

## CITY COUNCIL MEETING REGULAR SESSION

Tuesday, August 15, 2023 at 5:00 PM

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

### MINUTES

BE IT KNOWN that the City Council of the City of Sweeny will meet in **Regular Session** on **Tuesday, August 15, 2023 at 5:00 PM.** at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas with the following agenda.

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#### CALL TO ORDER/ROLL CALL

Mayor Hopkins called the meeting to order at 5 P.M. and called roll. Reese Cook, Brian Brooks, and Tim Pettigrew were in attendance. Mark Morgan Jr. and John Rambo were absent.

#### PLEDGES & INVOCATION

#### EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE SECTION 551 at 5:09 P.M.

*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:*

1. Deliberation Regarding Economic Development Negotiations, Pursuant to Section 551.087 (1) & (2) of the Texas Government Code

**Mayor Hopkins Closed Executive Session at 5:54 P.M., re-opening into Regular Session at 5:55 PM.**

#### OPEN SESSION

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. *No action taken.*

#### BUDGET WORKSHOP

2. Discussion and Possible Action on the Fiscal Year 2023-2024 Budget Presentation and Discussion on the Tax Rate Adoption for FY24  
*Reese Cook made the motion to push Item #2 and #3 of budget workshop to the end of the agenda, after item # 22. Tim Pettigrew seconded. All were in favor. Motion Carried.*
3. Discussion/ Possible Action to Determine a Date for the Public Hearing and Adoption of the FY 23/24 Tax Rate  
*See above item.*

#### CITIZENS WISHING TO ADDRESS CITY COUNCIL

No visitor comments.

#### CONSENT AGENDA

4. Proclamation: September 11, 2023- Patriot Day  
Mayor Hopkins read the proclamation aloud and signed.
5. Minutes: Special Session, August 01, 2023  
*Reese Cook moved to approve as presented. Tim Pettigrew seconded. All in favor. Motion carried.*

## REGULAR AGENDA

6. Discussion/ Possible Action on Agenda Request for Usage of the Chick Anderson/Gazebo Park; Dr. Leal  
Dr. Leal approached Council requesting to host the 16<sup>th</sup> annual Halloween in the Park. He is requesting to use the Chick Anderson Park and requesting help from the Fire Department and Police Department. He is requesting to block off streets as needed. He asked for the park to be sprayed for bugs and to use the city's porta-cans. The event will be held on October the 28th from 7—9pm. City Manager, Lindsay Koskiniemi, stated the city would help and contribute two porta-cans.  
*Reese Cook moved to approve as presented. Tim Pettigrew seconded. All in favor. Motion carried.*
7. Discussion/ Possible Action on a Variance Request Received; 610 Walnut  
City Secretary, Kaydi Smith, gave information of requested variance to the five (5) feet setback requirement to add a screened enclosure around an existing inground swimming pool. The enclosure would be within the resident's existing privacy fence.  
*Reese Cook moved to approve the variance as requested. Tim Pettigrew seconded. All in favor. Motion carried.*
8. Discussion/ Possible Action on Update to Inframark  
City Manager stated Inframark has been sent a fifteen (15) day notice to stop services. August 30<sup>th</sup> will be the last day with exception of the well issues that occurred over weekend.  
*Discussion Only, No Action*
9. Discussion/ Possible Action on Water System Solution Presentation and Comprehensive Utilities Master Plan Estimate by City Engineer  
William Huebner, City Engineer, presented Council with possible options to solve current issues on the water system. First option would be to repair and upgrade the water softener system. City Manager showed a large calcium deposit removed from an ice machine at the Bulldog Café due to hardness. Michael Claybourne Sr. of Water of Texas was in attendance to talk to Council about the softener options. Second option presented by Huebner was to install an iron and manganese filter system. Third option presented was to install an iron and manganese filter and reverse osmosis filter system. Wiliam feels that a further study is needed depending on Councils direction. City Manager pointed out that the Brine system is not included in any of these proposals. It would still need to be addressed in addition to any of the above.  
Reese Cook asked to have Mr. Claybourne of Water of Texas work with Lindsay to bring back a proposal by the next meeting on Tuesday, September 5<sup>th</sup>, 2023.  
*Discussion Only, No Action*
10. Discussion/ Possible Action on a Budget Amendment to the FY 2022/2023 Budget; Auto Flushers  
City Manager stated she is requesting a Budget amendment to be transferred in the amount of \$50,676.60 from the Enterprise Fund balance to the FY22/23 budget, account # 50-11-6710, to purchase the fifteen (15) dead end auto flushers.  
*Reese Cook moved to approve as presented. Tim Pettigrew seconded. All in favor. Motion carried.*
11. Discussion/ Possible Action to Award and Select a Debris Removal and Emergency Services Contractor

City Manager stated that the next three (3) agenda items are in preparation of Hurricane Season and/or any disaster related events. RFP's have been advertised in preparation of establishing contractual agreements for debris removal, grant administration services, and monitoring services. To receive FEMA assistance or reimbursement, in the event of a declared disaster, these agreements must be in place prior too, and in accordance with procurement requirements. City staff reviewed and scored the proposals received. The City recommends DRC Emergency Services, LLC. as the Debris Removal and Emergency Services Contractor.

*Tim Pettigrew made the motion to award DRC Emergency Services, LLC. as the Debris Removal contractor. No second was made.*

*Discussion: Reese Cook asked if the intent is to use DRC even if we do not meet the FEMA thresholds for reimbursement. City Manager stated we certainly could look at other options, but this would be for declared emergencies. Cook stated declared doesn't mean it will meet threshold. Cook reference the prior Hurricane Nicholas. We declared, but knew we were not going to meet the threshold. City Manager stated we are not bound to use them, but they are bound if we call for response. Reese Cook moved to approve as presented (as the second). All in favor. Motion carried.*

12. Discussion/ Possible Action to Award and Select a Debris Monitoring Services Contractor and Establishing a Contract Term  
After reviewing all proposals, the City is recommending Rostan Solutions as the Debris Monitoring Services Contractor. The term length of contract would need to be specified by Council.  
*Reese Cook moved to approve Rostan Solutions as the debris monitoring services contractor for a contract length of one year. Seconded by Tim Pettigrew. All in favor. Motion carried.*
13. Discussion/ Possible Action to Award and Select a Disaster Recovery Grant Management and Administration Services Contractor  
After reviewing proposals, the City is recommending Rostan Solutions, LLC as the Disaster Recovery Grant Management and Administration Services Contractor.  
*Reese Cook moved to approve as presented. Tim Pettigrew seconded. All in favor. Motion carried.*
14. Discussion/ Possible Action to Approve a Resolution Designating an Official Newspaper  
*Tim Pettigrew made the motion to approve the resolution designating the Facts as the official newspaper. Reese Cook seconded. All in favor. Motion carried.*
15. Discussion/ Possible Action to Adopt a Resolution Adopting Guidelines and Criteria for Granting Tax Abatements  
City Manager stated the resolution and guidelines for granting tax abatements must be adopted bi-annually. This must be in place for the City to enter into any tax abatement agreements for potential economic development. The presented is currently in force, however, will need to be re-adopted due to the two-year expiration approaching.  
*Tim Pettigrew made the motion to adopt the resolution adopting the guidelines and criteria for granting tax abatements for the City of Sweeny. Seconded by Reese Cook. All in favor. Motion carried.*
16. Discussion/Possible Action on Amending the Mobile Food Establishments Ordinance; Chapter 112  
Kaydi Smith has produced suggestions of possible modifications to the Mobile Food Establishments Ordinance. Due to recent changes regulating temperature related foods, those vendors such as sno-cone vendors and push carts, must be removed from the Peddlers Ordinance. If Council still wants to regulate those vendors, they will have to be added to the

Mobile Food Establishments Ordinance. Any modifications suggested would be completed and re-presented to Council for approval.

*Tim Pettigrew made the motion to establish pushcart and roadside vendors within the Mobile Food Establishments Ordinance with an annual permit fee of \$50.00. Reese Cook seconded. All in favor. Motion carried.*

17. Discussion/ Possible Action to Amend the Peddlers and Solicitors Ordinance; Chapter 110  
*Tim Pettigrew made the motion to remove sno-cone and pushcart roadside vendors from the Peddlers and Solicitors Ordinance. Reese Cook seconded. All in favor. Motion carried.*
18. Discussion/ Possible Action to Establish a Charter Review Committee  
City Manager stated this was tabled from the last agenda. The preference was for all Council members to be in attendance.  
*Reese Cook moved to table. Tim Pettigrew seconded. All in favor. Motion carried.*
19. Discussion/ Possible Action to Contractual Lease Agreement Updates; 111 W 3rd Street, City Owned Property  
City Manager is requesting Council input on lease agreements for the address of 111 W 3<sup>rd</sup> Street, as lease terms are expiring at the end of September. EDC is planning to acquire an 18x40 building to place at the Industrial Park for office space. This building would be large enough to house the Sweeny Chamber. Brazoria County Tax Office would like to continue renting the office space at 111 W 3<sup>rd</sup> at the current rate. Council discussion ensued on the contractual terms and conditions.  
*Brian Brooks made the motion to terminate the contracts (3 entities) with a thirty (30) day notice. Tim Pettigrew seconded. Brian Brooks and Tim Pettigrew were in favor. Reese Cook opposed. Motion carried.*
20. Discussion/ Possible Action on Variance Requested for Proposed Replat of 111 W 3rd Street  
Roger Barton, Fire Chief, stated all property of proposed replat is city property, including the fire department. He feels it would be really good to have the EDC/Chamber building demolished and use as parking for the Fire Department. He would like to add two (2) bays to the current Fire Department building. City Manager stated there are eight (8) lots total and she is requesting to replat with the intention to sell the building of 111 W 3<sup>rd</sup> Street and place the money earned into capital projects. The replat would separate the lots as, four (4) lots for the fire department and four (4) lots for the building at 111 W 3<sup>rd</sup>. If Council wished to replat to separate the Fire Department from 111 W 3<sup>rd</sup>, there would be a variance required. Variance requested would be to the depth of the 111 W 3<sup>rd</sup> Street lot, as it falls short of the requirement. Per the Commercial C1 zoning requirements, the depth of the property is to be one hundred (100) feet.  
*Brian Brooks motioned to table the item. Tim Pettigrew seconded. All in favor. Motion carried.*
21. Discussion/ Possible Action on the Crime Control and Prevention District's Proposed FY23/24 Budget and Proposed FY24/25 Two Year Budget Plan  
Chief Caudle presented the CCPD budget to Council for FY 23/24 and FY24/25.  
*Reese Cook motioned to accept as proposed. Tim Pettigrew seconded. All in favor. Motion carried.*
22. Discussion/ Possible Action to Appoint a Member to the Crime Control and Prevention District (CCPD)  
Chief Caudle stated they received one application, John Hessong. The CCPD board has approved of the applicant at their last meeting.  
*Tim Pettigrew moved to approve. Reese Cook seconded. All in favor. Motion carried.*

*Prior to starting Budget Workshop items #2 and #3, Reese Cook moved to adjourn.*

*Brian Brooks made the motion to table items #2 and #3 of budget workshop. Tim Pettigrew seconded. Discussion of holding budget workshop on August 22<sup>nd</sup> was held, but no decision made. All in favor. Motion carried.*

#### **ITEMS OF COMMUNITY INTEREST**

Brian Brooks stated to pray for rain.

Lindsay Koskiniemi stated that this month's BCCA meeting is at The Springs in Angleton tomorrow evening. The Industrial Park Ground Breaking Ceremony will be August 24<sup>th</sup> at 10 A.M. for the road expansion. Notice of potential quorum will be posted.

Tim Pettigrew stated the Methodist Church has a new preacher, Josh Bynam, and encouraged others to attend this Sunday.

#### **ADJOURN REGULAR SESSION- Mayor Hopkins adjourned the meeting at 8:28 P.M.**

City Officials/Staff Present:

City Manager, Lindsay Koskiniemi

Police Chief, Brad Caudle

Finance Director / Personnel Services, Karla Wilson

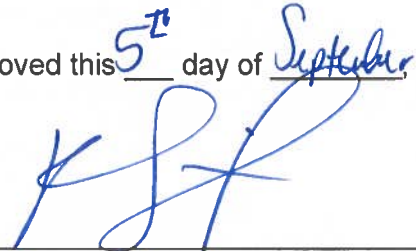
City Secretary/ Developmental Services, Kaydi Smith

Public Works Director/Assistant City Manager, Clarence Wittwer

Fire Chief, Roger Barton

City Engineer, William Huebner

Passed and approved this 5<sup>th</sup> day of September, 2023.



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Kaydi Smith, City Secretary