

A regular meeting and public hearing of the City Council was held at City Hall on Tuesday, July 21, 2009.

1. Call To Order

Mayor Lott 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: Gary Coker, Dale Lemon, Mayor Pro - Tem 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 Mayor Lott

4. Pledge of Allegiance

Pledge of Allegiance was recited.

5. Presentations by Citizens -

Visitors: Al Lindley, John Jasso, Frank Lawrence, Sue Netherly, Holly Romero, Mark Romero, and Austin Cuellar.

6. Consent Items

A. Approval of Minutes -June 16, 2009

Neal Bess made a motion to accept the minutes from June 16, 2009 as reported. Gary Coker seconded. All in favor; motion carried.

B. Approval of Bills- \$ 34,812.70

Ray Bailey made a motion to accept the bills in the amount of \$34,812.70. Linda Diaz seconded. All in favor; motion carried.

7. Public Hearings

A. Consumer Confidence Report

Tim Moss spoke the consumer confidence reports were mailed to all residents last month. These reports are mailed out annually and are required by the TCEQ

B. Unsafe Building Ordinance #103-95 / 203 S. Travis

Tim Moss spoke in regards to the property at 203 S. Travis. There is a mobile home on the property. This property has not had utilities since Sept. 2008 and is in poor condition. Letters have been sent to the owner by regular mail and certified. The City has also posted a letter on the door of the property. These letters give the property owner 10 days to contact the City in regards to the property. No response has been received from the owner.

8. Fire Department Report

Devin Lemon gave the report for the Fire Department. Total of 16 calls. Training: 3 instructors and 2 students at Texas A&M Municipal School. Station Two getting A/C installed this week. CERT program completed last week after 2 months of class. They had their final exercise at our Fire Field. Neal Bess mentioned the Fire Departments working on an Honor Guard group. Mayor Lott commended the Fire Department for their work.

9. Old Business

None

10. New Business

A. Action on Consumer Confidence Report

This agenda item was previously discussed in the public hearing section of this meeting. Neal Bess made a motion to accept the report as presented. Ray Bailey seconded. All in favor motion carried.

B. Action on Unsafe Building Ordinance #103-95 / 203 S Travis

This agenda item was previously discussed in the public hearing section of this meeting. Additional discussion was made. Neal Bess made a motion for City Manager Tim Moss to send an additional letter to the property owner explaining they have 60 days to make repairs or demo property. Dale Lemon seconded. All in favor; motion carried.

C. Permission to request bids on storm debris removal contract / Tim Moss

Tim Moss spoke in regards to getting bids prior to a storm. In doing this it will save time and possibly money by having a contract in place early. Mr. Moss will place ads in paper and on our website requesting bids. Discussion made. Gary Coker made a motion giving Tim Moss permission to request bids on storm debris removal. Linda Diaz seconded. All in favor; motion carried.

D. Permission to request bids on 200,000 gallon elevated water tower rehab/ Tim Moss

Tim Moss spoke in regards to rehab the water tower located in the 800 block of N. Hackberry Street. This has not been done on this tower since 1993. Mr. Moss stated he would like to get with our City Engineers office (O'Malley) to get a bid package together. If bids are too expensive we would be able to wait until next year. Ray Bailey made a motion to give Tim Moss and O'Malley permission to request bids to rehab the water tower on Hackberry. Linda Diaz seconded. All in favor; motion carried.

E. Request to be on Park & Recreation Board and Planning & Zoning Board of Adjustments / Tracy Simien

Tim Moss spoke. Mr. Simien has made a written request to be placed on the Park and Rec. Board as well as the Planning and Zoning Board of Adjustments. Discussion made. Neal Bess made a motion to appoint Tracy Simien to the Park and Rec. Board and Planning and Zoning Board of Adjustments; for two year terms. Gary Coker seconded. All in favor; motion carried.

F. Preliminary Approval to Subdivide Property at 611 Ashley Wilson Rd / Holly Romero

Holly Romero spoke on her behalf. They own the property located at 611 Ashley Wilson Rd. The Romeros would like to subdivide their property; in doing this they would use the existing home as rental property and build a new home on the back portion of the property. Discussion made. Gary Coker made a motion to give preliminary approval to subdivide the property at 611 Ashley Wilson Rd. with the contingency they have a 60 ft easement to the back (second section) of the property. Neal Bess seconded. All in favor; motion carried.

G. Interlocal Agreement with Brazoria County Health Dept.

Linda Diaz spoke in regards to the agreement. This agreement is between the County Health Department and the City so that the first responders would be able to get vaccines in case of an emergency situation. Neal Bess made a motion to approve the interlocal agreement with the Brazoria County Health Department. Ray Bailey seconded. All in favor; motion carried.

H. Discuss Property at Orange and FM 524 / Ray Bailey

Ray Bailey spoke in regards to the property at Orange and FM 524. He stated he has had complaints in regards to the condition this property. Discussion made. Neal Bess made a motion to have Mr. Moss send the property owner a letter to come in compliance with the City ordinance 100-07. Ray Bailey seconded. All in favor; motion carried.

I. Approve House Bill #2113, holidays for Fire Dept and Police Dept / Neal Bess

Neal Bess spoke in regards to House Bill #2113. Mr. Bess would like to give our Police Department the option to take Sept 11th as a holiday; and work another holiday in its place. Linda Diaz made a motion to allow the Police Department to take Sept 11th as a holiday. In doing this they would have to work another holiday. Neal Bess seconded. All in favor; motion carried.

J. Approve SEDC Grant to P. T. Brunner for \$24,000.00 / Sue Ellen Netherly

Sue Ellen Netherly present but did not speak. Discussion was made regarding to upgrades to the building being up to code. Discussion also made in regards to nothing in packets from SEDC on the grant. Ray Bailey made a motion to table this agenda item until August meeting. Gary Coker seconded. All in favor motion carried.

K. Report on “Battle of the Bernard” / Sue Ellen Netherly

Sue Ellen Netherly spoke in regards to the Battle on the Bernard. This will take place on August 22nd at Sportsman Span Bridge on FM 2611. Several of the cities West of the Brazos will be participating in this event. All are encouraged to attend and support their city. No Action Taken.

L. Brief the Council on Veteran Day Progress / Frank Lawrence

Frank Lawrence and John Jasso spoke on behalf of the Veterans Day Committee. Veterans Day is Wednesday, November 11th. There will be festivities during the day. A parade will begin at Backyard Park at 11:00AM this will last approximately 1 ½ hrs. Other festivities include bands, speakers, etc. at the Sweeny High School Football Field. The Council will be briefed again on this agenda item in October. No Action Taken.

11. Reports of Advisory Boards & Commissions
None

12. Mayor, Council and Staff Reports

Mayor Lott – Acknowledged Pct 4 Commissioner Mary Ruth Rodenbaugh and Bill Barnes with Sweeny Community Hospital in attendance. Mentioned the new picture of Conoco Phillips from Tom Rich. Mayor Lott also read thank you notes regarding plants that were sent to the family of Mr. and Mrs. Kohlar on their passing. Members of Council all received notification of the new Beautification officers.

Gary Coker – None

Dale Lemon – None

Neal Bess – None

Ray Bailey – None

Linda Diaz – None

Tim Moss – Rock has been received for the street program. TxDOT is in process of getting prepared to overlay FM 1459 you may see some orange markers on the roads. Even though it is very dry our water supply and systems are doing well.

Chief Stroud – None

Homer Toscano – None

13. Announcements

Gloria Millsap was present on behalf of Senator Joan Huffman. Senator Huffman now has an office in Lake Jackson; cards with address and phone numbers were provided.

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 8:35 pm

PASSED AND APPROVED THIS _____ DAY OF _____, 2009

Reatta Minshew, City Secretary