

SPECIAL MEETING OF THE CITY COMMISSION  
OF THE CITY OF DUMAS, TEXAS  
SEPTEMBER 8, 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 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

Members Absent:

City Attorney Tom Moore

Others Present: Kim Rehkopf, Thomas Cannon, Thelma Cannon, Dale Alwan, Dottie Williams, Loke Marquez, Andrew Espinoza, Rhonda McSpadden, James Blankenburg, Brenda Koehn, Paul J. Jenkins, Kelly Dunavin, Mike Woolley, Greg Tanner, Tim Spurlock, Michelle Brooks, Tommy Brooks, Ashley Elerick, Isidro Renteria, Jared Ort, Dawn Quillen, Allen Coatney, Karla Smith, Louis Leven, Judy McGuire, and Steve Bodnar.

During attending citizens and their business Tom Cannon said there is no drainage on N. 8th St. and has been wet and muddy since July and there were several mosquitos.

Commissioner Mahaffey asked about the following bills: Brown Construction for \$14,190.09 for the fire department. Fire Chief Paul Jenkins said this cost was for concrete and water line pipe and a welder will build the hose outlets. Tejas Broadcasting, \$165 for the city commission. Ms. Rehkopf said this cost is for the May election advertisements in Spanish on the La Mejor Radio Station in Amarillo. David Lewis Masonary, \$1,100 for the solid waste department. Public Works Director Andrew Espinoza said this cost is to repair a cinder block fence that the trash truck hit with a dumpster. Moore Windshield, \$1,506.13 for the police department. Police Chief Dale Alwan said this cost is to replace the employee back door because the door was rotted. A motion was made by Commissioner Mahaffey, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the August 17, 2009 Regular City Commission meeting minutes, the August 15, 27, 28, & 29, 2009 Special City Commission meeting minutes and paying the bills.

Mike Woolley with Employee Benefits Associates, Inc. (EBA) introduced Kelly Dunavin from Insurance Management Services (IMS) to present an overview of the medical benefits plan, proposed changes to the plan due to required legislation, and stop-loss provider bids. Ms. Duran stated that claims were down thirty-seven percent (37%) from last year. Ms. Dunavin said the city is self insured with a \$55,000 specific deductible per individual with a stop-loss carrier to provide insurance after the \$55,000 specific deductible. Three bids for stop-loss carrier were received at the \$55,000 specific deductible: Mutual of Omaha (current

carrier) for \$831,852; International Insurance for \$840,452.40; and Zurich-Spectrum for \$822,178.80. Ms. Dunavin recommended the city keep their current stop-loss carrier, Mutual of Omaha. A motion was made by Commissioner Funk, seconded by Mayor Pro Tem Sims, and passed unanimously to approve Insurance Management Services as the third-party administrator for the city's medical benefit plan with required changes as presented and the bid from stop-loss carrier Mutual of Omaha with a \$55,000 specific deductible at \$831,852.

Citizens were present to discuss Ord. No. 1060, prohibiting parking in front yards. Dawn Quillen told the Commission they should not tell citizen's where to park because the Commission does not pay their property tax. Mayor Milligan read a few ordinances from the time the city was incorporated that stated specific things the Commission prohibited citizens from. City Manager Vince DiPiazza said the city charter states that the public could vote on the ordinance by petition for an initiative election, which requires twenty-five percent of votes cast in the last general election or by one hundred qualified voters, ever which number is greater. Judy McGuire said that her elderly parents live at 722 Zauk and they cannot afford to put in a driveway, and they need to park close to their front door. Mr. Ort said people that are on a fixed income could not afford to pay for a concrete driveway and asked the Commission to keep the citizen's best interest in mind. Steve Bodnar told the Commission he agreed the should look nice and stated he keeps his business on Dumas Avenue clean, but felt the public was upset because it's not enforced fairly. Allen Coatney said elderly citizens could not pay for a driveway, and the police department contacted an eighty year old man that he knows, and said common sense should be used in some cases. There was no further discussion.

Damon Admire asked the Commission to consider rezoning property in the 700 block of Oak Avenue to Multiple Family Dwelling so he could build apartments. Mr. Admire said there would be approximately 22 units, two-bedroom apartments.

Mayor Milligan closed Formal Session and opened the Public Hearing.

Tom Cannon lives in the 700 block of Elm and stated he objects to the zoning change request because there is no drainage in that area. Mayor Pro Tem Sims said the city should shoot the street and discuss the drainage problem. The Planning and Zoning Commission approved the zoning change. There was no other public comment.

Mayor Milligan closed the Public Hearing and reopened the Formal Session.

A motion was made by Mayor Pro Tem Sims, seconded by Commissioner Mahaffey, and passed unanimously to approve the First Reading of Ordinance No. 1070 to allow the zoning change from "B", Two Family Dwelling", to "C", Multiple Family Dwelling".

Police Chief Dale Alwan presented House Bill 55 that states it is an offense to use a wireless communication device while operating a motor vehicle in a school zone. Chief Alwan said a hands-free device or speakerphone capability does allow the use of a wireless communication device. A motion was made by Commissioner Funk, seconded by Mayor Pro Tem Sims, and passed unanimously to approve the First Reading of Ordinance No. 1071, which prohibits the use of a wireless communication device while driving in a school zone.

Finance Director Dottie Williams presented the 2009-2010 city budget and the property tax rate.

Mayor Milligan closed the Formal Session and opened the Public Hearing.

There were no public comments. Mayor Milligan closed the public hearing and reopened the formal session.

And motion was made by Commissioner Mahaffey, seconded by Commissioner Salim, and passed unanimously to adopt the 2009-2010 city budget.

City Secretary Kim Rehkopf asked the Commission to consider approving the purchase of playground equipment for Parkway Park. Mayor Milligan asked Ms. Rehkopf to explain where Parkway Park is located. Ms. Rehkopf said Parkway Park is located at Park Drive and Chelsea Avenue and the property is located in front of former homeowner, Elise Wright. The Park Board would like to purchase two spring toys and a small swing set, which totals \$6,951.43. The funds were budgeted but anything over \$5,000 must be presented to the Commission for approval. Ms. Rehkopf said the Park Board has ordered a picnic table for Parkway Park. A motion was made by Commissioner Mahaffey, seconded by Commissioner Funk, and passed unanimously to approve the purchase of playground equipment from Hunter Kneppshield Company for 6,951.43.

Mayor Milligan recessed into executive session at 7:48 p.m. to discuss the deliberation regarding personnel matters concerning the golf pro contract and deliberation regarding real property to discuss the purchase of water rights. Mayor Milligan closed executive session at 8:26 p.m. and reopened the formal session. A motion was made by Commissioner Funk, seconded by Mayor Pro Tem Sims, and passed unanimously to approve extending the golf pro contract for Tim Spurlock for two years with an additional compensation of \$850 per month for one year, and after one year an additional five percent increase per year. There were no decisions made or votes taken concerning deliberation regarding real property to discuss the purchase of water rights.

Meeting adjourned.

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Mike Milligan, Mayor

ATTEST:

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Vince DiPiazza, City Manager