

## CITY COUNCIL MEETING SPECIAL SESSION

Tuesday, September 05, 2023 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 will meet in **Special Session** on **Tuesday, September 05, 2023 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

Mark Morgan Jr., Reese Cook, Brian Brooks, John Rambo, and Tim Pettigrew were in attendance.

#### PLEDGES & INVOCATION

Pledges were led by Brian Brooks and the invocation was given by Reese Cook.

#### CITIZENS WISHING TO ADDRESS CITY COUNCIL

No visitor comments.

#### CONSENT AGENDA

1. Proclamations (2) October 2023: Breast Cancer Awareness Month & National Night Out  
*Mayor Hopkins stated the proclamations will be signed after the meeting and posted in City Hall.*
2. Minutes: Regular Session, August 15, 2023; Special Session August 22, 2023; Special Joint Session, August 29, 2023  
*Mark Morgan Jr. motioned to approve the minutes of the Regular Session August 15, 2023, Special Session August 22, 2023, and Special Joint Session August 29, 2023. Tim Pettigrew seconded. All in favor. Motion carried.*
3. Discussion/ Possible Action to the Fire Department 3rd Quarter Incident Report  
Chief Barton is out on a grass fire report. City Manager stated the report is included for the Council's review.  
*Tim Pettigrew made the motion to accept the Fire Departments 3<sup>rd</sup> Quarter Incident report. Mark Morgan Jr. seconded. All in favor. Motion carried.*

#### REGULAR AGENDA

4. Discussion/ Possible Action on Presentation of Vehicle Lease from Enterprise  
William Kwelle, with Enterprise Lease Vehicles, was in attendance to answer Council's questions regarding leasing three 150 trucks, as reflected in the proposed FY 23/24 budget. Full maintenance is included in the lease and can be completed by local businesses. Length of the lease is determined by mileage, age, wear, and tear. Kwelle gave out information of annual options included within the lease agreement. Rambo asked about current cost analysis for the three vehicles. City Manager stated she could pull information, but currently vehicle maintenance is over budget.  
*No action, discussion only*
5. Discussion/ Possible Action to Request for procedural change in Boards and Commissions open application timeframe.  
City Manager stated it is difficult to receive applications to fill the city affiliated boards and commissions positions. She would like to keep the application submittal process open for applicants to submit at any time. Applications would be pre-screened and submitted to the

boards for review as vacancies on such boards become available. Accepted applications would stay on file for a full year. Mr. Cook asked if this fits into the EDC's conveniences and bilaws? Nina Christie, SEDC President, stated they have anniversary dates in September annually. City Manager does wish to have this pertain to the EDC as well. Rambo questioned storing of applications received. Applications would be filed at City Hall in a locked cabinet with only the City Manager, HR director, and City Secretary having access.

*Mark Morgan Jr. motioned to change the procedure of accepting applications, keeping it open year-round for boards and commissions, and keep on file for one year. Brian Brooks seconded. Discussion: Rambo asked about the EDC's thoughts. Michelle Medina of SEDC stated she was fine with this. Nina Christie stated applications are normally only open for a month and EDC would advertise as needed on the Facebook page, website, newspaper, by word of mouth, and the City marquee. City Manager stated applications would be valid for one year. Even if there is a full board, the city would keep the applications on file for one year. All in favor. Motion Carried.*

6. Discussion/ Possible Action on the Appointment of Applicants (3) to the Sweeny Economic Development Corporation's Board of Directors and Allowance to Canvas for Applications for Additional Position (1)

Nina Christie, EDC President, stated there are four positions open starting October 1<sup>st</sup> for the SEDC board. They only received three applications; she (Nina) did not re-apply. SEDC is recommending all three applicants to the board. Applicants are Jenny Massey, Bill Hayes, and Kay Roe.

*John Rambo made the motion to appoint the applicants to the EDC Board of Directors, Mr. Bill Hayes, Ms. Jenny Massey, and Ms. Kay Roe. Brian Brooks seconded.*

*Discussion: Mark Morgan Jr. asked if we still need to allow EDC to seek applicants for the remaining position. Attorney Stevenson stated that since previous item was voted approved, no need.*

*All in favor. Motion carried.*

7. Discussion/ Possible Action on Sweeny EDC's Performance Agreement Amendment with Cecil Joe Stark Sawmill & Logging, Inc.

Nina Christie, EDC President, stated the original performance agreement was previously approved by Council 01/2023. Stark has since requested changes to the agreement, as his business has changed. His sales tax so far this year is \$16,000.00 and he has obtained vendor licenses with Phillips and Dow to sell direct, increasing his sales tax collection. His business plan is to sell dirt, rock, and mulch, which is taxable. He will be renting trailers for use including crash trucks, skid steers, and mowers. He has purchased a band mill for wood cutting, mantles, etc. He has additionally established a contract with Stihl to feature \$5,000.00 worth of inventory. He is requesting to put an office building and store front on location with yards containing equipment and materials. He is requesting 16.93 acres at which is valued at \$18,000.00 an acre. The total property value is \$304,740.00. He is asking for 2 of the acres to have a second lien by SEDC. He will have the first lien for the office/warehouse portion in which would be through First State Bank in Sweeny. His current location is hurting the consumer, as it is far outside of town and sales tax is now going to the County. He wants to bring his business into town, giving that sales tax to Sweeny. Cook asked about the sales tax figures. Stark stated he has brought in \$60,000.00 not \$16,000.00 as previously stated, and he would get additional breakdown information that was requested earlier today regarding the figures. Stark stated he turned those figures in early on, referring to submittal upon original request for the performance agreement, but would get with his tax accountant to produce new. Cook stated the absent sales tax numbers for review is a concern as the property value is large.

*Reese Cook made the motion to table the discussion/decision until we receive actual sales tax numbers for further discussion. Seconded by Mark Morgan Jr.*

*Discussion: Brian Brooks asked how long are we putting the discussion off? Once the information is received, we could add to the next regular meeting, September 19th. Stark asked how many years does Council prefer? Brooks asked about why the current sales tax information was not received prior to bringing it to this meeting. The new performance agreement was approved August 4<sup>th</sup> by EDC without this. Stark stated he was requested today for the sales tax information, but his financial person was unavailable in order to compile. Cook stated he prefers at least the last three years of information and showing trends. Stark stated they have been in business since 1999 and prior too has been a family business since 1962. He has mostly been commercial previously. However, the proposed business model would cater more to residential. How would he predict the sales tax as this would differ? Nina referred him to the business department at the college for additional support to help with the planning and models.*

*Mark Morgan Jr., Reese Cook, John Rambo, and Tim Pettigrew approved. Brian Brooks opposed. Motion carried.*

8. Discussion/ Possible Action to the Sweeny Firefighters Association Deed

Kaydi Smith stated that the Council originally acted to deed city property to the Fire Fighters Association previously. The deed was never completed in house. Since Council and Mayor positions have changed, confirmation is requested prior to the current Mayor signing the newly produced deed.

*Mark Morgan made the motion to sign the deed over to the Firefighters Association and should they disband, the title/deed comes back to the City. Tim Pettigrew seconded. All in favor. Motion carried.*

9. Discussion/ Possible Action to Replat Requested; 1007 2nd Street

Kaydi Smith stated that there are two individual lots that have been requested to be combined, to be known as one lot, 1007 2<sup>nd</sup> Street. The replat does conform to the requirements of the C1 Commercial zone.

*John Rambo made the motion to approve the replat at 1007 2<sup>nd</sup> Street. Mark Morgan Jr. seconded.*

*Discussion: Mayor asked if we know what the combination of property is being requested for. Smith stated a daycare facility is being discussed.*

*All in favor. Motion carried.*

10. Discussion/ Possible Action on Entering a Joint Agreement with SISD for Services Utilizing K9 Sable

Chief Caudle stated this agreement is for legal purposes for the SISD to utilize the usage of Canine Sable. Our services for Sable are at no charge. Mayor asked how often Sable is used. Normally it is upon request if there is an issue/concern, and routinely, one to two times a month. If anything is found, the SISD PD would handle it. These checks/usage is at no charge. Rambo asked why we do not charge for these services? Chief Caudle stated it is an agency courtesy. The donation of food was brought up. Cook asked about any liabilities to Sable (injuries to her), would SISD be liable? Chief stated instances like that would be based on a case by case basis and upon an investigation being completed. After further review of the agreement, the Mayor stated he feels the agreement covers Sable.

*Brian Brooks made the motion to approve the joint agreement with Sweeny ISD for services utilizing K9 Sable and to work out a deal for donated food. Tim Pettigrew seconded. Mark Morgan Jr., Reese Cook, Brian Brooks, and Tim Pettigrew approved. John Rambo opposed. Motion carried.*

11. Discussion/ Possible Action to Council Requested Reports; Municipal Court and Community Center Rentals

City Manager stated these were reports requested by Council during the budget workshops. These are for Council records or informational purposes only.  
*No action, discussion only*

12. Discussion and Possible Action of the Reviewal of the Proposed Fiscal Year 2023-2024 Budget  
City Manager stated that no real action is needed, she just wanted to keep this fresh on Councils mind going into the budget and tax rate public hearings/ adoptions, scheduled for the next meeting. She feels the budget presented is pretty responsible and reflects the voter approval rate. It is a significant decrease from last year. This rate will raise \$151,896 additionally and of that \$6,967 is added from new property on the tax roll. Public hearing for the budget and tax rate is scheduled for September the 12<sup>th</sup>. Mr. Rambo asked about the vehicle stipend for the City Manager. City Manager stated she removed the Assistant City Managers vehicle and phone stipend, as he is no longer here. Cook asked if the budget presented includes 3 fleet vehicles. City Manager stated that is correct- 3 vehicles. City Manager stated the debt rate and maintenance and operations are the amounts that comprise the tax rate.

*John Rambo recommends that we remove the City Managers vehicle stipend from both funds. Mayor asked Charlie about Rambo's motion on the table. Mayor stated in the budget there were 2 vehicles split in 2 funds for clarification, as Mr. Brooks questioned the split and amounts. City Manager pulled up a presentation of other cities that give vehicle stipends. Discussion ensued between Council and the City Manager. Brian Brooks seconded the motion on the table. Mark Morgan Jr., Brian Brooks, and John Rambo approved. Reese Cook and Tim Pettigrew opposed. Mayor called for a record vote as he was unsure of hands raised. Mark Morgan Jr., Brian Brooks, and John Rambo were FOR the motion on the table. Reese Cook and Tim Pettigrew voted NAY/AGAINST. Motion carried.*

Reese Cook asked about the tax rate hearing next week and possible approval. We can adopt a lower rate without a second public hearing? That is correct stated the City Manager. Between now and the next meeting, Cook asked the City Manager to provide what the tax rate would be, if the general fund did not have a \$14,000.00 overage. Meaning bring the budget to a zero balance, due to the last 2 to 1 proposed tax rate vote.

### **ITEMS OF COMMUNITY INTEREST**

The Mayor stated there is a home football game Friday night and tailgating opportunities. He expressed to keep your loved ones close, as he himself experienced a severe accident on a job today that resulted in a significant loss.

Kaydi Smith reminded all to sign the mylars previously approved.

City Manager stated the Federal law states you are required to pay milage and she will be preparing monthly mileage statements. Tim stated she would be receiving 65.5 cents a mile.

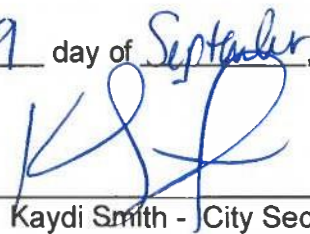
Brian Brooks stated to please keep Tim's family in your prayers.

### **ADJOURN REGULAR SESSION**

Mayor Hopkins adjourned the meeting at 7:17 p.m.

City Officials/Employees Present:  
Lindsay Koskiniemi, City Manager  
Karla Wilson, Finance Director  
Kaydi Smith, City Secretary  
Brad Caudle, Police Chief

Passed and approved this 19 day of September, 2023.

A handwritten signature in blue ink, appearing to read 'K. Smith', written over a horizontal line.

Kaydi Smith - City Secretary