

CITY COUNCIL MINUTES
APRIL 9, 2024
9:00 A.M.

The City Council of the City of Sweetwater, Texas, met in regular session on Tuesday, April 9, 2024, 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
JOHN MCPHERSON, Mayor Pro Tem
RICKY CASTRO, Councilman
JEROD PEEK, Councilman
KERRY BAKER, Councilman

DAVID A. VELA, City Manager
JEFF ALLEN, City Attorney
BECKY JIMENEZ, City Secretary

Staff Members Present: Lisa Adames Assistant City Manager for Administration, Kirsta Koennecke Finance Director, Lynn Barrett Director of Planning and Operations, Bryan Sheridan Police Chief, Justin Clowers Utilities Director, Miesha Adames SEED/MDD Executive Director and Zach Adames IT Director.

1. Mayor McKenzie called the meeting to order.
2. Assistant Police Chief, Cory Stroman gave the invocation.
3. Councilman Peek led the Pledge of Allegiance to the American and the Texas Flags.
4. Mayor McKenzie recognized and welcomed Sweetwater Leadership Participants.
5. Motion was made by Councilman Castro, seconded by Mayor Pro Tem McPherson to approve the minutes for the meeting held on March 12, 2024. The motion carried unanimously.
6. Public Input: None
7. Ms. Karen Hunt, Executive Director of Chamber of Commerce made presentation regarding Annual Occupancy of Fund Report.
8. Regular Agenda Items:
 - A. Michael Ash with JES Holdings spoke and asked for support by approving a Resolution as part of their application for funding through the Affordable Housing Program.

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Motion was made by Councilman Peek, seconded by Councilman Baker to approve Sweetwater Station's request for a Resolution supporting its application for funding through the Affordable Housing Program of the Federal Home Loan Bank of Dallas. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XVI PAGE 3389.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER, NOLAN COUNTY, TEXAS HEREBY CONFIRMS THAT IT SUPPORTS SWEETWATER STATION IN ITS APPLICATION FOR FUNDING THROUGH THE AFFORDABLE HOUSING PROGRAM OF THE FEDERAL HOME LOAN BANK OF DALLAS AND THAT THE CITY OF SWEETWATER SUPPORTS THE COMMUNITY REVITALIZATION EFFORTS OF SWEETWATER STATION.

- B. Motion was made by Mayor Pro Tem McPherson, seconded by Councilman Castro to approve the Quarterly Investment Report for the quarter ended March 31, 2024. The motion carried unanimously.

COPY OF REPORT IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XVI PAGE 3390.

- C. Motion was made by Councilman Peek, seconded by Councilman Castro to approve a Mid – Year Audit Engagement Letter with Cathrine Wilks, Certified Public Accountant. The motion carried unanimously.
- D. Motion was made by Councilman Peek, seconded by Mayor Pro Tem McPherson to approve Audit Engagement Letter with Cathrine Wilks, Certified Public Accountant. The motion carried unanimously.
- E. Motion was made by Mayor Pro Tem McPherson, seconded by Councilman Baker to approve updated City of Sweetwater Water Conservation and Drought Contingency Plan with adjustments for the tiers for stages 4 and 5. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XVI PAGE 3391.

A RESOLUTION OF THE CITY COUNCIL ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF SWEETWATER

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- F. Motion was made by Councilman Peek, seconded by Councilman Castro to approve final acceptance and release of Retainage Funds for the Trailer Mounted Stand-by Generators. The motion carried unanimously.
- G. Motion was made by Councilman Peek, seconded by Mayor Pro Tem McPherson to approve an Interlocal Agreement between the Sweetwater Independent School District and Sweetwater Enterprise for Economic Development-Municipal Development District to increase childcare capacity in Nolan County. The motion carried unanimously.
- H. Presentation was made by Lynn Barrett, Director of Planning and Operations regarding Code Enforcement Update.
- I. Lynn Barrett, Director of Planning and Operations was sworn in by City Attorney Jeff Allen for her testimony regarding the dilapidated structures.

Prop. 1: Motion was made by Mayor Pro Tem McPherson, seconded by Councilman Peek to enter into public hearing for 605 West Third Street. The motion carried unanimously.

Lynn Barrett, Director of Planning and Operations explained the building code issues for the property along with visuals of the property and structure. Based on the property inspections staff determined that the structure(s) contain nuisance conditions that constitute a hazard to the health, safety and welfare of the citizen and likely to endanger persons and property, and structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizen and likely to endanger persons and property.

Public Comment on described property: 605 West Third Street
None

Motion was made by Mayor Pro Tem McPherson, seconded by Councilman Castro to close the public hearing. The motion carried unanimously.

Motion was made by Councilman Baker, seconded by Councilman Castro for declaration of dilapidation and/or deterioration and unfit for human habitation and order repair, rehabilitation or demolition of 605 West Third Street Street within 35 days from date of Order. The motion carried unanimously.

Prop. 2: Motion was made by Councilman Castro, seconded by Mayor Pro Tem McPherson to enter into public hearing for 1611 Ross Street. The motion carried unanimously.

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Lynn Barrett, Director Planning and Operations explained the building code issues for the property along with visuals of the property and structure. Based on the property inspections staff determined that the structure(s) contain nuisance conditions that constitute a hazard to the health, safety and welfare of the citizen and likely to endanger persons and property, and structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizen and likely to endanger persons and property.

Public Comment on described property: 1611 Ross Street
None

Motion was made by Councilman Peek, seconded by Councilman Castro to close the public hearing. The motion carried unanimously.

Motion was made by Councilman Peek, seconded by Councilman Castro for declaration of dilapidation and/or deterioration and unfit for human habitation and order repair, rehabilitation or demolition of 1611 Ross Street within 35 days from date of Order. The motion carried unanimously.

- J. Motion was made by Councilman Peek, seconded by Mayor Pro Tem McPherson to approve a Resolution authorizing the City Manager to apply for a public safety grant for the purpose of promoting public safety, reducing crime, and improving the criminal justice system.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XVI PAGES 3392 – 3393.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR A PUBLIC SAFETY GRANT FOR THE PURPOSE OF PROMOTING PUBLIC SAFETY, REDUCING CRIME, AND IMPROVING THE CRIMINAL JUSTICE SYSTEM.

9. City Manager's Report

- A. Police Department New Vehicles
- B. Municipal Pool Opening Day – May 25th
- C. Police Department Back the Blue(bonnets)

10. Motion was made by Councilman Castro, seconded by Mayor Pro Tem McPherson to enter into closed session at 9:29 a.m. pursuant to Section 551.071 of the

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Texas Government Code for the purpose of consulting with its attorney concerning pending or contemplated litigation and on a matter in which the duty of its attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with open communication. Matters with consultation will occur:

- Article VIII of Chapter 17 of the Code of Ordinances regarding Game Rooms and Amusement Redemption Machines
- Contemplated litigation against the City

The motion carried unanimously.

- 11 Motion was made by Councilman Castro, seconded by Mayor Pro Tem McPherson to reconvene into regular session at 9:52 a.m. The motion carried unanimously.
12. Motion was made to adjourn by Councilman Castro, seconded by Councilman Baker. There being no further business, the meeting adjourned at 9:53 a.m. The motion carried unanimously.

ATTEST:

Jim McKenzie, Mayor

Becky Jimenez, City Secretary

Persons signing register: Catherine Wilks, Michael Ash, Ethan Whittenburg, Karen Hunt, Savanna Bankhead, Bill Miller, Heather Lomas, Justin Rosson, Rachel Pattillo and Stacy Boil.