

REGULAR MEETING OF THE CITY COMMISSION

OF THE CITY OF DUMAS, TEXAS

APRIL 20, 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, Jack Braswell, Mike Lahman, Steve Rehkopf, David Bonham, Andrew Espinoza, Isidro Renteria, Judy Pendley, James Blankenburg, Joe Montana, Louis Leven, Dottie Williams, David Gamblin, Loke Marquez, Karla Smith, Gary Edwards, Paul J. Jenkins, Larry Appel, Mike Running, Mike Funk, Scott Higginbotham, Heaven Kinzy, R.D. Leimer, Dale Alwan, Kathy Bunch, Greg Tanner, and Wade Black.

Mayor Milligan called the meeting to order.

During attending citizens and their business Commissioner Harris said due to his schedule this would be the last meeting he could attend. Commissioner Harris thanked city employees, the Commission, and the public for allowing him to serve and represent them.

Commissioner Mahaffey asked about the following bills: Western Industrial Supply, \$1,306.84 for the water department. Water Supervisor Louis Leven said this cost was for parts to repair and maintain water leaks. Bartlett Lumber and Hardware, \$421.98 for the fire department. Fire Chief Paul J. Jenkins said this cost was to replace two sawzall rotating handles that turn the water hydrants so they can oil lube the hydrant. The fire department uses 2001 biodegradable oil, flow test, and paint. Bartlett Lumber and Hardware, Coffey Tire & Brake, Dumas Pumping Service, Elliott Electrical Supply, \$873.90 and several other businesses totaling \$37,416.39 for the Park Department. Park Supervisor Karla Smith said every item, except Xcel Energy, was for the new swimming pool project. Bank of America, \$835.89 for the police department. Police Chief Dale Alwan said this cost was for nylon vests for the winter season and some are traffic vests. Chief Alwan said the last time the city bought vests was 2003. Commissioner Mahaffey asked Shop Superintendent Loke Marquez if he was currently repairing any equipment. Mr. Marquez said he was repairing a 1976 grader. City Manager Vince DiPiazza said the city is going to check repair costs, and if the repair costs are too high, he would check on the cost of a used grader. Mr. DiPiazza said he was looking at used graders on the computer today, but he didn't check the cost of a new

grader. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the April 6, 2009 Regular City Commission meeting minutes and paying the bills.

Gary Edwards, representing Babe Ruth, told the Commission that Babe Ruth has applied for a grant, but stated the city had to provide a letter since the city is the property owner. Mr. Edwards said Sunray I.S.D. donated lights and possibly D.I.S.D. or Xcel would donate poles. Mr. Edwards also told the commission that Babe Ruth would like to inform the commission of ideas that they have discussed. Mr. Edwards said they have discussed small turbines and solar power to create their own electricity. Mr. Edwards also thanked Park Superintendent Karla Smith and the park department employees for all they have done for Babe Ruth. Commissioner Harris asked Mr. Edwards if he had any cost estimates. Commissioner Harris said concrete is very expensive. Mayor Milligan asked Mr. Edwards if he had a copy of the City/Babe Ruth agreement and Mr. Edwards said yes. Mr. Edwards said Babe Ruth has eight teams at this time and if the Babe Ruth field had lights, there could be more teams added. Commissioner Harris asked Mr. Edwards if he was only requesting a letter, not funds. Mr. Edwards said Babe Ruth was not asking for any funding from the city at this time. The Commission told Mr. Edwards they would provide Babe Ruth a letter stating they were the property owner of the baseball field so Mr. Edwards could submit the grant.

D.I.S.D. Superintendent Larry Appel asked the Commission for a variance from the landscape ordinance for the new intermediate school. City Inspector Greg Tanner said there should be one tree for every 5,000 square feet, which is a total of one hundred twenty-six trees, but recommended the Commission allow the variance. Mr. Appel said D.I.S.D. would like to take out two rows of trees on the north and west sides. A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to allow a variance from the landscape ordinance requirements for the new intermediate school site.

D.E.D.C. Director Mike Running presented the community development grant projects: Window on the Plains Museum \$5,000; YMCA of Moore County \$15,000; and Panhandle Children's Foundation, \$10,000. YMCA Director Jim Haugen said the \$5,000 will purchase inflatable toys that would be used for indoor/outdoor games for all ages. Mr. Haugen said the inflatable toys would be available to members, school groups and/or other community functions. Mayor Milligan asked how many members the YMCA had when Mr. Haugen became director. Mr. Haugen said approximately 1,200 members and now there are 3,040 members. Panhandle Children's Foundation President Steve Rehkopf said their funds of \$10,000 would be used to remodel a 40 X 100 round top barn for an activity center and redo the sprinkler system around the pond and lake area. Mr. Rehkopf thanked the Commission and D.E.D.C. for the funds and invited everyone to see the changes that have been done at the Talon Point facility. Scott Higginbotham representing Window on the Plains Museum said their funds of \$5,000 would purchase a public address system to expand their respective hosting functions and draw high visibility events to their facility and art center. A motion was made by Commissioner Mahaffey, seconded by Commissioner Salim, and passed unanimously to approve the D.E.D.C. community development grant projects of \$30,000; Window on the Plains Museum \$5,000; YMCA of Moore County \$15,000; and Panhandle Children's Foundation, \$10,000.

Finance Director Dottie Williams presented the second final reading of an ordinance amending the residential gas and water deposits. **Gas service:** Payment to the city along with

the application for gas service, the applicant shall pay to the city an application fee of \$5.00 per applicant as well as a deposit based on the following: Residential: New service applicants who pose no credit risk (Green Light returned on the ONLINE Utility Exchange), the amount of the deposit will be \$50.00 per service connection. New service applicants who pose minimal risk (Yellow Light returned on the ONLINE Utility Exchange), the amount of the deposit will be \$75.00 per service connection. New-service applicants who have a prior record of unsatisfactory, delinquent or unpaid gas bills with the city, or who pose substantial credit risk (Red Light returned on the ONLINE Utility Exchange), the amount of the deposit will be \$150.00 per service connection. Commercial: For commercial service, the deposit shall be an amount equal to the charges for an average two-month period: provided however, that if such service increased to a point where such deposit is not equal to the charges for an average two-month period, the required deposit may be increased to conform thereto. If the required deposit is \$1,000 or more, the customer may provide an irrevocable letter of credit, in form acceptable to the city, from a duly organized and existing bank or banking institution. Billing Surcharge: A surcharge of \$10.00 per month will be added to all customers that receive gas services outside the city limits. Maximum Deposit: Although the City cannot demand that an applicant provide a social security number as a requirement for service, service applicants who refuse to provide their social security number are considered to pose a greater credit risk and shall be charged the maximum deposit. Increase Deposit: Any existing customer who has less than the maximum deposit and becomes delinquent (i.e. have not paid current bill for 30 days, or has been processed for cut-off in any two or more consecutive months in a 12-month period), shall be deemed to have an unsatisfactory payment record and must pay a maximum deposit to continue service. Deposit refunds: Deposits may be refunded to customers after two years if the payment is satisfactory to the city. Water service: Payment to City: Along with the application for gas service, the applicant shall pay to the city an application fee of \$5.00 per applicant as well as a deposit based on the following: Residential: New service applicants who pose no credit risk (Green Light returned on the ONLINE Utility Exchange), the amount of the deposit will be \$50.00 per service connection. New service applicants who pose minimal risk (Yellow Light returned on the ONLINE Utility Exchange), the amount of the deposit will be \$75.00 per service connection. New-service applicants who have a prior record of unsatisfactory, delinquent or unpaid gas bills with the city, or who pose substantial credit risk (Red Light returned on the ONLINE Utility Exchange), the amount of the deposit will be \$150.00 per service connection. Commercial: For commercial service, the deposit shall be an amount equal to the charges for an average two-month period: provided however, that if such service increased to a point where such deposit is not equal to the charges for an average two-month period; the required deposit may be increased to conform thereto. If the required deposit is \$1,000 or more, the customer may provide an irrevocable letter of credit, in form acceptable to the city, from a duly organized and existing bank or banking institution. Billing Surcharge: A surcharge of \$10.00 per month will be added to all customers that receive water services outside the city limits. Increase Deposit: Any existing customer who has less than the maximum deposit and becomes delinquent (i.e. have not paid current bill for 30 days, or has been processed for cut-off in any two or more consecutive months in a 12-month period), shall be deemed to have an unsatisfactory payment record and must pay a maximum deposit to continue service. Deposit refund: Deposits may be refunded to customers after two years if the payment is still satisfactory to the city. Mayor Pro Tem Sims recommends the return of a deposit after two years if the payment is satisfactory to the city and the customer continues to pose no risk (Green light returned on the ONLINE Utility Exchange). A motion was made by Commissioner Harris, seconded by Mayor Pro Tem Sims, and passed unanimously to

approve the Second and Final Reading of Ordinance No. 1066 amending residential gas and water deposits above with the addition of Deposit refunds: Deposits may be refunded to customers after two years if the payment is satisfactory to the city and customer continues to pose no risk (Green light returned on the ONLINE Utility Exchange).

Finance Director Dottie Williams presented the solid waste packer body truck bids. There were four bids received from: Amarillo Truck Center for \$151,915; Roberts Truck Center for \$149,315; Bruckner's for \$179,139.80; and West Texas Peterbuilt for \$156,279. A motion was made by Commissioner Salim, seconded by Commissioner Harris, and passed unanimously to approve the solid waste packer truck bid to Roberts Truck Center for \$149,315.

City Manager Vince DiPiazza said the reconstruction project on S. Maddox Avenue is an urgent necessity for protection of unforeseen damage to public property. Mr. DiPiazza said there is \$135,000 remaining in the budget. A motion was made by Commissioner Harris, seconded by Commissioner Mahaffey, and passed unanimously to approve the reconstruction project on S. Maddox Avenue, declaring urgent necessity for protection of unforeseen damage to public property for \$137,000 to Lewis Construction.

City Attorney Tom Moore discussed the agreement with Crofoot partnership. A motion was made by Mayor Pro Tem Sims, seconded by Commissioner Harris, and passed unanimously to approve the agreement with Crofoot partnership.

Tom Moore said there is no need for executive session. Mr. DiPiazza introduced the new Public Works Director Andrew Espinoza.

Meeting adjourned.

Mike Milligan, Mayor

ATTEST:

Vince DiPiazza, City Manager