

REGULAR MEETING OF THE CITY COMMISSION  
OF THE CITY OF DUMAS, TEXAS  
NOVEMBER 7, 2011  
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 COMMISSION CHAMBERS/MUNICIPAL COURT ROOM, 124 EAST 7TH STREET OF SAID CITY:

Members Present:

Mayor Pat L. Sims  
Mayor Pro Tem David M. Bonner  
Commissioner Michael L. Funk  
Commissioner Vernon McDowell  
Commissioner Steve Bodnar  
City Manager Vince DiPiazza  
City Attorney Tom Moore

Others Present: Kim Rehkopf, Isidro Renteria, Deck Shaver, Dottie Crockett, Loke Marquez, Jose Escamilla, Paul J. Jenkins, Judy Pendley, Karen Price-Perry, Mike Running, Dale Alwan, Brenda Koehn, Johnny Valenzuela, Holly LaFever, Donald Richins, Mary K. Richins, Scott Honeyfield, Kenny Friar, Ray Oglesby, Jack Braswell, Gene Legg, and James Blankenburg.

Mayor Sims called the meeting to order.

Commissioner Funk asked about the following bills: Bank of America for \$1,360 for the police department. City Manager Vince DiPiazza said this cost was for a carport to cover the motorcycles that are parked behind the police department. JR Matt for \$3,200 for the golf course. This cost was budgeted to purchase driving mats. GT Distributors Inc. for \$2,856 for the police department. Police Chief Dale Alwan said this cost was for glock pistols for SWAT. A motion was made by Commissioner Funk, seconded by Commissioner Bodnar, and passed unanimously to approve the October 17, 2011 Regular City Commission meeting minutes and paying the bills.

Rev. Johnny Valenzuela told the Commission he would like to establish a chaplaincy program for first responders. Rev. Valenzuela said this program is to promote a more positive attitude and to enhance their lives. To advocate within the church and business community a greater understanding of the benefits to a chaplain program. Rev. Valenzuela said this is a 501c3 program. Mayor Pro Tem Bonner said there are different beliefs and the Commission shouldn't endorse any specific belief. Mayor Sims thanked Rev. Valenzuela and stated that the chaplaincy program has been very successful and is available to anyone who is interested.

A motion was made by Mayor Pro Tem Bonner, seconded by Commissioner Funk, and passed unanimously to approve Dumas Economic Development Corporation (D.E.D.C.) board reappointments of Ray Oglesby, Chris Johnson, and Gene Legg.

D.E.D.C. Director Mike Running presented a resolution concerning Chapter 380 incentive to Benchmark Properties. Mr. Running said Benchmark Properties is seeking a cash incentive of \$15,000 and an annual sales tax rebate of an amount not to exceed the lesser of seventy-five percent of the total sales tax collected by the city or \$15,000 annually for the next two years of operation. After a brief discussion, a motion was made by Mayor Pro Tem Bonner, seconded by Mayor Sims, and passed unanimously to approve Resolution 11-16 authorizing D.E.D.C. Chapter 380 sales tax reimbursement agreement for Sears Hometown Store.

City Manager Vince DiPiazza presented an audit engagement letter to perform the 2010-2011 audit. Mayor Pro Tem Bonner asked if the city ever asked for audit proposals and Mr. DiPiazza said that the city requests proposals every four-five years. Mayor Pro Tem Bonner suggested requesting proposals within the next two years. A motion was made by Commissioner Funk, seconded by Commissioner Bodnar, and passed unanimously to approve the audit engagement letter of agreement with JW Anderson & Associates to perform the 2010-2011 audit services for the City of Dumas for \$28,000 to \$29,000.

City Manager Vince DiPiazza presented the solid waste ordinance with an addition the Commission required. Commissioner Funk explained the solid waste capital fund. The surplus revenue from the solid waste rate adjustment would be set aside in a special fund. Revenues accumulating in the fund would only be spent on capital improvements or equipment needed for the solid waste or landfill departments, at the direction of the city commission. A motion was made by Commissioner Funk, seconded by Commissioner Bodnar, and passed unanimously to approve Second & Final Reading of Ordinance No. 1085 amending the solid waste rate tariff to increase solid waste fees to \$23.50 for residential per month inside the city limits and \$39.73 per month outside the city limits; commercial rates are based on the number of containers and number of pick-ups per week, one container and one pick-up is \$39.73 inside the city limits and one container and one pick-up outside the city limits is \$47.89.

City Manager Vince DiPiazza presented an ordinance concerning a twenty year service requirement for city employees.

Mayor Sims opened the Public Hearing. There were no public comments. Mayor Sims closed the Public Hearing.

A motion was made by Commissioner Funk, seconded by Mayor Pro Tem Bonner, and passed unanimously to approve the First Reading of Ordinance No. 1086, approving the twenty year service requirement for city employees with Texas Municipal Retirement System.

A motion was made by Mayor Sims, seconded by Commissioner Bodnar, and passed by a majority vote to approve Resolution No. 11-17 casting one hundred seven votes for Vernon McDowell to serve on the Moore County Appraisal District Board of Directors. Commissioner McDowell abstained.

Public Works Director Deck Shaver presented a proposal for engineering services in order to expedite the design and construction of two new water wells. The water wells will be located West of Dumas on the Phillips and Stringer properties. Scott Honeyfield and Kenny Friar, representing Parkhill, Smith & Cooper Engineers, presented an overview and pertinent information concerning the construction and design of the water wells. Mr. Honeyfield said the city currently has a butterfly valve and should consider installing a thirty inch altitude valve that checks the downstream and upstream water pressure. A motion was made by Mayor Pro Tem Bonner, seconded by Commissioner Funk, and passed unanimously to approve the proposal from Parkhill, Smith & Cooper Engineering for engineering and design of water wells, storage, and related infrastructure for \$260,030.

Fire Chief Paul J. Jenkins and Health Inspector Holly LaFever discussed the "Cottage Food Production Operations" exemption. SB 81 went into effect September 1, 2011 which allows baked goods, canned jelly, jam, or herbs to be produced and sold from a residence. After a brief discussion, there was no action taken.

Mayor Sims opened the Work Session.

Fire Chief Paul J. Jenkins presented truck bid specifications. Chief Jenkins said \$30,000 was budgeted to replace the Mack that pulls the tanker. The Commission agreed to the truck bid specifications.

Fire Chief Paul J. Jenkins presented personal protective clothing bid specifications. \$13,000 was budgeted to purchase the protective clothing. Chief Jenkins said they have received a grant to assist in purchasing additional sets of clothing. The Commission agreed to the personal protective clothing bid specifications.

Solid Waste Supervisor Judy Pendley presented compactor truck bid specifications. Ms. Pendley said \$360,000 is the approximate cost for two side loaders and \$160,000 for one end loader. The Commission agreed to the side and end loader bid specifications.

Public Works Director Deck Shaver presented updates on the following projects: Water consumption, waste water treatment plant, new landfill project is on schedule, water system, water production at golf course, landfill equipment, and leaving the existing landfill open part-time.

A motion was made by Commissioner Bodnar, seconded by Commissioner McDowell, and passed unanimously to approve going past the 9:00 P.M. meeting deadline.

Mayor Sims recessed into executive session at 9:04 p.m. for deliberation regarding personnel matters concerning the evaluation of the city manager and attorney consultation concerning possible litigation. Mayor Sims closed the executive session at 10:50 p.m. and reopened the formal session. There were no votes or action taken concerning evaluation of the city manager. A motion was made by Commissioner Funk, seconded by Mayor Sims, and passed unanimously to approve pursuing a civil suit against Patrick Kneough/Fiberglass Animals.

Meeting adjourned.

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Pat L. Sims, Mayor

ATTEST:

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Vince DiPiazza, City Manager