

REGULAR MEETING OF THE CITY COMMISSION
OF THE CITY OF DUMAS, TEXAS

FEBRUARY 4, 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

Members Absent:

City Attorney Tom Moore

Others Present: Kim Rehkopf, Tommy Raper, Paul J. Jenkins, Dolores Montoya, Rhonda McSpadden, Dave Reinders, Billy Reinders, Andrea Reinders, and Dale Alwan.

Mayor Milligan called the meeting to order.

A motion was made by Commissioner Harris, seconded by Commissioner Mahaffey, and passed unanimously to approve the Consent Agenda which consists of the January 21, 2008 Regular City Commission meeting minutes, January 28, 2008 Special City Commission meeting minutes, and paying the bills.

Dave Reinders told the Commission that he owns the house at 812 Bobwhite and his tenant, Billy Reinders, was over charged 492,000 gallons of water and sewer from October 2006 through October 2007, totaling approximately \$1,400. Mr. Reinders said the monthly consumption was 117,000 - 118,000 gallons of water and that it was not possible to use this much water. Mr. Reinders said he lives on Pheasant Run, waters his lawn three times a week and 812 Bobwhite waters their lawn two times a week, and this comparison is how he determined the over charge. Mr. Reinders feels that 812 Bobwhite had a bad meter because when the city replaced the meter, the water consumption was 3,400 gallons for October 2007, 10,000 gallons for November 2007, and 6,400 gallons in December 2007. Commissioner Salim said he agreed with Mr. Reinders stating that no one could use that many gallons of water a month unless they left their water on constantly. The Commission reviewed area residents and some of them also had high consumption. Mayor Pro Tem Sims said a sprinkler system should only use 15,000 to 25,000 gallons of water per month. Mayor Pro Tem Sims said if someone uses 2,000 gallons of water per month, and the consumption goes to 114,000 gallons of water per

month, that should automatically be a red flag to the city. Mayor Pro Tem Sims asked Mr. Reinders if he was asking for a credit or a cash reimbursement. Billy Reinders said cash reimbursement. City Manager Vince DiPiazza said the Pheasant Run and Bobwhite residential area's water usage is wide-ranged and even though over 100,000 gallons of water is extremely high, it's not unusual. Mr. DiPiazza said the water meter was sent to the manufacturer for testing and there was not anything wrong with the meter. Commissioner Harris said he has never used that much water and he has filled his swimming pool several times. Commissioner Harris told Mr. Reinders that he did not doubt his figures but would like for the city staff to use an area average and recalculate compensation. Finance Director Dottie Williams said from September 6, 2006 through December 6, 2007 the total amount Mr. Reinders paid for water was \$1,237.60 and \$221.56 for sewer. A motion was made by Commissioner Harris, seconded by Commissioner Salim, and passed unanimously to authorize Mayor Milligan and city staff to perform an average on water consumption in Mr. Reinder's residential area to conclude a compensation amount.

City Manager Vince DiPiazza presented an ordinance to amend the current subdivision ordinance that would require a warranty and financial guarantee for public improvements. Mr. DiPiazza said the consensus of the Commission at a previous meeting was to require a two-year warranty with a financial guarantee for twenty-five percent of the improvements. Mr. DiPiazza said the financial guarantee could be a bond, letter of credit, cash escrow or any other means acceptable by the city attorney. Mr. DiPiazza said the warranty begins after the final plat approval. A motion was made by Mayor Pro Tem Sims, seconded by Commissioner Harris, and passed unanimously to approve the First Reading of Ordinance No. 1034 amending the subdivision ordinance to require a two year warranty and a twenty-five percent financial guarantee for public improvements.

City Manager Vince DiPiazza presented a resolution that would authorize the city to participate in a review with Xcel Energy that would likely result in a rate reduction. Mr. DiPiazza said Xcel has informed the city they would file another general rate case in May. Mayor Milligan asked if the city pays any of that cost and Mr. DiPiazza said there is no cost to the city but it does cost Xcel, which he assumes is recovered through the customer. A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to approve Resolution No. 08-01 to authorize participation in the Alliance of Xcel Municipalities in conjunction with Xcel/SPS tariff filings.

Finance Director Dottie Williams told the Commission that the city's Pitney Bowes agreement would expire June 2008. The cost to renew the agreement will be \$217 a month compared to \$525 per quarter. Mayor Milligan would like other postage companies to be contacted to compare services and costs. A motion was made by Commissioner Salim, seconded by Commissioner Harris, and passed unanimously to table this item until other quotes could be received.

Mayor Milligan recessed into executive session at 7:04 p.m. to discuss title issues between the City of Dumas and Coon Ranch. Mayor Milligan recessed the executive

session at 7:19 p.m. and reopened the regular meeting. There were no votes or action taken.

A motion was made by Commissioner Salim, seconded by Commissioner Mahaffey, and passed unanimously to approve certain documents correcting title issues between the City of Dumas and Coon Ranch.

Meeting adjourned.

Mike Milligan, Mayor

ATTEST:

Vince DiPiazza, City Manager