

CITY COUNCIL MEETING REGULAR SESSION

Tuesday, February 18, 2025 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 18, 2025 at 6:00 PM.** at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas with the following agenda.

CALL TO ORDER/ROLL CALL

Mayor called the meeting to order at 6 PM.

Neal Bess Jr., Reese Cook, Brian Brooks, and Caniel "Shaun" Massey were present. John Rambo was absent.

PLEDGES & INVOCATION

Pledges were led by Councilman Bess.

Invocation was given by Attorney Stevenson.

CEREMONIAL PRESENTATIONS

1. Sweeny Beautification Committee's Yard of the Month

Mayor Hopkins stated the Yard of the Month was Patricia Hanks at 315 Harlem.

2. Proclamation(s): Women's History Month

National Vietnam War Veterans Day

Mayor stated the proclamations will be signed and hung in the foyer of City Hall, proclaiming March 2025 as Women's History Month and March 29th to be National Vietnam War Veteran's Day.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

Ms. Leigh Ann Thornton, 702 Avenue B, gave an update of progress since the last meeting. She expressed her appreciation to Councilmen Bess, Brooks, and Massey, and Mr. Jordan for reaching out personally. The BAAB board met and voted in favor of running the shelter once built. She has reached out to a 501C3 attorney and they have submitted applications with the State, IRS, and Department of Justice. Official filing, EIN number, and their bi-laws have been established. They are in the final stages and expect completion of the 501C3 status within the next few weeks. They have secured a website domain, BAAB.org. They will be eligible for opportunities such as grants, rescue organizations, and private donors, once 501C3 status is verified. They have partnered with Marsh Vet clinic for all animals to be spayed, vaccinated, and microchipped before being placed for adoption. They are requesting the \$50,000.00 donation be used on the new facility.

CONSENT AGENDA

3. Minutes: Special Session, January 23, 2025

Mayor asked for a motion to approve the Special Session minutes of the January 23, 2025 meeting.

Neal Bess Jr. stated so moved. Second by Brian Brooks. All in favor. Motion carried.

4. Financial Statements

5. Personnel Status – Information Only

6. Project Status Report

7. Critical Equipment Report; Generator Hourly Activated Self Test Report

8. FY 2024/2025 Investment Report; 1st Quarter (October-December 2024)

Mayor Hopkins asked for a motion to approve of the FY 2024/2025 Investment Report; 1st Quarter spanning October thru December 2024. Shuan Massey moved to approve. Seconded by Reese Cook. Reese Cook, Shaun Massey, and Brian Brooks approved. Neal Bess Jr. abstained. Motion carried.

REGULAR AGENDA

9. Discussion and possible action on a request from Sweeny Beautification Committee to close a portion of Ashley Wilson Road during the Pride Day festivities.

Shaun Massey motioned to table this agenda item until after Beautification meets with the Fire Department and Police Chief. Reese Cook seconded. All in favor. Motion carried.

10. Discussion and possible action to variance request for the 2025 Pride Day festivities, Ord. §113.04, Possession or consumption of alcoholic beverages in public places; Sweeny Beautification Committee

Council discussed. Mayor asked if Council wanted to table or move forward with the recommended action to approve a variance to ordinance §113.04, allowing alcohol at the Sweeny Pride Day festivities on May 2nd & 3rd, 2025 within the areas depicted on map submitted by Sweeny Beautification Committee, and in the interest of safety, restricting public vehicle access within the boundaries.

Neal Bess Jr. moved to allow it. Shaun Massey seconded.

Discussion: Councilman Massey does not agree with the restriction of the golf carts. Mayor stated they need to present options and have someone here from their group.

Council discussed amending the previous motion.

Shaun Massey motioned to amend the motion to allow alcohol for Sweeny Pride Day festivities on May 2nd & May 3rd, but remove the restriction of public vehicles access within the boundaries. Brian Brooks seconded. Brian Brooks, Shaun Massey, and Neal Bess Jr. were in favor. Reese Cook opposed. Motion carried.

Council voted on the original motion as amended by the second (Massey's), on the variance to allow alcohol at the 2025 Pride Day festivities.

Neal Bess Jr. and Shuan Massey voted in favor. Reese Cook and Brian Brooks opposed. Mayor voted in favor to allow, breaking the tie.

Amended motion passes to allow alcohol only.

11. Discussion and possible action to animal shelter proposed plan.

City Manager has developed a proposal to build a new shelter at the current location and complete an agreement with BAAB. City would upgrade the original City shelter. The upgraded original shelter would keep the animals the required amount of time then transfer to BAAB. BAAB would rent the land and facility for \$1.00 per year. They would be responsible for maintenance on their facility.

Shaun Massey motioned to approve the proposed animal shelter allowing the City Manager to proceed in moving forward with the renovation and construction process and establish a rental agreement with BAAB. Seconded by Neal Bess Jr.

Discussion: Attorney Stevenson stated he will need the 501C3 documents to review. He will complete the agreement and submit to Council for review prior to presenting to BAAB.

Neal Bess Jr., Reese Cook, Brian Brooks, and Shaun Massey were in favor. Motion carried.

12. Discussion and possible action to approve Ordinance 25-102, establishing the fee schedule for the City of Sweeny.

Mayor Hopkins asked for a motion to approve Ordinance 25-102, establishing the fee schedule for the City of Sweeny. Brian Brooks stated so moved. Neal Bess Jr. seconded.

Neal Bess Jr., Reese Cook, and Brian Brooks were in favor. Shaun Massey opposed. Motion carried.

13. Discussion and possible action on review of the City Charter by City Council.

Councilman Cook presented Council with items for concern within the Charter. Council discussed and will review the presented. Attorney Stevenson was requested to give his opinion on the presented. Discussion only; no action.

ITEMS OF COMMUNITY INTEREST

Neal Bess Jr. stated he has received several complaints about cats from store owners. Chief Caudle stated that we do not have the facilities to keep cats, but some have gone to the SPCA. Leigh Ann Thornton stated they will be able to help with cats (BAAB) in the near future. Brian Brooks stated he has received concerns on the Better Buddy gas station. City Manager reminded Council of the Special Workshop on 03/08/2025.

ADJOURN REGULAR SESSION

Mayor Hopkins adjourned the meeting at 7:12 PM.

Exhibit A Attached; Agenda Item No. 13; Presented by Councilman Cook

Financial Statements are on file with the City Secretary's Office.

Staff and Boards Present

City Manager, David Jordan
Chief of Police, Brad Caudle
Director of Public Works, Terrence Bell
City Secretary, Kaydi Smith

Passed and approved this _____ day of _____, 2025.

Kaydi Smith -- City Secretary

CITY CHARTER

- 2.02 "No member of the City Council shall hold any other office or employment under the City government while serving on said City Council, or hold any paid employment under the City government within two years thereafter"
 - I think we need to look at this, and other provisions in the Charter like this. I understand the intent, I just think its pretty restrictive. Who knows, that CM position may call my name again in a few years.

- 2.10 "special meetings upon request of three council members".
 - I feel like this pushes up against the line of a quorum and the Open Meetings Act. I assume Charlie would want to weigh in on this, but just at face value, I would think having this verbiage should be removed.

- 5.01 "during the tenure of said City Manager's office, he or she shall reside within the City".
 - I'm a little torn over this as I think we've see both sides of this token with our previous and current City Manager.
 - General Law cities can't require this per LGC 25.027, so I do think we should look at our verbiage and what the intent of this section is going forward.

- 6.02 "The office of Judge of the Municipal Court shall be an elective office, for a term of two years, such term to run concurrently with that of the Mayor"
 - Charlie may be able to speak to this, but the Judges term is currently not aligned with the Mayor. Not sure when/how this changed.
 - The City completed a Charter amendment in 2015. That amendment passed, but was never updated within our code of ordinances nor reflected online. I found this last year and pulled the elections records from the County. It has since been updated with American Legal and shows updated within the online portal for the terms to be alternating.

- 6.03 "The City Secretary shall be the Clerk of the Municipal Court."
 - I'm not sure is this a requirement by law or just our Charter, but I think we should have provisions and language that allows for a different Clerk to be appointed by the City Manager and/or Council. And maybe in the vacancy of the position, it reverts to the City Secretary.

- 6.04 "The City Council shall determine what costs, if any, shall be charged for proceedings in and for processes issued by the Court."
 - Probably something we should look into as a Council from a revenue perspective.

- 7.01 "The fiscal year of the City shall be as established by ordinance of the City Council. In the event the City Council does not thus establish the fiscal year, the fiscal year of the City shall begin on the first day of each October and end on the last day of September of the following year."
 - Are we bound by law to a fiscal year of October to September?
 - From a cash flow standpoint, I'd be curious if calendar year fiscal year, January to December, would be better suited for funding of projects and costs?

- 7.02 "At least sixty (60) days prior to the end of each fiscal year, the City Manager shall submit to the City Council a proposed budget"
 - I think new dates and laws have gone into effect that changes this 60 day requirement. I may be off, but if current law requires something different I would assume we need our Charter to reflect that or be open ended to reference the appropriate requirements.

- 7.03 "Appropriation"
 - I think as we go into Budget season, we need to take a hard look at this and where cuts/savings can be made to keep this from happening.
 - I think having the monthly budget numbers has helped us keep an eye on this, but I also know that there is a lot of "freedom" in those funds for spending that may not necessarily need to be there.
 - Personally, I'd rather be called into a Special Meeting for approve necessary funds for something that weren't appropriated versus allowing them to be spent unnecessarily.

- 7.10 "All purchases made and contracts executed by the City shall be pursuant to a requisition"
 - We 100% have to get back to this. I know it went away under the previous administration and may be on its way back with the current, but I truly feel this is the only way to keep the budget in line.
 - It is a checks and balances between the departments, management, and Council.

- 10.11 "if such person is related within the second degree by affinity or within the third degree by consanguinity to the person making such appointment or to any member of the City Council or the City Manager"
 - This basically discounts anyone in the city that has generational ties!
 - I think we really need to look into this and see what other like-type cities do.