

CITY COUNCIL MEETING REGULAR SESSION

Tuesday, February 21, 2023 at 6:00 PM

City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas

MINUTES

BE IT KNOWN that the City Council of the City of Sweeny met in **Regular Session** on **Tuesday, February 21, 2023 at 6:00 PM.** at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas.

CALL TO ORDER/ROLL CALL

Mayor called the meeting to order at 6 PM.

Councilman Mark Morgan Jr., Bill Hayes, Brian Brooks, John Rambo, and Tim Pettigrew were in attendance.

City Officials Present: City Manager, Lindsay Koskiniemi; City Attorney, Charlie Stevenson; Mayor, Jeff Farley; City Secretary, Kaydi Smith; Finance Director, Karla Wilson; Public Works Director, Ross Aguirre

PLEDGES & INVOCATION

Brian Brooks led the pledges and the prayer was led by Reese Cook.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

No Visitor Comments

PUBLIC HEARINGS AND ACTION ITEMS

CONSENT AGENDA

1. Minutes of the Regular Session- January 17, 2023
2. Minutes of the Special Session- January 31, 2023
Mark Morgan Jr. made the motion to approve the minutes of the Regular Session, January 17, 2023 and Special Session, January 31, 2023. Tim Pettigrew seconded. All in favor. Motion Carried.
3. Proclamation(s)
Womens History Month (March 2023)
Texas Independence Day (March 2nd, 2023)
National Vietnam Veterans Day (March 29th, 2023)
Mayor stated the Proclamations will be signed and posted.
4. Presentation to City Council on the year-to-date budget-to-actual information for the first quarter of Fiscal Year 2022-2023 for the General Fund and Enterprise Fund and a list of associated vendor payments for Q1.
Discussion only. No Action.

REGULAR AGENDA

5. Discuss/ Take Action on proposed Re-plat to combine properties located at 605 N Main Street to consolidate into one property.

City Secretary stated this is to combine two properties and the recently deeded footage into one property.

John Rambo made the motion to approve the re-plat at 605 N Main Street to consolidate into one property. Bill Hayes seconded. All in favor. Motion carried.

6. Discuss/ Take Action on proposed replat for 604 E Sixth Street, re-configuring three (3) lots into two (2), with both lots now facing Sixth Street. Both proposed properties are within the R2B zone and adhere to the lot sizing requirements to include frontage and depth lengths. Property

owner has previously received a variance to allow the mobile home to remain on site after the replat; see Council Minutes April 6, 2021.

City Secretary stated this has previously been brought to council regarding the possibility of re-platting and to obtain the variance to allow the mobile home to remain onsite after replat. This replat is to reconfigure from three lots to two.

Mark Morgan Jr. made the motion to approve the replat reconfiguring three lots into two. John Rambo seconded. All in favor. Motion Carried.

7. Variance Request to Ordinance 151.07 to allow temporary occupancy of a recreational vehicle at the address of 1104 N Main due to construction purposes.

City Manager stated the resident previously approached the city. The home was damaged due to a ruptured pipe. A variance is requested to allow the resident to live in an RV within the driveway while repairs are being made. Insurance would be providing the trailer.

Brian Brooks made the motion to approve the variance for temporary occupancy of an RV for six (6) months. Tim Pettigrew seconded. All in favor. Motion carried.

8. Lou Ella's Old Fashion BBQ Grant Incentive Obligation

Nina Christie, EDC President, approached council and stated that Lou Ella's Old Fashion BBQ has closed their business and did have a Grant Incentive Obligation thru EDC. The obligation was for 10 years and to generate \$50,000.00 from sales tax. Lou Ella's has been open for six (6) years and has generated \$76,000.00 in sales tax. EDC feels they have met the obligation due to the amount of sales tax generated.

John Rambo made the motion to approve the termination of the agreement. Mark Morgan Jr. seconded. Morgan, Brooks, Rambo, and Pettigrew were all in favor. Bill Hayes abstained. Motion carried.

9. Update from Parks and Recreation Board on playground equipment order and lighting upgrades.

Caniel Massey updated Council on behalf of the Parks and Recreation Board. The board has picked playground equipment for the MLK and Backyard Park. Pole lights and conduit have been installed at Veterans Memorial, the Gazebo Park, and MLK Park. They will need to finish several items including the rebar and concrete for the lighting project. This project was completed by The Parks and Recreation Board, Lions Club, LEO, Public Works, and several community members.

Discussion Only. No Action.

10. Update on creation of comprehensive fixed asset schedule.

City Manager stated the city obtained copies of the existing schedule from auditors. After reconciling with staff to the books, many assets need to be removed. A fixed asset is set at a \$5,000.00 value or more.

Discussion Only. No Action.

11. Discuss/Take Action on Joint Contract for Election Services

City Secretary stated the agreement had not yet been received from Brazoria County. Attorney Stevenson stated this is the annual standard contract for Brazoria County to conduct the election.

John Rambo made the motion to approve the Joint Contract for Election Services with Brazoria County. Tim Pettigrew seconded. All in favor. Motion carried.

12. Discussion and possible action on renewal of a 20-year lease agreement between the City of Sweeny and Union Pacific Railroad for the use of 41,670 square feet of right-of-way to the south of Chick Anderson Park and spanning a portion of Pecan Street and possibly part of Peach Street.

The City Manager did state this is a proposed renewal. Our current agreement does not end until 2024. She has contacted our insurance company and our current coverage meets the requirements per the proposed lease. There are no monetary costs associated with this lease agreement. *John Rambo made the motion to renew the 20-year lease agreement between the City of Sweeny and Union Pacific Railroad for the use of 41,670 square feet of right of way to the south of Chick Anderson Park and spanning a portion of Pecan Street and possibly part of Peach Street. Tim Pettigrew seconded. All in favor. Motion carried.*

13. Discussion and possible action on a request from Sweeny Beautification to establish a non-profit status under a 501c4, independent of the City of Sweeny.

City Manager stated the president of Beautification has approached the city about becoming independent from the city to allow them to apply for further grants and more diverse funding opportunities. They do request to continue using the name Sweeny Beautification Committee. Discussion ensued. By becoming a 501c4, Beautification would become their own non-profit group independent from The City of Sweeny. They do think it will be a lengthy process therefore until they are approved they will still remain the Sweeny Beautification Committee under the City. *Mark Morgan Jr. made the motion to allow the Sweeny Beautification Committee to seek non-profit status separate from the City of Sweeny. Tim Pettigrew seconded. Morgan, Hayes, Brooks, and Pettigrew were all in favor. John Rambo abstained. Motion Carried.*

14. Discussion and possible action to update scope of audit needed to meet requirements for an Alternative Compliance Examination Engagement for Recipients that Would Otherwise be Required to Undergo a Single Audit or Program-Specific Audit as a Result of Receiving Coronavirus State and Local Fiscal Recovery Funds.

City Manager stated the fiscal year audit for 2021/2022 has been completed. The City did receive \$750,000.00 in federal funding from Coronavirus and Local Fiscal Recovery Funds during this fiscal year, requiring an Alternative Compliance Examination and/or a Single Audit/Program Specific Audit. Monies received were sent in two separate payments and totaling over the threshold amount, requiring the audit. Being that our auditors have just completed the fiscal audit, it would be beneficial for them to complete the single audit. This will be approximately \$4,000.00 additional to the budgeted audit.

Bill Hayes made the motion to approve the engagement letter to undergo the single audit programs specific audit for receiving the Coronavirus State and Local Fiscal Recovery Funds. Mark Morgan seconded. All in favor. Motion carried.

CLOSED REGULAR SESSION AT 6:49 P.M. AND OPENED EXECUTIVE SESSION

EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE SECTION 551.071, 551.072 AND 551.074

The City Council will now convene into executive session pursuant to the provision of Chapter 551 Texas Government Code, in accordance with the authority contained therein:

15. Sweeny EDC applications for board vacancy

The City Council will now adjourn Executive Session, reconvene into Open Session pursuant to the Provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

CLOSED EXECUTIVE SESSION AND RE-OPENED REGULAR SESSION AT 7:06 P.M.

15. Sweeny EDC applications for board vacancy

John Rambo made the motion to extend the SEDC application period for another 30 days. Mark Morgan seconded. Brian Brooks stated we need to have more exposure for applications and advertising. Morgan, Brooks, Rambo, and Pettigrew were all in favor. Bill Hayes abstained. Motion carried.

ITEMS OF COMMUNITY INTEREST

Bill Hayes thanked Sweeny Beautification for the Mardi Gras Cookoff and Parade. Stated there was also a nice writeup in The Facts.

Brian Brooks agreed that the Mardi Gras event was well attended.

City Secretary reminded Council to sign plats approved earlier in the meeting before leaving.

City Manager stated the weather sealant on the roof at the Community Center has been completed.

Tim Pettigrew stated that at the recent Cemetery Association Meeting, his mother, the secretary, announced her retirement. He stated he appreciates her, as she has had that title since 1972. He thanks her for her years of dedication. Charlie Stevenson seconded that statement. Tim also stated he is glad to back in attendance.

ADJOURN REGULAR SESSION at 7:06 p.m.

Approved this _____ day of _____, 2023.

Kaydi Smith, City Secretary