

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

APRIL 6, 2009

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 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 John D. Harris  
Commissioner Mike Salim  
Commissioner James Mahaffey  
City Manager Vince DiPiazza  
City Attorney Tom Moore

Others Present: Kim Rehkopf, Rich Oller, Dottie Williams, Dale Alwan, Mike Funk, Mitchell Funk, Isidro Renteria, Jack Braswell, Thelma Cannon, Thomas Cannon, Louis Leven, Joe Montana, Loke Marquez, Karla Smith, Judy Pendley, R.D. Leimer, Thad Lasater, Greg Tanner, B.J. Reyes, James Blankenburg, and Paul J. Jenkins.

Mayor Milligan called the meeting to order.

Commissioner Mahaffey asked about the following bills: Bank of America, \$799 for the fire department. Fire Chief Paul J. Jenkins said this cost is for a treadmill and the fire department budgets \$500 each year for a piece of physical fitness equipment. Custom Carpets for boot camp carpet/install. Chief Jenkins this is the person who installs the carpet. Chief Jenkins said the carpet has been laid upstairs and on the stairway. Municipal Emergency Services, \$7,537.50. Chief Jenkins said this cost is for the five inch supply hose. Commissioner Mahaffey asked if the old hose is thrown away and Chief Jenkins said they use the good pieces of the old hose to make smaller hoses. Mayor Milligan asked if the hose is tested and Chief Jenkins said the hoses are tested annually. Furniture Leisure, \$6,969.25 for the park department. City Manager Vince DiPiazza said the city has ordered several items for the new pool and the lounge chairs are part of those items. Jenkins Doors and Windows, \$1,836. Mr. DiPiazza said the windows and screens are for the bathhouse and all the items listed under the park department, except the cell phone bill, are for the swimming pool project. Diversified Lenders, \$9,951.06 for the solid waste department. Finance Director Dottie Williams said this cost is for the trash packer bodies lease, and the checks must be paid separately for the interest payment and the debt service. Central Motors, \$390 for the solid waste department. Solid Waste Supervisor Judy Pendley said this cost was too repair door

dents. Texas Department of Public Safety, \$375 for the warehouse. Mr. DiPiazza said the city warehouse inspects all city vehicles annually. Estes, Inc., \$2,788.01 for the golf course. Mr. DiPiazza said this cost is for fertilizer and is budgeted every year. Commissioner Mahaffey asked if the city has qualified people to apply the fertilizer and Mr. DiPiazza said yes. Toro NSN, \$5,599 for the golf course. Mr. DiPiazza said this cost is for the irrigation system that was installed at the golf course last year. A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the March 16, 2009 Regular City Commission meeting minutes and paying the bills.

Mayor Milligan said on Formal Session, Item 1, that Robert Valenzuela was not present to discuss his request for city assistance in demolition of property at E. 8th Street and Miller Avenue. City Manager Vince DiPiazza said Mr. Valenzuela would like permission to use the landfill without paying the dumping fees. Mr. DiPiazza said Mr. Valenzuela was not able to attend the last meeting and he will not be attending tonight's meeting. Commissioner Harris said there are cities that allow citizens to dump demolition debris. Mr. DiPiazza said if the debris is separated into what goes into the landfill, such as metal and wood, the city won't necessarily charge for it. Mr. DiPiazza said this request isn't so much the revenue, the issue is policy. Mr. DiPiazza said if the commission thinks by allowing people to do this it would provide an incentive for people to clean up their property, and then this could be a good thing. Mayor Pro Tem Sims said the Commission must be fair and if it has not been allowed in the past, they shouldn't allow it now. Mayor Pro Tem Sims said if the Commission would like to review the policy, and change it, that could be considered at another meeting. Commissioner Mahaffey said the city is running out of room at the landfill. There was no action taken.

Commissioner Harris asked the Commission to consider closing certain streets that will be used as a bicycle course on April 25, 2009. Commissioner Harris is representing the YMCA, which will host a kid's triathlon for children ages six to twelve. Competition consists of a 50 yard swim, a three-mile obstacle course, and a 1 mile run. Commissioner Harris said there would be lanes open for traffic flow. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed by a majority vote to close E. 14th Street and S. Mattox Ave, 16th Street and Durrett Avenue, south from E. 14th Street to E. 16th Street. Commissioner Harris abstained.

City Inspector Greg Tanner presented the final plat for D.I.S.D. intermediate school. Commissioner Salim asked how big the intermediate school was going to be and Mr. Tanner said 95,000 square feet. A motion was made by Commissioner Salim, seconded by Commissioner Mahaffey, and passed unanimously to approve the final plat for D.I.S.D. intermediate school.

The commission discussed the renewal of a lease/purchase agreement on city property located at 6149 Hood Road for Thad Lasater. Commissioner Harris told Mr. Lasater the city property was a lease to **"purchase"** agreement and the city wants someone with the intent to buy the property. Commissioner Salim asked Mr. Lasater if he still intends to buy the property and Mr. Lasater said yes. Mr. Lasater asked the

Commission to extend the lease/purchase agreement one more year. Mr. Lasater said he hoped to be able to purchase the property the end of this year. City Attorney Tom Moore said the contract is a lease to purchase and there's a difference between that and a lease with the option to purchase. Mr. Moore asked Mr. Lasater why he stated in his request letter "not to exceed" \$185,000. Mr. Lasater said because the original contract had \$185,000 for the purchase price. After some discussion, a motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the renewal of a lease/purchase agreement for city property located at 6149 Hood Road to Thad and Melanie Lasater with the agreement beginning April 4, 2009 and the Lasaters' must purchase the property before April 4, 2010; with the monthly lease payment applied to the purchase of the property.

Finance Director Dottie Williams presented an ordinance that would allow a utility deposit increase if the customer has left an outstanding debt. Ms. Williams said the effective date would be May 1, 2009. Ms. Williams said there would be a \$5.00 application fee on all new applicants, a lower deposit of \$50 for gas and \$50 for water for good credit applicants. The current deposit is \$75 for each service and an applicant that poses minimal risk would still pay \$75. An applicant that has left owing the city would be required to pay \$150 deposit. Mayor Milligan asked Ms. Williams to contact Borger, Pampa, Borger and Dalhart to compare their utility deposits. A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the First Reading of Ordinance No. 1066 amending residential gas and water deposits.

Finance Director Dottie Williams presented a policy that is required by the Federal Trade Commission's Fair and Accurate Credit Transactions that requires creditors and financial institutions, to comply with the new "Red Flags Rule". Ms. Williams said the city is now required to have a written identity theft prevention policy to identify, detect, and respond to patterns, practices, or specific activities that could indicate identity theft. A motion was made by Commissioner Mahaffey, seconded by Commissioner Harris, and passed unanimously to approve the identity theft prevention policy effective May 1, 2009.

Rich Oller with Oller Engineering presented an engineering contract for the TxDOT overpass utility relocation project. Mr. Oller explained the necessity to coordinate and design with TxDOT, Railroad Commission, TCEQ and city requirements. A motion was made by Commissioner Mahaffey, seconded by Commissioner Harris, and passed unanimously to approve an engineering contract with Oller Engineering for the TxDOT overpass utility relocation.

Mayor Milligan discussed the city's continued participation in the Ports-to-Plains coalition. Mayor Milligan said the city has participated the last seven years. A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed by a majority vote to opt out of participating in the Ports-to-Plains coalition. Commissioner Salim opposed.

Mayor Milligan discussed changes recommended at the golf course. The cost would be approximately \$10,000 to \$15,000. A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to create a new putting and chipping area at the Pheasant Trails Golf Course.

Mayor Milligan recessed into executive session at 7:51 p.m. for attorney consultation concerning the waste water treatment plant permit issues. Mayor Milligan recessed the executive session at 8:06 p.m. and reopened the regular meeting. There were no decisions made or votes taken.

Meeting adjourned.

---

Mike Milligan, Mayor

ATTEST:

---

Vince DiPiazza, City Manager