

March 28, 2013

The Graham City Council met in REGULAR SESSION in the Council Chambers at City Hall at 9:30 a.m. on Thursday, March 28, 2013 with the following members present:

MEMBERS: Mayor: Barry White
Mayor Pro-Tem: Jack Graham
Council Member: Spencer Street III
Pam Scott-absent
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-absent

VISITORS: Andrea Lowery, Gabe Sims, J McLeroy, Eddie Gellner, Jennifer Conway, Neal Blanton, Sandra Helvey, Jason Cottongame, Nolan Bishop, Jessica James, Jerry David and Cherry Rushin.

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

PUBLIC FORUM:
None.

MINUTES APPROVED:

Minutes from the February 28, 2013 regular meeting were approved 4-0 on a motion from Greg Montgomery and a second from Spencer Street.

CONSIDER CANCELLATION OF MAY 11 CITY ELECTIONS:

All candidates are unopposed. Jack Graham made the motion to cancel the election, Greg Montgomery made the second and motion passed 4-0.

CONSIDER APPROVAL OF BUILDING PERMIT AND REAR YARD SETBACK VARIANCE AT 740 ELM STREET, P.D. #1:

Bruce Stephens proposed to build an addition to the existing garage which is on the south property line. Building permits in P.D. #1 require approval by both the P & Z and the City Council. P & Z approved the plan at their March 26 meeting. Greg Montgomery made the motion to approve the permit and variance, Jack Graham made the second and motion passed 4-0.

CONSIDER APPROVAL OF "RUN FOR THE CHILDREN" EVENT:

The 8th annual event is planned for Saturday, May 18 at the Downtown Square with 5K and 10K courses planned out and submitted to the Police Department. Greg Montgomery made the motion to approve the event, Jack Graham made the second and motion passed 4-0.

CONSIDER AUTHORIZATION TO AMEND PARK PLAN TO INCLUDE GIRLS' SOFTBALL FIELD:

The Girls' Softball Association has requested permission to build an addition field which would be partially on property acquired by the Corps of Engineers and currently owned by the BRA. The field will be enclosed with a cyclone fence with open bleachers and should not impede floodwaters. The Corps will have to approve the location and design of the field as part of the maintenance and operation plan they are developing. The field can't be constructed until the Corps approves the plan and the land is transferred to the City by the BRA. These actions are anticipated in the next six months. No funds are required from the City. There are two fields at this time and Andrea Lowery, who was present, said the girls participating has grown to over 300 and the third field is needed. Spencer Street made the motion to amend the park plan, Greg Montgomery made the second and motion passed 4-0.

CONSIDER 2013 SWIMMING POOL SCHEDULE AND FEES:

Splash Day is scheduled for Saturday, June 1. Regular hours will be Monday through Saturday noon to 5:00 p.m. with family nights on Tuesday and Thursday 6:00 p.m. to 8:00 p.m. There will be no change in prices: ages 9 and under - \$1.00, 10 and older - \$2.00. Private parties are \$75.00 an hour, maximum of two hours. Only local residents can rent the pool. Swimming lessons and senior aerobics will still be offered. Larry said that attendance has been steady. Jack Graham made the motion to approve the schedule and fees, Greg Montgomery made the second and motion passed 4-0.

CONSIDER CONVENIENCE STATION FEES:

A review of the cost to operate the Convenience Station was given to Council. The average monthly cost to handle the 256 cubic yards the Station normally gets is:

Personnel:	\$3,753
Hauling:	3,655
Equipment:	1,000
Utilities, etc	250
Total	\$8,658 or \$34 per cubic yard

The City pays IESI \$469 per container to haul off. Our present fee per cubic yard is \$10 and has not been increased in the last 10 years. Past Councils have been concerned that increasing the fee will result in more indiscriminate dumping in the alleys and unoccupied lots. Staff recommended an increase in the minimum charge to at least \$15.00 per cubic yard. Nolan Bishop said that he has 5-6 paying customers per day other than brush drop offs. KGB has suggested staying open on Saturdays. Local residents get 6 yards a year free, a service which needs to be advertised again. Council discussion centered on seeing the Convenience Station as more of a service. Jack Graham made the motion to approve the increase to \$15.00, Spencer Street made the second and motion passed 4-0.

CONSIDER ELECTRICAL PROVIDER BIDS:

The City obtained the services of 5-Five, an energy advisor, to obtain bids on the City's behalf, compare them, review the contracts and prepare the comparisons. Sixteen providers were approached to provide pricing. Eleven companies responded with pricing and contracts. A review then resulted in five final bids for Council to consider. Green Mountain had the lowest fixed rate and a contract that the advisors recommended. Greg Montgomery made the motion to approve a contract with Green Mountain for four years at a fixed price of .05698 per kWh, Spencer Street made the second and motion passed 4-0.

CONSIDER ORDINANCE #1003 ESTABLISHING REGULATIONS FOR FISHING IN FIREMEN'S PARK POND:

The City, local groups and citizens have invested in improving and re-stocking the pond in Firemen's park for improved fishing. The ordinance will establish the following rules for fishing:

1. Fishing limited to ages 15 and below. Adults may assist children if using the same fishing pole.
2. One fishing pole per child.
3. Limit 3 fish per day kept per child. No limit on fish caught and released.
4. Fishing hours are daylight to dusk.

The cost of the first stocking has been committed from private funds. This was the second reading. Greg Montgomery made the motion to approve the ordinance, Jack Graham made the second and motion passed 4-0.

CONSIDER ORDINANCE #1004 AMENDING THE GRAHAM MEDICAL AND FAMILY LEAVE ACT:

As required by federal law the City adopted the Medical and Family Act in 2005. A provision of the act allows an employee on FMLA to continue TMRS retirement by making voluntary contributions. The City was notified by TMRS that they do not allow an employee on leave without pay to contribute to their TMRS retirement account. This ordinance removes the provision from the City's adopted act. This was the first reading for the ordinance. Jack Graham made the motion to approve Ordinance #1004, Spencer Street made the second and motion passed 4-0.

REPORTS:

The monthly Fire Department report reflected 81 incidents, most of which were recue and EMS. Forty five businesses were inspected. The Police Department report reflected 306 calls and fifty

seven arrests. Eight drug related incidents were reported. CVB's report showed 1,129 brochures distributed, 2,690 leads developed with 2,292 visitor items distributed and 9,634 visitors to the website. Nineteen businesses were assisted by Main Street. The Main Street Art Walk will be held on April 13 from 10:00 a.m. to 6:00 p.m. The Municipal Court Report reflected 257 new cases filed, 299 cases disposed and revenues of \$45,458 with \$34,378 kept by the City. \$11,000 was the result of warrants served. Robert San Miguel, Code Enforcement Officer filed 90 incidents during the month and reports a positive reaction from the community. Larry reported the lake level at 1069.30 or 71% capacity. 1075' is full. He is obtaining bids for the new dock(s) and reports the Community Foundation is considering making a donation.

ADJOURNMENT:

On a motion by Jack Graham, a second from Greg Montgomery and a vote of 4-0 the Council meeting was adjourned.

Barry White, Mayor

ATTEST:

David Maddy, City Secretary