

CITY COUNCIL MEETING REGULAR SESSION

Tuesday, December 17, 2024 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, December 17, 2024 at 6:00 PM.** at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas with the following agenda.

CALL TO ORDER/ROLL CALL

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

PLEDGES & INVOCATION

Pledges were led by Councilman Massey.
Invocation was given by Attorney Stevenson.

CEREMONIAL PRESENTATIONS

1. Sweeny Beautification Committee's Yard of the Month
Mayor Hopkins stated November's Yard of the Month was Mildren Handy at 315 Harlem.

2. Proclamation(s): Stewart's Grocery; Dwain & Tina Stewart
Sweeny Fire Chief; Roger Barton

Mayor Hopkins presented proclamations to Dwain and Tina Stewart of Stewarts Grocery and Sweeny Fire Chief Roger Barton. Sweeny Fire & Rescue presented Chief Barton with a retirement gift.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

John Richers of the Drainage District approached Council stating the letter of no objection has been approved for 605 N Main. The Drainage District has not been the holdup on this project. They have turned it around quickly with conditions and requirements to be completed. He will be available 24/7 to assist.

Leigh Ann Thornton, 702 Ave B, spoke to Council about the animal shelter. The shelter is full and out of room. She has received donated contract work. The winter is coming and she wants to make this a priority with urgency.

CONSENT AGENDA

3. Minutes: Regular Session, November 19, 2024

Mayor Hopkins asked for a motion to approve the minutes of the Regular Session, November 19th, 2024. Neal Bess Jr. stated so moved. Shaun Massey seconded. All in favor. Motion carried.

4. Financial Statements

5. Personnel Status/Vacancies

6. Project Status Report

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

8. Gas Compliance Update

REGULAR AGENDA

9. Discussion and possible action to allow an Eagle Project to be constructed at Backyard Park and MLK Park; Parks & Recreation Board & Thomas Paniagua

Cerrington Massey, President of the Parks & Recreation Board, approached Council stating their board approved the sandboxes to be built at the parks.

Mayor Hopkins asked for a motion to approve the Eagle Project to be constructed at Backyard Park and MLK Park consisting of sandboxes and benches. Neal Bess Jr. stated so moved. Brian Brooks seconded. All in favor. Motion carried.

10. Discussion and possible action to allow P66 to hold event within the Backyard Park on April 26, 2025; Russell Thompson

Russell Thompson of P66 approached Council about holding a fundraiser for BACA to support kids of domestic violence and abuse. He is requesting usage of the Backyard Park on April 26, 2024 and is expecting 300 to 400 people. Kids would eat free, there would be vendors for food, and a car show. Security will be needed from our local police department.

This is the weekend before Pride Day and there may be setup conflicts. Stewarts Grocery has agreed to allow them to use their parking lot for the event.

No action; discussion only.

11. Discussion and possible action to agenda request received for allowance of Project Graduation's Annual Senior Bonfire, granting a variance to Ordinance §92.01 of the City's Code of Ordinances; Woodrow Tolley

Woodrow Tolley of project graduation approached Council requesting an additional date to hold the bonfire due to a prior scheduling conflict. He has submitted a list of proposed dates as they are still trying to determine. They are moving the bonfire to a Saturday to avoid conflicts during the school week. Mayor Hopkins asked for a motion to approve the variance to Ordinance 92.01, allowing Project Graduation to hold one requested annual Senior's Bonfire on SISD property, as per the requested dates proposed, subject to a burn ban in effect, and to follow all Fire Department and Fire Marshal regulations with submittals for approvals to the respective agencies, and to notify the City of the selected date prior too. Shuan Massey stated so moved. Neal Bess Jr. seconded. All in favor. Motion carried.

12. Discussion and possible action to agenda request for variances to the Zoning Ordinance, Exhibit A, Section 110-69 and Chapter 150 of the City's Code of Ordinances, Building Regulations; Construction; Jennifer Johnson

Jayla Johnson, Jennifer Johnson's daughter, approached Council. She has moved back to Sweeny and wants to request a variance to live within a tiny home at the address of 102 Travis Street. She is asking for a variance to the building codes and zoning ordinance.

Shaun Massey motioned to approve the variance pending supplied engineer drawings for the foundation and bring back to Kaydi. Neal Bess Jr. seconded.

Discussion: Mr. Jordan asked if the motion is pertaining to the foundation on the existing building or full compliance of the 800 sq. ft. Yes, full, meeting minimum compliance of the full code stated Massey.

Massey amended his motion for a variance to the building code and foundation, to a total of 800 sq. ft., upon providing engineered drawings for the attachment of the portable building, for the windstorm and foundation. Neal Bess Jr. seconded. All in favor. Motion carried.

13. Discussion and possible action to Waste Connections annual contractual CPI and fuel increase. Zachary Ryan of Waste Connections approached Council and explained the annual contractual CPI and fuel increase. Councilman Massey questioned residential pickup issues and complaints. Mr. Ryan stated that Waste Connections strives to be good at their job and tries to respond to reported issues within 24 hours.

Mayor Hopkins asked for a motion to accept a rate adjustment, effective January 1, 2025, of 3.8% to reflect an annual CPI increase and 1.41% to reflect an annual fuel cost increase for a total increase of

5.21% to our current residential and commercial garbage rates as billed by Waste Connections, with proportionate increases to City customer garbage billing rates. Brian Brooks stated so moved. Neal Bess Jr. seconded. Brian Brooks and Neal Bess Jr. were in favor. Shaun Massey opposed. Motion carried.

14. Discussion and possible action to requested variance to Ordinance §156.018 A(4)(d) for Illuminated Signage at 305 N McKinney; Sweeny Community Hospital

Kari Schroeter of Sweeny Hospital approached Council requesting a variance for illuminated signage at the Sweeny Hospital Emergency Room. The signage is for identification purposes required by the State and will be reflecting towards Ross Street, in which requires a variance.

Mr. Jordan stated it is our opinion to approve, to stay within compliance of our ordinance and to allow the hospital to stay in compliance with the Texas Administrative Code. Attorney Stevenson stated the Council may only approve if it makes affirmative findings reflected in the minutes as to all the following: it will not authorize a type of sign which is specifically prohibited by this subchapter, is not contrary to the goals and objectives outlined by the City's comprehensive plan, is not contrary to the public interest, due to special conditions a literal enforcement of the ordinance would result in unnecessary hardship, and the spirit and purpose of the ordinance will be observed, and substantial justice will be done.

Neal Bess Jr. stated so moved to allow the variance and the affirmative findings as read by Attorney Stevenson. Brian Brooks seconded. All in favor. Motion carried.

15. Discussion and possible action for needs of completion of project at 605 N Main.

Sohil "Sam" Maredia of 605 N Main approached Council with his new plans for drainage mitigation. The plans have been approved by Txdot and the Drainage District. He is awaiting the permit extension from Txdot before proceeding. PT Brunner added that Sam would like to pull the City permit once the extension is granted by TxDot. Upon final permitting, he estimates the construction should take approximately three weeks to complete.

Shaun Massey moved to approve the drawings approved by the Drainage District and the State for 605 N Main. Brian Brooks seconded.

Discussion: Mr. Jordan stated the City has received the letter from Txdot showing the plans have been approved, the owner is only waiting on the extension permit to work within TxDot right of way. He would be able to start construction on everything else, just not within the TxDot right of way. All in favor. Motion carried.

16. Discussion and possible action on re-plat of 2.2974 acres within the Extra Territorial Jurisdiction (ETJ).

Mayor Hopkins asked for a motion to approve the replat of 2.2974 acres located within the City of Sweeny's Extra Territorial Jurisdiction (ETJ). Neal Bess Jr. stated so moved. Shaun Massey seconded. All in favor. Motion carried.

17. Discussion and possible action to approve Resolution 24-118 designating official bank signatories of the Sweeny Beautification Committee.

Shaun Massey moved to approve Resolution 24-118 designating official bank signatories of the Sweeny Beautification Committee. Neal Bess Jr. seconded. All in favor. Motion carried.

18. Discussion and possible action to agenda request regarding 1007 Mac Drive; proposed demolition of home and entering into a contract with the property owner for reimbursement of services; Councilman John Rambo

Shaun Massey moved to table. Neal Bess Jr. seconded. All in favor. Motion carried.

19. Discussion and possible action to resubmittal of application for TxDOT Transportation Alternatives 2025 Call for Projects Update.

Staff gave updates on moving forward. Reducing the scope for resubmittal would require additional engineering. Based off of prior conversations within the previous workshop, Council discussed using funds to repair existing sidewalks with current funds.

No action; discussion only.

20. Discussion and possible action on update to the Texas Water Development Board (TWDB) State Fiscal Year 2025 Drinking Water State Revolving Fund (DWSRF) application invitation for intent to apply.

Staff gave updates on moving forward, financing, engineering, required documents for full submittal of the application, and time constraints.

Neal Bess Jr. moved to stop the development of the TWDB grant. Brian Brooks seconded. All in favor. Motion carried.

21. Discussion and possible action to the Brazoria County Cities Association (BCCA) membership, participation, and hosting duties.

No action; discussion only.

22. Discussion and possible action to proposed utility billing policy.

Shaun Massey moved to approve the proposed utility billing policy with reflective changes. Neal Bess Jr. seconded. All in favor. Motion carried.

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 at 7:07 PM:

23. Deliberation of Personnel Matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, pursuant to Section 551.074 of the Texas Government Code; City Manager.

OPEN SESSION

The City Council will now adjourn Executive Session, reconvene into Open Session 7:15 PM pursuant to the Provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

24. Discussion and possible action, if any, on item discussed during Closed Executive Session pursuant to Section 551.074 of the Texas Government Code, to appoint City Manager and action related thereto.

Shaun Massey stated, I approve a motion for David Jordan as the permanent City Manager, at a salary of \$80,000.00, not required to immediately move to the City of Sweeny, and he will remain, his health care, under his wife's policy, and will have all other City of Sweeny benefits. Neal Bess Jr. seconded. All in favor. Motion carried.

ITEMS OF COMMUNITY INTEREST

Shaun Massey wished everyone a Merry Christmas.

David Jordan thanked Council for their confidence, and he looks forward to serving for a good while. He feels we can accomplish quite a bit moving forward.

Chief Caudle stated that they have Blue Santa coming up on Sunday from 12-1 PM at the Fire Station. They have approximately 50 kids and 15 families.

ADJOURN REGULAR SESSION

Mayor adjourned the meeting at 7:18 PM.

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

Staff and Affiliates Present:
David Jordan, City Manager
Brad Caudle, Police Chief
Karla Wilson, Finance and Personnel Director
Terrence Bell, Director of Public Works
RC Stevenson, City Attorney
Kaydi Smith, City Secretary

Passed and approved this _____ day of _____, 2025.

Kaydi Smith, City Secretary