

November 06, 2014

The Graham City Council met in REGULAR SESSION in the Council Chambers at City Hall at 9:30 a.m. on Thursday, November 06, 2014 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, Dan Lankford, Elaine Lankford, Dana June, Eric June, James Shifflet, Debra Stamper, John Walker, Sam Whittenberg, Cole Epperson, Charlie Rogers, Kevin Patty, Terri Patty, Catherine Delong, Hester Bender, Danny Cusenbary, J. McLemore, Mike Gaver, Sharon Kirkwood, Sandra Helvey, Jason Cottongame, Jerry David, Jim Helvey, Teresa Bishop and Casey Holder.

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

PUBLIC FORUM:

Danny Cusenbary addressed Council on the ATV Park saying the City should consider the homeowners in the area. Noise is still a concern as are the costs of maintaining the park. He doesn't see enough revenue to be of any great benefit to the City. David Casteel said that the public comment period closed on Tuesday, November 4 and staff is collecting all opinion surveys and comments. He will then discuss the project with Texas parks and Wildlife and present to Council. The Lankfords then expressed their concerns.

MINUTES APPROVED:

Minutes from the October 23, 2014 regular meeting were approved 5-0 on a motion from Pam Scott and a second from Brint Albritton.

CONSIDER FINANCIAL REPORTS:

In a previous meeting, the format for monthly financial reports was discussed. Staff will present the monthly financial reports for approval. David Maddy presented the revised formatted October financials explaining that several numbers were written in as timing did not permit prior months to be closed before this month was prepared. Council agreed to put the presentation of financials on the second meeting of the month. October will be finalized and represented November 20, 2014.

CONSIDER AUTHORIZING A 4-WAY STOP CONDITION AT THE CORNER OF KENTUCKY AND BRAZOS STREETS:

A citizen appeared before the council at a previous meeting to discuss traffic concerns on Brazos. Staff developed several options and recommended closing Brazos between Tennessee and Carolina. Council directed staff to implement interim measures short of closure. This is one of the interim measures which also include mid-block stop signs and a lower speed limit. The other measures are shown below as a 3-way stop at Tennessee and reduced school speed limits. Pam Scott made the motion to approve installing the signs at Kentucky and Brazos Streets, Darby Brockway made the second and motion passed 5-0.

CONSIDER AUTHORIZING A 3-WAY STOP AT TENNESSEE AND BRAZOS STREETS:

This is part of the discussion of the prior agenda item. Approximately three parking spaces at the High School will be removed for the sign placement. Council discussed implementing measures short of street closure. GISD prefers closing Brazos from Tennessee to Carolina and will participate in the costs. Further discussion of street closure will be taken up at the next Council meeting.

CONSIDER VARIANCE REQUEST FOR FRONT SETBACK VARIANCE AT 814 ELM STREET IN PLANNED DEVELOPMENT ZONE #1:

The Planning and Zoning Board approved the request at its meeting. Pam Scott made the motion to approve the variance, Brint Albritton made the second and motion passed 5-0.

CONSIDER ORDINANCE # 1033 REGARDING LATE PAYMENT OF UTILITY BILLS:

In a previous meeting, the current process for handling late payment of utility bills was discussed. Staff was directed to review how other cities handle this and develop an ordinance for a process for Graham.

The proposed Ordinance provides:

- (a) Bills are due on the date shown on the bill, unless adequate proof is provided that the City utilized an improper address for the billing,
- (b) If the bill is not paid on or before the due date, a 10% penalty shall be applied;
- (c) If the bill is not paid in full, inclusive of the penalty applied, by the 28th day after the bill is due, the utility will be disconnected.
- (d) A disconnect fee of \$75 dollars will be applied to the bill.

To reconnect service the bill shall be paid in full, inclusive of the penalty, the \$75 dollar disconnect fee and a \$75 re-connect fee. David Maddy said that a policy was being written to implement the ordinance and that time is needed to train staff, reprogram the billing software and notify the public. Council said it would like the ordinance implemented by January or February 2015. John Walker said he thought the 10% penalty was excessive. Mayor Graham said the City could change it to 5%. Spencer Street made the motion to approve Ordinance #1033 with the change in penalty, Pam Scott made the second and motion passed 5-0.

CONSIDER ORDINANCE # 1034 REGARDING NON-PAYMENT OF UTILITIES:

In a previous meeting, it was discussed that the City incurs losses due to non-payment of utility bills at some residences. An ordinance has been prepared to address this issue and provides the following:

If payment is not received in accordance with applicable City Ordinances and has been disconnected for lack of payment then utility service will not be restored to the same address until payment has been made in full for unpaid previous service at that address inclusive of outstanding service charges, late penalties and disconnect and re-connect fees. The regular new service fee will be required prior to establishing service to a new resident at the address.

David Casteel said the Ordinance addresses rental property owners as well as owner/residents and requires the owner to guarantee the account. Spencer Street though the City would need the owners signature on new accounts. Pam Scott was not in favor of the rental property owners being responsible. Mayor Graham suggested initiating the deposit requirement and see how that works. No vote was taken on the Ordinance.

CONSIDER RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR LOCAL ENTITY CONSTRUCTION OF IMPROVEMENTS AT MAD CREEK ALONG SH 16 FROM SOUTH STREET TO BRAZOS STREET:

This resolution will authorize the mayor to execute an AFA allowing the City to self-construct improvements planned for the area. The plans were prepared by TxDOT but no private sector bids were received. The city will construct the improvements and be reimbursed by TXDOT. Keep Graham Beautiful was awarded a \$211,000 grant which will be applied to the area along Mad Creek. The project can now be state funded. The City pays for the work and files for reimbursement from the state. Pam Scott made the motion to approve the resolution, Darby Brockway made the second and motion passed 5-0.

CONSIDER APPROVAL OF A CURBSIDE RECYCLING PROGRAM FOR GRAHAM:

In several previous meetings, the council has discussed recycling and has previously authorized staff to negotiate an agreement with the waste provider to implement a curbside recycling program in the city. The council has previously requested a roundtable discussion to be organized by the Chamber of Commerce regarding the initiative. Results of the roundtable were favorable for implementation. The details of the proposed agreement were present at a previous meeting. Staff recommends approval. With approval the program would commence in approximately June 2015.

A number of residents were present to ask questions and make comments on the program. Several expressed concerns about the appearance of carts at the curb, worried about the carts blowing over, animals getting into the trash and what to do if out of town on pick up days. Mayor Graham said that he has had a cart for about 7 years and has never had a cart blow over and no animals had been in the trash. Other residents said they were tired of the dumpsters, the unsightly appearance especially when the dumpsters have to be placed in front or side yards. The dumpsters also encourage others to dump furniture and large items next to the dumpster. When lids are not kept closed trash blows in the alleys and in their yards. Most were in favor of recycling regardless of whether the City used dumpsters or poly carts. Several said they would prefer the poly carts be picked up in the alley. Mike Gaver with Progressive Waste explained that the type of truck needed to unload the dumpsters were no longer being made and a change was necessary. He explained that the change to poly carts would happen. By doing it now, the city is getting the recycle carts at no charge. Alleys that are wide enough (there are five) for front load trucks could switch to a front load dumpster like the ones commercial businesses are being changed to. Each person would have to pay for their own. It would no longer be a shared dumpster. Locks can be provided to eliminate indiscriminate dumping. It would be difficult for scheduling if people on one street used poly carts at the curb while others used the alley or dumpsters. Spencer Street wanted to know the size requirements for alleys to handle a front load dumpster. A change now would save the City money as costs would be contained and not increased.

REPORTS:

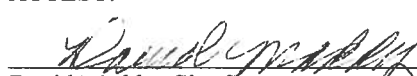
David Casteel report the lake level at 1062.11'. 1075' is full. The recent rain added 1 ¼".

ADJOURNMENT:

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


John Chiles Graham, Mayor

ATTEST:


David Maddy, City Secretary