

**GRAHAM CITY COUNCIL  
REGULAR SESSION  
NOVEMBER 9, 2023**

**COUNCIL MEMBERS PRESENT**

Mayor: Alex Heartfield  
 Mayor Pro-Tem/Place 1: Shana Weatherbee-Wolfe  
 Councilmember Place 2: Jeff Dickinson  
 Councilmember Place 3: Jack Little  
 Councilmember Place 4: Brant Lundgren

**COUNCIL MEMBERS ABSENT**

None

**STAFF PRESENT**

Eric Garretty, City Manager  
 Marci Bueno, City Secretary/Financial Official  
 Michael Guevara, City Attorney (Joined Meeting at 10:27 a.m. by phone)  
 Grant Ingram, Assistant City Manager  
 B.J. Cook, Code Enforcement Officer  
 Brent Bullock, Chief of Police  
 Carla Ritchie, Municipal Court Clerk  
 Cassie Kieschnick, Executive Assistant  
 Chris Denney, IT Director  
 Randall Dawson, Director of Public Works/Building Official

**1. CALL TO ORDER**

Mayor Alex Heartfield called the meeting to order at 8:30 a.m.

**2. NOTICE OF POSTING: NOTICE OF THIS REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF GRAHAM TEXAS WAS DULY POSTED AT A PLACE READILY ACCESSIBLE TO THE PUBLIC AT LEAST 72 HOURS PRIOR TO THE DATE AND TIME OF THIS MEETING, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT.**

**3. ROLL CALL OF MEMBERS PRESENT**

Mayor: Alex Heartfield  
 Mayor Pro-Tem: Shana Weatherbee-Wolfe  
 Councilmember Place 2: Jeff Dickinson  
 Councilmember Place 3: Jack Little  
 Councilmember Place 4: Brant Lundgren

**4. OPENING PRAYER**

Gary Elrod led the invocation.

**5. PUBLIC FORUM**

None

**6. REPORTS**

Individual Department Heads provided overviews for Council on ongoing updates of their respective departments which included: Code Enforcement, Municipal Court, Public Works, Chamber/Visit Graham, GEIC and Auditorium.  
 City Manager Eric Garretty provided reports on the City Manager Report, Lake Graham Water Level, Key Dates and Upcoming Events, Update on Incident Recovery at the Water Treatment Plant, Boards Update, Implementation of New Credit Card Payment System, along with the Project Status Report.

**7. CONSENT AGENDA**

Following a motion by Shana Weatherbee-Wolfe and seconded by Brant Lundgren, the following Consent Agenda was approved unanimously 5 – 0.

a. Approve the Minutes of the Regular Called meeting held on October 26, 2023;  
 and

b. Approve a request to conduct filming operations at 608 Elm Street, and on the southern half of the Square, during the 4th annual High School barbeque cookoff; and

- c. Approve a request from the City Manager to allow for closure of non-emergency-essential City facilities at 1:00 p.m. on Wednesday, Nov. 22, 2023 in support of early employee release for the Thanksgiving holiday.
8. **CONSIDER AN ACT TO APPROVE THE FINANCIAL REPORTS FOR THE PERIOD ENDING SEPTEMBER 30, 2023.**  
Motion made by Brant Lundgren and seconded by Jeff Dickinson to approve the Financial Reports for the period ending September 30, 2023. Motion passed unanimously 5 – 0.
9. **CONSIDER AND ACT TO APPROVE THE QUARTERLY INVESTMENT REPORT FOR THE PERIOD JULY 1, 2023, THROUGH SEPTEMBER 30, 2023.**  
Motion made by Jack Little and seconded by Shana Weatherbee-Wolfe to approve the Quarterly Investment Report for the period July 1, 2023, through September 30, 2023. Motion passed unanimously 5 – 0.
10. **CONSIDER AND ACT TO APPROVE A REPLAT REQUEST FROM TRENT THETFORD FOR REPLAT OF LOTS 25-27, BLOCK 39, ORIGINAL TOWN OF GRAHAM, CITY OF GRAHAM, YOUNG COUNTY, WITH PHYSICAL ADDRESS 816 GROVE STREET (AND ADJACENT PROPERTY), BASED ON A FAVORABLE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION.**  
Motion made by Jack Little and seconded by Brant Lundgren to approve a replat request from Trent Thetford for replat of Lots 25-27, Block 39, Original Town of Graham, City of Graham, Young County, with physical address 816 Grove Street (and adjacent property), based on a favorable recommendation from the Planning and Zoning Commission. Motion passed unanimously 5 – 0.
11. **CONSIDER AND ACT TO AUTHORIZE THE CITY MANAGER TO SEIZE, AND SUBSEQUENTLY DEMOLISH, AN ABANDONED BOAT HOUSE IN THE PROXIMITY OF 938 EASTSIDE LAKE ROAD, GRAHAM, TEXAS, BASED ON A FAVORABLE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION.**  
Motion made by Shana Weatherbee-Wolfe and seconded by Jack Little to authorize the City Manager to seize, and subsequently demolish, an abandoned boat house in the proximity of 938 Eastside Lake Road, Graham, Texas, based on a favorable recommendation from the Planning and Zoning Commission. Motion passed unanimously 5 – 0.
12. **CONSIDER AND ACT TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND CONCLUDE A CONTRACT, IN AN AMOUNT NOT TO EXCEED \$52,000.00, WITH DISCGOLFPARK INCORPORATED, UNITED STATES DIVISION (WELLINGTON, COLORADO), FOR THE PURPOSE OF DESIGN AND CONSTRUCTION OF A DISC GOLF COURSE IN FIREMEN'S PARK, BASED ON A FAVORABLE RECOMMENDATION FROM THE CITY'S ENGINEER OF RECORD.**  
Motion made by Jeff Dickinson and seconded by Jack Little to authorize the City Manager to negotiate and conclude a contract, in an amount not to exceed \$52,000.00, with DiscGolfPark Incorporated, United States Division (Wellington, Colorado), for the purpose of design and construction of a disc golf course in Firemen's Park, based on a favorable recommendation from the City's Engineer of Record. Motion passed unanimously 5 – 0.
13. **CONSIDER AND ACT TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND CONCLUDE A LEASE-PURCHASE AGREEMENT, WITH FIRST NATIONAL BANK LEASING (WICHITA FALLS, TEXAS), IN SUPPORT OF THE ACQUISITION OF A NEW, 2023 CATERPILLAR MODEL 420 BACK HOE FOR THE WATER DISTRIBUTION AND MAINTENANCE DEPARTMENT, AND FURTHER NOTING A LEASE PURCHASE TERM OF FIVE YEARS, AN ANNUAL INTEREST RATE OF 5.95 PERCENT, AND A NET CAPITALIZED COST OF \$155,580.15.**  
Motion made by Jack Little and Brant Lundgren to authorize the City Manager to negotiate and conclude a lease-purchase agreement, with First National Bank Leasing (Wichita Falls, Texas), in support of the acquisition of a new, 2023 Caterpillar Model 420 Back Hoe for the Water Distribution and Maintenance Department, and further noting a lease purchase term of five years, an annual interest rate of 5.95 percent, and a net capitalized cost of \$155,580.15. Motion passed unanimously 5 – 0.
14. **CONSIDER AND ACT TO AUTHORIZE THE FINANCE DIRECTOR TO TRANSFER \$13,579.00 FROM THE AMERICAN LEGION CITY HALL FUND, TO THE GENERAL FUND-ADMINISTRATION DEPARTMENT, IN SUPPORT OF CITY HALL SECURITY IMPROVEMENTS AND THE CITY HALL MURAL PROJECT.**

Motion made by Jack Little and seconded by Jeff Dickinson to authorize the Finance Director to transfer \$13,579.00 from the American Legion City Hall Fund, to the General Fund-Administration Department, in support of City Hall security improvements and the City Hall Mural project. Motion passed unanimously 5 – 0.

**15. CONSIDER AN ACT TO APPROVE AND ADOPT BUDGET ORDINANCE NO. 1161 AMENDING THE FISCAL YEAR 2023-2024 ADOPTED BUDGET.**

Motion made by Jeff Dickinson and seconded by Brant Lundgren to approve and adopt Budget Ordinance No. 1161 amending the Fiscal Year 2023-2024 adopted budget. Motion passed unanimously 5 – 0.

**16. CONSIDER AND ACT TO APPROVE RESOLUTION NO. 165 WHICH CASTS A TOTAL OF 374 VOTES FOR A SINGLE NOMINEE, OR MULTIPLE NOMINEES, WHO HAVE BEEN CERTIFIED TO STAND FOR ELECTION TO THE YOUNG CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.**

Motion made by Jack Little and seconded by Brant Lundgren to approve Resolution No. 165 which casts a total of 374 votes to nominate and appoint Jeff Dickinson, who have been certified to stand for election to the Young Central Appraisal District Board of Directors. Motion passed 4 – 0 – 1 with Jeff Dickinson abstaining.

**17. CONSIDER AND ACT TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND CONCLUDE A CONTRACT, IN AN AMOUNT NOT TO EXCEED \$126,000, FOR RENOVATION OF THE RESTROOM IN FIREMEN'S PARK, BASED ON A FAVORABLE RECOMMENDATION FROM THE CITY'S ENGINEER OF RECORD.**

Motion made by Jack Little and seconded by Jeff Dickinson to authorize the City Manager to negotiate and conclude a contract, in an amount not to exceed \$126,000, for renovation of the restroom in Firemen's Park, based on a favorable recommendation from the City's Engineer of Record. Motion passed unanimously 5 – 0.

**18. CONSIDER AND ACT TO APPROVE RESOLUTION NO. 166 WHICH GRANTS EMERGENCY CONTRACTING AUTHORITY TO THE CITY MANAGER PURSUANT TO A REQUIREMENT TO CONDUCT CERTAIN EMERGENCY REPAIR AND CONSTRUCTION TASKS AT THE CITY OF GRAHAM WATER TREATMENT PLANT.**

Motion made by Jeff Dickinson and seconded by Brant Lundgren to approve Resolution No. 166 which grants emergency contracting authority to the City Manager pursuant to a requirement to conduct certain emergency repair and construction tasks at the City of Graham Water Treatment Plant. Motion passed unanimously 5 – 0.

**19. CONSIDER AND ACT TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND CONCLUDE AN AGREEMENT WITH LAKE COUNTRY CATERING (GRAHAM, TEXAS), A LIMITED LIABILITY COMPANY, FOR THE SALE OF ALCOHOLIC BEVERAGES AT THE YOUNG COUNTY ARENA, NOTING THAT APPROVAL OF SAID AGREEMENT REQUIRES THE CONCURRENCE OF THE YOUNG COUNTY COMMISSIONERS' COURT.**

Motion made by Jack Little and seconded by Shana Weatherbee-Wolfe to authorize the City Manager to negotiate and conclude an agreement with Lake Country Catering (Graham, Texas), a Limited Liability Company, for the sale of alcoholic beverages at the Young County arena, noting that approval of said agreement requires the concurrence of the Young County Commissioners' Court. Motion passed unanimously 5 – 0.

**20. CONSIDER AND ACT TO AUTHORIZE THE CREATION OF THE 'CITY OF GRAHAM – MULTI-USE PATHS IMPROVEMENTS' CAPITAL PROJECT.**

Motion made by Jeff Dickinson and seconded by Shana Weatherbee-Wolfe to authorize the creation of the 'City of Graham – Multi-Use Paths Improvements' capital project. Jack Little voted against. The motion passed by a 4 – 1 vote.

**21. DISCUSSION REGARDING THE DEVELOPMENT OF ALTERNATE RAW WATER SOURCES FOR THE CITY.**

City Manager Eric Garretty discussed the development of alternate raw water sources for the City.

**22. PRESENTATION BY THE CITY MANAGER ON 'DEBT CAPACITY' AND THE IMPACT OF DEBT CAPACITY ON FUTURE CAPITAL IMPROVEMENT PROJECTS.**

City Manager Eric Garretty presented on 'debt capacity' and the impact of debt capacity on future capital improvement projects.

23. **DISCUSSION REGARDING THE CONTINUED DEVELOPMENT OF THE DRAFT FISCAL YEAR 24-29 CAPITAL IMPROVEMENT PLAN.**  
City Manager Eric Garretty discussed the continued development of the draft Fiscal Year 24-29 Capital Improvement Plan.
24. **DISCUSSION REGARDING PROPOSED FUTURE AGENDA ITEMS.**  
Future agenda items included an update of revenue from the effluent water line and setting up a special capital fund.
25. **RECESS INTO EXECUTIVE SESSION UNDER THE FOLLOWING PROVISIONS OF THE TEXAS LOCAL GOVERNMENT CODE:** Mayor Alex Heartfield convened the Council into Executive Session at 10:26 a.m.

City Attorney Michael Guevara joined the meeting at 10:27 a.m. by phone.

**Sec. 551.072 – Deliberations about Real Property**

- Deliberations regarding a replat of Lake Lots 550R through 594R with a legal description of Northeast Lake Graham Subdivision, Lots 550 through 594, County of Young; and
- Deliberations regarding encroachment issues related to a certain parcel of real property owned by the City of Graham and located in the vicinity of Lake Graham; and
- Deliberations regarding an offer to purchase a certain 32-acre tract of real property which abuts Lake Eddleman; and
- Deliberations regarding the potential offering for sale of a certain 76-acre tract of real property located north of Lake Eddleman; and

**Sec. 551.071 Consultations with the City Attorney**

- Consultation with the City Attorney regarding contemplated litigation related to an incident at a city facility.

26. **RECONVENE FROM EXECUTIVE SESSION AND TAKE ACTION, AS REQUIRED.**  
Mayor Alex Heartfield reconvened from Executive Session at 11:15 a.m.

Motion made by Jeff Dickinson and seconded by Shana Weatherbee-Wolfe to approve a replat of Lake Lots 550R through 594R and direct the City Secretary to file the same for record to the Young County Clerk and the Chief Appraiser. Motion passed unanimously 5 – 0.

27. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:16 a.m. Motion made by Jack Little and seconded by Alex Heartfield.

**R. Alex Heartfield, MAYOR**

**Marci Bueno, City Secretary/Financial Official**