

CITY COUNCIL MINUTES

February 9, 2021

9:00 A.M.

The City Council of the City of Sweetwater, Texas, met in regular session on Tuesday, February 9, 2021, at 9:00 a.m. via GoToMeeting videoconferencing in Sweetwater, TX and had the following members present:

JIM MCKENZIE, Mayor
JEROD PEEK, Mayor Pro Tem
KERRY BAKER, Councilman
LARRY MAY, Councilman

RICKY CASTRO, Councilman
DAVID A. VELA, City Manager
PATTY TORRES, City Secretary

ABSENT: PETE SHERIDAN, City Attorney

Staff Members present: Chief of Police Bryan Sheridan, Fire Chief Grant Madden, Utilities Director Eddy Campbell, Director of Administrative Services Lisa Adames, Director of Planning & Development Services, Dana Schoening 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 Councilman Castro to approve the minutes for meetings held on January 12, 2021 and January 26, 2021. The motion carried unanimously.
5. Public Input: None

This meeting was closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings was granted by Governor Greg Abbott. These actions were taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

6. Regular Agenda Items
 - A. Presentation was made by Chief of Police Bryan Sheridan regarding the Sweetwater Police Department Annual Report.

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- B. Motion was made by Councilman Baker, seconded by Mayor Pro Tem Peek to approve Resolution which amends the Personnel Policy Manual regarding vacation leave and meal reimbursement policies. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2280-2283.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER, TEXAS, AUTHORIZING AND APPROVING AMENDMENTS TO THE EMPLOYEE POLICY MANUAL FOR VACATION LEAVE AND MEAL ALLOWANCES; AND ESTABLISHING DATE.

- C. Mr. Trey Naron, Plant Manager and Mr. Zebulon Long, Project Manager Engineer with Telecom America Services, Inc. spoke in regard to installation.

Motion was made by Mayor Pro Tem Peek, seconded by Councilman May to approve Taylor Telecom to proceed with the installation of new fiber for better internet speed around Oak Creek Lake. The motion carried unanimously.

- D & E. Dana Schoening, Director of Planning & Development Services and Danny Heine, Code Enforcement Officer were sworn in by City Secretary Patty Torres for their testimony regarding the dilapidated structures.

The Public Hearing commenced.

Presentation was made by Dana Schoening, Director of Planning and Development Services on declaring structures on each described property within City of Sweetwater, Texas, to be dilapidated and/or deteriorated and unfit for human habitation so as to require repair, rehabilitation or demolition, providing a time with which to rehabilitate, repair or demolish such structures and providing for the repair, rehabilitation or demolition and removal.

- Prop. 1: Dana Schoening, Director of Planning and Development Services and Danny Heine, Code Enforcement Officer explained the building code issues with the properties from property condition inspections conducted by Bureau Veritas for each property along with visuals to reflect lighted on each property. Based on the property inspections staff determined that the interior of the structure(s) contain nuisance conditions that constitute

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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: 3321 State Highway 70 S.

None

Motion was made by Councilman May, seconded by Mayor Pro Tem Peek to close the public hearing.

Motion was made by Mayor Pro Tem Peek seconded by Councilman May for declaration of dilapidation and/or deterioration and unfit for human habitation and order repair, rehabilitation or demolition of 3321 State Highway 70 S within 35 days from date of Order. The motion carried unanimously.

Prop. 2: Motion was made by Councilman Bake, seconded by Councilman Castro to enter into public hearing. The motion carried unanimously.

Dana Schoening, Director of Planning and Development Services and Danny Heine, Code Enforcement Officer explained the building code issues with the properties from property condition inspections conducted by Bureau Veritas for each property along with visuals to reflect lighted on each property. Based on the property inspections staff determined that the interior of 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: 3413 W. Broadway Street

None

Motion was made by Councilman Castro, seconded by Councilman Baker to close the public hearing.

Motion was made by Councilman May, seconded by Mayor Pro Tem Peek for declaration of dilapidation and/or deterioration and unfit for human

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habitation and order repair, rehabilitation or demolition of 3413 W. Broadway Street within 35 days from date of Order. The motion carried unanimously.

Prop. 3: Motion was made by Councilman May, seconded by Mayor Pro Tem Peek to enter into public hearing. The motion carried unanimously.

Dana Schoening, Director of Planning and Development Services and Danny Heine, Code Enforcement Officer explained the building code issues with the properties from property condition inspections conducted by Bureau Veritas for each property along with visuals to reflect lighted on each property. Based on the property inspections staff determined that the interior of 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.

Danny Heine, Code Enforcement Officer stated that the owner had made contact with him and had already pulled permits to repair building. The owner requested more time to complete repairs. Officer Heine recommended giving 60 days to complete rehabilitation or demolition per City Council Order.

Public Comment on described property: 816 W. Broadway Street

None

Motion was made by Councilman May, seconded by Councilman Castro to close the public hearing.

Motion was made by Councilman Castro, seconded by Councilman Baker for declaration of dilapidation and/or deterioration and unfit for human habitation and order repair, rehabilitation or demolition of 816 W. Broadway Street within 60 days from date of Order. The motion carried unanimously.

Prop. 4: Motion was made by Mayor Pro Tem Peek seconded by Councilman May to enter into public hearing. The motion carried unanimously.

Dana Schoening, Director of Planning and Development Services and Danny Heine, Code Enforcement Officer explained the building code issues with the properties from property condition inspections conducted by Bureau Veritas for each property along with visuals to reflect lighted on

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each property. Based on the property inspections staff determined that the interior of 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: 1117 W. Broadway Street

Property owner's representative, Cricket Alexander was sworn in by City Secretary, Patty Torres. Ms. Alexander stated that the owner had a large number of properties in the City and were working on repairing said property. She requested more time for rehabilitation of property.

Staff recommended giving owner 90 days to complete rehabilitation or demolition per City Council Order.

Motion was made by Councilman May, seconded by Councilman Castro to close the public hearing.

Motion was made by Mayor Pro Tem Peek, seconded by Councilman May for declaration of dilapidation and/or deterioration and unfit for human habitation and order repair, rehabilitation or demolition of 1117 W. Broadway Street within 90 days from date of Order. The motion carried unanimously.

Prop. 5: Motion was made by Councilman Castro, seconded by Mayor Pro Tem Peek to enter into public hearing. The motion carried unanimously.

Dana Schoening, Director of Planning and Development Services and Danny Heine, Code Enforcement Officer explained the building code issues with the properties from property condition inspections conducted by Bureau Veritas for each property along with visuals to reflect lighted on each property. Based on the property inspections staff determined that the interior of 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 W. Broadway Street

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None

Motion was made by Mayor Pro Tem Peek, seconded by Councilman Baker to close the public hearing.

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

Prop. 6: Motion was made by Councilman Castro, seconded by Mayor Pro Tem Peek to enter into public hearing. The motion carried unanimously.

Dana Schoening, Director of Planning and Development Services and Danny Heine, Code Enforcement Officer explained the building code issues with the properties from property condition inspections conducted by Bureau Veritas for each property along with visuals to reflect lighted on each property. Based on the property inspections staff determined that the interior of 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.

Staff mentioned that there was going to be changes in ownership of property and the new owners were going to work on the property as soon as they received ownership. Staff recommended giving owner 90 days to work through an ownership change and/or rehabilitation or demolition per City Council Order.

Public Comment on described property: 2302 E. Broadway Street

None

Motion was made by Mayor Pro Tem Peek, seconded by Councilman Castro to close the public hearing.

Motion was made by Mayor Pro Tem Peek, seconded by Councilman May for declaration of dilapidation and/or deterioration and unfit for human habitation and order repair, rehabilitation or demolition of 2302 E.

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Broadway Street within 90 days from date of Order. The motion carried unanimously.

- F. Motion was made by Councilman May, seconded by Councilman Castro to approve reappointment of Mr. Larry Ludlum as Civil Service Commissioner, whose term will expire January, 2024. The motion carried unanimously.
- G. Motion was made by Mayor Pro Tem Peek seconded by Councilman Castro to approve order calling a bond election in the City on May 1, 2021, and providing for the administration of the election. The motion carried unanimously.

COPY OF ORDINANCE IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2284-2293.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SWEETWATER, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY ON MAY 1, 2021; AND CONTAINING OTHER PROVISIONS INCIDENTAL THERETO.

- H. Motion was made by Mayor Pro Tem Peek seconded by Councilman Castro to adopt a Resolution approving a loan forgiveness agreement with the Texas Water Development Board, and approving all other matters pertaining thereto. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2294-2297.

RESOLUTION APPROVING THE EXECUTION AND DELIVERY OF A PRINCIPAL FORGIVENESS AGREEMENT WITH THE TEXAS WATER DEVELOPMENT BOARD FOR WATER SYSTEM IMPROVEMENTS; AND OTHER MATTERS RELATING TO THE SUBJECT.

- I. Motion was made by Councilman May seconded by Mayor Pro Tem Peek to adopt a Resolution directing that notice of intent to issue certificates of obligation to finance water system projects be posted to the City website and published in a newspaper, and approving all other matters pertaining thereto. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2298-2300.

RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION FOR

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DRINKING WATER SYSTEM PROJECTS; AND RESOLVING OTHER MATTERS RELATED TO THE SUBJECT.

- J. Motion was made by Mayor Pro Tem Peek seconded by Councilman Castro to adopt a Resolution directing that notice of intent to issue certificates of obligation to finance sewer system projects be posted to the City website and published in a newspaper, and approving all other matters pertaining thereto. The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2301-2305.

RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION FOR WASTE WATER SYSTEM PROJECTS; AND RESOLVING OTHER MATTERS RELATED TO THE SUBJECT.

- K. Motion was made by Councilman May, seconded by Councilman Castro to allow Texas Department of Transportation to install official traffic control devices (posted signs and crosswalk) on Elm Street. The motion carried unanimously.

Attorney, Daniel Santee expressed the need for an Ordinance designating it as a school zone before citations could be issued.

- L. Motion was made by Councilman May, seconded by Mayor Pro Tem Peek to honorary renaming of Fourteenth Street from Elm Street to Crane Street as "Honorary Dale Burns." The motion carried unanimously.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XV PAGES 2306-2307.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEETWATER, TEXAS, APPROVING THE HONORARY NAMING OF THAT CERTAIN SEGMENT OF FOURTEENTH STREET FROM ELM STREET TO CRANE STREET AS HONORARY DALE BURNS; FINDING A PUBLIC PURPOSE AND ESTABLISHING AN EFFECTIVE DATE.

7. City Manager's Report

- A. Update on Computer Project
- B. Taste of Sweetwater Cancelled; Accepting Donations

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8. Councilman Castro made a motion, seconded by Councilman Baker to adjourn. There being no further business, the meeting adjourned at 10:10 a.m. The motion carried unanimously.

Jim McKenzie, Mayor

ATTEST:

Patty Torres, City Secretary

Persons signing register: Shaun Mitchell, Trey Naron, Zebulon Long and Cricket Alexander