

CITY COUNCIL MINUTES

September 8, 2020

9:00 A.M.

The City Council of the City of Sweetwater, Texas met on September 8, 2020 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
KERRY BAKER, Councilman
RICKY CASTRO, Councilman
LARRY MAY, Councilman

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

Staff Members present: Public Works Director Russell Jones, Fire Chief Grant Madden, Utilities Director Eddy Campbell, Director of Administrative Services Lisa Adames, Director of Planning & Development Services Dana Schoening, SNAP Director Tonya Challis and IT Director Zach Adames.

1. Mayor McKenzie called the meeting to order.
2. Councilman May gave the invocation.
3. Councilman Castro led the Pledge of Allegiance to the American and the Texas Flags.
4. Motion was made by Councilman May, seconded by Mayor Pro Tem Peek to approve the minutes for meeting held on August 18, 2020.
5. Public Input: None
6. Regular Agenda Items
 - A. Nancy Johnson spoke about recommendations for group health insurance employee benefits.
Motion was made by Councilman May, seconded by Mayor Pro Tem Peek to stay with BlueCross BlueShield but unbundle reinsurance with HM. The motion carried unanimously.
 - B. Motion was made by Mayor Pro Tem Peek, seconded by Councilman Baker to approve Resolution reviewing and approving the Financial Policy for Fiscal Year 2021. The motion carried unanimously.

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COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2001 - 2027.

A RESOLUTION APPROVING THE CITY OF SWEETWATER FINANCIAL POLICY FOR FISCAL YEAR 2021.

- C. Motion was made by Councilman May, seconded by Councilman Castro to approve Resolution reviewing and approving the Investment Policy for Fiscal Year 2021. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2028 - 2044 .

A RESOLUTION REVIEWING AND APPROVING THE CITY OF SWEETWATER INVESTMENT POLICY FOR FISCAL YEAR 2021.

- D. Motion was made by Mayor Pro Tem Peek, seconded by Councilman Castro to enter into a public hearing on the FY 2020 – 2021 Proposed Budget for the City of Sweetwater. The motion carried unanimously.

This budget will raise more revenue from property taxes than last year's budget by an amount of \$129,328 which is a 5.14 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$6,330.

There were no public comments.

Motion was made by Mayor Pro Tem Peek, seconded by Councilman May to close the public hearing and enter into regular session. The motion carried unanimously. No action was necessary.

- E. Motion was made by Councilman May, seconded by Councilman Castro to enter into the first public hearing on the Proposed Tax Rate of \$0.544 (cents) per \$100 valuation for Tax Year 2020. The motion carried unanimously.

This tax rate will raise more taxes for maintenance and operations than last year's tax rate.

The tax rate will effectively be raised by 5.20 percent and will raise taxes from maintenance and operations on a \$100,000 home by approximately \$26.89.

There were no public comments

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Motion was made by Mayor Pro Tem Peek, seconded by Councilman Castro to close the public hearing and enter into regular session. The motion carried unanimously. No action was necessary.

- F. Motion was made by Mayor Pro Tem Peek, seconded by Councilman Baker to approve Resolution on the Central Rate Schedule for the 2020 – 2021 Budget with an amendment to not increase water and sewer rates at this time. Council will revisit a possible increase to water and sewer rates in six (6) months. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2045 - 2071.

CONFIRMING AND RATIFYING THE CENTRAL RATE SCHEDULE FOR THE VARIOUS FEES, LICENSES, PERMITS AND RATES CHARGED BY THE CITY OF SWEETWATER, TEXAS, FOR THE FISCAL YEAR 2021 AND ADOPTING SUCH CENTRAL RATE SCHEDULE AS AMENDED.

- G. Motion was made by Councilman Castro, seconded by Mayor Pro Tem Peek to approve an Ordinance to adopt the Fiscal Year End 2020 – 2021 Budget for the City of Sweetwater. A record vote was taken as follows:

Councilman May: Aye
Councilman Baker: Aye
Councilman Castro: Aye
Mayor Pro Tem Peek: Aye
Mayor McKenzie: Aye

The motion carried unanimously.

COPY OF ORDINANCE IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2072 - 2073.

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF SWEETWATER FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.

- H. Motion was made by Mayor Pro Tem , seconded by Councilman Castro to approve an Appropriations Ordinance for the Fiscal Year End 2020-2021 for the City of Sweetwater. The motion carried unanimously.

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COPY OF ORDINANCE IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGE 2074.

AN ORDINANCE MAKING APPROPRIATION FOR THE SUPPORT TO THE CITY GOVERNMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.

- I. Motion was made by Mayor Pro Tem Peek, seconded by Councilman May to a Resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, regarding the Company's 2020 rate review mechanism filings. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2075 - 2083.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

- J. Motion was made by Councilman May, seconded by Councilman Castro to approve an Ordinance to rezone property from "A" Dwelling District to "E" Dwelling District for Lots 19 and south half of 18, Block 002, BC Pace Addition (more commonly known as 1401 and 1409 Skinney Drive), City of Sweetwater, Texas. The motion carried unanimously.

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COPY OF ORDINANCE IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2084 - 2085.

AMENDING THE ZONING ORDINANCES OF THE CITY OF SWEETWATER, TEXAS, TO REZONE LOTS 19 AND THE SOUTH HALF OF LOT 18, BLOCK 002, BC PACE ADDITION, FROM "A" DWELLING DISTRICT TO "E" DWELLING DISTRICT.

7. City Manager's Report
 - A. Neighborhood Cleanup Efforts
 - B. Solid Waste Services Update
8. Motion was made by Councilman May, seconded by Councilman Castro to enter into closed session at 9:42 a.m. in accordance with Section 551.071 of the Texas Government Code, to consult with its attorney on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, to wit, the legal position of the City with regard to Oil and Gas Lease with Zebra Investments, Inc. The motion carried unanimously.
9. Motion was made by Mayor Pro Tem Peek, seconded by Councilman Castro to reconvene into regular session at 9:56 a.m. The motion carried unanimously.
10. Motion was made by Councilman May to allow Rod Wetsel and Peter Sheridan to negotiate another lease with Zebra Investments, Inc., no second was made.

Motion was made by Mayor Pro Tem Peek to adopt the Draft I Oil and Gas Lease on City Property in Section No. Forty-five (45), in Block 22, T & P Ry. Co. Survey with Zebra Investments, Inc., seconded by Mayor Jim McKenzie.

Mayor Jim McKenzie, Mayor Pro Tem Peek, Councilman Castro and Councilman Baker were For the Motion and Councilman May was Against.

Motion carried 4 Aye and 1 Nay.

COPY OF LEASE IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2086 – 2086 - 2097.

11. Councilman Castro 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.

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Jim McKenzie, Mayor

ATTEST:

Patty Torres, City Secretary

Persons signing register: Shaun Martin, Miesha Adames and Nancy Johnson