

January 31, 2013

The Graham City Council met in REGULAR SESSION in the Council Chambers at City Hall at 9:30 a.m. on Thursday, January 31, 2013 with the following members present:

MEMBERS: Mayor: Barry White
Mayor Pro-Tem: Jack Graham
Council Member: Spencer Street III
Pam Scott
Greg Montgomery
City Manager: Larry Fields
City Secretary: David Maddy
Public Works Director: David Casteel
Police Chief: Tony Widner
Assistant Police Chief: Brent Bullock
Fire Chief: Dennie Covey-absent

VISITORS: David Medanich, dean Hinton, Devin Smith, Mayor Sosinski of Newcastle, Judy Langrill, Rhonda Dougless, Kim Birdwell, Roy Robinson, Jerry Schultz, Cliff Smith, Sheila Birdwell (Mayor of Bryson), Beth Tate, Braden Tate, Ed Hinson, James Jones, Charles Birdwell, Jesse Fleming, Martin Gonzalez, Shaun Bacoe, Dough Stroud, Eddie Gellner, Jennifer Conway, Neal Blanton, Sandra Helvey, Jason Cottongame, Dennis Fellows and Cherry Rushin.

ORDER: Mayor Barry White called the meeting to order and opened with prayer.

PUBLIC FORUM:

None. Mayor White recognized Braden Tate with Scout Troop 92 who was visiting as part of working on a merit badge.

MINUTES APPROVED:

Minutes from the January 17, 2013 regular meeting were approved 5-0 on a motion from Greg Montgomery and a second from Pam Scott.

CONSIDER APPROVAL NCTC REQUEST FOR PLACEMENT OF EQUIPMENT FOR OUTDOOR CLASSROOM:

The NCTC curriculum includes oil and gas production. They requested permission to place a pumping unit with 2 tanks, wellhead with a pumping tee, rods and weights, a 20-30 foot deep hole and a joint of 8 5/8 casing on the campus grounds. The proposed location is behind the buildings and will not be very noticeable from any street and will be enclosed with a chain link fence and shrubs to screen from view. Kim Birdwell with NCTC was present to explain the program and equipment. Jack Graham made the motion to approve the request, Greg Montgomery made the second and motion passed 5-0.

CONSIDER CITY/KEEP GRAHAM BEAUTIFUL/TxDOT PROJECT FOR SHAWNEE PARK:

TxDOT and the City along with Keep Graham Beautiful have been exploring ways to improve drainage at Mad Creek and SH 16 in the City. This location runs through Shawnee Park and Shawnee Springs Park. Debris and silt upstream of the SH 16 culvert and erosion downstream make the project a worthwhile endeavor. TxDOT drawings and cost estimates were presented. Jesse Fleming with TxDOT went over the plans saying that no action was required today. TxDOT has committed \$100,000 for the creek alongside Elm Street or SH 16. The project will require an additional \$95,000 from the City. The creek will be lined with stamped and stained concrete, the railing replaced and a sidewalk installed. It will take until the fiscal year 2013-2014 for the environmental clearance. The work is mainly on the east side of Elm (SH 16) from around Cypress to the area across from the Dairy King. The KGB supports the project and will work on raising the \$95,000 match. Once an agreement is reached the work can start in the summer of 2014 and finish in the winter of 2015. Greg Montgomery made the motion to authorize TxDOT to proceed on the contracts, Spencer Street made the second and motion passed 5-0.

CONSIDER CONTRACT TO LOCATE THE BOUNDARY OF THE OLD EASTSIDE CEMETERY:

A project to expand Pioneer Cemetery has been discussed with the cemetery board. There are 150 lots marked and available, an estimated 3 year inventory. In developing a plan for adding more lots, the boundaries of the old Eastside Cemetery were needed such that new lots and infrastructure does not infringe on the existing graves in that area. An archeological consultant visited the site with staff and there are headstones and footstones, some marked and others not, scattered in the Eastside Cemetery. In addition, a review of some historical documents shows that up to four attempted jail escapees who were killed and one person who was hung are buried in unmarked graves. It is possible there are other unmarked graves. A contract has been negotiated to delineate the edges of the Old Eastside Cemetery so that new lots and infrastructure avoid the old area. The contract will include City crews removing and replacing some soil and the archeological consultant examining the area and writing a report for City use. The consultant will also properly coordinate with the Texas Historical Commission on behalf of the City for permits and report filing. The contract is for an amount not to exceed \$10,000. Upon conclusion of the archeological study, an expansion of Pioneer Cemetery will be proposed to the cemetery board and city council to allow for an approximate 15 year inventory. The Cemetery Endowment Fund will advance the \$10,000 for the contract fees and be repaid from new lot sales. Jack Graham made the motion to approve the contract, Greg Montgomery made the second and motion passed 5-0. There will be about 700 new lots in the expansion which will be priced around \$1,500.00. Expansion costs are estimated at \$140,000.

CONSIDER APPROVAL OF REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR PAVILION DESIGN:

The new park project is moving through the process with the Corps and the BRA with an anticipated fall 2013 assignment to the City. Currently the Corps is developing and issuing final demolition and clean up contracts. The BRA and Corps are in final negotiations on contract provisions for the handover to the City. Staff recommends issuing a request for qualifications and proposals (RFQP) for an architectural/engineering firm to design the pavilion and its connection to 3rd Street including an entry feature, courtyard, nearby restrooms and parking facilities. The pavilion will be designed to accommodate groups of 200 persons or more. The time required for the selection of a firm and seeking council approval is anticipated to be 4-6 months. The actual design period is anticipated to be the same length of time. Starting the process in February 2013 will conclude with a design to start taking construction bids near the end of 2013 or the beginning of 2014 and allow for construction to be completed in the summer of 2014. It is also recommended that Alex Heartfield chair a citizen group assisting staff in evaluating the responses. Mr. Heartfield was the chair of the pavilion subcommittee for the park planning of the facility and is president of Young County You Lead which has contributed greatly to the planning of the facility and has adopted the park as their community project. The You Lead group is proposed to serve as the citizen committee for the RFQP evaluation. Greg Montgomery made the motion to authorize the RFQP and appoint You Lead as advisory committee, Pam Scott made the second and motion passed 5-0.

CONSIDER REGULATING PARKING OF VEHICLES IN FRONT AND SIDE YARDS:

Council has discussed parking regulations at two previous meetings and staff received the following input from Council:

- End haphazard parking in front yards
- Be sensitive to people with limited resources in implementing any changes
- Look at what other cities are doing

A draft ordinance was presented for further discussion and feedback. No formal action is required at this time. Jason Cottongame presented ordinances from other Cities. Council liked the one from Azle which included diagrams. Council reiterated it does not want to require existing drives to be paved but front yard parking should require a paved drive. Street parking issues can be addressed as they come up. A final proposed ordinance will be presented on the next agenda.

CONSIDER APPOINTMENT T LIBRARY BOARD:

Leslie Ulrich has been nominated to replace D'Anne Melton. Greg Montgomery made the motion to approve the appointment, Pam Scott made the second and motion passed 5-0.

CONSIDER RESOLUTION APPROVING FINANCING CONTRACT WITH GCP:

This resolution approves the financing agreement for the warrant officer's vehicle lease approved earlier by Council. Pam Scott made the motion to approve the contract and to have Larry Fields sign the authorization agreement, Spencer Street made the second and motion passed 5-0.

REVIEW WATER TREATMENT AND DISTRIBUTION IMPROVEMENT PLANS:

The consulting engineers Corlett, Probst and Boyd discussed the potential designs:

- a. Two parallel 3 million gallon per day (MGD) basins similar to those in existence and repairing existing basins for water treatment and filtration.
- b. Two 3 MGD up-flow clarifiers and repairing the existing basins for water treatment and filtration
- c. Two 5 MGD up-flow clarifiers for water treatment and filtration and re-using the existing basins as pre-treatment settling basins.

Dean Hinton presented the data underlying all options and recommended option 1 which calls for adding 2-3 MGD up-flow now and then rehabilitating the plant with a 4 MGD basis and plan for a future 1-3 MGD up-flow increased capacity at a cost of \$11.5 million. He gave a time table for the plant work which would start this next fall and be completed in the winter of 2015. The new water line into the City would be in the summer of 2014 for \$1 million, adding the storage tanks in the fall of 2014 for \$1.5 million and doing line replacements post 2015. Total cost will be an estimated \$19 million.

David Medanich with First Southwest discussed the determination that the financing has to be taxable due to the Ft. Belknap contract, which is more than 10% of the capacity of the water treatment system. Ft. Belknap takes about 25% of the water produced and is a corporation, which according to tax laws makes this a taxable project. The rates for taxable financing are higher than for non taxable and it may be best to go into the open market for financing rather than through the TWDB. Rates for \$18 million through the TWDB are about 4.40% and open market are about 4.33%, both higher than through a non taxable grant with a forgiveness feature as originally anticipated. Medanich said the City could do an interest only contract the first three years while paying off current debt and then pay principal and interest. Staff will continue evaluating all the options.

REPORTS:

Chief Widner submitted the December Police Department report which included the patrol districts, activity summary and summaries of crime by category. The new format omits names of parties involved. David Casteel reported that the new motors were installed at the Tackett Lift Station and they are now having valve issues. The pond at Fireman's Park has been cleaned and they are now raising funds to stock with fish. Larry reported the lake level at 1069.99 or 74.1% capacity. 1075' is full. He referred Council to the article in Texas Town and Country on State Funding-State Imposed Fees.

ADJOURNMENT:

On a motion by Greg Montgomery, a second from Spencer Street and a vote of 5-0 the Council meeting was adjourned.

Barry White, Mayor

ATTEST:

David Maddy, City Secretary