

A regular meeting and public hearing of the City Council was held at City Hall on Tuesday, April 21, 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 Neal Bess

4. Pledge of Allegiance

Pledge of Allegiance was recited.

5. Presentations by Citizens

Visitors: Frank Lawrence, Alvin Bannert, Glen Duncan, Gloria Harrison, Rita McMillan, and Charlie Robinson

6. Consent Items

A. Approval of Minutes - March 17, 2009 and March 24, 2009

B. Approval of Bills- \$ 24,361.59

Ray Bailey questioned bills: G&S (vehicle parts, plumbing, and hardware supplies) and C&M Carpet (cleaning carpets for community center and city hall)

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

7. Public Hearings

A. Planning and Zoning/Proposed Changes for Sweeny ISD/Sweeny Christian School

The Planning and Zoning Board of Commissioners have suggested the properties of Sweeny ISD and Sweeny Christian be changed from Residential to Institutional. Discussion made. Any action to be taken in New Business (closed 7:13pm).

8. Fire Department Report

Tim Webb gave the FD report. They had a total of 17 calls last month. In house and other training coming up. Easter Egg Hunt was April 5th, and Pride Day Pageant on May 1st. Current roster 24.

9. Old Business

A. Certificate of Obligation: To consider and take action with respect to the adoption of a resolution authorizing publication of notice intention to issue Certificates of Obligation in a principal amount not to exceed \$700,000.00 for the construction and improvement of streets and authorizing certain other matters relating thereto/Mike Brown

Tim Moss and Mike Brown spoke. Approximate value of CO would be for \$631,000.00. (\$600,000.00 plus \$31,000.00 for issuance costs) Discussion made. Neal Bess made a motion to proceed with the Certificate of Obligation of \$631,000.00. Linda Diaz seconded. 4 - in favor; 1 - opposed (Ray Bailey). Motion passed.

B. Sweeny ISD requests school zones signs at the following locations: On 6th Street from FM 524 to Magnolia. On Sycamore from 6th to Texas Ave. On all of Texas Ave. On Elm St from 6th to Ashley Wilson. On Hackberry from 6th to Ashley Wilson. On 6th Street to FM 524. On Ashley Wilson from Hackberry to FM 524/Allen Schoppe

Mr. Schoppe spoke. He is requesting additional school zone signs on the before mentioned roads. Tim Moss had several bids for the signs and supplies. The lowest bid being that from Newman signs \$2,221.99. Discussion made. Neal Bess made a motion to purchase the additional school zone signs and supplies for \$2,221.99. Ray Bailey seconded. All in favor; motion carried.

C. Minute Order at Harlem St and Travis St. / Charlie Stevenson

Charlie Stevenson read the Minute Order regarding Harlem and Travis Streets. Neal Bess made a motion to approve the Minute Order as read. Dale Lemon seconded. All in favor; motion carried.

D. Update on feasibility of offering On-Line Credit / Debit Payments/ Mayor Weems

No action taken; will continue to get more information.

E. Year-to-Date Budget Review/Mayor Weems

No action taken

F. Establish New Position at Court/Judge Jerry Phillips

Judge Phillips stated he would like to withdraw this item from the agenda. Ray Bailey made a motion to withdraw this agenda item. Neal Bess seconded. All in favor; motion carried.

10. New Business

A. Action on Public Hearing

Discussion made. The public hearing was in regards to changing the properties of Sweeny ISD and Sweeny Christian be changed from Residential to Institutional. Neal Bess made a motion to accept the changes to the Zoning Ordinance for Sweeny ISD and Sweeny Christian school properties. Gary Coker seconded. All in favor; motion carried.

B. Request the City of Sweeny extend water service to 9391 FM 524 / H.K. Brooks

No action taken

C. Ordinance 106-08 regarding tree trimmers/ Ray Bailey

No action taken

***** Dale Lemon left around 8:20pm**

D. Proclamation declaring May 6-12 as “Nurses Week” / Mayor Weems

Mayor Weems had Councilwoman Linda Diaz read the Proclamation. Gary Coker made a motion to approve the Proclamation. Ray Bailey seconded. All in favor; motion carried.

E. Discuss Municipal Telecomm. Right-of-Way Access Line Rates / Tim Moss

Tim Moss spoke. This is in regards to a letter from the PUC and a rate increase for the right of way access lines. Discussion made. Neal Bess made a motion to refuse the rate increase; request to leave as is. Ray Bailey seconded. All in favor; motion carried.

F. Consider portion of Hackberry Street from Twin Oaks to Ashley Wilson Rd to be “One Way”/ Neal Bess

Neal Bess stated he would like to see a portion of Hackberry Street between Twin Oaks to Ashley Wilson Rd. one way during certain school hours. Discussion made. Neal Bess made motion to table this agenda item until next month. Gary Coker seconded. All in favor; motion carried.

G. Streets to be repaired - single and double course / Tim Moss

Tim Moss gave quotes for two different options. First County thru interlocal agreement to place a double course of material on all streets for \$568,343.00. Secondly County thru interlocal agreement to place a double course of material on certain streets \$283,722.00 and then contract out a single course of material on remaining streets \$233,478.00 (total \$517,200.00). Discussion made. Neal Bess made a motion for City Manager to go forward in meeting with the County Engineer to see if the county will do the double course for all streets. Gary Coker seconded. 4- in favor; 1- opposed.(Ray Bailey)

H. Republic assignment of the Material Recovery, Recycling, and Solid Waste Disposal Contract between Southern Brazoria County Clean City Coalition and Republic Waste Services to Waste Connections, Inc. / Tim Moss

Tim Moss spoke. This is something we have been apart of we just need to update the contract because of the name change from Republic Waste to Waste Connections. Neal Bess made a motion to go forward with the contract as stated. Gary Coker seconded. All in favor; motion carried.

I. Resolution 105-09 to deny TNMP’s supplemental request to increase rates/Tim Moss

Tim Moss spoke about the resolution. This resolution is in regards to the Hurricane Ike clean up. Ray Bailey made a motion to accept the Resolution as read. Neal Bess seconded. All in favor; motion carried.

J. Permission to purchase Brine Storage Tank for Water Plant / Tim Moss

Tim Moss spoke about a couple of bids he has received the lowest from a company in San Antonio for \$5,045.00. There would be additional costs in coating the inside of the tank to

preserve it. Neal Bess made a motion to allow Tim Moss to purchase a brine storage tank. Gary Coker seconded. All in favor; motion carried.

11. Reports of Advisory Boards & Commissions

None

12. Mayor, Council and Staff Reports

Mayor Weems – National Day of Prayer – Angleton May 7th 11:30am

Gary Coker – None

Dale Lemon – Absent

Neal Bess – Hurricane Preparedness Seminar May 14th Community Center. Fire Field station 75% complete urged members and residents to come and see. Sunday - will be burning brush near cemeteries.

Ray Bailey – None

Linda Diaz – Spoke about the trip to Belton (Bell Co) for the appreciation dinner from Brazoria County.

Tim Moss – Senior’s Building hurricane shutters now complete. FEMA will reimburse \$13,000.00 for this project. Hurricane Ike FEMA reimbursement received is \$104,000.00; still approximately \$40,000.00 pending. Fire Field building has water, gas, and sewer lines - taps to be placed later this month. Thanked Mr. Bess for attending some meetings with himself regarding grants. We are set to receive a grant for a generator to run our water system. Then hopefully we can get another grant for \$200,000.00 to purchase a generator to run the additional water wells. There has been some work at the old cemetery and Stevenson Slough drainage much better in that area. Special thanks to HilCorp and Ashley Washington for a donation of \$1,000.00 to purchase an ID badge maker. Solider Chris VanAvery coming home this weekend will have a homecoming. Pride Day May 2nd this years theme is Salute to First Responders. Big thanks goes to all that assisted (FD, Public Works, Conoco Phillips, etc) in the acid spill on April 8th. We are in process of getting permits from TX DOT in the extension of utilities on FM 1459.

Chief Stroud – None

Homer Toscano – None

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 9:38 pm

PASSED AND APPROVED THIS ____ DAY OF _____, 2009

Reatta Minshev, City Secretary