

CITY COUNCIL MINUTES

February 12, 2019

9:00 A.M.

The City Council of the City of Sweetwater, Texas met on February 12, 2019 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

LARRY MAY, Mayor Pro Tem

JEROD PEEK, Councilman

JIM LEE, Councilman

DAVID A. VELA, City Manager

PATTY TORRES, City Secretary

PETE SHERIDAN, City Attorney

ABSENT: RICKY CASTRO, Councilman

Staff Members present: Fire Chief Grant Madden, Interim City Services Director Danny Heini, Public Works Director Russell Jones, Utilities Director Eddy Campbell, Chief of Police Brian Frieda, Director of Administrative Services Lisa Adames, SNAP Director Tonya Challis and IT Director Zach Adames.

1. Mayor McKenzie called the meeting to order.
2. Larry Holder with Highland Heights gave the invocation.
3. Councilman Peek led the Pledge of Allegiance to the American and the Texas Flags.
4. Motion was made by Mayor Pro Tem May, seconded by Councilman Peek, to approve the minutes for the meeting held on January 8, 2019. The motion carried unanimously.
5. Action Items
 - A. Motion was made by Councilman Peek, seconded by Councilman Lee to approve an Ordinance ordering an election of the qualified voters of the City of Sweetwater to be held on May 4, 2019, for the purpose of electing a Mayor and two City Councilmembers (Precincts 1 and 3) of said City. The motion carried unanimously

COPY OF ORDINANCE IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1467-1472.

**CITY COUNCIL MINUTES
FEBRUARY 12, 2019**

AN ORDINANCE OF THE CITY OF SWEETWATER, TEXAS ORDERING A MUNICIPAL ELECTION TO BE HELD ON MAY 4, 2019, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCILMEMBERS OF SAID CITY; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

- B. Cathrine Wilks made presentation. Motion was made by Councilman Peek, seconded by Mayor Pro Tem May to approve the Comprehensive Annual Financial Report (Audit) for the fiscal year ended September 30, 2018. The motion carried unanimously.
- C. Motion was made by Mayor Pro Tem May, seconded by Councilman Peek to approve authorizing staff to pursue bids on AC 10 and Grade 4 crushed rock for a potential streets seal coat project in Summer 2019. The motion carried unanimously.
- D. Motion was made by Councilman Lee, seconded by Councilman Peek to approve reappointment of Mr. Bill Johnson to the City/County Joint Airport Zoning Board. The motion carried unanimously.
- E. Motion was made by Councilman Peek, seconded by Councilman Lee to approve reappointment of Mr. Larry Ludlum as City appointee to the Sweetwater – Nolan County Municipal Auditorium Board of Directors. The motion carried unanimously.
- F. Presentation was made by Police Chief Brian Frieda regarding Sweetwater Police Department Annual Report.
- G. Motion was made by Councilman Peek, seconded by Mayor Pro Tem May to approve Resolution approving revised Employee Policy Manual. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1473-1474.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER, TEXAS, AUTHORIZING AND APPROVING THE REVISED AND UPDATED EMPLOYEE POLICY MANUAL; AND ESTABLISHING AN EFFECTIVE DATE.

- H. Motion was made by Councilman Peek, seconded by Councilman Lee to approve Resolution approving City of Sweetwater Legislative agenda for the 86th Regular Texas Legislative Session. The motion carried 3 for and 1 against. Mayor McKenzie, Councilman Peek and Councilman Lee voted for and Mayor Pro Tem May voted against.

CITY COMMISSION MINUTES

February 12, 2019

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1475-1482.

A RESOLUTION OF THE CITY OF SWEETWATER, TEXAS, ADOPTING THE CITY OF SWEETWATER'S 2019 STATE LEGISLATIVE AGENDA FOR THE 86TH LEGISLATURE; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

- I. Julie Morgan with McCreary Veselka Bragg & Allen, PC., gave a presentation. Motion was made by Mayor Pro Tem May, seconded by Councilman Peek to approve Resolution authorizing the City Manager to enter into an agreement with McCreary Veselka Bragg & Allen, PC, Attorneys at Law, for collection of delinquent municipal court fees, fines, court costs and restitution. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1483.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MCCREARY VESELKA BRAGG & ALLEN, PC, ATTORNEYS AT LAW, FOR COLLECTION OF DELINQUENT MUNICIPAL COURT FEES, FINES, COURT COSTS AND RESTITUTION.

- J. Motion was made by Mayor Pro Tem May, seconded by Councilman Peek to approve agreement with McCreary Veselka Bragg & Allen, PC, Attorneys at Law, for collection of delinquent accounts receivable and delinquent utility bills. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1484.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MCCREARY VESELKA BRAGG & ALLEN, PC, ATTORNEYS AT LAW, FOR COLLECTION OF DELINQUENT ACCOUNTS RECEIVABLE AND DELINQUENT UTILITY BILLS.

- K. Tal Fillingham with Jacob Martin Engineers made presentation. Motion was made by Councilman Peek, seconded by Councilman Lee to approve Resolution authorizing the City Manager to execute an on-demand

**CITY COUNCIL MINUTES
FEBRUARY 12, 2019**

engineering and architectural services agreement with Jacob Martin Engineers. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1485.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH JACOB MARTIN LLC FOR ON-DEMAND ENGINEERING AND ARCHITECTURAL SERVICES.

- L. Motion was made by Councilman Peek, seconded by Mayor Pro Tem May to approve Request for Proposal (RFP) for the maintenance and operation of the Lake Sweetwater Bait and Tackle Shop. The motion carried unanimously.
- M. Motion was made by Mayor Pro Tem May, seconded by Councilman Lee to approve Resolution authorizing the Mayor to execute contracts with the Texas Department of Health and Human Services. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1486.

BE IT RESOLVED THAT THE GOVERNING AUTHORITY OF THE ABOVE LOCAL GOVERNMENTAL ENTITY DOES HEREBY AUTHORIZE JIM MCKENZIE, MAYOR AND HIS SUCCESSORS TO NEGOTIATE, ON TERMS AND CONDITIONS THAT HE MAY DEEM ADVISABLE, A CONTRACT OR CONTRACTS WITH THE HEALTH AND HUMAN SERVICES COMMISSION, AND TO EXECUTE THE CONTRACT OR CONTRACTS ON BEHALF OF THE LOCAL GOVERNMENT ENTITY, AND FURTHER WE DO HEREBY GIVE HIM THE POWER AND AUTHORITY TO DO ALL THINGS NECESSARY TO IMPLEMENT, MAINTAIN, AMEND, RENEW OR REQUEST CLOSURE OF THE CONTRACT. ALTHOUGH THE AUTHORITY OF THE SUCCESSORS IS BINDING ON THIS ENTITY, IT IS ACKNOWLEDGED THAT THIS ENTITY MUST SPECIFICALLY AUTHORIZE ANOTHER PARTY BY NAME IN A RESOLUTION WITHIN 30 DAYS OF THE CHANGE IN AUTHORIZATION, OR WHEN SPECIFICALLY REQUIRED BY HEALTH AND HUMAN SERVICES COMMISSION, WHICHEVER IS SOONER.

- N. Sage Diller with eHT spoke in reference to the single bid received and recommending to reject the bid. Motion was made by Mayor Pro Tem May, seconded by Councilman Lee to reject construction bid – Texas

CITY COMMISSION MINUTES

February 12, 2019

Water Development Board (TWDB), Drinking Water State Revolving Fund (Contract D), contingent upon TWDB concurrence. The motion carried unanimously.

- O. Sage Diller with eHT spoke in reference to application. Motion was made by Councilman Peek, seconded by Councilman Lee to approve submitting 2020 Texas Water Development Board Drinking Water State Revolving Fund application for funding. The motion carried unanimously.
- P. Sage Diller with eHT spoke in reference to application. Motion was made by Mayor Pro Tem May, seconded by Councilman Peek to approve submitting 2020 Texas Water Development Board Clean Water State Revolving Fund application for funding. The motion carried unanimously.

6. City Manager's Report

- A. Quarterly Water Availability Report Update
- B. City Job Postings
- C. ATMOS
- D. City Charter

7. Public Input. Melonnie Hicks spoke about unreasonable amount of pet births, and maybe putting a breeding license in place, concerned about the amount of time dogs are on chains and applying for spay and neuter programs.

8. Councilman Lee made a motion, seconded by Mayor Pro Tem May to adjourn. There being no further business, the meeting adjourned at 9:58 a.m. The motion carried unanimously.

Jim McKenzie, Mayor

ATTEST:

Patty Torres, City Secretary

Persons signing register: Larry Holder, Julie Morgan, Leland Herron, Shaun Martin, Sage Diller, Phillip Cockerall, Ken Becker, Tal Fillingham, Kirk Harle, Melonnie Hicks, Kristy Tyra and Cathrine Wilks