

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

FEBRUARY 17, 2009

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 MUNICIPAL COURT ROOM - POLICE DEPARTMENT, 124 EAST 7TH STREET OF SAID CITY:

Members Present:

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

Members Absent:

Commissioner John D. Harris

Others Present: Kim Rehkopf, Dale Alwan, Dottie Williams, Paul J. Jenkins, Ron DeShazo, Tom Ferguson, Loke Marquez, Sam Cartwright, Greg Willis, Joe Montana, Jerry Galloway, Jim Haugen, David Gamblin, Mike Funk, Judy Pendley, Louis Leven, Karla Smith, Rhonda McSpadden, Heaven Kinzy, Greg Tanner, and Jack Braswell.

Mayor Milligan called the meeting to order.

Commissioner Mahaffey asked about the following bills: Apodaca Brothers, \$7,700. Commissioner Mahaffey said he thought this company was paid recently. Gas Superintendent Jack Braswell said this cost was to repair a leak and the last invoice was to repair the gas chiller compressor, but the gas stripper is currently working. City Manager Vince DiPiazza said the compressors are used and custom made. Mr. DiPiazza said liquid was getting into the system and that was disabling the compressors. Mayor Milligan asked how much money has been spent on the compressor repairs and Mr. Braswell said approximately \$20,000. Mayor Milligan asked what the city has saved by using the gas stripper and Mr. DiPiazza said approximately \$200,000. Mayor Milligan asked if there were other manufacturers to purchase a gas stripper. Mr. Braswell said he did not know of any and Mayor Milligan told him to make contacts to see what other vendor's there were that manufacture the compressors. Mr. Braswell said a new gas stripper would cost approximately \$160,000 and the city paid \$75,000 for the used gas stripper plus repairs. Mayor Milligan said the compressors should be under warranty. TCEQ, \$7,762.50. Mr. DiPiazza said this cost was for the regular fee the city pays quarterly. Commissioner Mahaffey asked if the city ever receives any of the money back

and if the city should raise rates. Mr. DiPiazza said this is a relatively new fee that is required by TCEQ based on the tonnage the city landfill accepts. Mr. DiPiazza said depending on the legislature, this fee could increase significantly. Commissioner Mahaffey asked what landfill equipment was not operating and Mr. DiPiazza said the solid waste department has equipment down, but landfill equipment is operating. Panhandle Breathing Air Systems, \$3,675. Fire Chief Paul J. Jenkins said they are required to have the self-contained breathing apparatus tested annually to make sure it's working properly. Mayor Milligan asked if we could get a city employee qualified to do the testing. Chief Jenkins said yes, but the testing equipment costs approximately \$20,000 and would be a liability risk for the city. Commissioner Mahaffey stated that the fire department has several items purchased concerning the remodeling project. Commissioner Mahaffey asked if the phone system upgrade was a budgeted item and Chief Jenkins said it was in the remodeling project budget. Mayor Milligan said that city hall changed out their telephone system and it's not any better than their previous system. Kustom Signals, \$431.84 for the police department. Police Chief Dale Alwan said this cost was for camera repairs for the vehicles. Commissioner Mahaffey asked if all police vehicles were updated with digital cameras. Chief Alwan said no, most of the police units have the VHS camera systems. Chief Alwan said when the old police vehicles are replaced; the digital cameras are installed in the new police vehicles. Ballard Plumbing, \$708.54. Chamber of Commerce Director Sam Cartwright said this cost was to install an electric eye valve in the restroom. Spur Daddy's Golf, \$1,281.37. Finance Director Dottie Williams said this cost is January 2009 golf course fees. Professional Turf Products, \$861.35. Greens keeper David Gamblin said this cost is for a roller kit, shaft and screws to repair a mower. Brannon Corp.; Mr. DiPiazza said Brannon Corp. was paid \$11,450 and the first withdrawal to pay Sunbelt Pools \$456,000. A motion was made by Commissioner Salim, seconded by Mayor Pro Tem Sims, and passed by a majority vote to approve the February 2, 2009 Regular City Commission meeting minutes and paying the bills.

Police Department Detective David Garrett presented the racial profiling report. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the police department racial profiling report.

A motion was made by Mayor Pro Tem Sims, seconded by Commissioner Mahaffey, and passed unanimously to approve a proclamation declaring February 22-28, 2009 as Severe Weather Awareness Week.

Street Superintendent Joe Montana said the poles are set to install the stop signs on Plum Avenue at the Geary Road intersection. Mr. Montana said the stop signs were delivered today. Mr. DiPiazza said the Commission did not discuss this, but City Inspector Greg Tanner suggested that yellow stripes be painted on the pavement through the intersection. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the Second and Final Reading of Ordinance No. 1065 installing stop signs on Plum Avenue at the Geary Road intersection.

City Manager Vince DiPiazza said he and William Watson, the planning and zoning commission chairman, had three interviews set up and only two people showed up, which were Anita McDowell and Larry Hale. Mr. DiPiazza said both were interested in serving and had the time to commit to the planning and zoning commission. Mr. DiPiazza suggested either person be appointed, that both of them would do a good job, and stated there is a possibility of a vacancy in the future. Mr. DiPiazza said Chairman William Watson made the comment that it would be good to have some diversity by having a female serving on the planning and zoning commission. A motion was made by Mayor Pro Tem Sims, seconded by Commissioner Salim, and passed unanimously to appoint Anita McDowell to the planning and zoning commission.

Dumas Noon Lions Club member Ron DeShazo asked the Commission to reconsider allowing them to install permanent stands at McDade Park for Dogie Days. Mr. DeShazo said they would like to build the stands on Durrett Avenue. Mr. DeShazo said the community could use the buildings for different events. Commissioner Salim said he would like to see plans on the permanent stands before he makes a decision. Mr. DeShazo said there would be two stands, one 80 X 20 and one 20 X 100. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed by a majority vote to approve the building of permanent stands for Dumas Noon Lions Club and they provide maintenance. Commissioner Salim abstained.

Mayor Milligan opened the Work Session.

Finance Director Dottie Williams gave an update on the city's community assistance program (CAP) beginning with the year of 1994. Ms. Williams said the beginning balance for 2009 was \$2,266.05, donations received were \$4,671.31, and utility payments made for customers was \$7,107.84 for the months of December and January. Ms. Williams said in 2008 the beginning balance was \$3,885.08, donations received were \$13,623.87, and utility payments made for customers was \$15,242.90 for the months of December, January, and February. Miss Williams said the city did not receive as many donations this year as they have in the past. To qualify for the program a citizen must be 62 years of age or older or make less than \$20,000 income annually.

City Manager Vince DiPiazza discussed the adoption of an ethics policy. Mr. DiPiazza said he did contact TML and they said there was no legal issue concerning a city doing business with an employee or a commissioner. Mr. DiPiazza said that TML said it was strictly up to city policy. Mr. DiPiazza stated the city should do a disclosure or not do business at all with an employee or commissioner. Mr. DiPiazza said that TML would do some more research on this subject and contact him at a later date. Mr. DiPiazza said fundamentally it's what ever the city commission would like to do.

Mayor Milligan recessed into executive session at 7:35 p.m. for attorney consultation to discuss the waste water treatment plant permit issues. Mayor Milligan recessed the executive session at 8:10 p.m. and reopened the regular meeting. There were no decisions made or votes taken.

Mayor Milligan said Formal Session, Item No. 7 concerning approval of an agreement with Crowfoot partnership would not be discussed at tonight's meeting.

Meeting adjourned.

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Mike Milligan, Mayor

ATTEST:

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Vince DiPiazza, City Manager