

CITY COUNCIL MEETING SPECIAL SESSION & BUDGET WORKSHOP

Tuesday, September 03, 2024 at 4:30 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, September 03, 2024 at 4:30 PM.** at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas with the following agenda.

CALL TO ORDER/ROLL CALL

Mayor called the meeting to order at 4:30 PM.

Neal Bess Jr., Reese Cook, Brian Brooks, John Rambo, and Caniel "Shaun" Massey were in attendance.

PLEDGES & INVOCATION

Pledges were led by Shaun Massey. Invocation was given by Reese Cook.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

Susan Pollock, Mac Drive, approached Council on frustrations of the City Manager position. She addressed the tree that fell onto her home during Hurricane Beryl, gas utilities, and driveway repairs needed.

CONSENT AGENDA

1. Minutes: Special Session, August 27, 2024

Mayor Hopkins asked for a motion to approve the minutes.

Brian Brooks stated so moved. Neal Bess Jr. seconded.

Neal Bess Jr., Brian Brooks, John Rambo, and Shaun Massey were in favor. Reese Cook abstained.

Motion carried.

REGULAR AGENDA

2. Discussion and possible action on the Pecan Street Water Line Replacement Project
Council discussed options and funding requirements for the Pecan Street Water Line Replacement Project.

Neal Bess Jr. motioned to carry over item #2 to next Tuesday's meeting. John Rambo seconded.

All in favor. Motion carried.

3. Discussion and possible action to 1107 Estelle sewer issues; Councilman Rambo
John Rambo stated 1107 Estelle received approximately \$17,000.00 in damages to their home during Hurricane Beryl from sewer issues. The City lost power and the lift stations were not performing correctly as the backup generators were down. The City's insurance, the homeowner's insurance, and FEMA has denied the claim. Attorney Stevenson stated the City is not legally responsible due to the Texas Tort Act. However, there is a provision in the law that allows Council discretion. Council may pay sewer claims if they choose too.

John Rambo motioned that the City reimburse the Sewell family in the amount of \$16,822.00. Brian Brooks seconded.

Discussion: The City needs to look at what was filed (original insurance claim).

Neal Bess Jr., Brian Brooks, John Rambo, and Shaun Massey were in favor. Reese Cook opposed.

Motion carried.

EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE SECTION 551.071, 551.072 AND 551.074

The City Council convened into executive session pursuant to the provision of Chapter 551 Texas Government Code, in accordance with the authority contained therein at 4:58 PM.

4. Deliberation Regarding Personnel Matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, pursuant to Section 551.074 of the Texas Government Code; City Manager

OPEN SESSION

The City Council adjourned Executive Session at 5:50 PM and reconvened into Open Session pursuant to the Provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

5. Any action to Executive Session Item; Deliberation Regarding Personnel Matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, pursuant to Section 551.074 of the Texas Government Code; City Manager

Neal Bess Jr. moved we accept and appoint David Jordan as Interim City Manager. Shaun Massey seconded.

Discussion: Reese Cook stated this comes with a contract that Attorney Stevenson can draft for the next meeting.

All in favor. Motion carried.

6. Budget Workshop

ITEMS OF COMMUNITY INTEREST

Neal Bess Jr. stated there are additional storms and the generators need to be looked at. There needs to be a critique meeting, with all partners, after a storm.

Reese Cook stated the Farmers Market went well.

David Jordan thanked Council for trusting him. Staff, as a team, will move forward to get the City back on solid ground.

ADJOURN REGULAR SESSION

Mayor Hopkins adjourned the meeting at 6:40 PM.

Exhibits Attached

Staff & Affiliates Present:

David Jordan, Interim City Manager

RC Stevenson, Attorney

Karla Wilson, Finance Director/ Personnel Services

Terrence "Tex" Bell, Director of Public Works

Brad Caudle, Police Chief

Roger Barton, Fire Chief

Kaydi Smith, City Secretary

Passed and approved this 17 day of September, 2024.

Kaydi Smith, City Secretary



CITY OF SWEENY

102 W. Ashley Wilson Rd. • PO Box 248 • Sweeny, Texas 77480 • P: (979) 548-3321 • F: (979) 548-7745

Mayor and Council,

On July 29, 2024, Public Works staff were informed that the resident at 1107 Estelle had contacted some council members. In reference to sewer backing up and flooding the residence during Hurricane Beryl.

Public Works Director Terrence Bell and technical advisor David Jordan met with the homeowner to discuss the issue. During the conversation text messages were observed between previous city employees and the homeowner.

An agreement was reached that the city would install a backflow valve in the customers service line. That line was completed within three (3) days.

City staff also found a fitting broken on the suction side of the lift station pump. That has also been repaired, and to this date the lift station is fully functional.

From: [Huebner, William](#)
Sent: Tuesday, September 3, 2024 8:26 AM
To: [Kaydi Smith](#); [Terrence Bell](#); [Karla Wilson](#)
Subject: RE: 1107 Estelle St - Sweeny, Sewer I&I

All,

I was finishing drafting this response to Lindsay's email, when we found out she had left the City. Please see below, my response on the Estelle St. sewer issue.

There are a few things that may be happening here. I don't believe this house is tied into the 15" gravity line. Most likely, the houses along Estelle St. are served by a 10" line between the lots and the newer 15" line. That sewer runs toward Stevenson St. and eventually makes its way to the lift station near Shady. The system map shows that the 10" line is connected to the 15" line, but that may or may not be the case. If it is not, then likely the backup is due to the Shady LS losing power and a backup of that 10" gravity line. If the other sewer backups occurred during long power outages, then that is likely the culprit. If the line is tied into the 15", then there is likely an issue with I/I overloading that line and backing up. I found a set of plans from 1985 when that 15" line was put in as clay. The system map shows that it is PVC, but I can't find a more recent project plan set showing the replacement of the clay pipe.

I know we discussed this area a while ago as needing a smoke testing study and trying to figure out where some of these surcharges are coming from. I don't think Council was willing to move forward with that at the time, but it might be a good time to reevaluate.

The FM 1459 gravity line manholes shouldn't have much to do with this specific situation since they are not tied into this gravity line. The lift station at FM 1459 does work overtime when the ditch is full because of inflow into those manholes. I know the city was looking into rubber gasketed manhole covers for those manholes since the inflow protectors weren't doing their job, but I don't think any changes have been made yet. Raising the manholes would also solve that problem but would become an issue with mowers damaging the manhole and possibly knocking the tops completely off. This is TxDOT ROW and their mowing crews

In other cities, I've heard of them installing a sewer service check valve or flap valve to help prevent backflows from damaging the homes. They can present problems if the homeowner dumps a lot of trash or grease down the drain, but otherwise do a good job in preventing sewer backflows. Ultimately, the generator issues for the lift stations need to be resolved to fix the main problem, but this might be a good interim solution.

Let me know if you have any questions.

George and Mozalee Sewell

1107 Estelle Street

Sweeny, TX 77480

[REDACTED]

City notified of City Sewer in backyard since June 2021. Flooded house during Beryl. Cauldron is still not repaired.

Flooring	10,863.00
Replacement of damaged goods	2,420.00
Remediation	1,800.00
removal of furniture	
removal of flooring	
mold	
Displacement - 21 days	
America's Best Value West Columbia	1,739.00
most cost effective, stayed at family's house and made the 36 mile round trip each day	
Total loss	16,822.00

June 6th, 2021: Called Ross Aguirre about commode not flushing. The cauldron and clean out had water flowing out into the back yard. Ross said he would install another check valve to prevent backflow.

December 1, 2022: Ross was contacted again about the same problem and said he would try to fix it. He assured us that the check valve had been ordered and would fix the problem.

May 2023: Rusty Lofton (via phone) was under the impression that the lift station was causing the problem. According to him, the city replaced the lift station.

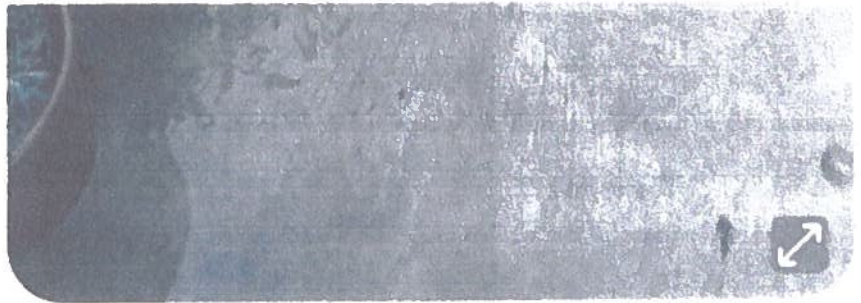
July 8, 2024: We had no problems again until Hurricane Beryl. We were unable to flush commodes and then sewer backed up into the house, through both showers, permeating floors throughout the house. The carpet and hardwood floors have been ripped out, due to molding. Our homeowner's insurance is refusing to cover these losses, citing sewer issues is not in the coverage.

July, 2024: Homeowner's insurance denied claim. Cause: Sewage backed up from the city lines during the storm.

August 25, 2024: FEMA denied claim.



Ross Aguirre (City) ▾

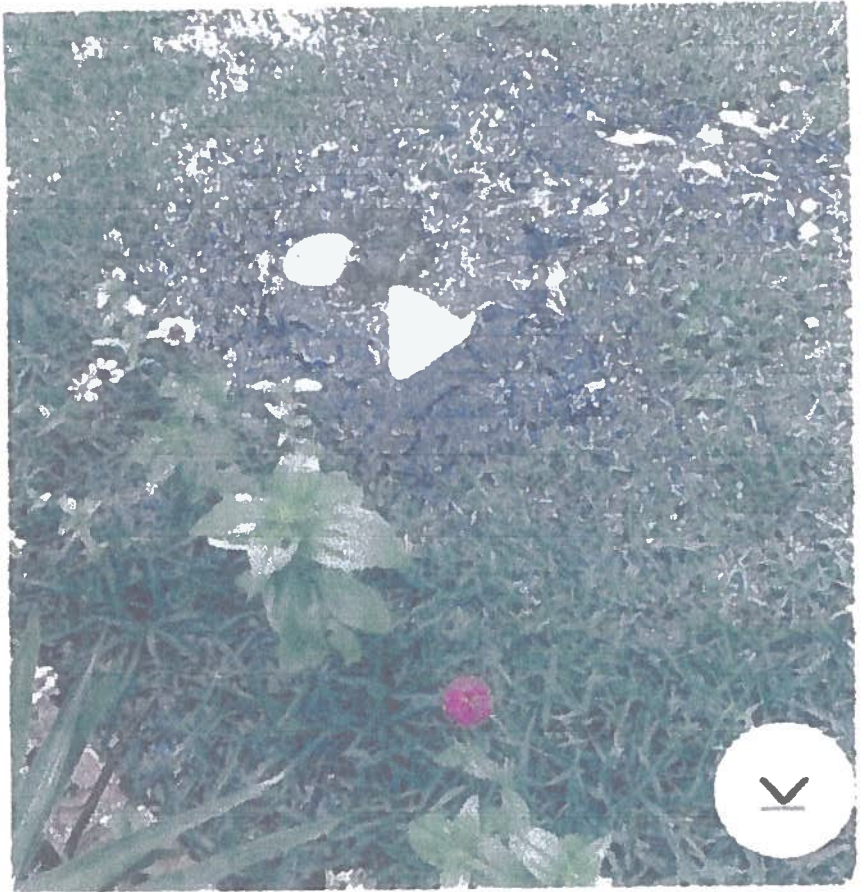


Delivered

Delivered
3:49 PM

George Sewell

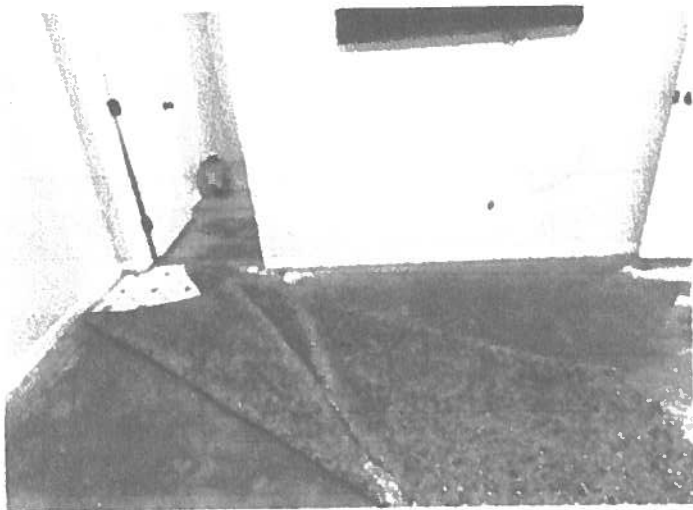




6:39       •

5G  7% 







George and Mozalee Sewell
1107 Estelle Street
Sweeny, TX 77480



	Quantity	Cost	Total
Dining Room rug	1	\$500.00	\$500.00
Living room rug	1	\$300.00	\$300.00
Bath towels	8	\$17.99	\$143.92
Hand towels	4	\$13.99	\$55.96
Wash cloths	8	\$10.99	\$87.92
Shower curtain	1	\$49.99	\$49.99
Kitchen towel	4	\$14.99	\$59.96
Beach towel	4	\$14.99	\$59.96
Bath rug	2	\$31.99	\$63.98
Bathroom trash can	2	\$29.99	\$59.98
Quilt	1	\$89.99	\$89.99
Quilt	1	\$134.99	\$134.99
Quilt	1	\$129.99	\$129.99
Quilt	1	\$109.99	\$109.99
Quilt	1	\$84.99	\$84.99
Quilt	1	\$139.99	\$139.99
Quilt	1	\$85.99	\$85.99
Comforter	1	\$185.99	\$185.99
Comforter	1	\$75.99	\$75.99
			\$2,419.58

Your estimate is ready!

Total Estimate

\$10,863.54

or starting at **\$343/month** with financing (36 mo)*

Dear Peltier Builders:1107 Estelle/Paula's Mom,

Below are your estimate details. To move forward with this estimate, please review and select **Review and Accept** and Zimmerle Floors, LLC will reach out with next steps.

There are various payment methods available, including the option to pay monthly.

Pay monthly with a low, fixed rate

\$10,863

Amount

\$343-\$498/mo

Payment est.*

3 years

Loan terms*

8.49%-35.99%

APR with autopay

Explore financing options **Powered by** **INTUIT**
creditkarma

Estimate #7212

Zimmerle Floors, LLC

- **Material**

\$2,930.80

980 X \$2.99

- **Material**

\$2,930.80

980 X \$2.99

- **Material**

\$371.90

2 X \$185.95

- **Labor**

\$2,180.25

969 X \$2.25

- **Quarter Round Installed and Painted (Owner to furnish paint)**

\$741.00

228 X \$3.25

- **Mapel Plenti Patch Float (Float may vary due to conditions of sub-floor)**

\$1,020.00

12 X \$85.00

- **Labor.**

\$350.00

1 X \$350.00

- **Labor**

\$70.00

2 X \$35.00

- **Labor**

\$250.00

2 X \$125.00

- **Material**

\$1,236.59

540 X \$2.29

- **Pad**

\$297.00

540 X \$0.55

- **Labor**

\$567.00

540 X \$1.05

- **Labor**

\$450.00

3 X \$150.00

Total \$10,863.54

or starting at **\$343/month with financing (36 mo)***

Review and accept



AMERICAN LEAK DETECTION

THE ORIGINAL LEAK SPECIALISTS

American Leak Detection of
Houston
21004 Interstate 45 N,
Spring TX 77373
Ph 1 (281) 440-4400 / Fax 1 (281)-
355-5621
www.AmericanLeakDetection.com
TAX ID: 56-2658523



Invoice 56419033
Invoice Date 7/16/2024
Terms Net 30
Completed Date 7/16/2024

"SERVING GREATER HOUSTON AREA"

Billing Address
Wellington Claims Services (Michael Giordano)
PO Box 1116
Fort Worth, TX 76101 United States
: (817) 697-3529
mgiordano@wellingtoninsgroup.com
claims@wellingtoninsgroup.com

Job Address
Sewell, George
1107 Estelle Street
Sweeny, TX 77480 USA

Description of Work

Technician: Brian Vantrees

A hydrostatic test was performed on the PVC sewer system below slab level, through a 4-inch PVC two-way cleanout located on the back side of the home, by blocking the drain lines off downstream with an inflatable test ball and filling the drain lines with water and monitored the water level in the cleanout for 30 minutes, finding this PVC sewer system to be secure and not leaking at this time.

A camera inspection was performed on the yard line all the way to the city tap, finding no clogs or collapsed sections of pipe. The backup appears to have come from the city line during the storm.

Damage Found: Water damage to the drywall, baseboards and flooring in the hall bedrooms, hall bathroom, hallway, and kitchen.

Cause: Sewage backed up from the city lines during the storm.

Duration: Under 30 days. (MS)

Task #	Description	Total	
R-SWR	Sewer Detection	\$350.00	
Travel Fee	Travel Fee	\$75.00	
		Member Price	\$425.00
		Potential Savings	\$0.00
		Sub-Total	\$425.00
		Tax	\$35.06
		Total Due	\$460.06
		Balance Due	\$460.06

THANK YOU FOR CHOOSING ALDH, INC.

Operates Under Matt Winn License TMPL #36743 Texas State Board of Plumbing Examiners.
929 E. 41st St. - P.O. Box 4200 Austin, TX 78765 512.458.2145 - Fax 512.450.0637 - 1.800.845.6594

I have read and understand the conditions applicable to the work about to be performed. I hereby authorize American Leak Detection to perform the services. I agree to pay for services in full upon completion. I understand that if payment is not received upon completion, my credit card will be charged the full balance due. Furthermore, I agree to pay reasonable charges for collection, including finance charges of 1.5% per month (18% APR), and attorneys fees, in the event of default.

Terms and Guarantee:

Thank you for the opportunity to be of service to you. We strive to please, so if you are in any way not satisfied with our service, please let us know.

To avoid any misunderstanding, we point out that our guarantee is as follows; unless otherwise stated:
All leak location and detection work is guaranteed for 30 days from the date of completion. We will relocate if it is reported within the above 30 day period that a leak was inaccurately located. American Leak Detection will not be liable for any consequential losses arising from inaccurate location in excess of the fee paid.

Major repairs are guaranteed for 5 years. Warranty on minor repairs will be specified at the time of service. All repairs are guaranteed from the date of completion for defects in workmanship only.

All repairs made by American Leak Detection include retesting for further leakage at no additional charge. Repairs made by others can be retested upon request. The testing will carry a minimum \$150 service charge.

ALD is authorized to make opening(s) on-site as deemed necessary to test, access and repair but not responsible for restoration (roof, ceiling, drywall, stucco, paint, wallpaper, carpet, linoleum, ceramic tile, marble/granite, cabinet, wood panel/floor, bricks, landscaping, pool plaster, matching concrete, salt washing, etc). ALD will not be responsible for any unavoidable or necessary collateral damage to property such as commodes and their components, ice makers shut-off valves, water heaters, sheetrock etc. ALD will not be