

April 16, 2009

The Graham City Council met in REGULAR SESSION in the Council Chambers at City Hall at 9:30 a.m. on Thursday, April 16, 2009 with the following members present:

MEMBERS: Mayor: Wayne Christian
Mayor Pro-Tem: Barry White
Council Member: Jack Graham
Jeff Dickinson
Lydia Schupbach
City Manager: Larry Fields
Assistant City Mgr: Tim James
City Secretary: David Maddy
Police Chief: Tony Widner
Assistant Police Chief: Brent Bullock
Fire Chief: Dennie Covey
Assistant Fire Chief: Jerry David-absent

VISITORS: James Jones, Jimmy McLeroy, Jessica James, Jim Jones and Cherry Young.

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

PUBLIC FORUM:
None

MINUTES APPROVED:

Minutes from the April 02, 2009 regular meeting were approved 5-0 on a motion by Barry White and a second by Jack Graham.

CONSIDER ORDINANCE # 947 ZONING THE NORTH 1500 AND 1600 BLOCKS OF HWY 380 BY PASS AS PLANNED DEVELOPMENT DISTRICT NO. 4:

This is the second of three readings for the adoption of the ordinance. Section A of the ordinance includes seven acceptable land uses. All other types must be by special permit. Section B calls for site plan reviews prior to the issuance of all building permits. Barry White made the motion to approve the ordinance, Lydia Schupbach made the second and motion passed 5-0.

CONSIDER CITY OF THROCKMORTON EMERGENCY WATER CONTRACT:

The City of Graham executed a Temporary Emergency Wholesale Treated Water Contract with the City of Throckmorton on September 12, 2000. The contract was for a five year term and expired September 23, 2005. During the term of the contract Throckmorton used water from October 2000 through June 2002, then their lake filled up and they did not have to access Graham water again. The summary of their usage is as follows:

Oct. 2000-June 2002...	21 months, 638 days
Total usage.....	36,040,712 gallons
Monthly Avg.....	1,694,704 gallons
Daily Avg.....	56,490 gallons
% of contract.....	44.66
% of safe yield.....	1.4
% of treatment.....	1

The new five year contract requires that Lake Throckmorton water be used first. Any water pulled from Lake Graham is subject to Lake Graham's water level and the permitted yield to Throckmorton equals 1% of Lake Graham's safe yield. James Jones with Ft. Belknap water, whose system is used to provide Throckmorton any water from Lake Graham, requested that Throckmorton be allowed to pull about 50,000 gallons a month to keep the line flushed and that those gallons be charged at Graham's going rate which is currently \$2.50/1,000 gallons. Jeff Dickinson made the motion to approve the contract subject to the addition of the above additional usage and correcting several typing mistakes in the contract, Lydia Schupbach made the second and motion passed 5-0.

CONSIDER AUDITORIUM ROOF MAINTENANCE PROPOSAL:

Council reviewed the architect's design estimate for the Municipal Auditorium project. The city is responsible for **Phase I Roof and HVAC**. Two estimates were received for the roof. (1) A modified bitumen at \$115,567 and (2) steel structural metal at \$352,785. The total estimate with the cost of the air conditioning (\$264,799) would be \$380,366 and \$617,584 respectively. The City has \$200,000 budgeted for this year. The Auditorium Board has recommended the steel roof and would add the cost difference to their fund raising efforts. It was discussed that the steel roof would involve some structural changes that could result in other problems and cause leakage in areas other than the roof. Barry White made the motion to authorize for bids on a bitumen roof, Lydia Schupbach made the second and motion passed 5-0. The air conditioning will be bid at a later date.

CONSIDER COMPREHENSIVE PLAN COST PROPOSAL:

Two cost proposals have been received from Butler Planning Services. The first one is \$176,000 and includes about \$70,000 for GIS mapping and data collection, \$45,000 for public advisory meetings and on-line efforts, \$20,000 for the writing and producing of the plan, \$15,000 for implementation and \$20,000 for administration and printing. The second estimate includes about \$35,000, \$24,000, \$20,000, \$16,000 and \$20,000 respectively for the same items in reduced scope. Council discussed the need and uses for GIS mapping. The County has a GIS system and it was discussed if the County, Appraisal District and City could share a system. Larry suggested that the City get Chris Butler into the discussion. There is no money budgeted for the Comprehensive plan this year and no decision was made today.

CONSIDER WATER TREATMENT PLANT EVALUATION PROPOSAL:

The Water Treatment Plant is 25 years old and has some operational issues. Council looked at a proposal from Kinley-Horn to evaluate and identify near term improvements that are needed. The cost for the evaluation is \$33,000 and there is \$60,000 budgeted in sludge removal that can be used for this item. Jack Graham made the motion to accept the proposal, Lydia Schupbach made the second and motion passed 5-0.

CONSIDER ORDINANCE #948 SETTING SPEED LIMITS ON FOURTH STREET:

This will increase the speed limits on 4th Street from Cliff Drive to the Hwy. 380 intersection. The relocation of Wal Mart and United Supermarket from this area has prompted numerous requests to raise the speed limit above 35 MPH. The ordinance will raise the limit to 40 MPH from Hampton Street to Hwy. 380, from Cliff to Hampton will remain 35 MPH, between 4th and Finis south of Cliff will increase to 45 MPH and from Finis Road east to the City limits from Cliff the speed limit will increase to 55 MPH. Jeff Dickinson made the motion to approve Ordinance #948, Jack Graham made the second and motion passed 5-0.

CONSIDER APPROVAL OF TCEQ COMPLIANCE AGREEMENT:

The TCEQ annual inspection in September 2008 of the City's water system identified five violations. The violations were minor and have been corrected. Council reviewed the Compliance Agreement requiring the City to do what it has already done. The agreement acknowledges that the City submitted documentation on February 24, 2009 listing the corrective measures. Barry White made the motion to execute the agreement, Jack Graham made the second and motion passed 5-0.

CONSIDER CANCELLATION OF CITY ELECTION DUE TO UNOPPOSED CANDIDATES:

Jeff Dickinson and Pam Scott are running unopposed. Lydia Schupbach made the motion to cancel the May election, Barry White made the second and motion passed 5-0.

CONSIDER "WEEK OF THE CHILD" PARADE REQUEST:

The committee representing this group requested a permit for a parade on Thursday, April 23, 2009 from 10:00 a.m. to 10:20 a.m. around the inside of the Square involving children up to the age of five. The Police Department has been requested to barricade the entrances to the inside of the Square at Elm and Oak Streets. Lydia Schupbach made the motion to approve the permit, Jack Graham made the second and motion passed 5-0.

REPORTS:

Chief Tony Widner presented Council with two full reports produced by the new system with statistics on crimes and department activities for the month of March. The Municipal Court report for March reflected \$21,839 in revenues. Tim's Public Works report for March reflected an increase in the amount of water pumped from the treatment plant over the same month last year. IESI has been improving on the turn around time in responding to work orders. The number of calls on problems has not decreased. The water quality maintenance program will begin this week. May 17-23 is Public Works week. Larry reported the lake level at 1072.50' or 87% capacity. 1075' is full. Sales tax collections are down 6% from the same period last year. Property tax collections are even with last year. The City is within budget overall. Mayor Christian asked for a committee to work on the 2010 census.

ADJOURNMENT:

On a motion by Jeff Dickinson, a second from Lydia Schupbach and a vote of 5-0 the meeting was adjourned.

Wayne Christian, Mayor

ATTEST:

David Maddy, City Secretary