

A regular meeting and public hearing of the City Council was held at City Hall on Tuesday, December 16, 2008.

**1. Call To Order**

Mayor Weems 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: Mayor Pro-Tem Gary Coker, Neal Bess Jr., Ray Bailey, and Linda Diaz.  
Absent: Thomas Lemon

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 Charlie Stevenson

**4. Pledge of Allegiance**

Pledge of Allegiance was recited.

**5. Presentations by Citizens -**

Visitors: Frank Lawrence, Gary Lindsey, Frances Jammer, and Ronald Lynn

**6. Consent Items**

**A. Approval of Minutes -** November 18, 2008

**B. Approval of Bills-** \$15,470.47

Ray Bailey questioned bills – Income statement regarding Library / Community Center \$14,000.00 for carpet. Explanation was given – this was done in last fiscal year; however; payment was made in current fiscal year. Will get corrected for future reference. Neal Bess made a motion to approve the consent items as noted. Gary Coker seconded. All in favor; motion carried.

**7. Public Hearings**

**A. Planning and Zoning**

7:07 pm Public Hearing opened. Tim Moss spoke. Proposed change: Sec. 110-8 Non-conforming uses. (4) Rebuilt after damage exceeding 51% of its fair sales value immediately prior to damage. Except for existing residential homes in the commercial zones on Second and Main St. they are able to rebuild. Public Hearing closed at 7:12pm.

**8. Fire Department Report**

Craig King gave the Fire Department report. Total calls 21; Christmas in the Park was a success. And we have adopted 3 families to help out this Christmas. Current Roster 22.

**9. Old Business**

**A. Contact other Entities for Critique and Discussion of Hurricane Ike and Future Events / Neal Bess**

Neal Bess made a motion to table this agenda item until January. Gary Coker seconded. All in favor; motion carried.

**B. Consider Chamber of Commerce Membership /Tim Moss**

Discussion made. Neal Bess made a motion to pay the Chamber of Commerce Membership of \$150.00. Ray Bailey seconded. All in favor; motion carried.

**C. Commercial Utility Deposit Review / Tim Moss**

Tim Moss stated after further research our commercial utility deposits were in line with surrounding cities. No Action Taken

**D. SEDC – New Members**

There were four applications for the SEDC Board. Ray Bailey stated SEDC would like to nominate James Wise. Ray Bailey made a motion to appoint James Wise to the SEDC Board of Directors to fill the one vacancy as voted by SEDC. Gary Coker seconded. All in favor; motion carried.

**10. New Business**

**A. Action on Public Hearing**

Gary Coker made a motion to approve the changes as discussed in the public hearing. (Proposed change: Sec. 110-8 Nonconforming uses. (4) Rebuilt after damage exceeding 51% of its fair sales value immediately prior to damage. Except for existing residential homes in the commercial zones on Second and Main St. they are able to rebuild.) Neal Bess seconded. All in favor; motion carried.

**B. Consider Amending Alcohol Ordinance / Neal Bess**

Discussion made as to amend Alcohol Ordinance to add distance information in regards to a school or church from an establishment that sells alcohol. No Action Taken

**C. Consider Denial of Texas New Mexico Power’s Request for an Increase in Rates**

Tim Moss explained the resolution. Ray Bailey made a motion to vote in favor of Resolution 101-09; we the City of Sweeny, Texas, deny the rate increase proposed by Texas Mexico Power Company. Neal Bess seconded. All in favor; motion carried.

**D. Infrastructure Donation, Consider adding to Everyone’s Bill / Ray Bailey**

Ray Bailey requested to put the infrastructure donation on everyone’s bill; and let them choose if they would like to have it removed from their bill. Discussion made. Request made to do advertising in relation. No Action Taken.

**E. Letter to Small City Mayors/ Mayor Weems**

Mayor Weems discussed his letter he will be sending out to other cities in Texas that have a population of 7,500 or less. No Action Taken.

**F. Veteran's Day Parade 2009 / Mayor Weems**

The Brazoria County Veteran's Day Parade Committee has extended an invitation for Sweeney to host the parade in 2009. Discussion made. Neal Bess made a motion to accept the invitation to host the Brazoria County Veteran's Day Parade in 2009. Ray Bailey seconded. All in favor; motion carried.

**G. BCCA Meeting in January / Mayor Weems**

Sweeney will be hosting the BCCA on January 21, 2009. The meeting will be held at the Community Center. Conoco Phillips / Chevron Phillips and the Sweeney Lion's Club will be helping with this event. No Action Taken.

**H. SEDC Oversight / Reporting Issues / Mayor Weems**

Ray Bailey stated his concerns on the reports being done regarding SEDC meetings. Discussion made on minutes of last meeting and motion that was made by Mr. Bess. Discussion was made of how to handle the reports from SEDC meetings. Neal Bess did not want to rescind his motion from the November meeting. Gary Coker made a motion to table this agenda item until next month. Linda Diaz seconded. All in favor; motion carried.

**I. Line Item Budgeting / Mayor Weems**

No Action Taken

**J. Approve 2009 Holidays**

Gary Coker made a motion to approve the 2009 holiday schedule. Neal Bess seconded. All in favor; motion carried.

**K. Easement on Zoning Ordinance**

Discussion on residents placing fences, portable buildings, etc. over utility easement. Neal Bess made a motion to have the Planning and Zoning Board of Commissioners to discuss. Gary Coker seconded. All in favor; motion carried.

**L. Accept Resignations on Planning and Zoning Board**

Barry Crowder sent a letter of resignation he is working out of Country. Neal Bess made a motion to accept Barry Crowder's resignation from the Planning and Zoning Board of Commissioners. Ray Bailey seconded. All in favor, motion carried.

**M. Request for Variance / Gary Lindsey**

Mr. Lindsey whom lives at the corner of 7<sup>th</sup> and Walnut has requested variance for driveway. Mr. Lindsey would like to connect his driveway to his neighbor's driveway; as to not have a two foot gap between he and his neighbor. Discussion was made. Mr. Lindsey would be responsible for costs of setting culverts. Ray Bailey made a motion to grant the requested variance for Gary Lindsey; that he could use the grated culverts to close the gap between he and his neighbor's driveways. Gary Coker seconded. All in favor; motion carried.

**N. Request to Purchase a Backhoe /Tim Moss**

Tim Moss spoke. The purchase of the backhoe was approved in the budget for this fiscal

year. Neal Bess made a motion to give Tim Moss permission to purchase the backhoe. Gary Coker seconded. All in favor; motion carried.

**O. Discuss and Approve Grant for Hurricane Shutters on Sr's Building / Tim Moss**

Tim Moss discussed the grant we had received from FEMA to place shutters on the Sr's Building. The grant is not for 100% the City would have to pay 25%; the City's portion for the shutters would be approximately \$4,400.00. This monies would come out of an overage that is in the Sr's Building Fund. Gary Coker made a motion to approve the grant for hurricane shutter's on the Sr's Building. Neal Bess seconded. All in favor; motion carried.

**P. Required / Requested City Employee Training Remainder of Current Fiscal Year / Mayor Weems**

No Action Taken

**Q. Revisit SEDC Reporting by City Clerk / Ray Bailey**

This agenda item was discussed along with agenda item H.

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

None

**12 Mayor, Council and Staff Reports**

**Mayor Weems** – Dennis Bonnen will be having a meeting with City / Council on Jan. 9<sup>th</sup> at Brazosport College.

**Gary Coker** – None

**Thomas Lemon** – Absent.

**Neal Bess** – Praised Chief of Police for work. Questioned resurfacing railroad property (SEDC project).

**Ray Bailey** – Made notes on street that needed repairs; given to Mr. Moss, Mr. Bess, and Mr. Coker.

**Linda Diaz** – None

**Tim Moss** – Construction on the FM 1459 water extension will begin tomorrow. FEMA debris removal paperwork has been submitted for approximately \$123,000.00; emergency funds portion for FEMA will be submitted in the near future. We have applied for a 6 million dollar grant. Repairs on water tower on Hackberry will be done on Thursday.

**Chief Stroud** – County will be bringing dirt from our drainage project to place on gun range.

**Homer Toscano** – County working on drainage in town.

**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:**

**OPEN MEETING:**

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

**16. Adjournment**

Being no further business meeting adjourned at 9:15 PM

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2008**

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**Reatta Minshew, City Secretary**