

CITY COMMISSION MINUTES

March 13, 2018

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met on March 13, 2018 at 9:00 a.m. in the City Commission Room at City Hall, 200 E. Fourth Street with the following members present:

JIM MCKENZIE, Mayor
JEROD PEEK, Mayor Pro Tem
LARRY MAY, Commissioner

DAVID A. VELA, City Manager
PETE SHERIDAN, City Attorney
PATTY TORRES, City Secretary

ABSENT: JIM LEE, Commissioner
RICKY CASTRO, Commissioner

Staff Members present: City Services Director Kirk Harris, Public Works Director Russell Jones, Utilities Director Eddy Campbell, Chief of Police Brian Frieda, Director of Administrative Services, Lisa Adames and IT Director Zach Adames.

1. Mayor McKenzie called the meeting to order.
2. Ollie Wilburn from Rhema Valley Church gave the invocation.
3. Mayor Pro Tem Peek led the Pledge of Allegiance and the Texas Flag.
4. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek, to approve the minutes for the meeting held on February 13, 2018. The motion carried unanimously.
5. Action Items
 - A. City Commission opened and considered bids for three (3) Oak Creek Lake lot leases for lease hold interest in said lots.

The following bids were awarded:

Oak Creek Lake Lot 568, Section D Oden Survey: \$12,000.00 from Norris Stephens

Oak Creek Lake Lot 569, Section D Oden Survey: \$5,450.00 from Norris Stephens

Oak Creek Lake Lot 290, 10-C721 T&P: \$2,200.00 from Allen Sutphen

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Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May to award lots. The motion carried unanimously.

COPY OF BID SHEETS ARE LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1031.

- B. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek to approve Ordinance cancelling the May 5, 2018, general election and declaring each unopposed candidate elected to office: Jim Lee, Commissioner Precinct 2 and Jerod Peek, Commissioner Precinct 4. The motion carried unanimously

COPY OF ORDINANCE IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1032 - 1036.

AN ORDINANCE CANCELLING THE MAY 5, 2018 GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

- C. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May to approve compensation of election workers and the appointment of election judge, alternate judge and early voting ballot board judge for the Special Election to propose the termination of the Sweetwater Enterprise for Economic Development Inc. as follows: Kevin Shipp – Election Judge; Sherry Critz – Alternate Judge; and Jena Moffit – Early Voting Ballot Board Judge. The motion carried unanimously.
- D. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek to approve an Resolution approving a tariff authorizing an annual Rate Review Mechanism ("RRM") as a substitution for the annual interim rate adjustment process defined by Section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company") and the Steering Committee of Cities Served by Atmos; requiring the company to reimburse Cities' reasonable ratemaking expenses; adopting a savings clause; determining that this Resolution was passed in accordance with the requirements of the Open Meetings Act; declaring an effective date; and requiring delivery of this Resolution to the company and legal counsel for the Steering Committee. Shaun Martin with Atmos Energy spoke about the need of tariff, no major rate procedure changes. The motion carried unanimously.

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COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1037 - 1052.

AN RESOLUTON OF THE CITY COMMISSION OF THE CITY OF SWEETWATER, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM ("RRM") AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" OR "COMPANY") AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.

- E. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May to approve the Comprehensive Annual Financial Report (Audit) for the fiscal year ended September 30, 2017. The motion carried unanimously.
- F. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May to approve the engagement letter with Cathrine Wilks, Certified Public Accountant, for the performance of an agreed upon procedures engagement for the mid-year report as of March 31, 2018. The motion carried unanimously.

COPY OF AGREEMENT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1053 - 1055.

- G. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek to approve the audit engagement letter with Cathrine Wilks, Certified Public Accountant, to perform the audit for fiscal year end September 30, 2008. The motion carried unanimously.

COPY OF AGREEMENT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1056 - 1061.

- H. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May to approve first reading of Ordinance amending Chapter 19, entitled

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"Motor Vehicles and Traffic" shall be amended by amending Section 19-106 entitled "Trucks Prohibited on Designated Streets. Brian Frieda, Chief of Police spoke to the need of amendment. The motion carried unanimously.

6. City Manager's Report
 - A. City Flag Design Contest
 - B. Taste of Sweetwater
 - C. City-wide Clean Up Efforts
7. No motion was necessary on proposed changes to Article IV in the Sweetwater City Charter. City Commissioners will revisit next meeting.
8. Public Input. None
9. Mayor Pro Tem Peek made a motion, seconded by Commissioner May to adjourn. There being no further business, the meeting adjourned at 11:15 a.m. The motion carried unanimously.

Jim McKenzie, Mayor

ATTEST:

Patty Torres, City Secretary

Persons signing register: Ollie Wilburn, Shaun Martin, Cathy Wilks and Seth Mahaffey