

CITY COUNCIL MINUTES
MAY 9, 2023
9:00 A.M.

The City Council of the City of Sweetwater, Texas, met in regular session on Tuesday, May 9, 2023, at 9:00 a.m. in the City Council Room at City Hall, 200 E. Fourth Street with the following members present:

JIM MCKENZIE, Mayor
JEROD PEEK, Mayor Pro Tem
JOHN MCPHERSON, Councilman
KERRY BAKER, Councilman
RICKY CASTRO, Councilman

DAVID A. VELA, City Manager
PATTY TORRES, City Secretary
JEFF ALLEN, City Attorney

Staff Members present: Lisa Adames Assistant City Manager for Administration, Lynn Barrett Planning and Operations Director, Bryan Sheridan Police Chief, Eddy Campbell Utilities Director, Dewey Coy Fire Chief, and Zach Adames IT Director, Kathleen Cox Communications & Media Relations Manager and Tonya Challis SNAP Director.

1. Mayor McKenzie called the meeting to order.
2. Fire Chief Dewey Coy gave the invocation.
3. Councilman McPherson led the Pledge of Allegiance to the American and the Texas Flags.
4. Motion was made by Councilman Baker, seconded by Councilman Castro to approve the minutes for the meetings held on April 4, 2023, April 11, 2023 and April 18, 2023. The motion carried unanimously.
5. Public Input: None
6. Proclamation was presented by Mayor McKenzie for "Older Americans Month."
7. Regular Agenda Items
 - A. Oath of Office was administered by Jeff Allen, City Attorney to Mr. Jim McKenzie, Mayor; and Mr. John McPherson, City Council Member District 1; and Mr. Ricky Castro, City Council Member District 3.

**COPY OF OATHS OF OFFICE AND STATEMENTS OF OFFICER IS
LOCATED IN THE ORDINANCE AND CONTRACT BOOK XVI
PAGES 3100 – 3108.**

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- B. Nomination and Motion was made by Councilman Peek, seconded by Councilman Castro to approve a Resolution appointing Councilman McPherson as Mayor Pro- Tem for the City of Sweetwater, and prescribing the term thereof. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XVI PAGE 3109.

APPOINTING MAYOR PRO-TEM FOR THE CITY OF SWEETWATER AND PRESCRIBING THE TERM THEREOF.

- C. Motion was made by Councilman Castro, seconded by Councilman Peek to approve Mid-Year Agreed Upon Procedures Report for the period ended March 31, 2023, as prepared by Ms. Catherine Wilks, Certified Public Accountant, LLC. The motion carried unanimously.
- D. Motion was made by Mayor Pro Tem McPherson, seconded by Councilman Castro to approve appointment of Mr. Nemesis Armstead to the Pioneer City County Museum Board of Directors with term expiring May 1, 2025. The motion carried unanimously.
- E. Motion was made by Councilman Peek, seconded by Councilman Castro to authorize soliciting bids for Asphalt Type CRS-2, CRS-2P, Fog Seal and Grade 4 crushed rock to be used for the Fiscal Year 2023 streets seal coating project. The motion carried unanimously.
- F. Motion was made by Councilman Peek, seconded by Mayor Pro Tem McPherson to enter into a public hearing on the abandonment of City streets and alley right of way described as:
- All of West Avenue A, a.k.a. South First Street, from the west right of way of Sam Houston Street, a.k.a. Galveston Street, Original Town of Sweetwater, recorded in Plat Cabinet Slide 201-B, Plat Records, Nolan County, Texas, to the east right of way of the BNSF Railway right of way, formerly the BNSF Railway, a.k.a. the KCM & O Railway, and a.k.a. the Panhandle & Gulf Railway, and;
 - Part of West Avenue B, a.k.a. South Second Street, Original Town of Sweetwater, recorded in Plat Cabinet Slide 201-B, Plat Records, Nolan County, Texas, and;
 - All of Murrah Street, a.k.a. Colorado Street, from the south right of way of West Avenue A, a.k.a South First Street, to the north right of way of West Avenue B, a.k.a. South Second Street, Original Town of Sweetwater, recorded in

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Plat Cabinet Slide 201-B, Plat Records, Nolan County, Texas, and;

- All of the alleys in Block 26, Original Town of Sweetwater, recorded in Plat Cabinet Slide 201-B, Plat Records, Nolan County, Texas.

The motion carried unanimously.

There were no public comments.

Motion was made by Councilman Peek, seconded by Mayor Pro Tem McPherson to close the public hearing and enter into regular session. The motion carried unanimously.

No action was necessary.

- G. Motion was made by Councilman Castro, seconded by Councilman Baker to approve the abandonment of City Right-of-Way described as follows:

- Right of way of Sam Houston Street, a.k.a. Galveston Street, Original Town of Sweetwater, recorded in Plat Cabinet Slide 201-B, Plat Records, Nolan County, Texas, to the east right of way of the BNSF Railway right of way, formerly the BNSF Railway, a.k.a. the KCM & O Railway, and a.k.a. the Panhandle & Gulf Railway, and;
- Part of West Avenue B, a.k.a. South Second Street, Original Town of Sweetwater, recorded in Plat Cabinet Slide 201-B, Plat Records, Nolan County, Texas, and;
- All of Murrah Street, a.k.a. Colorado Street, from the south right of way of West Avenue A, a.k.a. South First Street, to the north right of way of West Avenue B, a.k.a. South Second Street, Original Town of Sweetwater, recorded in Plat Cabinet Slide 201-B, Plat Records, Nolan County, Texas, and;
- All of the alleys in Block 26, Original Town of Sweetwater, recorded in Plat Cabinet Slide 201-B, Plat Records, Nolan County, Texas.

The motion carried unanimously.

- H. Motion was made by Mayor Pro Tem McPherson, seconded by Councilman Castro to approve to submit an application to the Texas Water Development Board (TWDB) for Financial Assistance through the Drinking

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Water State Revolving Fund (DWSRF) for the Lead Service Line Replacement Improvements. The motion carried unanimously.

- I. Motion was made by Councilman Castro, seconded by Mayor Pro Tem McPherson to approve Change Order No. 1 for final quantity adjustment for the Georgia-Pacific Water Transmission Main Replacement Project. The motion carried unanimously.
- J. Motion was made by Councilman Peek, seconded by Councilman Castro to approve final acceptance and release of retainage funds for the Georgia-Pacific Water Transmission Main Replacement Project contingent upon submittal of all closeout documents. The motion carried unanimously.
- K. Motion was made by Councilman Baker, seconded by Councilman Peek to approve a Resolution approving and accepting funding from the MDD to assist with the purchase of park equipment in Newman Park. The motion carried unanimously.
- L. Motion was made by Mayor Pro Tem McPherson, seconded by Councilman Castro to table the guidelines and criteria for tax abatements. The motion carried unanimously.
- M. Motion was made by Councilman Peek, seconded by Councilman Castro to approve a Resolution stating the City of Sweetwater is eligible to participate in a tax abatement agreement. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XVI PAGE 3110.

8. City Manager's Report

- A. City Awarded Vernon Deines Award for Comprehensive Plan
- B. Guns & Hoses Softball Game – June 17, 2023
- C. May 7th-13th is American Water Works Association Drinking Water Week
- D. Creekside Development Update

- 9. Motion was made to adjourn by Councilman Castro, seconded by Councilman Peek. There being no further business, the meeting adjourned at 9:38 a.m. The motion carried unanimously.

Jim McKenzie, Mayor

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ATTEST:

Patty Torres, City Secretary

Persons signing register: Cathy Wilks, Ethan Whittenburg, Miesha Adames, Sage Diller, Karen Hunt, Loran Hendrix, Sean Jacques, Tanya Brown, Janice Boil, Judy Leighow Justin Clowers, Dana Stanley, Sean Bailey and Cory Stroman.