

February 8, 2022

The Graham City Council met in a SPECIAL CALLED MEETING (Rescheduled the February 3, 2022, REGULAR MEETING cancelled due to inclement weather) in the Council Chambers at 9:00 a.m. on Tuesday, February 8, 2022, with the following members present:

MEMBERS:	Mayor:	Neal Blanton
	Mayor Pro-Tem:	Shana Weatherbee-Wolfe
	Council Members:	Alex Heartfield
		Jack Little
		Randy Cantin
	City Manager:	Brandon Anderson
	City Secretary:	Sharon McFadden
	Municipal Judge:	Jim Reeves
	Police Chief:	Brent Bullock
	Fire Chief:	Jim Don Laurent (absent)

VISITORS: Randall Dawson, Kelli Shifflett, Thomas Wallner, Grant Ingram, Carla Ritchie, Rob Jackson, Ramsey Jackson, Debbie DePriest, Sonya Ramos, Donna Rhodes, Wayne Christian, J.W. Budge, and Fred Cotton.

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

PUBLIC FORUM: Mayor Blanton asked if anyone would like to speak in the public forum. Shannon Potts said she wanted to let everyone know that the Young County Museum of History and Culture is progressing very well. The Tour of Homes went fantastic and there were a lot of people coming in to visit (the museum). The first Saturday for the museum to be open was last week and there were twenty visitors. They (museum staff) are in the process of purchasing a building from First Baptist Church on Fourth Street (building formerly known as Good Year building). There are a lot of windows and building is located near the square which should encourage visits. There will likely be a fund raiser coming soon. Shannon said they (museum staff) appreciate everyone's (referring to Council) help. Mayor Blanton thanked Shannon for her efforts. Mayor Blanton asked if anyone else would like to speak in the public forum. No additional comments were made.

REPORTS:

- Public Works Director, Randall Dawson, said the smoke test was completed two (2) weeks ago. There were fifty-four defects in the 26,000 feet that were smoke tested. The majority were broken cleanouts in low-lying areas. Repairs have started on the problem areas. There has been a significant increase in water leaks with the recent snow and ice. Brandon asked Randall why the smoke test took place. Randall said smoke test occurred to find the infiltration and the INI (inflow an infiltration) issues with the sewer system. When it rains, there is an amount of water that goes into the sewer system. Randall said in the area tested, there have been issues that during heavy rain, an abundance of water goes into the sewer system. Randall said when the defects are repaired, there should be less water going into the sewer system. Mayor Blanton asked Randall how many water leaks there were. Randall said on Sunday (February 6, 2022) there were three (3) leaks repaired. Randall said fortunately, there was only one (1) leak on the ground while there was ice present on the ground. There were no leaks reported on Friday (February 4, 2022). Yesterday (February 7, 2022) there were four (4) leaks. Today as of now (February 8, 2022, at 9:05 a.m.) there has only been one (1) leak reported so far.
- Municipal Judge, Jim Reeves, provided and reviewed the December 2021 and the January 2022 Court Reports. Judge Reeves referred to the December 2021 report on page two (2) item twelve (12) and stated there were 1,576 pending cases, 1,044 active cases, 532 inactive cases. Judge Reeves referred to the January 2022 report on page two (2) item twelve (12) the numbers reduced to 798, 283, 515, respectively. The "odd" page shows the outstanding warrant amounts that will be collected when they (offenders) renew their driver license or when the contracted firm collects on them. The court revenues are on each report (page 6). Alex Heartfield asked if Municipal Court has nearly \$350,000 in outstanding warrants. Judge Reeves answered, "Yes, Sir." Jack Little stated that we (Municipal Court) are dropping cases and that was what needed to be done.
- Grant Ingram, Economic Development, stated the Wine Tasting starts at 6:00 p.m. and the Chamber Banquet starts at 7:00 p.m. The Taste of Graham will also take place with local participating restaurants. The events are taking place at the Barclay Room at Young County Arena.
- City Manager, Brandon Anderson, mentioned the Regular Council meeting that was scheduled for Thursday, February 3, 2022, was cancelled due to inclement weather. Thursday and Friday City (of Graham) offices were closed Thursday (February 4, 2022) and Friday (February 5, 2022) to discourage people from getting out. Brandon said he appreciates what TxDOT does for the City (of Graham) and (Young) County. The lake level 84.7 percent full. There was some discussion taking place and saying the City (of Graham) approved a rate increase for gas (Texas Gas Service). There are franchise agreements in place with ONCOR and Texas Gas Service and the franchise agreement must be followed. Rate setting is conducted by the Public Utility Commission (PUC) and the municipal government entities. Rate increases presented to the City (of Graham) have been consistently denied since he (Brandon) has been with the City of Graham. Denial by municipalities triggers a rate review mechanism and is strictly handled only by the PUC. The City of Graham did not approve any rate increases that have been applied to current gas (Texas Gas Service) bills. Brandon said he is willing to discuss concerns with anyone who wants to meet with him. The City (of Graham) has a new Librarian named Kelly Lafarge and she start next Monday (February 14, 2022). Brandon said the current Librarian, Sherrie Gibson, is retiring with 32 years of service to the City of Graham. At the next City Council meeting scheduled for Thursday, February 17, 2022, there will be a social event for Sherrie and the public is invited to attend.

APPROVAL OF MINUTES:

Regular Session Council meeting held on Thursday, January 20, 2022, were considered. Shana Weatherbee-Wolfe made the first motion approving the minutes and Randy Cantin seconded. The minutes were unanimously approved 4-0.

CONSIDER AND ACT ON AN INTERLOCAL COOPERATION FUNDING AGREEMENT WITH YOUNG COUNTY, STEPHENS COUNTY, CITY OF BRECKENRIDGE, CITY OF OLNEY, CITY OF GRAHAM FOR THE BOND SUPERVISION OFFICER FOR FISCAL YEAR 2021-2022 AND AUTHORIZE THE MAYOR TO SIGN:

Brandon explained the details of the agreement and the transfer of responsibility to Young County that took place in 2021. The City of Graham annual contribution is \$12,500 and was budgeted by the City of Graham. Randy Cantin made the first motion to approve, and Alex Heartfield seconded. The motion was unanimously approved 4-0.

CONSIDER AND ACT ON THE TAX RESALE DEED FOR THE PRIVATE BID RECEIVED FOR PARCELS 989 & 990 FROM WAYNE CHRISTIAN FOR \$35,000 FOR TWO (2) CITY OF GRAHAM TRUSTEE PROPERTIES:

TRACT 1: ALL OF LOT 10, LESS 30 FEET, BLOCK 1, TANGLEWOOD ADDITION, TO THE CITY OF GRAHAM, YOUNG COUNTY, TEXAS AS MORE PARTICULARLY DESCRIBED IN A DEED RECORDED IN VOLUME 529 AT PAGE 419 OF THE DEED RECORDS, YOUNG COUNTY TEXAS.

TRACT 2: LOT 11, BLOCK 1, TANGLEWOOD ESTATE ADDITION, TO THE CITY OF GRAHAM, YOUNG COUNTY, TEXAS AS MORE PARTICULARLY DESCRIBED IN A DEED RECORDED IN VOLUME 539 AT PAGE 410 OF THE DEED RECORDS, YOUNG COUNTY TEXAS.

Brandon said an individual identified the City of Graham Trustee properties. There are three (3) ways to that when the City (of Graham) becomes Trustees that the properties get offered to the public and put back onto the tax rolls. The first way is the property sells on the courthouse steps through the Sheriff's sale. This property was already presented on the courthouse steps and did not sell. The City (of Graham) is still sitting as the Trustee on these two (2) properties. The second option is to "bid out" the properties, which could be done. This individual researched and identified that the City (of Graham) is the Trustee and made a private offer. The private offer was sent to the City (of Graham) tax attorney in Wichita Falls. There is a process that if the bid is more than what is owed on the properties, then it becomes the City Council decision on whether to accept the bid. If the offer was lower than what was offered on the courthouse steps, then we (City of Graham) would have to get the approval of all (taxing) entities. Mr. Christian has made the offer through the tax lawyers. Randy Cantin asked if there were any other bids and Brandon told him the properties did not sell on the courthouse steps. Randy Cantin made the first motion and Shana Weatherbee-Wolfe seconded. The resale deed was unanimously accepted with a vote of 4-0.

CONSIDER AND ACT ON ORDINANCE # 1120 AMENDING THE BUDGET TO FUND THE NEW AIR CONDITIONING UNIT AT THE LIBRARY AND TO REPLACE THE WINDOWS AND LIGHTS AT THE OLD POST OFFICE MUSEUM:

Brandon said there are two items on the ordinance. The City of Graham owns the OPOMAC (Old Post Office Museum and Art Center) and the foundation has donated \$25,000 for new windows and lighting. The foundation provided funds to the City of Graham. The City is issuing a check for \$25,000 to the OPOMAC. The reason the funds are being handled in this manner is because the City of Graham owns the building. The total cost for the air conditioner at the library is \$20,467. The City (of Graham) is budgeting half which is \$10,233 and the other half will be provided by donations. Jack Little asked about the \$60,000 for lights and windows. Brandon said the OPOMAC raised the bulk of the funds beyond the \$25,000. Jack Little asked about the library and Brandon explained the library air conditioning. Alex Heartfield made the first motion. Jack Little provided the second motion. Ordinance #1120 was unanimously approved 4-0.

CONSIDER AND ACT AUTHORIZING THE MAYOR TO SIGN THE NOTICE OF SPECIAL ELECTION BEING CALLED TO LEGALIZE "THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING MIXED BEVERAGES":

Brandon said a petition was requested and issued to the group (Graham Wet Committee). Sharon said 952 were required and 1103 were verified. Brandon since the requirements have been met, he asked City Council to allow Mayor Blanton to sign the notice. Jack Little made the first motion and Alex Heartfield seconded. The Notice of Special Election was unanimously approved 4-0.

CONSIDER AND ACT ON A REQUEST FROM THE SPIVEY HILL CHALLENGE BOARD FOR THE USE OF FIREMAN'S PARK AND THE SPIVEY HILL AREA AS WELL AS ASSISTANCE FROM CITY STAFF FOR ROAD CLOSURES TO HOST THE 8TH ANNUAL SPIVEY HILL CHALLENGE 5K ON SATURDAY, NOVEMBER 12, 2022:

Alex Heartfield made the first motion. Jack Little provided the second motion, and the request was unanimously approved 4-0.

J.W. BUDGE TO DISCUSS STANDPIPE MOUNTAIN:

Mr. Budge said there was a survey taken last year (2021) with 1,300 participants on what should be done with Standpipe Mountain. Forty-eight (48) percent of those surveyed wanted Standpipe Mountain and the tank to be saved. Shortly after the survey, an engineer determined the tank was not safe and recommended cease work and that was abided by Keep Graham Beautiful (KGB). Mr. Budge said they (KGB) would like for Council to reconsider allowing them to return to the mountain to clean trails. The result will be for citizens to utilize the mountain. Mr. Budge said the trails would remain "primitive" to eliminate the liability for the City of Graham in case of injuries. Mr. Budge said that it is plain and simple that the goal is to make the iconic standpipe mountain accessible for citizens. Mr. Budge said he understands budget restrictions and that money is in short supply. With Council permission, he (Mr. Budge) intends to reach out to various city and county people to help clean up the area. Two years' worth of timber has been cut and needs to be removed from the trails. Mr. Budge the City (of Graham) is willing to chip the wood if it can be taken down to the bottom of the mountain. Mr. Budge said fixing the tower is a separate issue and he believes the engineer was earnest in their effort to make it appear that the standpipe was going to fall down. Others in the community do not believe that (falling of the standpipe) is going to happen. Mr. Budge said a skirting on the bottom of the tank would likely take care of injuries such as cutting fingers on rusted metal. Mr. Budge is asking for permission to reenter the area to clean and there has been work done by the City (of Graham). Mr. Budge asked if anyone had any questions.

Jack Little said he understands Mr. Budge wanting to clean the trails. Jack Little asked if the concern was the standpipe falling down. Mr. Budge said the concern was that the tank could fall down. Jack Little asked additional questions. Mr. Budge said the concern is to clear the existing trails, find the trails that have been overgrown, and clear the overgrown trails. Jack Little said he has never been up there (on Standpipe Mountain) and asked if there is a fence around the tank. Mr. Budge said there is no fencing around the tank. Jack Little said his concern is with the issues of the tank falling. Jack Little said if people get close to the tank and it collapses, that is his concern. Brandon said there is access to it (Standpipe Mountain), and he has no problem with groups clearing the trails. Brandon said the City of Graham (staff) have already cleared the top of the mountain and there is another group that Shannon

Potts is organizing. Brandon said the standpipe itself is solid in its own form and taken care of all the extra liabilities possible. Brandon said the current flag and tank are secure enough and his consistent concern is monuments and benches. If benches are provided, then the City (of Graham) needs to be consistent in providing to everyone, including ADA compliance. Brandon said there is a sign at the bottom stating the area is a "primitive" trail. Brandon said he has no problem with clean up and maintenance of the trail. Any other proposals would need to be revisited with Council. Mayor Blanton asked if for ongoing maintenance if there has been a cost to maintain the park. Mr. Budge said it is the goal of the group of citizens to approach various organizations to request assistance. The request would be for an organization to commit to maintain the trails on a quarterly basis. Mr. Budge said extracting money from the City (of Graham) is not a goal. The City (of Graham) citizens and organizations should be able to commit in helping maintain the park. Mr. Budge said the City does not need additional burden of financial responsibility as much as possible. Jack Little said he likes Mr. Budge approach and said it is called ownership. Mayor Blanton he said liability is his concern in that regard and agrees with Mr. Budge in limiting the liability (for the City of Graham). Jack Little asked if there were stairs that could be climbed on the Standpipe tank. Multiple responses were "No." Jack Little said Standpipe Mountain is a diamond in the rough that is not utilized. Randy Cantin asked if that anytime this (Standpipe Mountain) becomes a burden to the City (of Graham), would the City (of Graham) be able to take a different stance. Brandon said although this is not an action item, he has no problem with Mr. Budge clearing the trails and paths. That is not a concern and never has been. Brandon said his concern, and he hopes Council is also concerned, is that any changes beyond on that property. That needs to be in a proposal and presented to Council. Mayor Blanton said pavilions and benches will have to go through the City (Council) prior to moving forward. Mr. Budge said the first step is get it (Standpipe Mountain) available for citizens to enjoy the mountain. Brandon told Mr. Budge he has a "green light" to move forward. Mr. Budge thanked everyone. Mayor Blanton asked if there were any other questions. There were no additional responses.

COMMITTEE APPOINTMENTS, IF NEEDED:

Mayor Blanton stated there are no Committee Appointments at this time.

ENTERED INTO EXECUTIVE SESSION:

Mayor Blanton announced the entrance into Executive Session at 9:33 a.m.

551.071 Consultation with Attorney

- Discussion with City Attorney over proposed agreement with Plug Power.

551.072 Deliberations Regarding Real Property

- Discuss Commercial Lake Lot Lease with RKJ Adventures, LLC

- Discuss Bids received for the following Lake Lots, to purchase their lease land from the City of Graham: Lot #13, Lot #33, Lot #48, Lot #50 Lot #68, Lot #70, Lot #111, Lot #112, Lot #187, Lot #214, Lot #218, Lot# 221, Lot #241, Lot #247, Lot #254A, Lot #254B, Lot #517, Lot #550, and Lot #570.

EXIT FROM EXECUTIVE SESSION

Mayor Blanton announced the exit from Executive Session at 10:12 a.m.

CONSIDER AND ACT ON THE COMMERCIAL LAKE LOT LEASE AGREEMENT BETWEEN THE CITY OF GRAHAM AND RKJ ADVENTURES, LLC:

Alex Heartfield said he is making a motion to approve the lake lot lease agreement between the City of Graham and RKJ Adventures, LLC. Alex said the motion includes authorizing Brandon Anderson to execute the contract. Jack Little made the second motion, and the motion passed unanimously 4-0.

CONSIDER AND ACT ON THE BIDS RECEIVED FROM LAKE LOTS TO PURCHASE THEIR LEASE FROM THE CITY OF GRAHAM:

Alex Heartfield said he would like to make a motion to approve the bids received for lake properties Lot #13, Lot #33, Lot #48, Lot #50, Lot #70, Lot #112, Lot #187, Lot #214, Lot #218, Lot# 221, Lot #241, Lot #247, Lot #254A, Lot #254B, Lot #517, Lot #550, and Lot #570. Shana Weatherbee-Wolfe made the second motion, and the bids were accepted with a unanimous vote of 4-0.

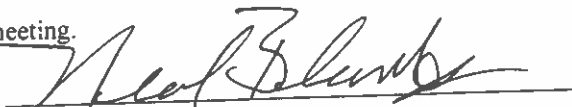
Alex Heartfield said he would like to make a further motion to decline bids from Lake Lot #68 and Lake Lot #111, the bids were not equal to the amount of the appraisal. Randy Cantin provided the second motion to decline, and the bids were unanimously declined 4-0.

CONSIDER AND ACT ON PROJECT DEVELOPMENT AGREEMENT WITH PLUG POWER:


Brandon said no action to be taken and there will be a follow-up today (February 8, 2022) at 3:00 p.m.

ADJOURNMENT:

Jack Little made the motion to adjourn the meeting.


Neal Blanton, Mayor

ATTEST:


Sharon McFadden, City Secretary