

February 14, 2013

The Graham City Council met in REGULAR SESSION in the Council Chambers at City Hall at 9:30 a.m. on Thursday, February 14, 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-absent
	Assistant Police Chief:	Brent Bullock
	Fire Chief:	Dennie Covey

VISITORS: Areli Miranda, Claudia Sanchez, Irene Green, Rudy Perez, Michael Mitchell, Shelton McCuiston, Greg Speck, Cayle Cutberth, J McLeroy, Eddie Gellner, Jennifer Conway, Neal Blanton, Sandra Helvey, Jason Cottongame, Jerry David, Jessica James, and Cherry Rushin.

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

PUBLIC FORUM:

None. Mayor swore in new Firemen Michael Mitchell, Shelton McCuiston and Rudy Perez.

MINUTES APPROVED:

Minutes from the January 31, 2013 regular meeting were approved 5-0 on a motion from Greg Montgomery and a second from Pam Scott.

CONSIDER ENDORSEMENT OF CHAMBER OF COMMERCE STATEMENT TO THE 83RD LEGISLATURE OF THE STATE OF TEXAS:

Feb. 26 is "Graham Day" in Austin. The Chamber prepared a statement about Graham to be presented to the Legislature on that day. The statement is to be signed by the Mayor, County Judge, YOU Lead president and Chamber president. Pam Scott made the motion to approve the statement, Greg Montgomery made the second and motion passed 5-0.

CONSIDER REQUEST FOR THE USE OF DOWNTOWN SQUARE FOR EVENT:

The Church of God of the Firstborn requested use of the Square from 10 a.m. to 10 p.m. for a festival on Saturday, February 23 with activities, concessions and singing. They would like to block the inside street next to the gazebo. The event has been held in the past with no issues. Spencer Street made the motion to approve the event, Jack Graham made the second and motion passed 5-0.

CONSIDER METHODIST CHURCH REQUEST FOR USE OF THIRD STREET R.O.W. FOR PORTE COCHERE:

The Methodist Church is proposing to build a porte cochere ingress/egress driveway on the north side of the sanctuary, with a portion to be located in the City's Third Street r.o.w. The church requested an easement to the r.o.w. for this project. There are no water or sewer lines in the r.o.w. Greg Montgomery made the motion to approve the easement, Pam made the second and motion passed 5-0.

CONSIDER APPROVAL OF CORP. OF ENGINEERS/BRA/CITY OF GRAHAM SALT CREEK PROJECT AGREEMENT:

The BRA and Corp. have revised the draft agreement to allow earlier park construction, so that construction and land transfer can proceed on parcels already acquired by the Corp. prior to having completed acquisition of the remaining properties. It may be possible now for the BRA to transfer ownership and funding so the City can begin construction during the summer of 2013, providing the parties agree to the revised draft. The Corps and the City are also to agree to the Operations and Maintenance Manual currently being drafted by the Corp and the Corp having satisfactorily completed the demolition phase of the project. Council had the full agreement to review. The agreement allows for the final parcels of land to be acquired, title and funds to be transferred to the City. Greg Montgomery made the motion to approve the agreement, Jack Graham made the second and motion passed 5-0.

CONSIDER AUTHORIZATION TO EXECUTE AGREEMENT WITH TxDOT FOR SHAWNEE DRAINAGE PROJECT:

Council was requested to authorize the City Manager to enter into an agreement with TxDOT to make necessary improvements to the drainage facility (Mad Creek) within the City limits of Shawnee and Shawnee Springs Parks. The agreement stipulates that TxDOT will perform the engineering design, obtain all environmental clearances and oversee the construction at their full expense. Furthermore TxDOT will contribute \$100,000 to the construction of the project, estimated at \$195,000. The agreement stipulates that the City agrees to fund the amount above \$100,000. The City's funding will be included in the FY 2014 budget and Keep Graham Beautiful will be seeking funding to help offset the City's expenses to the extent possible. Construction is anticipated to commence in the spring of 2014. The City has options to control costs in order to limit its' portion above the \$100,000. Jack Graham made the motion to approve the agreement, Greg Montgomery made the second and motion passed 5-0.

CONSIDER FIREMAN'S PARK FISHING PROJECT:

The dissolved oxygen content in the pond at Fireman's Park was tested and found to be very low at 3 ppm. The Texas Parks & Wildlife Department was consulted. It was determined that the pond was too shallow and that an excess of organic materials (duck Droppings) had contributed to the low oxygen. During recent months staff removed about 250 truckloads of material from the pond. In addition the level of the pond was raised and the water flow improved with a bigger pump system. Recent dissolved oxygen levels were measured at 7 ppm. The ponds is also closer to a pH of 7.6 (fish generally have a natural pH of 7.4). The TPWD has stocked in the past with about 400 catfish fingerlings every other year or so. Staff has consulted with private fish farms and recommends a more diverse stocking of bluegill, bream, crappie, catfish and minnows. To stock the pond for a reasonable level of fishing success will require an additional investment of up to \$5,000 and an estimated yearly re-stocking investment of \$1,000-\$2,000 depending on weather, fish loss and fishing pressure. A private citizen has committed to purchasing the fish. Staff discussed restricting fishing in the pond to those 15 years of age and younger and placing specific limits on the number of fish kept, thereby designating the pond as a "kid fishing area" to ensure the investment in the fish is directed to the youth using the park and to spread the investment to as many young anglers as possible. Adults would be allowed only to assist a youth angler. The intent is to get children outside, to the park and to enjoy fishing. Fishing in Salt Creek would not be restricted other than by TPWD regulations. Spencer Street made the motion to approve the project, Greg Montgomery made the second and motion passed 5-0.

CONSIDER ORDINANCE #1001 ALLOWING PERMIT PARKING IN THE 1200 BLOCK OF VICTORY STREET:

The 1200 block of Victory is south of the old gymnasium and is presently no-parking during the hours of 7:00 a.m. and 4:00 p.m. during school days. The residents of this block have requested to be able to park on this street by displaying a parking permit on their vehicles. Parking permits that hang from the inside mirror will be issued to residents upon adoption of this ordinance. Victory Street residents only will be able to apply for the permits. Jack Graham made the motion to approve the ordinance, Pam Scott made the second and motion passed 5-0.

CONSIDER ORDINANCE #1002 RESTRICTING PARKING OF VEHICLES AT RESIDENCES:

This ordinance restricts parking at residences to improved areas in front yards, to perpendicular parking on improved or unimproved surfaces in side yards and to require appropriate visual screening for parking on unimproved surfaces in back yards. This has been discussed at previous meetings and the ordinance was drafted reflective of Council input and has a 90 day grace period before enforcement action can be taken. The ordinance does not require the driveway to be concrete or asphalt and other surfaces need approval of the City Inspector. Existing drives do not require improved surfaces. Parking in back yards require and improved surface or screening if in view of anything other than the alley. Greg Montgomery made the motion to approve the ordinance, Pam Scot made the second and motion passed 5-0.

REPORTS:

Chief Covey said that the Old Post Office Museum will be hosting a history of the Graham Fire and Police departments during the month of March. David Casteel reported that the KGB has requested a sign on Hwy 67 coming in from Breckenridge announcing the construction of the new park to explain the construction mess. The City had to hire Specialty Pump Truck to do work in the Dry Creek pump area. A consultant is coming in to evaluate the pump system which was installed in 1977. Concrete beams have been donated for a new bridge to replace the swinging bridge across salt Creek. Larry reported the lake level at 1069.87 or 74% capacity. 1075' is full. He said there is no place to tie up a boat at the ramps on Lake Graham and that a new dock is needed. Texas Parks & Wildlife Department has a 50% grant that he wants to look into. Graham is one of the few lakes that does not charge a boat use permit. Permitting would involve issuance costs and perhaps a lake patrol. Spencer felt that the materials and labor for a dock could be donated. Council was in favor of Larry preparing a proposal.

ADJOURNMENT:

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

ATTEST:

David Maddy, City Secretary

Barry White, Mayor