

**GRAHAM CITY COUNCIL
REGULAR SESSION
FEBRUARY 2, 2023**

COUNCIL MEMBERS PRESENT

Neal Blanton, Mayor
Alex Heartfield, Mayor Pro-Tem
Shana Weatherbee-Wolfe
Randy Cantin
Jack Little

STAFF PRESENT

Eric Garretty, City Manager
Marci Bueno, City Secretary/Financial Officer
Grant Ingram, Assistant City Manager
Sandra Helvey, Executive Assistant
Brent Bullock, Chief of Police
Randall Dawson, Director of Public Works/Building Official
Larry Fields, City Consultant

Mayor Neal Blanton convened the Council into the Regular Session on Thursday, February 2, 2023 at 8:30 a.m. in the Council Chambers of Graham City Hall, 608 Elm Street. A quorum was present.

OPENING PRAYER

Mayor Neal Blanton led the invocation.

PUBLIC FORUM

None.

REPORTS

Individual Department Heads provided overviews for Council of ongoing updates of their respective departments which included: Fire, Water Treatment Plant, Police, IT, Municipal Court, Public Works and GEIC.

City Manager Eric Garretty provided reports on the lake level, key dates and upcoming events, along with the project status report.

CONSIDER AND ACT ON APPROVAL OF THE MINUTES OF THE REGULAR CALLED MEETING HELD ON JANUARY 19, 2023.

Motion made by Shana Weatherbee-Wolfe and seconded by Randy Cantin to approve the Minutes of the Regular Called meeting held on January 19, 2023. Motion passed unanimously.

PRESENTATION OF THE SALES TAX REPORT DETAILING NOVEMBER 2022 SALES TAX REVENUE.

Financial Officer Marci Bueno reviewed the sales tax report detailing November 2022.

CONSIDER AND ACT TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND CONCLUDE A CONTRACT WITH 'M&S CONCESSIONS' (GRAHAM, TEXAS) FOR CONCESSION SERVICES AT THE YOUNG COUNTY ARENA BASED ON A FAVORABLE RECOMMENDATION FROM THE YOUNG COUNTY COMMISSIONERS' COURT.

Motion made by Alex Heartfield and seconded by Jack Little to authorize the City Manager to negotiate and conclude a contract with 'M&S Concessions' (Graham, Texas) for concession services at the Young County Arena based on a favorable recommendation from the Young County Commissioners' Court. Motion passed unanimously.

CONSIDER AND ACT ON A RESOLUTION 136 RECOMMENDING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION INSTALL ADDITIONAL SAFETY FEATURES AT THE INTERSECTION OF MONTGOMERY STREET AND ELM STREET.

Motion made by Jack Little and seconded by Shana Weatherbee-Wolfe on a Resolution 136 recommending that the Texas Department of Transportation install additional safety features at the intersection of Montgomery Street and Elm Street. Motion passed unanimously.

CONSIDER AND ACT TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SUPPLY OF EFFLUENT WATER WITH DR. PETE BROWN.

Motion made by Alex Heartfield and seconded by Randy Cantin to authorize the City Manager to negotiate a contract for supply of effluent water with Dr. Pete Brown. Motion passed unanimously.

DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND CONCLUDE A CONTRACT WITH DAS GEOSPATIAL INCORPORATED (DALLAS, TEXAS), IN AN AMOUNT NOT TO EXCEED \$14,000, FOR THE PURPOSE OF PRODUCING COLOR AERIAL IMAGERY OF THE CITY OF GRAHAM.

Upon considerable discussion, action to authorize the City Manager to negotiate and conclude a contract with DAS Geospatial Incorporated (Dallas, Texas), in an amount not to exceed \$14,000, for the purpose of producing color aerial imagery of the City of Graham was tabled. No action taken.

CONSIDER AND ACT ON ORDINANCE NO. 1140 ORDERING AN ELECTION TO BE HELD ON SATURDAY, MAY 6, 2023, FOR THE PURPOSE OF ELECTING TWO (2) COUNCIL MEMBERS (PLACES 3 AND 4); ESTABLISHING THE DATES AND THE PLACE FOR VOTING, ESTABLISHING APPLICATIONS FOR VOTING BY MAIL, ESTABLISHING THE DEADLINE FOR RECEIVING BALLOTS BY MAIL, AND ESTABLISHING AN EFFECTIVE DATE.

Motion made by Alex Heartfield and seconded by Randy Cantin on Ordinance No. 1140 Ordering an Election to be held on Saturday, May 6, 2023, for the purpose of electing two (2) Council Members (Places 3 and 4); establishing the dates and the place for voting, establishing applications for voting by mail, establishing the deadline for receiving ballots by mail, and establishing an effective date. Motion passed unanimously.

CONSIDER AND ACT TO APPOINT CAROL PHALING AND STEFANI SCHUTZ TO THE LIBRARY OF GRAHAM BOARD OF DIRECTORS.

Motion made by Jack Little and seconded by Randy Cantin to appoint Carol Phaling and Stefani Schutz to the Library of Graham Board of Directors. Motion passed unanimously.

CONSIDER AND ACT TO APPOINT IAN WOOSLEY TO THE CITY OF GRAHAM PARKS BOARD.

Motion made by Randy Cantin and seconded by Shana Weatherbee-Wolfe to appoint Ian Woosley to the City of Graham Parks Board. Motion passed unanimously.

CONSIDER AND ACT TO APPOINT TERRY BISHOP TO THE PLANNING AND ZONING COMMISSION.

Motion made by Randy Cantin and seconded by Alex Heartfield to appoint Terry Bishop to the Planning and Zoning Commission. Motion passed unanimously.

CONSIDER AND ACT ON A REQUEST FROM CURTIS RIBBLE TO USE THE DOWNTOWN SQUARE ON SATURDAY, MAY 6, 2023, ON BEHALF OF 'JOHN 1:12 PRODUCTIONS', FOR A COMMUNITY CHRISTIAN CONCERT.

Motion made by Alex Heartfield and seconded by Jack Little on a request from Curtis Ribble to use the downtown square on Saturday, May 6, 2023, on behalf of 'John 1:12 Productions', for a community Christian concert. Motion passed unanimously.

CONSIDER AND ACT TO APPROVE A REQUEST FROM THE GRAHAM LIONS CLUB FOR THE USE OF THE SOUTHERN PART OF THE DOWNTOWN SQUARE FOR THEIR ANNUAL LIONS CLUB CARNIVAL DURING MAY 10 THROUGH MAY 13, 2023, AND FURTHER PROVIDING ADDITIONAL DAYS FOR SET UP AND TAKE DOWN OF FACILITIES.

Motion made by Alex Heartfield and seconded by Shana Weatherbee-Wolfe to approve a request from the Graham Lions Club for the use of the southern part of the downtown square for their Annual Lions Club Carnival during May 10 through May 13, 2023, and further providing additional days for set up and take down of facilities. Motion passed unanimously.

REVIEW OF THE AGENDA FOR THE FEBRUARY 9, 2023, SPECIAL CALLED MEETING OF THE CITY COUNCIL.

City Manager Eric Garretty reviewed the Agenda for the February 9, 2023, Special Called Meeting of the City Council.

DISCUSSION REGARDING PROPOSED FUTURE AGENDA ITEMS.

Discussion regarding proposed future agenda items which included: TX DOT discussion on Hwy 16 and Cherry Street intersection, along with placing heart defibrillators at city

locations.

RECESS INTO EXECUTIVE SESSION UNDER THE FOLLOWING PROVISIONS OF THE TEXAS LOCAL GOVERNMENT CODE: Mayor Neal Blanton convened the Council into Executive Session at 9:07 a.m.

a. Sec. 551.071 - Consultation with an Attorney

- Consultation regarding potential litigation related to a lease contract at the Lake Eddleman RV Park; and
- Consultation regarding a lease contract for certain real property at the Lake Eddleman boat ramp; and
- Consultation regarding the status of potential litigation related to the collection of past due Hotel Occupancy Tax from the previous owners of the "Executive Inn", Graham, Texas.
- Consultation regarding potential litigation resulting from enforcement of certain Ordinances outside the jurisdictional limits of the City; and
- Consultation regarding a potential contract for sale of City property to a third party.

b. Sec. 551.072 - Deliberations about Real Property

- Deliberations regarding the replat of Plat 4 which pertains to certain lake lots on the west side of Lake Graham; and
- Deliberations regarding the amendment of pending real estate contracts in reference to deeds, restrictions, and covenants; and

RECONVENE FROM EXECUTIVE SESSION AND TAKE ACTION, AS REQUIRED.

Mayor Neal Blanton reconvened from Executive Session at 9:37 a.m.

Motion made by Alex Heartfield and seconded by Randy Cantin to direct Stephens and Myers to amend lake lot declarations. Motion passed unanimously.

MAYOR AND COUNCILMEMBER ANNOUNCEMENTS

Mayor Neal Blanton announced his resignation effective immediately.

ADJOURNMENT

There being no further business, the meeting was adjourned.

R. Alex Heartfield, MAYOR PRO-TEM

Marci Bueno, City Secretary/Financial Officer