

REGULAR MEETING OF THE CITY COMMISSION
OF THE CITY OF DUMAS, TEXAS
AUGUST 17, 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 POLICE DEPARTMENT MUNICIPAL COURT ROOM, 124 EAST 7TH STREET OF SAID CITY:

Members Present:

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

Others Present: Kim Rehkopf, Thomas Cannon, Mike Running, Dale Alwan, Dottie Williams, Henry Davis, Loke Marquez, Toby Tobias, Michael Wright, Andrew Espinoza, Rhonda McSpadden, Jack Braswell, Isidro Renteria, David Gamblin, Jared Ort, Mike Hull, Karla Smith, Louis Leven, Steve Bodnar, Troy Laminack, and Michelle Olivarez.

Commissioner Mahaffey asked about the following bills: Andersen & Associates, \$5,140 for the landfill department. City Manager Vince DiPiazza said this cost is paid annually for the landfill groundwater and methane gas monitoring. Mr. DiPiazza said the city must meet specific requirements and there are no violations, but the city would need to install more methane gas vents in the future. Moore Auto Parts, \$1,978 for the warehouse shop department. Shop Superintendent Loke Marquez said this cost is for a 36' industrial evaporative cooler. Commissioner Mahaffey asked if any equipment was being worked on and Mr. Marquez said yes, a trash compactor truck and a flatbed, but not any major repairs. High Plains Vending Company, \$2,805.99 for the park department. Park and Recreation Director Karla Smith said this cost was for the snacks at the swimming pool. Ms. Smith said this is the third time she has purchased snacks and stated this is the last purchase for the concession stand. Mayor Milligan asked when the pool would close and Ms. Smith said Labor Day weekend because she would not have any lifeguards after Labor Day. Commissioner Salim asked what would be done with the concession inventory after the pool closes. Ms. Smith said she doesn't plan to have any left and she would mark them half price the last few days they are open. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the August 3, 2009 Regular City Commission meeting minutes and paying the bills.

Jared Ort presented residential and commercial pictures to the Commission concerning Ord. No. 1060, prohibiting parking in front yards. Mr. Ort presented a residential home that did not have a driveway but had a handicapped ramp to the front door. Mr. Ort said this particular older home has probably never had a driveway, and it's possible the homeowner couldn't afford to construct a driveway. Mr. Ort told the Commission they have approved an ordinance that doesn't help the citizens. Mr. Ort said the commission should provide the public with some kind of proof of what the city is trying to do to enforce the

ordinance. Mayor Milligan said the city has zoning code laws for commercial, industrial, and other types of businesses, and there is also a zoning code for residential areas. Mr. Ort said he is asking that the ordinance be enforced fairly because it isn't being enforced to everyone. Mayor Milligan said he has asked the city manager and the police chief on numerous occasions to enforce the ordinance and City Manager Vince DiPiazza said there have been several discussions concerning the enforcement of this ordinance since it was passed last November. Mayor Milligan said from 1st Street to 14th Street on Maddox Avenue he counted fourteen cars that were parked in their yards. Mr. Ort asked why that was a problem and stated those people pay their property taxes, not the City Commission, and the Commission has no right to tell property owners what they can and cannot do on their own property. Mayor Milligan said if he paid \$200,000 or \$50,000 for his home and kept his property nice, he would expect his neighbor to do the same. Mayor Milligan told Mr. Ort that he did not live in a commercial zone and that Mr. Ort should not park his business vehicle at his residence. Mayor Milligan said the city received a complaint from Mr. Ort's neighbor, and that is why Mr. Ort was addressed concerning this ordinance. Mr. Ort said he is not talking about his issue and he has not brought his issue up at all, he is only asking that the ordinance be enforced fairly. Mr. Ort said people go to work every day driving their company/business vehicles and those people also contribute to the community. Mayor Milligan said the city addresses all complaints that they receive and the police chief and city manager would be addressing the enforcement of this ordinance to everyone. Commissioner Funk said he is new on the Commission and asked what the issue was to begin with that caused the Commission to pass this ordinance. Commissioner Funk said he reviewed past minutes concerning this ordinance and in his opinion, the Commission is telling people what to do and not to do on their own property. Commissioner Funk said he doesn't think that the issue is something the Commission should have enforced by the police department. Commissioner Funk asked Mayor Milligan if there was an issue in his neighborhood with vehicles parking on their lawns and Mayor Milligan said yes, and stated it is not only his neighborhood but everywhere in the city. Police Chief Dale Alwan said since May 2009 they have issued sixty-four warnings and one citation. There was no further discussion.

D.E.D.C. Director Mike Running presented the 2009/2010 plan of work. Mr. Running said he would like to focus on small and local businesses and address marketing efforts for the business park as well as other projects in the plan of work presented. Mayor Milligan agreed that D.E.D.C. should focus on local, established businesses. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the D.E.D.C. 2009/2010 plan of work.

Finance Director Dottie Williams said she sent out twelve proposals for city audit services and received three quotes: J.W. Anderson & Associates, Lubbock, \$83,682 for three years. Ms. Williams said this firm has forty-three years experience. Doshier, Pickens & Francis, Amarillo, \$85,100 for three years with thirty-six years experience. White, Samaniego & Campbell, El Paso, \$87,700 with eleven years experience. Ms. Williams is recommending the low bid from J.W. Anderson and Associates from Lubbock. A motion was made by Commissioner Mahaffey, seconded by Commissioner Funk, and passed unanimously to award the city audit services to J.W. Anderson & Associates from Lubbock at \$27,894 per year, totaling \$83,682 for three years.

Finance Director Dottie Williams presented utility write-off accounts for 2008/2009 at \$33,758. Ms. Williams said due to a procedural error there were some old accounts that were omitted and that total was \$14,931.33. Total utility write-off accounts are \$48,689.33. A motion was made by Commissioner Salim, seconded by Commissioner Mahaffey, and passed unanimously to approve the 2008/2009 utility write-off accounts of \$48,689.33.

Mayor Milligan opened the Work Session.

City Manager Vince DiPiazza said the city sent letters to specific citizens concerning prairie dog control issues. Mr. DiPiazza said the prairie dogs are currently a health issue. Tom Cannon said he lives in the 700 block of Elm and eight years ago he asked the Commission to address the prairie dog issue. Mr. Cannon asked what has changed from eight years ago to now. Mr. Cannon said he has reviewed the past minutes and the city stated the prairie dogs were a slight issue. Mr. Cannon asked how the city could make citizens pay for eradicating prairie dogs just because they are on the homeowner's property. Commissioner Funk suggested the city consider helping homeowners with the cost to control the prairie dogs. A-Plus Pest Control from Sunray told the Commission the process he would use to control the prairie dogs. There was no further discussion.

Meeting adjourned.

Mike Milligan, Mayor

ATTEST:

Vince DiPiazza, City Manager