

A regular meeting of the City Council was held at City Hall on Tuesday, February 21, 2006.

1. CALL TO ORDER

Mayor Piper called the meeting to order.

2. ROLL CALL

Council present: Mayor Larry Piper, Rita McMillan, Donna Bailey, Gary Coker and Larry Borders, Ken McConnell.

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

3. INVOCATION

Invocation was given.

4. PLEDGE OF ALLEGIANCE

Pledge of allegiance was recited.

5 WELCOME OF VISITORS

Visitors present: Frank Lawrence, Betty Herring, Wallace Ladwig.

6. Wallace Ladwig Owner of My Cousin's Restaurant

Mr. Ladwig stated that they have moved to a new location, and have done some remodeling to the building and have enclosed the former residence into the restaurant, they have had several people come thru to make sure that they are in compliance with the issues, they have added emergency exits to all the rooms, lighted exit signs, smoke alarms, as they remodeled they kept some of the existing sheet-rock, and replaced as needed. When we finished the floating and taping and were about to texture, we were notified that we had to have 5/8" thickness on the sheet-rock, and we only have 1/2". This would be a costly improvement to the project. Mr. Ladwig stated that they only have access to gas for the water heater and furnace. He requested a variance, on the sheet-rock thickness from the council. Mr. Ladwig stated that he has tried to be in compliance with the city. Mayor Piper stated that since this was not an agenda and that no action can be taken. Mr Ladwig understood, and will try to get this on the agenda for next council meeting.

7. APPROVAL OF MINUTES

Rita McMillan made a motion to approve the minutes as recorded. Donna Bailey made note that we did not have the amount of the SEDC grant \$11,800.00 added to New Business Section C, of January's minutes. Rita McMillan made motion to approve minutes as corrected. Larry Borders seconded the motion. All were in favor; motion carried.

8. APPROVAL OF BILLS

Gary Coker made a motion to pay the bills in the amount of \$32,502.53. Ken McConnell seconded the motion. All were in favor; motion carried.

9. FIRE DEPARTMENT REPORT

Tim Moss stated that Roger Barton had personal business to take care of. Devin Lemon and Craig King had to work. Roger stated to Tim that if anyone had any questions to please contact him.

10. OLD BUSINESS

A. Kathy Goodwin / Mass Transportation

Ms. Goodwin stated that she has spoken with Mayor and Tim regarding Mass Transportation. Ms. Goodwin stated the main concern for most cities is the five (5) year commitment. She also stated that HGAC (Houston Galveston Area Council) only want approval from the cities that they will give mass transportation a chance, knowing that they or HGAC can back out at any time. Ms. Goodwin has been asked by HGAC to give a five (5) year budget. The first year HGAC would fund 75%, the second and third years they will fund 50%, the fourth and fifth years would be funded by grants. Ms. Goodwin stated she will be talking to Lake Jackson and Pearland next month; and Angleton next week. Ms. Goodwin stated that all the above cities seems to be interested in this, and that they have stated it was great idea. To help the funding HGAC has asked for cities to pay \$1.00 per citizen. Ms. Goodwin kept stressing that HGAC wanted a five (5) year budget, that is due in May. She also stated that HGAC wanted to know what each cities would contribute each year; to offset what they are going to contribute. Gary Coker questioned what services would be offered and where the buses would be coming from. Ms. Goodwin stated that the buses would be first class and new. She also stated that at this time they do not have routes, because they are not sure what cities want to participate. Mr. Coker wanted to know if this service would be self-sustained. Ms. Goodwin stated yes, it should be self-sustained by year four (4). Tim Moss stated that to clarify HGAC's portion would be paid by year four (4); but what about the city's portion. Ms. Goodwin stated that they city would need to continue to make a contributions year after year. Ms. Goodwin stated that no government grant would be for 100%, the cities have to match whatever the grant would be for. Donna Bailey questioned if they have received

donations from the government or other organizations. Ms. Goodwin stated that the Brazoria County United Way has made a donation. Ms. Goodwin stated that we could have service in our area as early as August 1, 2006. Gary Coker asked what type of decisions as a city do we need to do. Ms. Goodwin stated she would have someone from the cities on the board to help decide the routes and times. This is a non-profit organization. Ms. Goodwin stated that they have opted to let the cities construct their own facilities for the pick-ups; but, advised that there are grants to help with construction. They are proposing routes Monday thru Friday 5:00 AM - 10:00 PM, Saturday 10:00 AM - 10:00 PM. They are also in talks with Metro for Houston, as well as Galveston to work together. Charlie Stevenson stated that since we are matching contributions we need some sort of contract. Ms. Goodwin stated that just needs approval from council stating that they want Mass Transit. Ms. Goodwin stated that she would need our contribution when services begin. Ms. Goodwin also stated she had already started doing surveys in town as to what the citizens want. Donna Bailey made a motion for a letter of intent stating that the city of Sweeny is interested in Mass Transportation proposed by Ms. Goodwin. The city will commit to \$1.00 per person per year, payable in annual increments. The city will have the option to back out if the enterprise does not go forward. Routes have to be approved and a contract will be made; prior to money changing hands. All the before mentioned is subject to approval from HGAC. Gary Coker seconded. All in favor; motion carried. Ms. Goodwin stated that if the city had any questions please contact her 979-824-2565. Gary Coker stated he does want to see the results of the survey. Ms. Goodwin stated that they would be completed later this week, and get us a copy.

B. Sewer Project on Mac Drive

Tim Moss stated that there has been some preliminary engineering and are collecting bids to replace the main lines, up to the property lines on Mac Dr., Hammond Loop, and the Elm St. area of Mac Ct. Tim stated that he had a video tape if anyone wants to see it, but there are a few places, for example, a house on Early St. where there are fences and garden sheds, etc. that are in the easement; there are extra costs if the contractor has to move them or go around these types of things. Tim questioned the council on their thoughts on having the property owners be responsible for moving structures from the easement lines. Discussion was made. Larry Borders made a motion to give Tim Moss the authority to proceed, and to take whatever action in necessary. Ken McConnell seconded. All in favor; motion carried.

11. NEW BUSINESS

A. Call 2006 City Election - May 13, 2006

Charlie Stevenson read the ordinance of the City of Sweeny, Texas ordering that the general election be held in and through the City of Sweeny, Texas, for the purpose of

electing certain city officials to office for a term of two years: providing for notice of such election: designating polling places: naming election officials: providing for the filing of candidates for office: providing other provisions relative thereto. This ordinance is in regards to the City elections on May 13, 2006. Council positions One (1), Three (3), and Five (5), and Municipal Judge are due for election. Donna Bailey made a motion to accept the ordinance for the May 13, 2006 elections. Gary Coker seconded. All in favor; motion carried.

B. Resolution to Hold Joint Election and Approval of New Voting Systems

Charlie Stevenson read the resolution as follows: A resolution of the City Council of the City of Sweeny, Texas, authorizing the Mayor of the City of Sweeny, Texas or his nominee to enter into an agreement with all political subdivisions, the Sweeny Independent School District, Sweeny Hospital District and any other district or governmental entity to hold joint elections on May 13th 2006, between 7:00 AM and 7:00 PM; suggesting the names of election officials, fixing a polling place, and agreeing upon each political entity sharing the expenses of the election and the amount of expenses to be paid by the City of Sweeny, Texas; and determining that the city shall conduct all its early voting by having early voters cast their votes with the City Secretary. Donna Bailey made a motion to pass the resolution as read. Rita McMillan seconded. All in favor; motion carried.

C. G. H. Robbins / Annexation

Mr. Robbins stated that he has recently purchased a house at 9401 FM 1459, outside of Sweeny city limits. Mr. Robbins requested to be annexed so that he could get sewer service to the residence. Mr. Robbins stated that in talking with Tim Moss he understands that there is 375' from the existing trunk line to his property line. Mr. Robbins asked the Council to consider the annexation and to also consider helping with the costs of running the sewer lines to his property. Mr. Robbins stated they do not have an actual cost of the extension. Tim Moss stated that the resident does already have city gas and water at his residence. Mr. Moss also stated that he has spoke with O'Malley Engineers and they have given us an estimate. The only major problem with the sewer lines would be HillCorp's pipeline between Mr. Robbins property and Rural Lane. The estimate we received from O'Malley would be a 15" PVC line along Rural Lane with a man hole, then running a 12" line down FM 1459 – for the 12" it would be around \$40.00 per foot; and per our subdivision ordinance the utilities should extend 100". The main concern is the pipeline at this time. Gary Coker questioned that if we did decide to annex this area in the future, this would need to be done anyway. Tim Moss agreed. Discussion was made. Donna Bailey made a motion for a tentative approval contingent on the investigation of the cost. Gary Coker seconded. All in favor; motion carried. Charlie Stevenson stated that if they do go forward with the annexation they will need a written letter requesting the annexation with the legal description of property.

D. Closing of City Hall for Election Training

Tim Moss stated that things have changed this election year, and that the office employees of City Hall have to take an four (4) hour training class on the new voting systems. Tim Moss suggested that all the employees take the class at the same time and to close City Hall for either for the morning or afternoon. Reatta stated there is not a date at this time for the classes, they are going to schedule the classes the latter part of April. Donna Bailey made a motion that City Hall closes for a ½ day for election training; this closure will be advertised. Larry Borders seconded. All in favor; motion carried.

E. Appoint Citizen Panel to review Garbage and Heavy Trash requirements

Tim Moss stated that IESI has given notice that they do not wish to renew our contract in August 2006. They are stating under the current economic conditions they are not making any money on our contract. They have stated they would like to rebid our contract, but at this time did not have a dollar amount. Tim has talked with Stan Wik who used to work with IESI and Waste Management to get some input. Tim has also spoke with Steve at Public Waste, and Gary Bullard with Waste Management, both are interested in giving bids. Tim also stated he has been looking into the price of the trucks, labor, gas, etc. He has also talked with HGAC about a transfer facility to move trash and brush from here to another location. Tim stated he has also looked into either picking up trash once a week or even having carts to put trash into and have someone pick up the cart. He stated that there are a lot of options to look at. Gary Coker asked why has IESI decided to not renew our contract, but they want to rebid. Discussion was made. Tim Moss stated that he has talked to Leo Finley about this and he would be glad to be on the panel. Donna Bailey stated she would like to see a repeat offender of heavy trash, be on the citizen panel. Tim would like to have something done by May so that we can get bids in May. Donna Bailey suggested that Vera Ross be on the panel also; and maybe one other person. Rita McMillan stated someone from the school district like Alan Shoppe would be a good idea. Mayor asked for a motion from the council, for Tim Moss to put together a citizens panel. Rita McMillan made a motion for Tim Moss the have the lea way to appoint a citizen's panel to review the garbage and heavy trash requirements. Gary Coker seconded. All in favor; motion carried.

F. Require citizens to have dumpster or roll off containers for remodeling; demolition or construction

Tim Moss stated that our heavy trash pick-up contract is only for brush, old appliances, and etc. it is not for construction materials. IESI does at times pick-up construction material at an extra cost. Tim Moss has asked council to consider that if we are issuing a building permit, that they also have some sort of trash removal arrangements. Discussion was made. Larry Borders made a motion to put a signature line on building permits that show that they have a way to remove debris. Rita McMillan seconded. All in favor; motion carried.

G. Discuss warrant issues and records

Tim Moss stated he spoke with Tammy Odom on Friday, about collecting for fines. Tammy went to a school regarding the same information on Friday, and came in today and talked with Tim. Tammy told Tim that there is a process via email, you can send in a report if someone does not take care of their tickets or fines, when they try to renew their drivers license it will put up a red flag; and they would need to take care of the outstanding issues prior to renewing their drivers license. The City of Clute uses this system and they have found it very helpful. Tammy did not know at this time if it could be used in conjunction with the renewal of your car registration. Tim also mentioned a grant for software that Tammy got last year, supports this program. There is no cost to join the program. Tim mentioned to Charlie Stevenson that there is a contract, and would like Mr. Stevenson to look over prior to us joining. Tim also stated he spoke with Tammy and Chief Stroud regarding when a ticket is issued by our police department, he would like to have the number of tickets written. Then when those people are seen in court he wants records of those seen and action taken in regards to the tickets issued. Tim would also like a three (3) month report for council. Rita McMillan made a motion to give the authorization to adopt the Omni Program concerning fines in the City. Gary Coker seconded. All in favor; motion carried. Rita McMillan also made a motion to set up a system when tickets are issued, the number of tickets will be recorded and given to City Hall, and that Tammy will record the disposition of those tickets, and keep a report. Donna Bailey seconded. All in favor; motion carried.

H. Hire part-time employee to install sidewalks and curbs for Senior Center

Tim Moss stated that the Senior Citizen building is complete and we should take possession this later this week. However, we are going to have sidewalks, curbs, and paved parking. The asphalt will be coming from our interlocal agreement with the county. Tim would like to have the council's permission to hire a part-time employee to pour the concrete; like we did for our sidewalks in town. We have the funds to do this with the grant money; and Tim feels that if we hire someone part-time it would be less expensive. Larry Borders made a motion for the City of Sweeny to hire the part-time employees to install the sidewalks and curbs at the Senior Citizen's Center. Gary Coker seconded. All in favor; motion carried.

12. Mayor, Council and Staff Reports

Mayor Piper reported that he received a card from Exa Mae Keller addressed to the Mayor, City Manager, and Council. Thanking all for a nice raise on her retirement. Also, Mayor mentioned that in Council packets was enclosed a newspaper article; it mentioned that in Rosenberg/Richmond they are going to start towing vehicles that are ticketed and do not have insurance. Mayor would like all to read and possibly bring back up at a later date. Discussion was made. Mayor also mentioned that the Masonic Lodge is having a Chicken Fried Steak dinner March 8, 2006 11-1 PM. Mayor Piper did also

mention about Sweeny Fire and Rescue's grant from the Forestry Service for \$108,000.00; it will be used to purchase a new pumper truck.

Rita McMillan stated that Ms. Betty Herring was elected Woman of the Year at the Willing Workers of America Banquet. Also, mentioned that she will not be at next months' meeting, she will be in China.

Donna Bailey wanted to know who all would be able to attend the Planning and Zoning Workshop; all would be able to attend except Larry Borders.

Tim Moss gave report on Life Check Pharmacy; they should be getting started any day now. Seniors Citizen's Building; we hope to take possession anytime now, we are waiting on the certificate of completion. Tim also spoke about the sidewalks at City Hall, we are in process of repairing them. Tim also mentioned the Gajewsky bill in Council packets; this is for gas meters, we are in process of changing out a lot of older gas meters.

John Taylor reported on the Rotary Building; he stated all the plans have been made, and that they are waiting on one item.

Larry Borders wanted to thank Chief Stroud for contacting everyone in regards to the incident that happened earlier this month. Also, Little League is having a raffle, they will be raffling off a Arctic Cat 4 wheeler, Remington Rifle, and a salt water fishing pole.

Gary Stroud mentioned that Officer Jim Bills is out due to shoulder surgery; he will be out 4-6 weeks. Also, he will be receiving a grant from the Homeland Security thru Brazoria County. It will be for a radio to help him to communicate better with others; to be installed in the fall.

13. Adjournment

There being no further business, the meeting adjourned at 8:46 PM.

PASSED AND APPROVED THIS ____ DAY OF _____, 2006.

Reatta Minshew, City Secretary