

REGULAR MEETING OF THE CITY COMMISSION

OF THE CITY OF DUMAS, TEXAS

AUGUST 18, 2008

6:30 P.M.

BE IT REMEMBERED THAT THERE CAME AND WAS HELD A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF DUMAS, TEXAS IN THE CITY HALL, OF SAID CITY:

Members Present:

Mayor Mike Milligan  
Mayor Pro Tem Pat L. Sims  
Commissioner John D. Harris  
Commissioner Mike Salim  
Commissioner James Mahaffey  
City Manager Vince DiPiazza  
City Attorney Tom Moore

Others Present: Kim Rehkopf, Tommy Raper, Wayne Smith, Dolores Montoya, Michael Wright, Thomas Cannon, Thelma Cannon, Paul J. Jenkins, R.D. Leimer, Dale Alwan, Dottie Williams, Tim Spurlock, Grace Pierson, Sam Cartwright, Shirley Roys, and Jane Smith.

Mayor Milligan called the meeting to order.

Commissioner Mahaffey asked about the following bills: Textron Financial Corp. \$1,321.25 for the golf course. City Manager Vince DiPiazza said this cost is for extra golf carts for tournaments. Commissioner Mahaffey asked how much money the city lost on renting extra golf carts. Mayor Milligan said for one-day tournaments the city might lose some revenue and for a two-day tournament the city might break even. Golf Professional Tim Spurlock said the extra golf carts are \$50 each and they come from Lubbock, Texas. Mr. Spurlock said the fee covers the transportation and golf cart fee. Mayor Milligan introduced Mr. Spurlock and told the public that he was the new golf professional at Pheasant Trails Golf Course. SunGard HTE Inc., \$12,818.34 for administration. Mr. DiPiazza said this is the annual payment for the city's software maintenance. Mr. DiPiazza said this software runs all utility billing, financials, and other city departments. Finance Director Dottie Williams said this fee also includes support assistance with any problems a city employee may have. Bank of America, \$999.99 for a projector. Fire Chief Paul J. Jenkins said this projector was purchased for training and power point presentations. Commissioner Mahaffey asked if the insurance company was going to replace the fire department suburban. Chief Jenkins said the insurance company totaled the suburban. The adjuster is bringing the city a check and they will pick up the suburban next week. Ricoh Americas Corp., \$267.15 for the police department. Police Chief Dale Alwan said at the end of each year the company checks the over usage on the copier and the city pays the over usage cost. Mayor Milligan and asked how often the police department had their facility cleaned and Chief Alwan replied two times a week. Commissioner Mahaffey asked how the gas loop line installation was proceeding.

Public Works Director Tommy Raper said they are still working on the gas loop line and they are currently at 8th Street and Maddox Avenue. Landfill equipment, \$14,436.60. Mr. Raper said this cost was to repair the engine in the trash compactor. Mr. Raper said options were to buy a new engine or rebuild the engine. Mr. Raper said they found a rebuilt engine on a compactor that had burned. The engine did not have any fire damage. Mr. Raper said they saved \$6,000 to \$7,000 by buying the rebuilt engine. Mr. DiPiazza said the city has spent a lot of money on the compactor this last year. Mr. Raper said the city has spent approximately \$30,000 on repairs. A motion was made by Commissioner Salim, seconded by Mayor Pro Tem Sims, and passed by a majority vote to approve the July 14, 2008 Special City Commission meeting minutes; July 21, 2008 Regular City Commission meeting minutes; and paying the bills. Commissioner Mahaffey abstained.

Southwest Securities Representative Ken Smith presented an ordinance that authorizes the issuance of the general obligation bonds. Mr. Smith said out of seven bond insurance companies, five were downgraded to an A or below, instead of AAA. City Manager Vince DiPiazza said the reason the credit bond rating was low is because of the city's low tax rate and reliance on utility revenues. Mr. DiPiazza said bond rating agencies feel that the City of Dumas has an unstable source of revenue. Mr. Smith said when Southwest Securities were selling certificates of obligation, they were combination tax and revenue certificates of obligation, and when voted general obligation bonds are sold, there is no revenue pledge, and it's only tax revenue. Mr. Smith said the bonds were sold by First Southwest Corporation and on September 18, 2008 the city will receive three million dollars. Mayor Milligan asked Mr. Smith if the city could have saved money if the issuance of the bonds would have been done last September. Mr. Smith said the city would have saved money because of the insurance cost; it would have been much lower selling certificates of obligation instead of voted general obligation bonds. A motion was made by Commissioner Mahaffey, seconded by Commissioner Harris, and passed unanimously to approve the First Reading of Ord. No. 1056 authorizing the issuance and sale of General Obligation Bonds, Series 2008.

Park Board Chairman Debbie Beilue presented a preliminary plan for a city bicycle path for the Commission to consider. Ms. Beilue said with high gas prices more people are walking and riding bicycles. Ms. Beilue said the City of Amarillo has implemented bike paths and the Park Board felt they should be proactive in incrementing this project. The Commission suggested that the police chief review citations issued for vehicles that park in the street in a bicycle path. Ms. Beilue said the bicycle path would start at E. 19th Street and go east to S. Maddox Avenue, and north to 14th Street. At 14th Street the path would continue east to Melinda Drive, and also on 14th Street the bike path would continue west to S. Birge Street. Ms. Beilue said the Park Board is recommending the bicycle path be five feet wide. City Manager Vince DiPiazza said there are already bike paths in other cities that he could consult with. Mr. DiPiazza said the Park Board should be commended for thinking in this direction because it is a good plan to consider. Commissioner Harris asked if the bike path could loop around Dumas and Ms. Beilue said the Park Board recommends beginning with the preliminary path plan to see if it works, and then the Park Board would approach other areas. Commissioner Salim said E. 19th Street is a two lane road and a bicycle path could be made on E. 19th Street. Public Works Director Tommy Raper said he would like to measure the streets to see if they were wide enough for a bicycle path. Mayor Milligan suggested this item be tabled and asked City Manager Vince DiPiazza to research ordinances of other cities concerning their bicycle path plans. A motion was made by Commissioner

Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to table the preliminary plan for a city bicycle path until other city ordinances could be researched.

Ms. Beilue said the Park Board would like the Commission to consider the purchase of a two-foot model of a "Ding Dong Daddy" statue for \$1,000 to be placed at the visitors center. Ms. Beilue said this would be a clay or foam model statue for the Park Board and the Commission to view. Ms. Beilue said this would be purchased from Fiberglass Animals. Fiberglass Animals recommended the city view a model statue before purchasing a large statue in case the Commission would like to make changes in the statue design. Ms. Beilue said the Park Board felt this item would be a great tourist attraction for Dumas. People would stop to have their picture taken with the "Ding Dong Daddy" statue. City Attorney Tom Moore said at one time the "Ding Dong Daddy" was copyrighted or trademarked and that KDDD Radio Station held the copyright. Mr. Moore said the Chamber of Commerce had to sign an agreement to use the KDDD Radio Station copyright. Mayor Milligan said he also has tried to identify the owner of the "Ding Dong Daddy." Ms. Beilue said if the "Ding Dong Daddy" statue attracts tourists, they would like to consider making a "Ding Dong Dolly" statue. Mayor Milligan said he appreciated the Park Board for pursuing this idea. A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to purchase a two-foot model of a "Ding Dong Daddy" statue for \$1,000 from Fiberglass Animals.

Mayor Milligan said the next item is a contract with Tim Spurlock, the new Golf Professional. Mayor Milligan said the agreement presented states that the city will pay the golf professional eight percent of all green fee income, eight percent of golf cart rental income, and ten percent of all driving range income. Mayor Milligan said the driving range income is not worth ten percent of a \$1.59 to pick up the driving range golf balls. Mayor Milligan suggested increasing the driving range income to fifty percent and increasing the green fee income and golf cart rental income to ten percent. Mr. Spurlock said when he discussed the contract with City Manager Vince DiPiazza they changed the length of the contract to three years instead of two years. Commissioner Harris asked Mr. Spurlock what he would like to change at the golf course. Mr. Spurlock said he plans on having a fully stocked golf pro shop. Mr. Spurlock said currently Valero goes to the Tascosa Golf Course in Amarillo, Texas and he has received some names of people to contact at Valero because he is trying to bring their business back to Pheasant Trails. A motion was made by Commissioner Harris, seconded by Commissioner Mahaffey, and passed unanimously to approve the contract with Golf Professional Tim Spurlock with changes; the city will pay the golf professional ten percent on green fee income and golf cart rental income in lieu of eight percent and the city will pay the golf professional fifty percent on all driving range income in lieu of ten percent.

Dumas Economic Development Corporation (D.E.D.C.) Director Mike Running presented the 2008-2009 proposed budget request and the 2008-2009 plan of work. Mr. Running said the proposed 2008-2009 budget is \$598,060. Mayor Milligan asked the total amount of funds D.E.D.C. currently has in their bank account and Mr. Running said \$500,000. Commissioner Harris asked if there were other avenues that could be taken to get an incubator business in Dumas. Commissioner Harris said there is 50,000 sq. ft. of dead space at the business park and we need an incubator business there or we should opt out. Mr. Running said due to the agreement with West Texas A&M there were certain things that D.E.D.C. could and couldn't do, but the contract with West Texas A&M has expired. Mr.

Running said the D.E.D.C. Board authorized him to make necessary arrangements. Mr. Running said that people do not understand the concept of “incubator” even though it is a business and development center. Mr. Running said there is a National Business Incubator Association that provides training and helps people to market their facilities. Mr. Running said he was going to market local businesses because there is a great need. Mayor Milligan asked if West Texas A&M contributed funds to D.E.D.C. Mr. Running said yes, \$50,000. Commissioner Salim said \$600 is budgeted for life insurance and asked Mr. Running why the D.E.D.C. employees did not have life insurance with the city. Mr. Running said D.E.D.C. hasn't been included in the city's life insurance benefit plan. Commissioner Salim said D.E.D.C. employees are on the health insurance and should also be offered life insurance. Commissioner Salim asked why \$50,000 was budgeted concerning the Moore County Airport. Mr. Running said Moore County Commissioner Milton Pax asked the D.E.D.C. Board to consider contributing funds to help with the airport runway expansion. Mr. Running gave a brief overview on the proposed 2008-2009 plan of work, which includes industries that would benefit Dumas and these are items he will be focusing on. The industries are dairy, wind, trucking distribution, aviation, retail and restaurants, agricultural, renewable fuels, oil & gas, food packing, small businesses, and innovative ideas on new products. Mr. Running said D.E.D.C. has paid \$9,000 the last two years to High Plains Dairy Council and this money was going to help another jurisdiction. Mr. Running said D.E.D.C. has ceased making these payments and would put money into their own dairy research. Mr. Running said he could do a much better job on D.E.D.C.'s behalf. Mr. Running has spoken to local people that are trying to work with the dairy companies. Mr. Running said there is a need for welders and other positions in the wind industry. Mr. Running said new transmission lines would be installed in the future and Dumas is a prime location. Mr. Running said there are large companies that are going together to try and put in their own private transmission lines and this would accelerate the wind industry in Dumas. Mayor Milligan said Dumas would be a good location for a trucking and distribution center and a truck repair center. A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the D.E.D.C. 2008-2009 proposed budget request for \$598,060 and to accept the 2008-2009 plan of work.

Finance Director Dottie Williams presented the proposed account list for the 2007-2008 utility write-offs. The account total is \$23,546.73. Commissioner Salim suggested Ms. Williams contact the attorney's that were recently approved to collect municipal fees to see if they could also collect the utility write-off accounts. A motion was made by Mayor Pro Tem Sims, seconded by Commissioner Salim, and passed unanimously to approve the 2007-2008 utility account write-offs totaling \$23,546.73.

Finance Director Dottie Williams told the Commission that the city's bank depository contract with Happy State Bank allows the city two, one-year extensions before the bank depository contract must be bid again. Ms. Williams said last year the Commission approved the first, one-year extension, and this would be the second, one-year extension. Ms. Williams said the city would have to bid the bank depository contract in 2009. A motion was made by Commissioner Salim, seconded by Commissioner Mahaffey, and passed unanimously to approve the second, one-year extension of the bank depository contract with Happy State Bank and related documents.

Public Works Director Tommy Raper said he met with D.I.S.D. Police Chief Larry Payne to discuss the school safety zone signs and flashers. Mr. Raper said more signs are

required under the federal guidelines as a suggestion, not mandatory. Mr. Raper presented costs on solar flashers and street signs. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the purchase of school safety zone signs and flashers, with the city's total share at \$25,306.98 including crossing guards.

Mayor Milligan opened the Work Session.

Commissioner Harris presented the swimming pool design and stated that the design has been changed. Commissioner Harris said the old design only allowed a judge to go down one side of the swimming pool, and a judge must be able to go down both sides of the swimming pool during swim competitions. The Commission liked this design better than the original design. The consensus of the Commission agreed to the new design with the addition of opening the area between the diving rocks and the slides.

Meeting adjourned.

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Mike Milligan, Mayor

ATTEST:

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Vince DiPiazza, City Manager