

SPECIAL MEETING OF THE CITY COMMISSION  
OF THE CITY OF DUMAS, TEXAS  
FEBRUARY 18, 2014  
6:30 P.M.

BE IT REMEMBERED THAT THERE CAME AND WAS HELD A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF DUMAS, TEXAS IN THE DUMAS COMMISSION CHAMBERS/MUNICIPAL COURT ROOM, 124 EAST 7TH STREET OF SAID CITY:

Members Present:

Mayor Pat L. Sims  
Mayor Pro Tem David M. Bonner  
Commissioner Michael L. Funk  
Commissioner Vernon McDowell  
Commissioner Steve Bodnar  
City Manager Vince DiPiazza  
City Attorney Tom Moore

Others Present: Kim Rehkopf, Jim Nelson, Arbie Taylor, Isidro Renteria, Tom Ogle, Tim Spurlock, Greg Tanner, Meredith Laurent, Steve Walthour, Pat Duffy, Paul J. Jenkins, Dottie Crockett, Tony Bates, and Kenny LaFever.

Mayor Sims called the meeting to order.

Commissioner Bodnar would like the citizens to know that the city is charged a gas meter service fee of \$5,258 from the Railroad Commission of Texas. City Manager Vince DiPiazza said this is a regulatory fee. A motion was made by Commissioner Bodnar, seconded by Commissioner McDowell, and passed unanimously to approve the February 3, 2014 Regular City Commission meeting minutes, February 10, 2014 Special City Commission meeting minutes, and paying the bills.

Mayor Sims opened the Formal Session.

Tom Ogle asked the Commission to consider allowing a variance so he could build a carport on his property located at 611 N. Pine. Mr. Ogle said there are carports in town that do not comply with the city ordinance. City Inspector Greg Tanner said there are carports that are grandfathered in. Mr. Tanner said if Mr. Ogle was allowed to build a carport, everyone should be allowed. Mr. Tanner has not looked at the setback on Mr. Ogle's property. Mayor Pro Tem Bonner said if they allowed Mr. Ogle to build a carport that it would set a precedence for other citizens. City Attorney Tom Moore said the only time the Commission approves a variance for a carport is for hardship or safety. Mayor Sims asked Mr. Tanner to check the setback for Mr. Ogle to see if a carport could be built. There was no action taken.

City Inspector Greg Tanner told the Commission that North Plains Groundwater Conservation District (NPGCD) would like to rezone property located at 605 1<sup>st</sup> Place. Mr. Tanner said the planning and zoning board recommends approving the zone change. Steve Walthour, with NPGCD, said they would like to remove a house on this property and build a storage building to protect their four wheelers and other equipment. Mr. Walthour presented plans to also expand the parking area. Commissioner Bodnar asked what if the surrounding area residents had an opinion. Mr. Tanner said he sends letters out to every property owner within two hundred feet and he said one person asked if their taxes would increase. Commissioner Bodnar

said the current property owner has to rezone the property. Mr. Walthour said NPGCD has an agreement with the property owner to rent the property until it's purchased. Mr. Tanner said the property owner was at the planning and zoning meeting but made no comments. Mayor Sims opened the Public Hearing. There were no public comments. Mayor Sims closed the Public Hearing. The Commission would like to see consent documentation from the property owner. Mr. Walthour said he would take a copy of the contract to the city manager. A motion was made by Mayor Pro Tem Bonner, seconded by Commissioner Funk, to approve Ordinance No. 1107. An amended motion was made by Mayor Pro Tem Bonner, seconded by Commissioner Funk, and passed unanimously to approve the First Reading of Ordinance No. 1107 to rezone property located at 605 1<sup>st</sup> Place from "C", Multiple Family to "SU", Specific Use, contingent upon approval from the landowner, for North Plains Groundwater Conservation District.

Fire Chief Paul J. Jenkins presented bids for the fire hydrant repair project. There were three bids received from Presser Construction for \$56,500; West Texas Utilities for \$84,142; and MH Civil Constructors for \$113,400. Chief Jenkins said that two bids were to replace all 27 fire hydrants but he only has \$25,000 budgeted. Tony Bates with MH Civil Constructors said some repairs can't be guaranteed and an exact cost can't be given because he does not know what he will find until they remove the fire hydrants. Chief Jenkins said the replacement of the fire hydrants is the best option. Kenny LaFever with Pressure Construction said there could still be problems after repairs are made. A motion was made by Commissioner Bodnar, seconded by Commissioner Funk, and passed unanimously to reject all bids, rebid the project to replace hydrants, for the fire department.

Fire Chief Paul J. Jenkins presented copier lease/purchase bids. There were three bids received from Ricoh for \$8,526.20; Xerox for \$10,731; and SPC for \$13,580.40. Commissioner Bodnar suggested purchasing the copier instead of leasing to purchase. Chief Jenkins said there are no funds budgeted to purchase a copier. A motion was made by Commissioner Funk, seconded by Commissioner McDowell, and passed unanimously to approve the bid from Ricoh for \$8,526.20 to lease/purchase a copier for the fire department.

Fire Chief Paul J. Jenkins said the interlocal governmental agreement with the City of Cactus should be modified. Chief Jenkins said the majority of their calls are for Cactus, or within Moore County, and they are mostly medical calls. Chief Jenkins said the City of Cactus will show up to a scene then they leave stating they have to go to work, sometimes they just drive off, and there is a language barrier. The City of Cactus is a volunteer fire department. City Attorney Tom Moore said the City of Dumas should meet with the Cactus city manager and fire chief. Mr. Moore said the hospital should be involved. Mayor Pro Tem Bonner suggested severing the agreement since Dumas is providing the service. Mayor Sims said Cactus should be the first responder, and if Dumas is going to be the first responder, the city will charge Cactus a fee for our service. Mayor Sims said Cactus should take care of the language barrier and they should attend training sessions that Dumas provides. Commissioner Funk suggests that Mr. Moore modify the language in the agreement and that Chief Jenkins and City Manager Vince DiPiazza meet with the Cactus city manager and fire chief. Commissioner Bodnar said he is willing to meet with Cactus commissioners, if necessary. The Commission agreed the direction they would like to go is to have Chief Jenkins contact Mr. Moore to modify the agreement, then Chief Jenkins and Mr. DiPiazza meet with the City of Cactus city manager and fire chief to discuss issues. There was no action taken.

The Commission discussed a change to landfill policy pertaining to customers outside the city limits. City Manager Vince DiPiazza said the city currently picks up trash eight miles outside

the city limits. Mr. DiPiazza is concerned about traffic at the new landfill. No one outside the city limits is asking for trash pickup at this time. There was no action taken.

Tim Spurlock presented a proposed agreement to lease the golf course restaurant. Commissioner Bodnar said the rental rate that is presented in the proposed agreement is \$650 per month until the roof is repaired and \$1,100 after the roof is repaired. Commissioner Bodnar said this is not acceptable. Commissioner Bodnar stated that the city requested the past tenants to pay \$1,500 per month. Mayor Pro Tem Bonner said Mr. Spurlock is requesting his current golf pro contract be extended 2 years. The proposed restaurant lease agreement is for two years with a two year option to renew. Mr. Spurlock said he would oversee the day to day operation of the restaurant. Mr. Spurlock said if the city did not extend his golf pro contract, the restaurant lease agreement proposal is withdrawn. Mayor Sims and Mayor Pro Tem Bonner agreed that they would consider extending the golf pro contract. Commissioner Bodnar, Commissioner Funk, and Commissioner McDowell said they would not consider extending the golf pro contract at this time. There was no action taken. Commissioner Bodnar asked if the past tenants, Herbert and Michelle Olivarez, had paid past expenses due to the city. City Manager Vince DiPiazza said their deadline to pay the city is February 21, 2014, but they haven't paid the city at this time.

Mayor Sims opened the Work Session.

Public Works Director Arbie Taylor presented updates on the following projects: The liner installation is complete at the landfill. The cover dirt is being placed and compacted and the leachate piping installation has begun. The lift station 21-inch outfall line is scheduled for cleaning next week. The CDBG project is complete. There was a walk through this morning, with minor issues found, that will be corrected.

Meeting adjourned.

---

Pat L. Sims, Mayor

ATTEST:

---

Vince DiPiazza, City Manager