

A regular meeting and public hearing of the City Council was held at City Hall on Tuesday, March 17, 2009.

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, Dale Lemon, 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 Charlie Stevenson

4. Pledge of Allegiance

Pledge of Allegiance was recited.

5. Presentations by Citizens -

Visitors: Frank Lawrence, Larry Moore, Ronald Lyn, Steve Carroll, Jacob Strother, John Corder, Gloria Harrison, Jim Alford, Claudia Garza, and Kenneth Lott.

6. Consent Items

A. Approval of Minutes - February 17, 2009

B. Approval of Bills- \$ 31,091.38

Ray Bailey questioned bills: AOC (Chlorine), G&S (Multiple plumbing and other items), Gajeski (Gas system supplies), O'Malley (Utility contract and TCEQ wastewater permit), Unique (Water system supplies), Brazoria PD (Jail services), City of Lake Jackson (Trash bags), MDN (water valves and meters)

Neal Bess made a motion to accept the consent items as read. Gary Coker seconded. All in favor; motion carried.

7. Public Hearings

None

8. Fire Department Report

No one present to give FD report. Neal Bess mentioned the new building at the Fire Field is almost complete.

9. Old Business

A. Request the City Council authorize the Building Official to require permits for Roofing Contractors and Tree Contractors prior to working inside the City Limits of Sweeny/ Tim Moss

Charlie Stevenson read the Ordinance. Discussion made. Neal Bess made a motion to accept the Ordinance as read. Ray Bailey seconded. All in favor; motion carried.

10. New Business

A. Sweeny ISD request school zones at the following locations / Alan Shoppe:

- 1. On 6th St. from FM 524 to Magnolia**
- 2. On Sycamore St. from 6th to Texas Ave**
- 3. On all of Texas Ave**
- 4. On Elm St from 6th to Ashley Wilson**
- 5. On Hackberry from 6th to Ashley Wilson**
- 6. On 6th St from Hackberry to FM 524**
- 7. On Ashley Wilson from Hackberry to FM 524**

Discussion made. No one present from Sweeny ISD. Neal Bess made a motion to table this agenda item until next month. Ray Bailey seconded. All in favor; motion carried.

B. Discuss the approval of placing a stop sign at 7th and Stevenson St / Jacob Strother

Jacob Strother spoke. He is opposed to the placement of a stop sign at 7th and Stevenson St. Mr. Strother has spoken with his neighbor (Mr. Nairn) that requested the sign; and they came to an agreement to not to request the sign. Mr. Moss also stated he has spoke Mr. Nairn and was also told he would pull his request. Ray Bailey made a motion to rescind the motion from February's meeting for a three way stop at 7th and Stevenson St. Neal Bess seconded. All in favor; motion carried.

C. Preliminary Approval to subdivide property on CR 409 / John Taylor

Jim Alford spoke. He is requesting to have a portion of land on the right side of CR 409 behind Rainbow Cemetery subdivided. A portion of this property will be used for the Rotary Building. This land is outside of the City Limits of Sweeny; but is within the ETJ. Neal Bess made a motion to give preliminary approval to subdivide the said property on CR 409. Gary Coker seconded. All in favor; motion carried.

D. Select O'Malley Engineers for TWDB Projects / Tim Moss

Tim Moss spoke. He would like O'Malley Engineers to do some preliminary work for TWDB projects. These projects would be for grants for water and wastewater. If we fail to get these grants the work would cease and contracts would be null and void. If we receive the grants the price for this work would be included. Gary Coker made a motion to select O'Malley Engineers for TWDB Projects. Linda Diaz seconded. All in favor; motion carried.

E. Proclamations Declaring April as "Fair Housing Month" / Tim Moss

Tim Moss spoke. He advised about Fair Housing Month. Neal Bess made a motion to

accept the proclamation declaring April as Fair Housing Month. Dale Lemon seconded. All in favor; motion carried.

F. Republic Waste Franchise Agreement

Steve Carroll from Republic Waste spoke. He stated that Republic Waste has purchased Allied Waste. The new name of the company that will be servicing our area will be Waste Connections. We would see no changes. Discussion made. Dale Lemon made a motion to accept the Republic Waste Franchise agreement. Neal Bess seconded. All in favor; motion carried.

G. Establish New Position at Court / Judge Jerry Phillips

Judge Phillips spoke. He requested to have Tammy Odom whom is our Deputy Court Clerk to be appointed as magistrate/ Associate Judge; at no extra monies unless she worked over regular hours. Discussion made. Ray Bailey made a motion to table this agenda item until next month. Gary Coker seconded. All in favor.

H. SEDC Grant for \$4,000.00 to Sweeny Youth Basketball Association

No one present from SEDC or Basketball Association. Mayor Weems spoke. Neal Bess made a motion to approve the SEDC grant for \$4,000.00 to Sweeny Youth Basketball Association. Ray Bailey seconded. All in favor; motion carried.

I. SEDC Grant for \$25,000 to the City of Sweeny to Pave the Leased Railroad Property

No one present from SEDC. Mayor Weems spoke. The grant monies would go towards paving a portion of property South and Southeast of Anderson Park. Ray Bailey made a motion to approve the SEDC grant for \$25,000.00 to the City of Sweeny to pave the leased railroad property. Motion dies for lack of second.

J. Consider Feasibility of Offering Online, Credit/Debit and Automatic Bank Drafts for Payment of City Services and Court Services / Mayor Weems

Mayor Weems spoke. Discussion made. Gary Coker made a motion to go forward with a study to consider feasibility of online, credit/debit and automatic bank drafts for payment of City services. Dale Lemon seconded. All in favor; motion carried.

K. Consider and Approve Certificate of Obligation for Street Repair / Tim Moss

Tim Moss spoke. He is requesting a Certificate of Obligation for street repair. The CO would be for \$600,000.00 over a 7 year period; or \$107,000.00 per year. This would repair all the streets in town with seal-coat; some would be one layer others that need more attention would have two layers applied. Discussion was made in regards to what if we receive grants that we have applied for. Tim stated that if the grants were received the cost for street repairs would be added into the contracts. Dale Lemon made a motion to approve go forward with a Certificate of Obligation for street repair. Gary Coker seconded. 4 in favor; 1 opposed (Ray Bailey). Motion carried.

11. Reports of Advisory Boards & Commissions

None

12. Mayor, Council and Staff Reports

Mayor Weems – See below

Gary Coker – None

Dale Lemon – Thanks to Tim Moss and Drainage District for help on cemetery.

Neal Bess –Thanks to Tim Moss and Drainage District for help on cemetery; also gave information on sales tax for Galveston; they are coming back.

Ray Bailey – Advised Council and audience why he opposed item K. It was not the same street repairs that were discussed in previous meetings.

Linda Diaz – None

Tim Moss –. Discussed work being done at the cemetery between Drainage District, HilCorp and City. TML gas survey we scored a 99%. We are currently working on the water wells and wastewater treatment plants.

Chief Stroud – None

Homer Toscano – None

Mayor Weems stated his concerns on the budget report. Property tax revenue, water sales, sewer sales, and gas sales are all down. Tim Moss stated property tax is down because the county allowed residents to pay their taxes out this year because of Hurricane Ike; but the revenue will come in. Water/sewer sales will come back in the summer because people water their yards, wash cars, etc. more in the summer time. Gas sales are down because gas prices are down.

13. Announcements

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 9:00 pm

PASSED AND APPROVED THIS _____ DAY OF _____, 2009

Reatta Minshew, City Secretary