

December 4, 2014

The Graham City Council met in REGULAR SESSION in the Council Chambers at City Hall at 9:30 a.m. on Thursday, December 04, 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- absent
 Assistant Police Chief: Brent Bullock
 Fire Chief: Dennie Covey

VISITORS: Alex Heartfield, Lee Boyd, Hester Bender, Jimmy McLeroy, Eddie Gellner, Dean Hinton, Frank Herpeche, Jerry David, Randall Dawson, Jennifer Conway, Sharon McFadden, Sandra Helvey, Jason Cottongame, Jim Helvey and Casey Holder.

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

PUBLIC FORUM:

Hester Bender thanked Council for voting down the ATV Park.

MINUTES APPROVED:

Minutes from the November 20, 2014 regular meeting were approved 5-0 on a motion from Darby Brockway and a second from Pam Scott.

CONSIDER SELL OF ALLEY BEHIND 2119 CHEROKEE LOOP:

Robert Dial resides at 2119 Cherokee Loop has purchased the lot behind him and wishes to close the alley. There are utilities in the alley and Mr. Dial agreed to provide a dedicated utility easement. Mr. Dial has agreed to provide the survey and appraisal at his cost and pay the appraised value for the alley. He has letters from adjacent property owners agreeing to the closure. Pam Scott made the motion to approve the sale of the alley, Spencer Street made the second and motion passed 4-0.

CONSIDER VARIANCE APPLICATION FOR FENCE ENCROACHMENT ON PLUM STREET RIGHT OF WAY:

Christopher Gardiner, 801 Shawnee, has applied for a variance for a fence encroachment into the dedicated right of way of Plum Street. There are no permanent structures to be considered. Planning and Zoning approved the variance. Pam Scott made the motion to approve the variance, Brint Albritton made the second and motion passed 4-0.

RESOLUTION PROCLAIMIN DECEMBER 6 AS ROTARY DAY:

Mayor Graham presented to Alex Heartfield a resolution proclaiming December 6 as Rotary Day in recognition of the community service performed by the organization.

UPDATE ON WATER INLET CHANGES DUE TO DROUGHT

In previous meetings, the Council authorized staff to develop an alternate inlet to the one existing at Lake Eddleman due to decreasing water levels. A temporary system is in place and a permanent upgrade is in progress. Dean Hinton, engineer, was present and said that Corlett, Boyd and Probst is designing the new pump station for the lake and new 20"-24" lines. The lake level is 1 1/2' above the current outlet. Concrete work is being done on the treatment plant and the new line to town is being laid.

CONSIDER ORDINANCE # 1035 REGARDING ITINERANT VENDORS:

In a previous meeting, the Council discussed itinerant vendors and a concern from a local merchant. Council directed staff to review how other municipalities handle such issues and develop an ordinance for consideration.

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.

Brint asked if local residents would be exempt from the permitting requirement. It was decided to check the policy of other area towns and add an exemption if desired.

CONSIDER APPOINTMENT TO ARENA BOARD:

The Chair of the Arena Board has placed Larry Fields for consideration as a member of the Arena Board replacing a departing member. Pam Scott made the motion to approve, Spencer Street made the second and motion passed 4-0.

CONSIDER APPOINTMENT TO PARKS BOARD:

The Chair of the Parks Board has placed Michelle McGee for consideration as a member of the Parks Board filling a vacant seat. Lee Boyd, chairman, said the new park would include facilities for special needs citizens, a group that Michelle works with at the high school. Pam Scott made the motion to approve the nomination, Darby Brockway made the second and motion passed 4-0.

DISCUSS NEW PARK DEVELOPMENT:

City Staff and members of the Park Board attended a meeting with the Brazos River Authority and Corps of Engineers in Waco on November 26, 2014. A briefing on the meeting and status of the project was provided. David Casteel reported that the delay is primary a legal matter with the USACOE. They have been slow to finalize the purchase of the remaining few properties and approve the release of funds from BRA. It was stated by USACOE personnel at the meeting that there were not enough funds to cover all the features of the park. David Casteel told them City personnel had addressed the issues of the environment and construction costs. He said he also informed them that the City will begin construction with City personnel in June or July 2015.

DISCUSS OLD AG BARN IN FIREMEN'S MEMORIAL PARK:

The County Judge has inquired if the city was interested in accepting the old ag barn located Firemen's Memorial Park. There is a small meeting room in the facility that is occasionally used by private parties and there is a trade day occasionally held at the barn. A few other events such as the Mason's Auction are held there on an annual basis. There are no known contracts for use at the facility. The plumbing and electrical are not in good repair. The facility sits on City land. Staff's tour of the facility recommends removal of the structure if it is accepted by the City. Spencer asked how much the building is actually used and Pam wanted to know the cost of making needed repairs. Mayor Graham said if the City takes it the building should be demolished as there are other facilities in town that can be used for the same functions. He requested staff to get a cost to tear it down. Frank Herpeche said there would be little cost due to the salvage value of the materials.

DISCUSS THE AG PROJECT CENTER:

The 4H and FFA house some animals on City owned land behind the industrial park and airport. The facilities at the location were constructed by the Lion's Club some years ago. The facilities are not in good shape. The land could be better used by the industrial foundation. The concept has been developed of moving the ag project center to a new facility. One possible location would be on the grounds of the Young County Arena. The Young County Arena land is owned by the county and leased to the city. If the school district is involved in the construction of a new facility, they have been advised that they should own the land beneath the facility. In order to move the concept forward, the City, the school district, the county, the arena and the industrial foundation would need to reach some sort of agreement. This discussion item was to introduce the concept and seek council input. Council agreed any project would need to be jointly funded and to find land that perhaps GISD could own.

CONSIDER APPROVAL OF GEIC FUNDS FOR BUSINESS EXPANSION:

This was the second reading of the proposal. Pam Scott made the motion to approve the funding, Darby Brockway made the second and motion passed 4-0.

REPORTS:

Jennifer Conway reminded those present that the Downtown Stroll was tonight. The logo has been set for the June Food Truck event. Sharon McFadden reported there had been \$2,000 in credit card transactions since the service started and everything was working fine. David Casteel reported the lake level at 1060.64' or 38.8% capacity. 1075' is full.

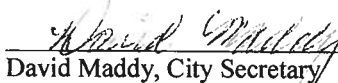
ADJOURNMENT:

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