

CITY COUNCIL MEETING REGULAR SESSION

Tuesday, March 19, 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, March 19, 2024 at 6:00 PM.** at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas with the following agenda. Council is conducted under modified Roberts Rules of Order as approved by Resolution 102-16; July 19, 2016. In accordance with Chapter §551 of the Texas Government Code, if required, the Council may conduct an executive session on any of the agenda items provided the City Attorney is present.

CALL TO ORDER/ROLL CALL

Mayor Hopkins called the meeting to order at 6PM.

Reese Cook, Brian Brooks, and John Rambo were in attendance. Mark Morgan Jr. and Tim Pettigrew were absent.

PLEDGES & INVOCATION

The pledges were led by Brian Brooks and the invocation was given by Reese Cook.

CEREMONIAL PRESENTATIONS

1. Sweeny Beautification's Yard of the Month: Marie Robinson

CITIZENS WISHING TO ADDRESS CITY COUNCIL

Neal Bess Jr. approached Council and the Mayor. He stated he listened to the prior joint meeting. He believes this is not the first time these issues have been presented. He believes we need to go to a General Law City. He does not feel we meet the requirements to be a Home Rule City as we currently are.

CONSENT AGENDA

2. Minutes: Regular Session, February 20, 2024 & Special Session, March 05, 2024
John Rambo motioned to approved the minutes of the Regular Session, February 20, 2024 and Special Session, March 05, 2024. Reese Cook seconded. All in favor. Motion carried.

3. Proclamations: Child Abuse Prevention Month, Fair Housing Month, & National Day of Prayer
Mayor stated the proclamations will be signed and posted at City Hall proclaiming April as Child Abuse Prevention Month and Fair Housing Month. Also proclaiming May 2nd as the National Day of Prayer.

4. Update on YTD emergency purchases for water and wastewater
City Manager stated that we have spent a lot of money for emergency repairs for water and wastewater in order to remain compliant in regulatory requirements. We haven't received many brown water calls lately. We have repaired our polyphosphate feed line and we are about 88% expended in that line item due to rehabbing wells. We are only 50% into our FY budget. We will need to pay \$18,000.00 for the wastewater treatment plant permit which is due in September. We will need to complete year end budget amendments. She feels we are now stabilized in both areas now. Council discussed the invoices within the packet and the WWTP permit and asked for Strand to be here for this at the next meeting or by phone for more information. City Manager congratulated the Public Works crew, as they are knocking out classes for the water and wastewater licensing. We are required to have a Class C Operator on staff before Inframark could be released. Updates are needed at the WWTP and City Manager stated that is within the Capital Improvement Plan.

Discussion/Update Only

5. Discussion and possible action on a request from City Manager to move the regularly schedule City Council meeting in April to an alternate date.

City Manager stated she will be out of town on the Regular Council meeting for April, 04/16/2024. She is requesting to move to Wednesday the 17th. Two Council members in the meeting will not be able to attend the requested. April 2nd is already scheduled for the Special Meeting to discuss the Capital Improvement Plan. Attorney Stevenson stated we would need to cancel the regular meeting. We could place on the April 2nd agenda to cancel or reschedule the regularly scheduled meeting 04/16/2024. City Manager stated we will have a large agenda if we were to add the Regular Meeting agenda items to the Special Meeting on 04/02. Mayor Hopkins stated they will make the call at the next meeting as an action item.

Discussion Only

REGULAR AGENDA

6. Discussion and possible action to pursue a grant through the General Land Office, Department of Community Development and Revitalization for the 2022 Resilient Communities Program and post a request for proposals for municipal planning services.

City Manager stated the gentleman that was to present this item is under the weather. This grant is to help communities with planning and zoning services up to \$300,000.00. This would include an RFP for professional services to complete the application process. Fees would come out of an awarded contract. This would help to establish land use planning, zoning ordinances, fire codes, and other community focused resiliency efforts. City Manager is asking for approval from Council to support staff advertising this RFP for a consultant to complete an application on behalf of Sweeny. There is no cost for a company to complete an application on our behalf. If awarded, the payment would come out of the award amount.

Reese Cook moved we approve staff's pursuit of a grant through the Texas General Land Office, Department of Community Development and Revitalization for the Resilient Communities Program and advertise a solicitation for municipal planning services related thereto. John Rambo seconded. All in favor. Motion carried.

7. Discussion and possible action on billing complaint from resident at 1621 Milian Circle

City Manager stated that after troubleshooting at 1621 Milian Circle, it was found that the meter was not adjusted to the size of the water line. The Utility Billing Manager has requested Council's approval for an adjustment of \$112.84. Karla Wilson, Finance Director, stated the service line diameter changed. The module was not recalculated to the new size of the service line. The register did not read the readings correctly for two months after the service line was changed. It has been corrected. Council discussed how the module and registers work and how they are programmed to the line size. The old register showed a continuous flow and the leak was never located. The service line was replaced. The meter stopped showing the continuous flow at that point. Vicki Milian approached Council requesting an adjustment and does not agree with the discussed dates and amounts of her bill. She took average of the previous overages and feels they are triple what would normally have been the average in her home. She was given an adjustment for October in the amount of \$94.68. The \$94.68 adjustment was when the leak was still going on.

Brian Brooks made the motion we refund \$246.00 and approve adjustment of \$246.00 to reflect on customers account. John Rambo seconded. All in favor. Motion carried.

8. Discussion and possible action to allow the City Manager to execute a contract for the acceptance of a donation in the amount of \$50,000.00 US Dollars for the sole purpose of improving the Sweeny Animal Shelter and request for approval of the proposed animal shelter improvement for inclusion into the City's adopted CIP.

City Manager stated that with Council's permission, she would like to ask Leigh Ann Thornton to kick things off and she will continue after that. Ms. Thornton was prepared to give a check from the fundraiser completed for the animal shelter. They sold 325 plates presale and raised \$25,000.00 from

the February fundraiser. They also held a raffle for an AR gun and established a Go Fund Me account. The Go Fund Me is just \$50.00 shy of \$14,000.00. She reached out to the community to help make this a top priority. She planned the fundraiser in three weeks and it was very successful. She has talked with Lindsay on ideas and the donation is all the money combined together. This will be a continued ongoing effort. She has \$50,000.00 to donate. City Manager added that she has worked with Attorney Stevenson and they have drawn up an agreement to execute. We will need to include this within the Capital Improvement Plan, as we don't have the budget for a shovel ready project. Repurposing the back shop at the Public Works department would make a nice home for the new Animal Shelter. To have the building insured, we have to have a windstorm engineered building and we would have to complete improvements for a full service shelter. City Manager feels inclusion into the Capital Improvement Plan should be our next move. Thornton asked for an 18 month project completion date, but we cannot complete that until we have a shovel ready project and budgeted amounts. If agreeable, we would accept the donation and invest in a high interest account with its own segregated fund. Thornton agreed to the investment but wants to make sure it is solely used for the animal shelter. Brooks confirmed this money is for a new facility--- not for use toward the existing. City Manager stated the current location is making it hard for adoptions and it is within the same property as our Wastewater Treatment Plant. Mayor asked Attorney Stevenson about entering the agreement, as it stated it can only be amended by Thornton and the City. Stevenson stated if something were to happen to Thornton, her estate would assume responsibility of the completion of the agreement. City Manager stated a creation of a board would be beneficial and she is proposing we treat it closely to the newly created CCPD. That would require a budget, segregated bank account, signatory authority, and this would also open it up to be an audited component of the City. Stevenson stated his understanding was it would be setup as a nonprofit corporation. Thornton stated the corporation nor the income tax is setup yet and it would take at least eight months. Agreement states accepted for rebuilding the city's animal shelter. Councilman Cook voiced his opposition to the proposed location as it is near residential homes and could be a noise issue. Councilman Brooks asked if it could be placed at the Industrial Park within the newly mixed zone. EDC would need to be brought into that conversation, as it is their property, and they can only help with certain types of projects. Any project of \$50,000.00 should be included in the Capital Improvement Plan. In kind donations and letters of commitment have been obtained for labor, hvac, and fencing. Thornton stated she does not want this kicked down the road and wants completed in 12 to 18 months. City Manager suggested adding to the utility bills as a donation for the Animal Shelter. Councilman Brooks brought up an agreement with surrounding cities or for EDC to help with the project and/or land. Council continued to discuss EDC's eligible opportunities in order to help. Mayor Hopkins stated he doesn't want to over commit or underperform and is trying to navigate those risks. Councilman Rambo thinks what she (Thornton) did is commendable, but can't agree to the proposed location due to proximity of residences. He has a list: roads, drainage, and water quality. The dog pound falls low on that list. Councilman Cook doesn't think we are in position to take the money as we can't confirm the location and he feels more planning is needed. He feels there is a lot more planning that needs to be done. Councilman Brooks doesn't mind accepting, but can't put a timeline on it, and feels something needs to be done. Finance Director suggested that we tie this item to the budget discussions.

Reese Cook moved we enter an agreement to accept the donation in the amount of \$50,000.00 between the City of Sweeny and Leigh Ann Thornton and Authorize staff to open a dedicated Logic Investment Pool account for the entirety of the donation until the project is fully funded, and direct the city manager to budget for capital costs related to this project in subsequent fiscal years for approval by City Council. Brooks Brooks seconded. All in favor. Motion carried.

Leigh Ann Thornton handed the City Manager the money order for \$50,000.00 and \$50.00 cash for the donation to the animal shelter. A photo opportunity was held with Thornton, Mayor Hopkins, and Police Chief Caudle to commemorate the donation.

9. Discussion and possible action to approve a resolution to accept a donation of \$50,000.00 in US Dollars from Leigh Ann Thornton, for the exclusive purpose of building a new animal shelter for the City of Sweeny.

Brian Brooks stated so moved to adopt a resolution to accept a donation of \$50,000.00 from Leigh Ann Thornton. Reese Cook seconded. All in favor. Motion carried.

9. Discussion and possible action to approve a resolution to open a separate bank account and authorize signatories for Animal Shelter donations.

City Manager stated we would need to open a separate bank account and authorize signatories for the donation of the segregated fund towards the animal shelter.

Brian Brooks moved to approve the resolution to open an Animal Shelter Fund bank account with First State Bank Louise in Sweeny, Texas and authorize staff to open a separate interest-bearing account for the Animal Shelter Improvement donations and name Brad Caudle, Karla Wilson, and Lindsay Koskiniemi as bank signatories. Reese Cook seconded. All in favor. Motion carried.

10. Updates to proposed changes to Ordinance Chapter 52; Drought Contingency Plan

City manager stated the drought contingency plan is required by TCEQ. It has not been updated in several years and the proposed are the new updates. She suggested to have the City Engineer back to discuss further and that Council should review and bring back any questions or comments to the engineer.

Discussion Only

12. Discussion and possible action to variance requests to the Zoning Ordinance Section 110, Exhibit A; 402 & 404 Pecan Street

Completed in the previous Joint Session with BOC and City Council.

13. Discussion and possible action to establish a Mixed Use Zone within the Zoning Ordinance, Section 110, Exhibit A

Completed in the previous Joint Session with BOC and City Council.

ITEMS OF COMMUNITY INTEREST

Reese Cook thanked Leigh Ann Thornton for her hard work and apologized for the time it took to discuss. He appreciates her hard work.

John Rambo gave kudos to Thornton as well. Rambo praised Beautifications yard of month, Ms. Robinson, on Kent Street. Her yard looks nice and he asked for referrals of those that take pride in their yards each month. Next Friday evening, Beautification will be hosting a Main Street Cleanup.

ADJOURN REGULAR SESSION

Mayor Hopkins adjourned the meeting at 7:39 PM.

Staff present:

City Manager, Lindsay Koskiniemi

Police Chief, Brad Caudle

Director of Public Works, Terrance Bell

Finance Director / Personnel Services, Karla Wilson

City Secretary/ Developmental Services, Kaydi Smith

Passed and approved this 23rd day of April, 2024.

Kaydi Smith

Kaydi Smith- City Secretary