

CITY COMMISSION MINUTES

March 14, 2017

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on March 14, 2017 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

JIM LEE, Commissioner

JEROD PEEK, Mayor Pro-Tem

LARRY MAY, Commissioner

DAVID A, VELA, City Manager

PETE SHERIDAN, City Attorney

PATTY TORRES, City Secretary

Absent: **RICKY CASTRO**, Commissioner

Staff Members present: City Services Director Kirk Harris, Public Works Director Russell Jones, Emergency Services Director Grant Madden, Utilities Director Eddy Campbell, Human Resource Director Lisa Adames, SNAP Director Tonya Challis and IT Director Zach Adames.

1. Mayor McKenzie called the meeting to order.
2. Commissioner May gave the invocation.
3. Mayor Pro Tem Peek led the pledge of allegiance.
4. Presentation was made by Chief Grant Madden, Sweetwater Fire Department for Brad Payne and Tad Baird.
5. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek to approve minutes for the meeting held on February 14, 2017. The motion carried unanimously.
6. Action Items:
 - A. City Commission opened and considered bids on AC10 asphalt and crushed rock to be used in 2016 streets seal coating project. The winning bid for:

AC10 asphalt was Wright Asphalt - \$2.0013 per gallon
Grade 4 Crushed Rock was Vulcan - \$43.54 ton

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Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to table and not award the bid at this time. The motion carried unanimously.

- B. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to adopt an ordinance cancelling the May 6, 2017 general election and declaring each unopposed candidate elected to office: Jim McKenzie Mayor, Larry May Commissioner Precinct 1 and Ricky Castro Commissioner Precinct 3. The motion carried unanimously.

COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 798-802.

- C. Cathrine Wilks, Certified Public Accountant, presented her Independent Auditors Report. Motion was made by Commissioner May, seconded by Commissioner Lee to approve the Financial Audit Report for the fiscal year ended September 30, 2016. The motion carried unanimously.
- D. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to approve a contract with Cathrine Wilks, Certified Public Accountant, for the performance of an agreed upon procedures engagement for the mid-year report as of March 31, 2017. The motion carried unanimously.

COPY OF AGREEMENT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 803-805.

- E. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May to approve the audit engagement letter with Cathrine Wilks, Certified Public Accountant, to perform the audit for fiscal year end September 30, 2017. The motion carried unanimously.

COPY OF AGREEMENT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 806-811.

- F. Motion was made by Commissioner May, seconded by Commissioner Lee to enter into a public hearing on an Ordinance amending Chapter 18, Article II of the Code of Ordinances of the City of Sweetwater entitled "Curfew for Minors" by adding Paragraph (a) (3) and by amending Section 18-45 entitled "Penalties." The motion carried unanimously.

Commissioner Lee asked questions regarding penalties.

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

Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to approve second and final reading and adoption of an Ordinance amending Chapter 18, Article II of the Code of Ordinances of the City of Sweetwater entitled "Curfew for Minors" by adding Paragraph (a) (3) and by amending Section 18-45 entitled "Penalties." The motion carried unanimously.

AMENDING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF SWEETWATER ENTITLED "CURFEW FOR MINORS" BY ADDING PARAGRAPH (a) (3) AND BY AMENDING SECTION 18-45 ENTITLED "PENALTIES."

COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 812-813.

- G. Motion was made by Commissioner May, seconded by Commissioner Lee to enter into a public hearing on an Ordinance amending Chapter 19, Article IV, entitled "Operation of Vehicles Generally" by adding a new Section 19-12 entitled "Use of Engine Brakes." The motion carried unanimously.

There were no public comments.

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

Motion was made by Commissioner Lee, seconded by Commissioner May to approve of second and final reading and adoption of an Ordinance amending Chapter 19, Article IV, entitled "Operation of Vehicles Generally" by adding a new Section 19-12 entitled "Use of Engine Brakes." The motion carried unanimously.

AMENDING CHAPTER 19, ARTICLE IV, ENTITLED "OPERATION OF VEHICLES GENERALLY" BY ADDING A NEW SECTION 19-12 ENTITLED "USE OF ENGINE BRAKES."

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COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 814-815.

- H. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to enter into a public hearing on an Ordinance amending Chapter 6, of the Code of Ordinances of the City of Sweetwater entitled "Animals and Fowl" by adding Sections 6-45 entitled "Interference with Traps and Equipment set out by Department of Animal Services"; by adding Section 6-46, "Feeding Stray Cats or Dogs"; and by adding Section 6-47 "Penalty for Violation." The motion carried unanimously.

There were no public comments.

Motion was made by Commissioner May, seconded by Commissioner Lee to close public hearing and enter into regular session. The motion carried unanimously.

Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to approve of second and final reading and adoption of an Ordinance amending Chapter 6, of the Code of Ordinances of the City of Sweetwater entitled "Animals and Fowl" by adding Sections 6-45 entitled "Interference with Traps and Equipment set out by Department of Animal Services"; by adding Section 6-46, "Feeding Stray Cats or Dogs"; and by adding Section 6-47 "Penalty for Violation." The motion carried unanimously.

AMENDING CHAPTER 6, OF THE CODE OF ORDINANCES OF THE CITY OF SWEETWATER ENTITLED "ANIMALS AND FOWL" BY ADDING SECTIONS 6-45 ENTITLED "INTERFERENCE WITH TRAPS AND EQUIPMENT SET OUT BY DEPARTMENT OF ANIMAL SERVICES"; BY ADDING SECTION 6-46, "FEEDING STRAY CATS OR DOGS"; AND BY ADDING SECTION 6-47; PENALTY FOR VIOLATION.

COPY OF ORDINANCE IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 816-817.

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- I. Jake Lawrence with Government Capital made presentation. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to approve Resolution regarding Financing Agreement for purchase of (4) four police vehicles and, purchase of equipment for (8) eight police vehicles. The City of Sweetwater designates the Mayor as an authorized signer of the Agreement. The motion carried 3 votes. Mayor McKenzie, Mayor Pro Tem Peek and Commissioner Lee voted for the motion. Commissioner May recused himself and Commissioner Castro was absent.

A RESOLUTION REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING "VEHICLES AND RELATED EQUIPEMENT."

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGE 818.

- J. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek to table authorizing staff to advertise for bids on and Oil and Gas Lease in City property for a later date, when further study is made. The motion carried unanimously.
 - K. City Commission heard presentation from Charlie Davis and Ryan Wonder with Schneider Electric on energy saving projects.
7. City Manager's Report.
 - A. Taste of Sweetwater will be held Monday, April 10, 2017 at the Nolan County Coliseum Annex from 5:30 – 7:30 p.m.
 - B. Presentation of Proclamation for World Autism Day will be on March 30, 2017 at 10:00 a.m. at Eastridge Elementary.
 8. Public Input. None
 9. Commissioner Lee made a motion, seconded by Mayor Pro Tem Peek to adjourn. There being no further business, the meeting adjourned at 10:00 a.m. The motion carried unanimously.

Jim McKenzie, Mayor

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ATTEST:

Patty Torres, City Secretary

Persons signing register: Ken Becker, Charlie Carlton, Ryan Wonder, Charlie Davis, Jake Lawrence, John Blackburn, Cathrine Wilks, Penny Mraz, Tad Baird, Joy Payne, Buddy Payne, Randy Payne, Joseph Grant, Brad Payne, Scott Morgan and Rodney Foster.