

September 26, 2013

The Graham City Council met in REGULAR SESSION in the Council Chambers at City Hall at 9:30 a.m. on Thursday, September 26, 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

VISITORS: Tom Gentry, Cliff Knight, Steven J. Bickings, Dewayne Brogdon, Jimmy Mcleroy, Mayor Stephen Sosinski, James Jones, Charles Birdwell, Eddie Gellner, Neal Blanton, Jason Cottongame, Robert San Miguel, Sandra Helvey, Jennifer Conway and Cherry Rushin.

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

PUBLIC FORUM:
None.

MINUTES APPROVED:

Minutes from the September 12, 2013 regular meeting were approved 5-0 on a motion from Greg Montgomery and a second from Jack Graham.

PUBLIC HEARING ON PROPOSAL TO INCREASE TOTAL TAX REVENUES:

This is the second and last Public Hearing required even though the tax rate remains the same at \$0.608767. The total revenue proposed to be raised is \$35,836 above last year. Mayor White opened the Public Hearing at 9:34 a.m. and as there were no comments, closed the Public Hearing at 9:35 a.m.

CONSIDER RESOLUTION ON PROPOSAL TO INCREASE TOTAL TAX REVENUES:

This resolution approves the tax rate at \$0.608767. Greg Montgomery made the motion to approve the resolution, Spencer Street made the second and motion passed 5-0.

CONSIDER BID TO CONSTRUCT LAKE EDDLEMAN BOAT DOCK:

The City received one bid from Warner Welding and Construction to build a 12' x 12' floating dock, with a 60' walkway near the boat dock at Lake Eddleman. Warner submitted two bids:

1. With Trex decking \$18,124
2. With treated wood decking \$17,212

Staff recommends using Trex decking and the higher bid. The City received a \$10,000 donation from the Community Foundation toward the project and the remaining cost is included in the new 2013-14 budget. Tom Gentry, who lives at Lake Graham, said there was nothing to support spending the money for a dock at Lake Eddleman and that the 60' walkway should be 100'. There is no revenue recovery for the City on the project and there are 2 other unusable ramps on Lake Graham. The two public fishing piers are deteriorating and the lakes need to be made safer. The City Code, Chapter 8 prohibits croppie houses and there has been one allowed. Larry Fields said that all docks did need improving and money had been allocated for that in the new budget. This dock was the first one to be worked on. Spencer Street made the motion to approve and accept the higher bid from Warner Welding for the Lake Eddleman dock, Greg Montgomery made the second and motion passed 5-0.

CONSIDER ORDINANCE #1009 REGULATING THE SALE OF SALVAGE METALS:

This ordinance was given its first reading at the last meeting. Graham Iron and Salvage expressed their concern to Larry Fields that this ordinance will have a negative impact on their business. They are concerned that a customer without a permit will go to Breckenridge or Olney rather than to the Police Department to obtain the permit. Cliff Knight, manager of Bell Processing and the owner Chris Bell were present and explained that they already require a driver's license, signed statement and photos of the seller and auto license plates which are sent to the state each day. They said they do work with the police. There have been 1,722 sellers so far this year with 17,000 transactions. They are concerned that regular citizens will not go through the permitting process for the small amounts they would sell and will dump the materials. Jason Cottongame and Chief Widner said that as long as the daily transactions were turned over to the Police Department, there would be control over the theft of metal items. Greg Montgomery made the motion to not approve the ordinance, Spencer Street made the second and motion passed 5-0.

CONSIDER ORDINANCE #1010 AMENDING CERTAIN PARTS OF CHAPTER 25 OF THE CITY OF GRAHAM CODE OF ORDINANCES, PRESCRIBING WATER AND WASTEWATER RATES, AND DECLARING AN EMERGENCY:

Consultants have examined the water rate structure and how it relates to servicing debt for the water treatment and distribution improvement project. A rate design has been developed to assign

the difference in taxable versus non taxable bond costs to wholesale customers. Bonds issued will be taxable, as determined by bond counsel and in accordance with applicable IRS rules and regulations, due to more than 10% of sales being to taxable corporations, such as water supply corporations. The rate design is also varied by meter size to account for a proportional assignment of infrastructure requirements and has increasing rates for higher use in accordance with the adopted water conservation plan and general water conservation practices. Staff recommended adoption and an October 1, 2013 effective date. Charles Birdwell representing Fort Belknap said that Chris Ekrot, the consultant had talked to them. Fort Belknap's attorney said that the new rates were not in accordance with the contract with the City. Larry said that the TCEQ attorney said that the rates were in compliance with the contract. Jack Graham made the motion to approve Ordinance #1010, Pam Scott made the second and motion passed 5-0.

CONSIDER ORDINANCE # 1011 FIXING THE TAX LEVY AND APPROPRIATING FUNDS FOR THE OPERATION OF THE VARIOUS DEPARTMENTS OF THE CITY OF GRAHAM FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014 AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH:

This ordinance officially adopts the budget for FY 2014. The property tax rate remains unchanged. Valuations increased resulting in an increase in tax revenue. Two public hearings have been held. The budget includes an increase in water rates to support a proposed water treatment and distribution improvement project. The budget includes the anticipated revenue from the BRA for a new park. Greg Montgomery made the motion to approve Ordinance #1011, Spencer Street made the second and motion passed 5-0.

REPORTS:

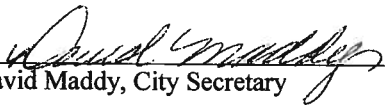
Chief Widner said that burglaries were still up and that owners were not locking their cars. Larry reported the lake level at 1065.85 or 56.9% capacity. 1075' is full. A level of 1065' activates stage 2 restrictions.

ADJOURNMENT:

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


Barry White, Mayor

ATTEST:


David Maddy, City Secretary