

## **CITY COUNCIL MEETING SPECIAL SESSION**

**Tuesday, July 23, 2024 at 6:00 PM**

**City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas**

### **MINUTES**

BE IT KNOWN that the City Council of the City of Sweeny met in **Special Session** on **Tuesday, July 23, 2024 at 6:00 PM.** at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas with the following agenda.

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#### **CALL TO ORDER/ROLL CALL**

Mayor Hopkins called the meeting to order at 6:01 PM.

City Manager called roll. Neal Bess Jr., Reese Cook, Brian Brooks, and John Rambo were in attendance. Tim Pettigrew was absent.

#### **PLEDGES & INVOCATION**

Pledges were led by Neal Bess Jr. Invocation was given by Attorney Stevenson.

#### **CITIZENS WISHING TO ADDRESS CITY COUNCIL**

No citizen comments. Mayor Hopkins made a statement regarding the hurricane. He commended the volunteers and department heads. He thanked Marvin Graham and Cecil Stark, as the Mayor, and personally, as a resident. They helped us to have the power back on as fast as possible.

#### **CEREMONIAL PRESENTATIONS**

1. Beautification's Yard of the Month: May 2024- Mike Maretka on Azalea Street; June 2024- Genevieve Wright on Alice Street

Mayor Hopkins announced Beautification's Yard of the Month winners for May and June of 2024; Mike Maretka and Genevieve Wright.

#### **CONSENT AGENDA**

2. Minutes: Regular Session, June 18, 2024, Special Session & Budget Workshop July 2, 2024, and Special Emergency Session, July 13, 2024

Mayor asked for a motion to approve the minutes of the the Regular Session June 18 2024, Special Session & Budget Workshop July 2, 2024, and Special Emergency Session, July 13, 2024.

Neal Bess Jr. stated so moved. Reese Cook seconded. All in favor. Motion carried.

3. 3rd Quarter YTD Financial Reports (Unaudited)

Finance Director gave the third quarter year to date financial report to Council. City Manager stated that there have been a number of emergency expenses to remain in compliance with regulatory agencies. Those budget amendments will be presented in the fourth quarter. Reese Cook requested for the year to date actuals to be included on the consent agenda at each regular meeting.

Reese Cook moved that we do add that as a further practice to include year to date actuals in every regularly scheduled meeting, and in addition, to accept the financials as presented. Brian Brooks seconded. All in favor. Motion carried.

4. Fiscal Year 2023 – 2024 Quarterly Investment Report, Third Quarter

City Manager gave the third quarter investment report. Council discussed accounts and earnings.

Reese Cook moved to accept the financial report, third quarter investment report as presented. Neal Bess Jr. seconded. All in favor. Motion carried.

5. Third Quarter Updates from the Sweeny Executive Leadership Team, covering April, May, & June 2024.

Chief Caudle gave the Police Department third quarter update. City Manager gave the City Secretary's third quarter update. City Manager gave her third quarter administration update to include grants applied

for and is encouraging comments be sent to the TWDB by August 2<sup>nd</sup> in pursuit of a full application from the City. We did rank in the top 12% and she is appreciate of the public helping to make the push. Fire Chief, Roger Barton, gave the Fire Department's quarterly report. They currently have 23 members and 9 of the members have been enrolled into a fire certification program, meaning 90-95% of the department will be certified. Reese Cook addressed the EDC update within the packet. Kay Roe gave supporting information from EDC.

## **REGULAR AGENDA**

6. Discussion and possible action for a joint mural project on a city owned building; City of Sweeny & Sweeny Beautification Committee

Ashley Rambo, President of Sweeny Beautification, approached Council, requesting partnership with the City for a joint mural to be painted onto the side of the Library building at 205 W Ashley Wilson Road. This is a city owned building. Brazoria County does require that their name be included. City Manager recommends this public art project. Beautification shared ideas from a local artist that was in attendance. The City is a part of the Texas Commission of the Arts, in which there are grants and options available. The biggest expense will be the paint. Beautification is looking for the blessing to complete and move forward.

Neal Bess Jr. moved to approve the mural. Brian Brooks seconded. All in favor. Motion carried.

7. Discussion and possible action on agenda request to allow the Sweeny Beautification Committee to remain as a City affiliated group and stop the pursuit as non-profit status.

Beautification President stated the original 501C3 pursuit request was requested by the prior president. At this time, they no longer wish to pursue. Beautification is requesting to stay under the City as currently operating. Council discussed and concluded no action is needed to remain as is. Discussion only, no action.

8. Discussion and possible action on agenda request received for usage of city owned property for proposed farmers market; Sweeny Beautification

Sanci Kennady, Beautification Vice President, approached Council requesting to use the city owned property next door to City Hall for a farmers market on August 31, 2024.

John Rambo moved that we allow Sweeny Beautification to operate a proposed farmers market on August 31<sup>st</sup> at specified location next door. Brian Brooks asked about using the Backyard Park. Brian Brooks seconded. Reese Cook asked about times. It will be used from 9a-3p, with the market from 10a-2p. All in favor. Motion carried.

9. Discussion and possible action to the Friends of the Sweeny Impound Update

Leigh Ann Thornton gave Council an update to the Friends of the Sweeny Impound. They are pursuing 501C3 status. She is requesting a location; Peach Street or Industrial Park. She is concerned that the labor donations will expire. Mayor Hopkins stated that we cannot give permission to give the EDC land away. Neal Bess Jr. suggested using the back shop of Peach Street. Reese Cook asked if regulatory compliances with TCEQ regarding run-off and proximity to the water plant have been addressed.

Thornton is asking for a location designation in order to start working with the City Manager to move forward. Attorney Stevenson stated that we do need to confirm TCEQ requirements as there are easement requirements. Subject to TCEQ's permission, we could grant the choice.

Neal Bess Jr. motioned to pursue the Peach Street location, city building, for the impound, BENJI's Animal Adoption Barn, BAAB. Brian Brooks seconded. All in favor. Motion carried.

10. Discussion and possible action on debris monitoring, debris removal, and private contractor updates related to Hurricane Beryl.

City Manager stated the pricing for procurement and federal reimbursement of the debris removing and monitoring is approximately 1.7 million, in which we cannot afford. We have sought to leverage resources locally and have three bids; J&M Excavation, Stark Inc., and MG Services. The bids received

are the following: MG Services at \$297,500.00, Stark at \$366,000.00, and J & M at \$175,000.00. Mayor stated this is something that we had people come to us and ask and was not RFQ'd, what can we do? City Manager also added its an emergency. Attorney Stevenson stated the bid statutes are the same meaning lowest responsible bidder. If we received multiple bids, we have to award to lowest responsible bidder. DRC Emergency Services is the City's debris removal company previously procured and Rostan is the City's previously procured monitoring company. Both companies had representatives in attendance. Cliff Kennady with DRC addressed Council. They drove the area the day after the hurricane and the estimate is high and is probably more at thirty five to forty thousand yards. They also noted to grind the debris. In other areas, they are completing open burns in which would be a significant savings. They would have to partner and lease the land or permit the City's land with TCEQ. Reese Cook asked about Waste Connections contracted obligations/amounts. City Manager stated that J&M sent a follow-up email updating their bid to \$419,600.00. Mr. Graham of MG Services plans to use excavators, skid steers, dump trucks, and dump trailers and will be taking to an off-site location. Mr. Stark of Stark Inc. will be picking up and grinding debris at his location at Industrial Park and proposed 30 days or less, weather permitting. MG Services agreed on 30 days or less, weather permitting. J&M Excavation was not in attendance. MG Services stated their bid shown is not the correct estimate. It should be \$9.75 yard to equal \$341,250.00. Cecil Stark stated his is based off of yardage and is shown at 30,000 yards, but done by yard. No guarantee of what is out there and he would want a set date to start with a two week allowance for residents to put debris out. Reese Cook asked about who is going to monitor the yardage? Stark suggested a City official monitor. Director of Public Works stated he has the perfect lady for the job and does have someone who could be with them all the time. Mayor confirmed are we able to allocate someone to monitor yardage? City Manager stated yes, we will have someone monitor in house and will force account it. DRC's new rates are at \$5.62 yard to grind and \$8.62 for load and haul rate.

Neal Bess Jr. moved to hire MG Services to take care of our debris for a rate of \$9.75 /yard up to 35,000 yards. Brian Brooks seconded.

Reese Cook stated we need to pursue every option to get this debris out as quickly as possible. Our guys, Waste Connections, and a combined and conservative effort. Brian Brooks asked about taking City stuff being removed to a location. Brooks asked Graham about the machinery tearing up the street. All in favor. Motion carried.

*\*\* All estimates will be included in the exhibits to these minutes.*

11. Discussion and possible action to grant a variance to \$92.01 for allowance to burn debris incurred from Hurricane Beryl.

Discussion only; no action.

12. Discussion and possible action on utilizing city wide notification system for emergencies, missing persons, police & fire department needs, etc.; Councilman Cook

Reese Cook stated he would like the notification system to be utilized by all departments. City Manager gave parameters staff follows dependent on accurate information for release of calls.

Discussion only; no action.

13. Discussion and possible action on janitorial rates and/or fees

Reese Cook moved to table. John Rambo seconded. All in favor. Motion carried.

14. Discussion and possible action on an Interlocal Agreement with Brazoria County Health Department for response and services pertaining to public health preparedness and emergencies.

City Manager stated this is an interlocal that renews every five years.

Reese Cook moved to approve the Interlocal Agreement with the Brazoria County Health Department for response and services pertaining to public health preparedness and emergencies as presented. John Rambo seconded. All in favor. Motion carried.

15. Discussion and possible action on engaging KM&L, LLC for professional financial audit services for the 2023-2024 fiscal year ending September 30, 2024.

Neal Bess Jr. motioned we accept KM&L LLC for professional financial and audit services. Reese Cook seconded. All in favor. Motion carried.

16. Discussion and possible action to approve ordinance 24-104, reducing the number of board members on the Parks and Recreation Board.

Reese Cook moved to approve ordinance 24-104, reducing the number of board members on the Parks and Recreation Board, from seven to five members. Brian Brooks seconded. All in favor. Motion carried.

17. Discussion and possible action to approve Ordinance 24-105, amending Section 110-173, 2(a) of the Zoning Ordinance.

Mayor Hopkins asked for a motion to approve Ordinance 24-105, amending Section 110-173, 2(a) of the Zoning Ordinance. Brian Brooks stated so moved. Neal Bess Jr. seconded. All in favor. Motion carried.

18. Discussion and possible action to accept the resignation of Councilman Tim Pettigrew, Council Position No. 5

Neal Bess Jr. moved to accept Councilman Tim Pettigrew's resignation, Council Position No. 5. John Rambo seconded. Neal Bess Jr., Reese Cook, and John Rambo approved. Brian Brooks abstained. Motion carried.

19. Discussion and possible action on the process to fill the vacancy of Council Position No. 5 for the remaining term; Article II, Section 2.05 Vacancies of the City Charter.

Attorney Stevenson read Article II of the City Charter for vacancies. Council can appoint to fill the unexpired term or we can have a special election in May to fill the position. Council discussed.

Neal Bess Jr. stated he is open for making a suggestion to place Shaun Massey in Position No. 5 for the remainder of the term. Confirmation was made that it would be filled for the remainder of the term; almost 2 years. Neal Bess Jr. stated, that is his motion, to fill the unexpired term with Shaun Massey for Position No. 5. John Rambo seconded. Brian Brooks asked Mr. Massey if he was sure he wanted it. Mr. Massey replied he was up for it. All in favor. Motion carried.

20. Discussion and possible action to establish the next Special Session and Budget Workshop

City Manager stated she would like to have weekly meetings for the budget, limited to two hours, every Tuesday. City Manager asked about swearing in Massey at the next meeting, Attorney Stevenson confirmed it can be added to the next agenda.

Reese Cook stated to schedule next budget meeting for next Tuesday, July 30th at 4PM.

Reese Cook stated so moved 4-6pm. Brian Brooks seconded. All in favor. Motion carried.

## **ITEMS OF COMMUNITY INTEREST**

Neal Bess Jr. thanked Councilman Brian Brooks for allowing him to stay at his RV Park free of charge after his home was damaged from the hurricane.

Brian Brooks thanked the organizations that put on the fish fry last Friday. Excellent Job.

Terrence Bell thanked everyone for helping clean up.

Shaun Massey stated next Saturday the Lions Club will be giving out backpacks and school supplies.

They will have water slides, an outdoor family movie night, and snacks. Bring your lawn chairs. All is at no cost. This will be August 3<sup>rd</sup>.

## **ADJOURN REGULAR SESSION**

Mayor adjourned the meeting at 7:45 p.m.

-----Exhibit Attachments Include the Estimates pertaining to Agenda Item No. 10; *Discussion and possible action on debris monitoring, debris removal, and private contractor updates related to Hurricane Beryl.*

Exhibit Attachments are attached by alphabetical order of the company name.

J & M Demolition & Excavations, LLC

J & M Demolition & Excavations, LLC additional email correspondence; estimate change

MG Services

STARK INC

### **Staff Present:**

City Manager, Lindsay Koskiniemi

Police Chief, Brad Caudle

Director of Public Works, Terrence Bell

Finance Director/Personnel Services, Karla Wilson

Minutes were completed by audio recording and hand written notes by the City Manager. City Secretary was not present for this meeting.

Passed and approved this 27th day of August, 2024.

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Kaydi Smith- City Secretary

**J&M DEMOLITION &  
EXCAVATIONS , LLC**3208 County Road 244 Brazoria, TX  
77422

9794189702

jmdemolition2014@gmail.com

**ESTIMATE  
EST0021****DATE  
07/22/2024****TOTAL  
USD \$175,000.00**

TO

**Lindsay koskiniemi (Sweeny City Hall)**

102 W. Ashley Wilson Rd, Sweeny, TX 77480

9795483321

citymanager@sweenytx.gov

DESCRIPTION	RATE	QTY	AMOUNT
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<b>WE WILL PERFORM STORM DEBRIS CLEANUP ALL OVER CITY LIMIT OF SWEENY AS SHOWN ON MAP , &amp; HAULING WITH 28 YDS TANDEM DUMP TRAILERS.</b>	<b>\$175,000.00</b>	<b>1</b>	<b>\$175,000.00</b>
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We will be accessing the town of sweeny , with 3 machines with grapples , & loading into 28 yd dump trailers. Caution signs and cones will be provided to oncoming traffic , and spotters will be used to guide traffic. The estimated time is going to be a slow process but will be finished within 4-5 weeks' time frame & will work full time hours until done. This will be HURRICANE DEBRIS PICKUP ONLY SUCH AS TREES ONLY! Full cleanup such as raking will be provided as well . Call if you have any questions 979-418-9702, thank you!

**TOTAL****USD \$175,000.00**

**From:** [Lindsay Koskiniemi](#)  
**Sent:** Wednesday, July 24, 2024 12:57 PM  
**To:** [Kaydi Smith](#)  
**Subject:** FW: Debris clean up  
**Attachments:** image001.png

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To go in the meeting minutes with the bids for debris.

Lindsay Koskiniemi, CGFO, CPM, MPA, MSA  
City Manager  
Office 979-548-3321  
Sweeny City Hall | 102 W. Ashley Wilson Rd. | Sweeny, TX 77480



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**From:** Magali Moreno <[REDACTED]>  
**Sent:** Tuesday, July 23, 2024 6:45 PM  
**To:** Lindsay Koskiniemi <[citymanager@sweenytx.gov](mailto:citymanager@sweenytx.gov)>  
**Subject:** Re: Debris clean up

Hey Mrs Lindsay , I am jose owner of j&m demoliton & excavation I got in and was reviewing the bid sheet at \$175,000 there is a huge mistake on bid , my estimator didn't factor in landfill fees , fuel cost , & manpower & was accidentally left out . I toured from street to street & I have all my numbers collected and we feel comfortable at this bid \$419,600 . My apologies but if the city of sweeny accepts this bid we will work seven days a week to have your city restored back to normal asap . Thank you if you have any questions please feel free to reach out to me [REDACTED] or email me @ [REDACTED]

On Tue, Jul 23, 2024, 10:12 AM Lindsay Koskiniemi <[citymanager@sweenytx.gov](mailto:citymanager@sweenytx.gov)> wrote:

Thanks for sending. We have received and are reviewing your bid.

How many cubic yards did you calculate and will you or a representative from J&M be present to discuss your bid with City Council this evening? Council meeting starts at 6pm at Sweeny City Hall.

Thanks,

Lindsay Koskiniemi, CGFO, CPM, MPA, MSA  
City Manager



Office 979-548-3321

Sweeny City Hall | [102 W. Ashley Wilson Rd.](#) | [Sweeny, TX 77480](#)



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**From:** Magali Moreno [REDACTED]

**Sent:** Monday, July 22, 2024 8:53 AM

**To:** Lindsay Koskiniemi <[citymanager@sweenytx.gov](mailto:citymanager@sweenytx.gov)>

**Subject:** Debris clean up

This is J&M DEMOLITION & EXCAVATION LLC please send me the outline or print of all the roads that needs to be picked up, thank you.



MG Services

10235 FM 524 Rd  
Sweeny, TX 77480

# Estimate

Date	Estimate #
7/15/2024	1515

Name / Address
City of Sweeny PO Box 248 Sweeny, TX 77480

			Project
Description	Qty	Rate	Total
Pick up and Haul off Hurricane Beryl Debris - Approximately 35,000 yds of hurricane debris, pick up and haul to Industrial Park Burn site.  9.75 / yrd. (LK)  - Discussed about at meeting -  Marvin Graham confirmed cost of \$9.75 / yd @ 35,000 yds -  (LK)  \$341,250	35,000	8.50	297,500.00
Thank you for your business.		Total	<del>\$297,500.00</del>

# ESTIMATE

STARK INC  
PO Box 1207  
West Columbia, TX 77486

accounting@starkservicesinc.com  
+1 (888) 212-3478  
www.starkservicesinc.com



**Bill to**  
CITY OF SWEENY  
Attn: Mayor Hopkins  
102 ASHLEY WILSON RD  
SWEENY  
TX  
77480

**Ship to**  
CITY OF SWEENY

## Estimate details

Estimate no.: 24-046  
Estimate date: 07/19/2024

#	Date	Product or service	Description	SKU	Qty	Rate	Amount
1.		<b>BRUSH / TREES DISPOSAL</b>	<p>Bid for Sweeny hurricane cleanup This bid includes the loading, hauling and grinding of natural organic material</p> <p>All materials must be piled by the edge of the streets with no trash or man made materials. Any material that is not piled by the roads after two weeks from the start date is not our responsibility.</p> <p>Scope of work</p> <ul style="list-style-type: none"><li>• Load all organic material into dump trailers using a skidsteer or excavator</li><li>• Material will then be transported to the Stark Inc site located at Industrial Park</li><li>• Material will be mulched for resale or donations to the residents of Sweeny.</li></ul> <p>All prices are based on the estimated 30,000 yards that was presented to Stark Inc. Total price may change depending on the final yardage after completion. Price per yard to load, haul and grind is \$12.20</p>		30000	\$12.20	\$366,000.00

**Total**

**\$366,000.00**

**Note to customer**