in distribution. The Hackberry Water Tower, it should be painted by next Monday.

Also, Hydro-Tech is here in Sweeny working on Fire Hydrants that do not work. No action.

B. Discuss \$3.00 Sidewalk Fee on Utility Bills

Ray Bailey approached the council about the three dollars that is hidden, in his opinion, under the garbage cost on the city bill. Mr. Bailey wants the \$3.00 fee to be volunteer, like we do the fire department donations and the infrastructure donations. He said we are in a big hurt right now for water and there is quite a bit of money in that account. He said he doesn't want to raise taxes either, if we don't have to. Mr. Bailey would like to see the money moved from the sidewalk fund and put into an infrastructure account. The council can make a decision in a budget workshop on what to do with the money, about \$150,000.00.

Ray Bailey made a motion to move \$3.00 out of the garbage fee and make it a volunteer donation. Dale Lemon seconded. James Wise voted yea. Pat Moss voted nay.

C. Discuss / Approve use of Tower and Building Located on City Property at the end of Shari Lane.

Lee Vaughan addressed the council and would like to have a contract drawn up to use the tower and property at the end of Shari Lane for his wireless internet business to get bandwidth from Windstream and get it to his customers. Mr. Vaughan would like a trial period to see if this is going to work, and if it does he would love to purchase the tower and little dog house from the City of Sweeny.

Dale Lemon made a motion to approve Cindy King and Mr. Vaughan come to an agreement and draw up a contract. Ray Bailey seconded.

D. Discuss / Approve Time Frame for Residents on FM 1459 for Sewer Hook-up.

Mayor Lott discussed that the utilities are ready on FM 1459 for the public to hook into. Cindy said we need to discuss a time frame they have to hook up with the city.

Dale Lemon made a motion to give the residents a choice of "anytime". James Wise seconded. All were in favor. Motion carried.

10. New Business

A. Public Hearing: Removal of Vehicles at 109 E. Second /Teresa Holland

Teresa Holland addressed the council and asked for more time to move the rest of the cars off the property at 109. E. Second. Ray Bailey made a motion to let Teresa Holland have until Aug. 1st, 2012 to get the rest of the cars off the property. Dale Lemon seconded. All were in favor. Motion carried.

B. Water Hydrants / Sandy Hammond

Sandy Hammond, owner of the Bulldog Cafe', addressed the council with a few questions about the hydrants in town. 1. " What procedures were in place for the fire hydrants before June 10, 2012. 2. What documentation does the city have on when the last time the two hydrants in front of my business were last touched, or maintained, or whatever you do to hydrants to make sure they are working properly, on June 10, 2012, I lost my business to a fire." Councilman James Wise stated that we do not have any written documentation. We do have a maintenance program where we flush the hydrants. We have hired a company to get all the hydrants in town working properly and on a computerized maintenance program. There was much discussion. Councilman Bailey said we apologized for the situation and will try to make it better. We are not neglecting the situation, we have hired they hydrant company and they are working on them. NO ACTION.

C. Approve Proposed Change to Zoning Ordinance

Cindy King addressed the council that this proposal would mean that a single family dwelling could build a home in the commercial C-1 zone.

James Wise made a motion to approve the change to the zoning ordinance. Dale Lemon seconded. Ray Bailey voted nay. Pat Moss voted nay. Mayor Lott voted to break the tie, with yes. Motion carried.

D. Approve Consumer Confidence Report

Ray Bailey made a motion to accept the Consumer Confidence Report. James Wise seconded. All were in favor. Motion carried.

E. Discuss / Approve Hometown Hero

Cindy addressed the council that is was discussed last month. Hometown Hero's is a 2 foot banner with a picture of a veteran (past or present) on it. The City of Sweeny would be in charge of hanging them on the light poles and storing them from Veterans Day through Memorial Day. They would fly from Memorial Day to Veterans Day and then go into storage.

Dale Lemon made a motion to approve the "city's" part in the Hometown Hero's Program. Pat Moss seconded. All were in favor. Motion carried.

F. Approve Tax Sale / Block 1, Lot 47

Lyndon Mayberry has put in a bid of \$818.00 on property held in trust be the county on Harlem Street. Ray Bailey made a motion to approve the tax sale to Mr. Mayberry. James Wise seconded. All were in favor. Motion carried.

G. Discuss Use of Community Center by Council / Employees - Ray Bailey

Ray Bailey addressed the council about the use of the community center by the city council members. The policy states it must be for a family function and that the council member or employee must be there. Mr. Bailey would like to have at

least one time a year were the council member could use it for whatever they wanted. They must pay the \$75.00 for clean up.

Ray Bailey made a motion to let the council members use the Community Center one time a year, for whatever they want and they don't have to be there. Dale Lemon seconded. All were in favor. Motion carried.

H. Discuss Property Located at 1002 Brockman

This property is vacant and needs mowing. We sent letters trying to find the owner. Charlie Stevenson found the owner to be Elisabeth Cole. Her attorney told Charlie over the phone that she would like to "gift" this to the city if we paid the liens. There are currently three liens and two Abstract of Judgment's filed against it in amounts over \$6,033,044.00. Charlie suggested our tax attorney file suit against this property so a new title can begin. Ray Bailey made a motion to reject the donation. Dale Lemon seconded. All were in favor. Motion carried.

I. Discuss Swimming Pool Ordinance

Cindy King stated that we discussed this last year about, we said we would follow the International Building Code. We didn't know what amount to fine them. Also it states that a 4 foot pool with a detachable ladder didn't have to have a fence around it as long as the ladder is securely put away. Cindy would like all pools, 24 inches or more to have a fence around it.

Ray Bailey made a motion to give Charlie Stevenson authority to draw up an ordinance for pools over 2 feet, and must have a gate. Pat Moss seconded. All were in favor. Motion carried.

J. Approve Nomination of Cindy King for TML IEBP Board

Dale Lemon made a motion to approve nomination of Cindy King for TML IEBP Board. Ray Bailey seconded. All were in favor. Motion carried.

K. Discuss Change in Council Meeting Time

Dale Lemon stated he would like to ask and see if everyone would like to meet earlier. He and Gary Coker were the only council that held jobs and they could get here by 6 p.m. Dale Lemon made a motion to change the council meeting time to 6 p.m. Pat Moss seconded. All were in favor. Motion carried.

L. Set Date for Next Budget Workshop

As soon as Cindy gets tax info from Ro'Vin Garrett, she will set next budget workshop.

11. MAYOR, COUNCIL AND STAFF REPORTS

12. CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT TEX. GOV'T CODE §511.071 §551.072 AND §551.074. 8:25 p.m.

TO DISCUSS: Deliberation Regarding Economic Development

OPEN MEETING

- 13. DISCUSSION AND ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION. NO ACTION**

- 14. ADJOURNMENT**

There being no further business the meeting adjourned at 8:45 p.m.

PASSED AND APPROVED THIS _____ DAY OF _____ 2012

Reatta Minshew, City Secretary