

May 27, 2021

The Graham City Council met in REGULAR SESSION in the Council Chambers at 9:00 a.m. on Thursday, May 27, 2021, with the following members present:

MEMBERS:	Mayor:	Neal Blanton
	Mayor Pro-Tem:	Shana Weatherbee-Wolfe
	Council Members:	Alex Heartfield
		Jack Little
		Randy Cantin
	City Manager:	Brandon Anderson
	City Secretary:	Sharon McFadden
	City Attorney:	Dan De La Cruz
	Municipal Judge:	Teresa Bishop (absent)
	Police Chief:	Brent Bullock
	Fire Chief:	Jim Don Laurent

VISITORS: Thomas Wallner, Randall Dawson, Kelli Shifflett, Grant Ingram, Jimmy McLeroy, Krisa De La Cruz, Amy Knoll, Lisa Pursley, Chaplain Gary Elrod, Carla Ritchie, Jeff Smith, Pedro Marrufo, Hailey Calcote, Chris Denney, Kay Denney, David Miller, Sonya Ramos, Toby Reddell, and Sarah Lundgren.

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

PUBLIC FORUM: Mayor Blanton asked if anyone would like to speak in the public forum. No comments were made.

AWARDS AND COMMENDATIONS:

Brandon Anderson presented Police Sergeant Chris Denney with a Certificate of Appreciation for his willingness to accept the IT duties for the City of Graham, assisting in the managerial transition of the Airport, and continuing his duties as an Investigator for the Police Department.

Police Chief Brent Bullock presented Police Officer Hailey Calcote with a Chief's Commendation. Chief Bullock stated on April 29, 2021, Officer Calcote responded to an aggravated robbery, apprehended five (5) suspects, and took those suspects into custody. Mayor Blanton thanked Officer Calcote for her service to the community (of Graham).

APPROVAL OF MINUTES:

Minutes for the Special Called meeting held on Tuesday, May 11, 2021, were considered. Alex Heartfield made the first motion and Shana Weatherbee-Wolfe seconded. The minutes were unanimously approved 4-0.

Regular Session Council meeting held on Thursday, May 13, 2021, were considered. Shana Weatherbee-Wolfe made the first motion. Randy Cantin seconded, and the minutes were unanimously approved 4-0.

CONSIDER AND ACT ON APRIL 2021 FINANCIAL REPORTS:

Sharon McFadden stated the April 2021 financial reports does not include the budget amendment Council approved at the May 13, 2021, meeting. Brandon said the May 2021 financial reports will include the approved adjustments. Sharon mentioned the financial reports were ran on May 18, 2021, to provide an update to the budget after adjusting entries were made. Jack Little requested to review the May 18, 2021, financial reports (Sharon gave the copies to Jack). Brandon briefly explained each of the eight (8) pages of the financial reports. Brandon stated the City (of Graham) is currently in the eighth (8th) month of the fiscal year. Jack Little asked if it is common for Council to make (budget) adjustments during the fiscal year and if that is common practice. Brandon stated that usually a group of adjustments are gathered and presented in an amendment. Brandon said most expenditures have been previously approved by Council. Brandon said it is required for staff to present a budget amendment for Council to consider. Mayor Blanton stated that auditors require budget amendments. Brandon said it is (referring to budget amendments) common and expected practice for municipalities. Alex Heartfield questioned the Administrative Expenses of the Water Fund (page 5 of financial report). Mayor Blanton asked Brandon to check on the question of Alex in the financial reports. Brandon said on the treatment side that the discrepancy is likely a bond payment. Mayor Blanton asked when bond payments are made. Sharon stated in February and August every year. Brandon said another factor to consider is the appropriations from the water and sewer funds that are transferred to the general fund. The transfers have not occurred for this fiscal. \$500,000 is appropriated for transfer from water to general and \$100,000 is appropriated from sewer to general. Brandon said he would verify his statements. Alex Heartfield made the motion to approve pending an explanation for discrepancy. Jack Little made the second motion and the financials were unanimously accepted 4-0.

DISCUSS THE 2021 PRELIMINARY TOTALS FROM THE YOUNG CENTRAL APPRAISAL DISTRICT (YCAD) FOR 2021:

Brandon said the Young Central Appraisal District (YCAD) has provided preliminary 2021 totals for property (Ad Valorem) tax. Brandon mentioned the 2020 totals were also provided in the Council packet. Brandon referred to the bottom three (3) figures that include net taxable increased from \$417,000,000 to \$453,000,000; freeze adjusted taxable (bottom line) increased from \$347,000,000 (2020) to \$373,000,000 (2021). The freeze table of \$69,000,000 (2020) to \$80,000,000 (2021) increase are for taxpayer 65 years and older (which are locked). Brandon said the City (of Graham) will be receiving additional calculations to assist on setting the 2021 Ad Valorem tax rate. Brandon mentioned there is a big increase in our tax base. Last year (2020) the tax rate was decreased by \$0.06. and Brandon said there may be a possibility of decreasing the rate in 2021. Brandon said the YCAD reports are being provided at this time for informational purposes. Mayor Blanton asked if there was a final tax bill on the properties located around the lake. Brandon said he is aware that lease owners that disputed their taxes received an adjustment down. Brandon said YCAD placed values of \$35,000 per acre on all lots located around the lake and started taxing lease holders on the land. There is a caveat in the tax code that allows YCAD to tax since property is no longer being offered for public use. Brandon said he is aware of one property valued at \$26,000 and another at \$24,500 per acre. Brandon said lake lot lease holders are frustrated and that Jack Little has also attended meetings with those individuals. Brandon said there is no final answer at this point, and he will bring a proposal to Council. Lake lot lease holders will be provided a letter of notification.

ENTERED INTO A PUBLIC HEARING AT 9:20 A.M.

Public Hearing on a request for the proposed planned development in the PD3 requires it to be presented to the City of Graham Planning and Zoning Board as well as the City of Graham City Council, this development was approved by P & Z on May 18, 2021.

A proposed Apartment/Hotel/Retail Development in the PD3 requires it to be presented to the City of Graham Planning and Zoning (P & Z) Board as well as the City of Graham City Council, this development was approved by the P & Z on May 18, 2021.

Brandon said the meeting is open for any public comment and maps are available for the proposed project. The property is in a PD3 and all the property in the Wal-Mart area was deemed a PD3. There is the requirement that it must be presented to the P & Z (Planning and Zoning) for approval and then to City Council for approval. Brandon said there were eight (8) to ten (10) total at the P & Z meeting and a good discussion took place regarding the potential project. P & Z approved, and the proposed project is now being presented to Council for consideration. Brandon said the public hearing has been duly posted, advertised in the paper (Graham Leader) per the City of Graham Charter and ordinance. Brandon referred to the maps provided to the Council members. Richard King stated he was the owner of Crown Architectural and Development, PLLC (CA & D) and he resides in Garland, Texas. Mr. King has been practicing architect through Texas Tech since 1979. He received his license in 1983. Mr. King said he was presented with this project several months ago. His client is interested in constructing a hotel, two apartment buildings, and possibly a retail building on the southern part of the property. Mr. King said the property is located behind some retail buildings and a motel on Highway 16. He said the property has a sliver of land that connects it to Highway 16. The west side of the property is bordered by the drive going into Wal-Mart. The eastern side has no direct access or link to the back drive that goes to the gas station. Mr. King stated the property sits on a bit of a hill, environmental reports have been completed, and seems to be in good shape there. He said the design is for three (3) story apartments with one (1), two (2), and three (3) bedroom units. The apartment size, the amount of area required for parking, emergency vehicle parking has been considered. Mr. King said in his meeting with the City Manager and City Staff, there is a need for housing in Graham. There is difficulty in attracting new industry and this project is an attempt to fill the need. The site plan Mr. King is presenting today (May 27, 2021) is a revision that includes P & Z recommendations for changing access. Mr. King discussed utility concerns and stated there is a sewer line that runs down Highway 16 that can be connected to. There is a water line to the south. Mr. King stated the site is served (for utilities) so there is no constraint or issues from that aspect. Brandon said there is a slight correction. The sewer does not actually come up Highway 16 but there is a utility easement that will suffice. Mayor Blanton asked if there has been contact with gas and electric providers. Mr. King said there is a power line bisecting the property currently serving the retail buildings. He is confident about the electric but stated he has not checked on gas service. Mr. King said he has 14 to 15 hotel projects and a lot of retail previously completed. Mr. King said it is his understanding that they are seeking (Council) approval for the uses and since this is a concept plan based on final grading, he said there may be a need to add or deduct a few rooms. He said there has been correspondence with Fairfield and a couple of other hotel chains. The retail component may stay or could possibly go away to accommodate the minimum requirements of the hotel chain. Mr. King said that Randall Dawson verified the hotel can be built at three (3) stories with a roof top restaurant area. There are floor plans for each level. Graham currently has fast food restaurants and national chains. In conversation, there is a request for an upscale-type operation. Jack Little asked Mr. King if there were going to be three (3) entrances. Mr. King said there are four (4) proposed entrances: the south, Highway 16, discussion with Wal-Mart to purchase part of property on the northeast corner of Wal-Mart Drive, and there is a potential access on the northeast corner. Mayor Blanton asked Randall Dawson how the access is classified. Randall said that has always been the main access to that property. Mayor Blanton asked if TxDOT has looked at the access and Randall said, "They (TxDOT) have not." Shana Weatherbee-Wolfe asked if restrictions allow for a restaurant right there. Brandon said all the uses being presented are included in the PD3. PD3 must have Council approval and those seeking the project want to ensure they can move forward. Brandon said the final plan will include all legalities and required details. Mr. King introduced Mr. Patel and his son who will be entering into franchise agreements and own the hotel. Sanjay Patel stated he has been building retail buildings, apartments, and hotels for 15 years. He introduced his father and said his father owns a construction company. Mr. Patel said they want to build what is most profitable and in reviewing Graham, there has not been any apartment buildings constructed in more than 40 years. Mr. Patel said the land is very promising and he said when in Dallas, he notices there are at least two (2) or three (3) apartment complexes around it. The apartments are easy access to Wal-Mart for them to get their groceries and prevent them (apartment tenants) from having to drive. Mr. Patel said 25 to 30 weekends each year, current hotels are full. The franchises being considered are Fairfield, Hilton, Hampton, or a new brand named Tru. Tru is competitive to Holiday Inn Express that is in Graham. Eddie Patel (father) introduced himself. Mr. Patel said he has been a Civil Engineer since 1982. He has built hotels, motels, school buildings, and the Johnson & Johnson building. Mr. Patel is currently working on the remodeling of the Holiday Inn Express in Graham. Sanjay Patel (son) said his dad has more than 30 years in the construction business. Jack Little asked if for the retail, do they intend to build and then lease the retail space. Mr. Patel (son) said the retail will be leased and the restaurant will be partner or owner-management. Mr. Patel (son) said he has spoken with John King, owner of the BeefMaster (restaurant), there are current locations in Weatherford and Burleson. Mr. King is interested in opening a steak house at the location. Mr. Patel (son) said Council approval is needed before they can move forward with negotiating with franchises. Mayor Blanton asked Sanjay if this were approved, what the time frame will be for completion. Mr. Patel said the plan is in phases with the apartments being first since they are a primary need. Second, the retail building, then the second apartment building, and the hotel last. The retail can be built in a few months, but the apartments and hotel will take one to one and a half years to complete. Brandon said each building will take up to a year and a half each and Sanjay Patel agreed. Jack Little said the property ends behind Mi Familia restaurant. David Miller identified the one-acre strip owned by Roy Pitcock. David said it is an easement that runs back to that one-acre. Jack Little said between Chicken Express and Mi Familia (north side) is one lane. David said that is correct and estimates it is 30 feet. David said there is enough room for two-way traffic. Jack Little said that will eliminate part of the parking (at Mi Familia). Jack Little said that could be used as an emergency vehicle entrance. Mr. King said there is a study on the access to the area in discussion. Brandon recommended the main entrance be from Wal-Mart Drive to the south. Brandon said the entrance by Verizon is good for the retail from Highway 16. Brandon agreed with Jack Little on the concern for loss of parking for Mi Familia and Chicken Express. Mayor Blanton also stated his concern of parking. Alex Heartfield said he is concerned that visitors will not want to drive up the hill for access to the area. Mayor Blanton said the entrance area by Wal-Mart is the key area for an entrance. Mr. King said it was requested for him to include an entrance between Mi Familia and Chicken Express. Jack Little mentioned he previously owned that property, and he is aware of the

easement. Jack said as a courtesy to the business in front of it, he had a gate that remained locked and used the entrance from the other side of the property. Mr. King said that goes back to the grading and determining what needs to be done. Mr. King said may not be able to access from that area. Mayor Blanton asked Fire Chief Jim Don Laurent if he had concerns about the three (3) story building. Fire Chief said he did not have any concerns but has not reviewed the plans. Mr. King said he needed to clarify that the building will be three (3) stories and the fourth level will be part roof and part restaurant. Mr. King said whatever changes need to take place, he will remain within the PD3 guidelines. Mr. King said this will be a high-profile project for the City of Graham and part of his job is to visit with those involved to determine what is wanted and needed. Alex Heartfield asked if today (May 27, 2021) all the Council is doing is approving the uses of the property. Brandon confirmed that Alex's comment is correct. Mayor Blanton asked if anyone had questions or concerns. Sonja Ramos asked if the apartments were going to be single level. Mr. King stated the apartments will be three (3) stories. Shana Weatherbee-Wolfe stated that as a Real Estate Broker, her business is unable to locate rental property being requested. People are going to Wichita Falls for hotels because rooms in Graham are booked. Shana believes Graham is losing local retail because there is no place for people to stay and this project is much needed. David Miller said he has been in negotiations with Wal-Mart. Mayor Blanton asked if anyone had additional comments. Sonya Ramos asked if the ecological aspect was being considered. Sanjay Patel said "green resources" are being implemented and parking with have landscaping. Mr. King said it is a legal requirement to follow specific energy guidelines. Thomas Wallner asked if the apartments were going to be "luxury" or more for the market of people in the area. Sanjay Patel stated the apartments will be more toward "luxury" with a one (1) bedroom being about 900 square feet, a two (2) bedroom between 1,200 and 1,300 square feet, and a three (3) bedroom with about 2,400 square feet. Mr. Patel said these apartments will have balconies for tenants to sit outside.

EXIT FROM PUBLIC HEARING AT 9:52 A.M.

CONSIDER AND ACT ON THE PROPOSED PLANNED DEVELOPMENT OF 2109 HIGHWAY 16 SOUTH ZONED PLANNED DEVELOPMENT DISTRICT. THE DESCRIPTION OF THE PROPERTY IS 2.3040 ACRES, PART OF TRACT 33 AND 34, A-1339, B MOSLEY AND 2.5090 ACRES, A-1338, B MOSLEY:

Alex Heartfield made the first motion. Jack Little seconded, and the request was unanimously approved 4-0.

ENTERED INTO AN EXECUTIVE SESSION AT 9:53 A.M.

Sec. 551.074 Personnel Matters – "to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee."

Current Judge, Teresa Bishop is retiring May 31, 2021. City of Graham Charter, Section 106 reads "A judge of the Municipal Court shall be appointed by the Board of Alderman to serve for a term to two (2) years." This change in employment requires Council action.

EXIT FROM THE EXECUTIVE SESSION AT 10:16 A.M.

CONSIDER AND ACT ON THE APPOINTMENT OF A MUNICIPAL COURT JUDGE:

Alex Heartfield stated he was making the motion to appoint Jim Reeves as Municipal Court Judge for a term of two (2) years. Randy Cantin made the second motion. Mayor Blanton asked all four (4) Council members to raise their hand if they agree with the appointment. Jack Little, Alex Heartfield, Shana Weatherbee-Wolfe, and Randy Cantin all raised their hands in agreement. Mayor Blanton stated the motion passed unanimously.

BOARD APPOINTMENTS BY MAYOR:

Mayor Blanton stated there are three (3) appointments.

Arena – Jack Little representative for City Council

CVB – Gail Pratt

Parks – Alex Heartfield will assume as Chair to replace Lee Boyd.

Mayor Blanton said Alex Heartfield will maintain his role on the GEIC Board.


REPORTS

- Public Works Director, Randall Dawson, said staff is waiting on streets to dry so road work can begin. Currently, staff is trying to keep up with potholes in the street. There have not been a significant number of water leaks but anticipates there will be an increase when it dries. Staff has been assisting with preparation for the Food Truck event.
- Brandon requested Municipal Court Clerk, Carla Ritchie, to briefly explain how many active cases there are. Carla said she pulled up the active warrants list and is showing over 10,000 active warrants but have a little over 8,000. Carla said she has provided Brandon the report showing 134 active tickets that include newly issued, those with extensions, and anything going to trial or pretrial. Jack Little asked if 8,000 was normal. Carla said it is and Brandon said there needs to be more worked through. Mayor Blanton asked if the District Judge has set a time for trials to resume. City Attorney, Dan De La Cruz, said in-person hearings are occurring. Alex Heartfield said the listing report shows 770. Dan said he thinks there are 8,000 cases and the active warrants are different. Carla said she did not bring the data with her to the meeting. Brandon said he put Carla on the spot because she submitted the report, but the municipal court is significantly better than what the report shows. Brandon said work will continue to provide Council a general dashboard (report) for municipal court.
- Krisa De La Cruz, CEO of the Chamber and CVB, mentioned the "Shop local late" taking place the Friday evening before the Food Truck event (June 4, 2021). The Possum Pedal is going to be bigger and better than ever. The Old Post Office Museum is hosting the "Vinyl Revival." Thirteen (13) food trucks will be arriving Friday evening to set up and sell food during the "Shop local late" event. Many retailers are doing special "giveaways" and discounts. Some retailers are providing free food and beverages inside their stores. The concert is nearly sold out with only 200 to 300 general admission tickets remaining available. Krisa said the concert will likely be sold out by the upcoming weekend. Randy Cantin asked how many food trucks will be attending. Krisa said there will be 43 food trucks.

- City Manager, Brandon Anderson, mentioned the reports in the packet that include the Library Report submitted by the Librarian (Sherrie Gibson). The Municipal Court Reports that were mentioned earlier and the Street Maintenance Plan. This summer there will be SLSeal, CHPSeal, and HMOverlays on various streets in the City of Graham. With the cooperation of the weather, the street department staff will begin working on the \$229,180 planned repairs. Jack Little asked if the streets on the list were what is planned for repair. Brandon confirmed those listed streets are planned for this year. The City of Graham is on the Texas Parks and Wildlife (TPW) meeting agenda for local park grant funding. We are within the non-urban outdoor scoring category. The City of Graham is ranked at fourteen (14) and on the agenda TPW funds 21 of those projects. That puts us in the funding model currently at the meeting occurring as we speak. Brandon is anticipating approval and TPW will issue a news release. The City of Graham will also release a public statement. The public statement will be issued when the decision is confirmed. This will allow the City of Graham to begin Phase I of the parks plans. The lake level is 100 percent full. High school graduation will take place this Friday evening (May 28, 2021). City staff will be spraying for mosquitos in that area (near high school). City staff will be very busy with the upcoming food truck event. Alex Heartfield asked when the response from the CDBG/TDA grant will be received. Brandon said it was submitted about three (3) weeks ago, but no deadline has been given. Alex Heartfield asked if that was street work. Brandon said that is funding for Texas Street to do water and sewer line replacement and then rebuild of the street for seven (7) blocks at \$350,000. Mayor Blanton said that will make a big impact. Mayor Blanton asked the status of the AWOS (weather system for the airport). Brandon said it has been ordered and should be delivered soon. Alex Heartfield questioned the ramp grant funds process. Brandon said the City of Graham must pay the bill and then submit for 50 percent reimbursement. Alex Heartfield asked if that requires Council approval or if it has already been approved. Brandon said each year the City (of Graham) always enrolls in the ramp grant program.

ADJOURNMENT:

Mayor Blanton stated he would accept a motion to adjourn the meeting. Jack Little made the motion to adjourn.



Neal Blanton, Mayor

ATTEST: 
Sharon McFadden, City Secretary