

January 15, 2015

The Graham City Council met in REGULAR SESSION in the Council Chambers at City Hall at 9:30 a.m. on Thursday, January 15, 2015 with the following members present:

MEMBERS: Mayor: Jack Graham
 Mayor Pro-Tem: Pam Scott
 Council Member: Spencer Street III
 Brint Albritton
 Darby Brockway
 City Manager: David Casteel
 City Secretary: David Maddy
 Police Chief: Tony Widner
 Assistant Police Chief: Brent Bullock
 Fire Chief: Dennie Covey

VISITORS: Anne Skipper, Bud Attaway, Drake Stephens, Diane Cody, Tom Pierce, Mel Ulrich, Catherine Delong, Scott Swanson, Alex Heartfield, Chris Blanton, Jeanmarie Baer, Jimmy McLeroy, Eddie Gellner, Neal Blanton, Judy Walls, Frank Herpeche, Jerry David, Randall Dawson, Jennifer Conway, Sharon McFadden, Sandra Helvey, Jim Helvey and Casey Holder.

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

PUBLIC FORUM:

Mayor Graham reported the City police had stopped activities at gambling locations and he was proud of the department.

MINUTES APPROVED:

Minutes from the December 04, 2014 regular meeting were approved 4-0 on a motion from Darby Brockway and a second from Pam Scott.

CONSIDER FINAL FINANCIAL REPORTS FOR DECEMBER 2014:

David Maddy presented the December financial report commenting that it was not yet final. Council commented on sales tax revenue being down. Pam Scott made the motion to approve as presented, Spencer Street made the second and motion passed 4-0.

DISCUSS ON-LINE BILL PAYMENT:

In the previous meeting, Council authorized staff to develop a method for payment of utility bills by credit and debit card on-line. David Maddy reported that the contract for the facility had been signed and activation was scheduled for February. \$15,000 had been collected through credit cards to date.

ACCEPT RECOGNITION OF PARKS DEPARTMENT EMPLOYEES FROM CHAMBER OF COMMERCE:

The Chamber of Commerce wishes to recognize the employees of the Parks Department for their excellent work arranging and maintaining the Christmas Lights during this past season. The City of Graham is being awarded the Chamber of Commerce Monthly Beautification Award for the work of these employees. Jennifer Conway presented the Beautification Award for January 2015 to honor the Parks department for installing and maintain the Christmas lights around the square. Billy Armstrong, Cody Leach and Jim Helvey accepted the award.

CONSIDER BIDS FOR 1711 FAMILY LANE SURPLUS LOT WHERE THE CITY IS THE TRUSTEE:

Failure to pay taxes has resulted in a property that is of no use to the City that was previously authorized by the Council for the acceptance of sealed bids. Sealed bids were due on January 14th at 12 pm. Judy Walls said that three bids had been received; for \$800, \$850 and \$1,800, all with the required bid checks. David Casteel recommended accepting the high bid. Pam Scott made the motion to accept the highest bid, Darby Brockway made the second and motion passed 4-0.

CONSIDER AUTHORIZING STAFF AND THE AUDITORIUM BOARD TO UTILIZE DONATED FUNDS AND CITY MANPOWER TO IMPROVE AN AREA ALONG CHERRY STREET NEAR THE AUDITORIUM:

There is a strip of land along Cherry Street at the auditorium that is in poor condition. Grass will not grow due to shade and foot traffic. The area gets muddy and distracts from the use and beauty of the auditorium. The Auditorium Board would like to raise funds and put brick pavers and park benches along the area. City staff would assist with the installation when funds are secured. The Auditorium Board would also like to coordinate the improvements at this location to coincide with the 100th birthday of Alwana Vaughn who spent decades teaching music and voice to thousands of residents in the area. Ms. Vaughn will be celebrating her 100th birthday on February 26. The Auditorium Board hopes to raise \$10,000 for the pavers, benches and plaque by that date and schedule a groundbreaking. Staff recommended approval. Anne Skipper said that groundbreaking is scheduled for February 26. Spencer Street made the motion to approve the project, Brint Albritton made the second and motion passed 4-0.

CONSIDER AUTHORIZING THE ISSUANCE OF NOTICE TO PROCEED #2 FOR THE SUPPLY OF WELL WATER TO THE CITY OF GRAHAM:

In previous meetings, the supply of water has been discussed. The Council previously authorized the issuance of a request for proposals and notice to proceed #1 for the drilling and testing of well water. This action will authorize the development of field and full plans to accept the water and transport it to the water treatment plant. David Casteel reported that eleven test wells had been completed with very good water quality and adequate flows of 25k to 30k gallons per minute. He asked for authorization to drill ten more wells and a line to Kindley Park at a cost of \$172,000 and requested authorization for plans to bring the water to the treatment plant. Brint Albritton made the motion to authorize both items, Pam Scott made the second and motion passed 4-0.

CONSIDER ORDINANCE # 1035 REGARDING ITINERANT VENDORS:

In previous meetings, the Council discussed itinerant vendors and a concern from a local merchant. Council directed staff to consider a methodology to allow permit fees for citizens of Graham to be waived.

The proposed Ordinance provides:

- (a) Vendors who do not possess a certificate of occupancy for a structure on the property where they are selling merchandise and do not regularly sell similar merchandise in said structure must first obtain a permit to sell their merchandise within the city limits.
- (b) To obtain an Itinerant Vendor Permit, the vendor must present to the City Secretary their Tax Identification Number and proof of current registration with the Texas State Comptroller for Collection of Sales Tax.
- (c) The Permit issued must be conspicuously displayed at the place of business.
- (d) The Permit issued will be \$25 per day and will be issued for no more than seven consecutive days.
- (e) Failure to obtain or properly display a permit is considered a misdemeanor and punishable by a fine not to exceed one thousand dollars per day (\$1000).
- (f) The City Manager may waive this permit requirement for vendors duly authorized to sell merchandise at City Owned facilities or vendors selling merchandise at a fair, carnival, or similar event.
- (g) The fee may be waived by the City Manager for residents of the City with proof of payment of sales tax.

This was the third reading of this ordinance. Brint Albritton made the motion to approve the ordinance, Spencer Street made the second and motion passed 4-0.

CONSIDER EXTENSION AND MODIFICATION OF THE AGREEMENT WITH BUTLER AVIATION FOR MANAGEMENT OF THE AIRPORT:

In January 2014, Butler Aviation was retained to manage the airport at a cost of \$57,200.00 per year payable in six equal installments. The contract allows for automatic renewal at the end of the one year term. Mr. Butler has requested to renew the contract but wishes to modify the first payment to be one payment of \$ 19,066.67 and the remaining five payments be the equal portions of the remainder due at \$7,626.67 each. This request is related to how he must pay his insurance. Staff recommends approval. The Airport board approved the contract. Pam Scott made the motion to approve the extension and modification, Spencer Street made the second and motion passed 4-0.

DISCUSS DEVELOPMENT OF AN AG PROJECT CENTER:

In a previous meeting the concept of a new Ag Project Center was discussed. Some work has been performed to scope the project and outline the steps that need to be considered for development. David Casteel did a layout of the project to cover about 4 acres. He is in discussion with the County for the land, GISD for the cost and the City Attorney. The City would only provide labor and materials. If the current location is preferred, it will have to be sold to GISD.

DISCUSS THE OLD AG BARN IN FIREMEN'S MEMORIAL PARK:

In a previous meeting a proposal was discussed for the City to accept ownership of the old Ag barn. The barn is owned by the County but sits on City land. Staff's preliminary recommendation was to demolish the structure and use the space for parking for baseball and other activities. Council requested estimates be prepared of what it would cost to fix the plumbing, electricity and other items for continued use of the facility. Estimates to repair plumbing and electrical were \$60,000 plus additional amounts for the roof and slab. The Masons use the building once a year for their auction and 4-H uses the building for archery. Bud Attaway said the scouts use the facility every week, weather permitting, and move the archery inside the building in bad weather. They use about 2/3 of the building at those times. The new bathrooms are ok. NRA loaned the scouts equipment which must be used or returned. There have been no serious discussions with the County. David Casteel said other events can be moved to the American Legion building.

DISCUSS WATER METER IMPROVEMENT NEEDS:

Water meter technology is advancing and our current meters are aging. Staff discussed what it would take to upgrade meters to current technology and sought council input on potential solicitation of proposals for replacement. David Maddy presented a brief report on the problems with the current system and the successes and features offered with the system being tested in one of the routes. Pam Scott said she wanted to see the benefits to customers and was concerned about cost and effect on the budget. David Maddy said any new system would have to be revenue/cost neutral; that is, it would have to pay for itself without impacting water rates. She also wanted to

know how long any pricing was good for. Spencer Street said he was concerned that the City was giving away water with the current system. Scott Swanson, consultant, said the new technologies are a good enforcement tool. Darby Brockway made the motion for the City to issue a Request for Proposal, Brint Albritton made the second and motion passed 4-0.

DISCUSS IMPLEMENTATION OF STAGE 4 WATER RESTRICTIONS IN THE NEAR FUTURE:

Lake levels are continuing to drop and staff is forecasting that without a significant rain event that Stage 4 water restrictions should be enacted in February 2015. Stage 4 restrictions include:

- All outdoor, non-essential, or discretionary uses of water is prohibited except with hand held hose, water can, or bucket between 7:00PM and 8:00PM
- Require that wholesale customers follow Stage 4 Drought responses
- Increase utility enforcement of watering schedule and water waste
- Require commercial car washes to apply for a Variance and document use of water conserving practices
- Discontinue water sold at bulk water filling stations

David Casteel said the lake is 38% full today and could be lower due to silting. Stage 4 is scheduled to start on February 15 with a target of 30% reduction in use. Scott Swanson said that Wichita Falls recently lifted the ban on car washes as they are using effluent in their system. Mr. Swanson said that car washes are more efficient than washing a car at home. Tom Pierce who has operated car washes in Graham 40 years cited his consumption at his locations and said that if they had to close on certain days, Tuesdays and Wednesdays would be best. Mel Ulrich asked about the requirements on the variances and said there were other areas of conservation that would save more water than car washes.

DISCUSS STATUS OF SALT CREEK PARK AGREEMENTS AND DEVELOPMENT:

The Brazos River Authority and the Corps of Engineers have been invited to present a status report on the development of the new park. The entities met with city staff, members of the Park Board and representatives of members of the US Congress and US Senate in November and laid out a timeline to allow the city to have funds in hand and begin construction in July 2015. David Casteel said he was contacted by the Corp of Engineers in December regarding their concerns about the feed store being in the flood district, the eco-system and the cost of the walking trail. They said the feed store may not be able to stay where it is and the eco-system study may now be required, where it was not originally. The City planned on constructing the walking trail and now the COE said it would have to. BRA is obligated to pay 50% of the trail and 40% of the eco-system study. Their budget is short and there may be no money left for the rest of the park. Jeff Salmon with the BRA said that the COE has gone back on their word. Pressure has been exerted on the COE and now it is hoped that they will write an agreement reversing their stand on the above items. If that agreement is agreed to by the district office, it would be March before the City knows. David Casteel said that the area's congressmen are aware of the situation.

DISCUSS BREAKING GROUND FOR THE KEEP GRAHAM BEAUTIFUL PROJECT FUNDED BY TXDOT AND THE GOVERNOR'S COMMUNITY ACHIEVEMENT GRANT TO IMPROVE MAD CREEK IN SHAWNEE PARK.

In previous meetings, the improvement project was approved and associated agreements with TxDOT were signed. Immediately following this meeting, city crews broke ground on the project. Council was invited to participate.

REPORTS:

The December 2014 Police department report was presented. The Bond supervisor has 111 under supervision. The Fire department gave its annual report. Neal Blanton said that the SBA in Fort Worth reported no loans for the area in 2014. Jennifer Conway presented the new CVB brochure and said there is an open position for the director. Work has started back up on the Visitors Center. June 6 is the targeted completion date. Dennis Fellows said the water treatment plant construction is ahead of schedule. David Casteel reported the lake level at 1060.40' or 38% capacity. 1075' is full.

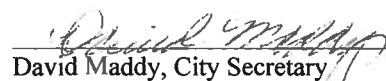
ADJOURNMENT:

On a motion by Spencer Street, a second from Brint Albritton and a vote of 4-0 the Council meeting was adjourned.



 John Chiles Graham, Mayor

ATTEST:



 David Maddy, City Secretary