

CITY COUNCIL MEETING SEPTEMBER 12,2000 MINUTES

This meeting of the Ransom Canyon City Council was held at the Ransom Canyon Fire Station, September 12, 2000. The meeting was called to order by Mayor Leon Whetzel at 7:00 P.M. Council members present were David Peterson, Sandra Jones, Inez Speed and Robert Englund. Earl Starks was absent due to illness. The Mayor called for a moment of silent meditation.

Minutes: Several sets of minutes were considered. The council held meetings and/or work sessions August 8, September 5, August 23, August 11, and August 9. Changes to the August 23 minutes, PP 6 were submitted by the Mayor. These changes are reflected in the permanent record. David Peterson moved to approve all minutes, with the changes to 8/23 per the Mayor's direction. Inez Speed seconded the motion, and all approved.

Financial Report: Discussion was brief, Revenues are 95%, and Expenses are 87.76%. The auditors continue to research the books from February - May, but we expect to receive a clean report, even if some categories require end of year audit adjustments. Inez Speed moved to approve the report and the payables, Robert Englund seconded the motion, all approved.

Inez Speed moved to engage J.W. Anderson CPA's for the audit. This firm has separated from Mason, Warner, but the city audit records went with Anderson. Mason Warner is not doing city auditing. J W Anderson has been closely involved with the city changes this year. Inez Speed moved to engage this company to do the city audit, David Peterson seconded the motion, all approved.

David Peterson moved to approve Resolution 68, which releases undesignated funds to the general fund. Inez Speed seconded the motion, all approved.

Melissa Verett advised the city that in February, the city started withholding insurance money from employee paychecks in order to pay AFLAC insurance premiums. This insurance program was not discussed in council meeting, and the council did not take action to adopt this program on behalf of the city. A representative from AFLAC interviewed employees at city hall, sold them various policies and the employees signed payroll deduction authorization. Some of these premiums are Pre-tax. (Pre-income tax) To do this, the city needed to have a cafeteria plan, filed with the IRS, with plan procedures and documents in place. The city does not have a cafeteria plan. Employees pay for their own family TML medical benefit, but that is a premium only plan, with documents filed through TML. Melissa explained that several of the employees had chosen to purchase the insurance. One employee has requested to cancel the insurance. This can be done, if the plan allows. The city has no plan. Melissa asked the council to authorize her to disengage from this program, advising AFLAC that all billings should be directed to the employees at their homes.

David Peterson asked the other employees if the program as a payroll deduction was easier for them. Harold Needham commented that there were premium savings through payroll deduction. Two other employees commented that they could handle another billing program.

The council moved to allow Melissa to try to disengage from AFLAC, motion from Inez Speed, second from Sandra Jones. All approved.

The Council briefly discussed major points of the new budget. Mayor Whetzel emphasized the need for major construction projects involving the water line, the sewer plant, pumps in the water house, lift station repair, all projects affecting all three budgets, the operating budget, the reserve fund and the Capital Improvement Fund. The Mayor mentioned that our sewer plant is near capacity, and it is possible that the TNRCC will require the new sewer plant in Budget year 2, instead of budget year 3. This expense is over \$600,000 alone. This year's tax rate is .5763 1. The Mayor explained that the council did not consider a higher tax rate for several reasons. The expense of the near-term capital improvements will be beyond the ability of Ransom Canyon to pay cash, therefore long-term debt will be necessary, so the council wanted to control the operating and reserve levels of this tax rate as long as possible, until we get firm numbers. The

tax rate for operating actually has gone down this year. The rate dedicated to reserve funding has gone up, and we do intend to pay cash for the water line. At the end of Budget year 1, our cash reserves should be approx. \$150,000.

Mayor Whetzel also mentioned that the City of Lubbock is in year two of their three-year rate increase program that was mailed to us last year. This straight pass through will raise the cost per thousand gallons of water 6 cents.

David Peterson moved to adopt all budget and tax related Ordinances and Resolution in the following order, Capital Improvement Budget, Ordinance No 168; Operating Reserve Budget, Resolution No 69; Adopt 2000/2001 Budget, Ordinance No 169; Adopt year 2000 tax rate of .5763 1, Ordinance No 170; and Approve the Increase in Water Rates, Ordinance No 171. Inez Speed seconded this motion. All approved.

As a result of our objection to the City of Lubbock application to apply sludge directly to the farmland North of Ransom Canyon, our City Attorney, John Sims, commented that we have learned much in research and discovery of this problem. One of the things we have learned is that sludge needs to be kept away from the public, especially type B sludge, which is what our sewer plant produces. Because we've become aware of the problems that could occur, we feel it is in the city's best interest to construct a safety fence with barbed wire around the drying beds to prevent accidental pedestrian traffic. This area has always been posted, but we believe more precautions should be taken. To this end, Robert Englund made a motion to instruct Harold to purchase fencing materials from Jamieson fence, spending around \$900, and proceed apace to build this fence. Inez Speed seconded the motion, all approved.

Mayor Whetzel delivered the engineering report of the water line status. The plans are drawn, bids will be let in October, awarded in November, and construction should begin mid-November. It should take 180 days for construction. David Peterson asked about easement clearing, and the Mayor commented that we only have one property owner that appears to present a problem. Mayor Whetzel will make phone calls and try to clear the way with this issue.

Mayor Whetzel reviewed the recent lake level history and discussions. The illegal device around the weir was removed. The registered engineer was asked to shoot the elevation grade. Extensive discussions were held by the council about the lake level, the impound permit and the procedures to raise the lake level legally. The city is permitted to impound 560-acre feet, and we can raise the lake level so that we impound 560 a/f.

Bernie shot the elevation, and the outflow is 3 9/16" below the designated elevation. We can reclaim this if we wish. Bernie Gradel submitted a bid proposal to do a survey of the lake to determine if we are impounding the full 560-acre feet. If the survey shows that topographically the lake has changed so significantly as to alter the total acre feet impounded at the sea level designated, we can write to Austin and request a change. We can then legally raise the level of the lake by putting "the boards" back up.

However, whatever the survey finds, per Mayor Whetzel, the lake level can never be more than 8" from the roadway on the dam. This is to protect the integrity of the roadway during high tide.

There followed much discussion about the suitability of lowering the lake at this time in order to allow Lake Dwellers to make repairs to their property. David Peterson asked about the oxygen level for the fish. Wayne Rawls will talk to the fish and wildlife people.

Kyle Ashley complained again about the lake level this summer and there was a lively discussion about how the quality of his life had been lessened this summer because the lake was too low. Kyle Ashley said it was morally reprehensible to release water from our recreational lake in order to provide water in a drought situation for livestock owned by our downstream neighbors, (Janes Gravel Co has a water right permit that is superior to ours). The Mayor corralled the discussion by stating that draining the lake was a separate issue, and he called for a vote to spend \$6,000 for the engineering survey.

David Peterson moved to approve the expenditure, Inez Speed seconded the motion, all approved.

Mayor Whetzel mentioned to Kyle Ashley that he needed his input for the Priorities Survey Committee. This will be a committee of five or six people who will study current city needs, and will make recommendations to the city council for future projects.

The Building Control Committee reviewed 20 construction plans in the last two months. 12 homes are now under construction.

The status of the librarian will change this year. Kim Copeland will receive a raise to \$6,000, plus the city will pay FICA taxes. Kim will change from contract status to regular employee. She will report to Melissa, but the library board will still continue to function as they were originally formed as Friends of the Library. Melissa will serve as the daily person to talk to from the city.

Kim reported to the council that all the Harry Potter books are in, having been donated by Colleen Kendall. The Board met and has approved a Christmas fund- raising project. There will be a community Christmas card page in the Christmas Echo. Shauna Peterson has resigned from the board due to time constraints. Kim thanked the council for their time and consideration this year of the library budget.

Harold reported that water usage was up, and there have been many complaints of low water pressure, especially on top. We are working with an altitude valve specialist to regulate the pressure.

The fire department had four medical calls this month, no fire calls.

Police calls are down since school has started. Cars can be marked and light-barred for \$932 per car. The council instructed Wayne to proceed.

POA clean up day on Brookhollow cleaned up. They still are working with the dredging challenge. Plans are being made to deck the Party House and they need volunteers, and there will be a garage sale in October. No Oktoberfest this year, because it was not profitable.

There was much discussion from the council about the last agenda item, which was the use of the open top container by an individual who is re-roofing his house. He does not have his own container to haul off the old shingles, (2 layers of wood shingles); instead he is hauling the shingles to the open top container which is paid for by the city. All residents pay \$12.50 per month for garbage and the revenue from this billing usually covers the billing from Caprock Waste for the dumpster and open top hauling fees. To date, the revenue for solid waste is 53,000, and the expense is 50,000.

The City Attorney commented that this individual has a building permit for a roof, and is therefore considered to be a contractor, and is therefore required to make arrangements for paying for hauling his construction trash himself. The building permit signed by the individual clearly states that the contractor must provide a trash container. It has always been city policy that contractors for homes, roofs, or major construction projects, when a permit is required, contractors are expected to haul away their own construction trash. Whether the contractor happens to live within Ransom Canyon city limits has never been a criterion for exception to this rule.

John Sims said that when the resident took out a building permit he defines himself as a builder. The ordinance says a trash container is needed. All builders haul off their trash, and he suggested that from this day on, this individual should put it in a container and haul it off.

Kyle Ashley introduced himself as the individual who is involved. He presented his side of the issue, which was that because he lived here, he had the right to use the open top container for any reason. He argued that brush and limbs were no different than roofing shingles. There was some discussion about debris such as nails and screws being strewn along the way from his house to the dumpster, but Kyle expressed his opinion that he did not leave any trash on the roadway.

In the end, Kyle agreed to pay the city \$100 for hauling fees.

Under Open Forum, Mayor Whetzel announced that long-time resident George Philbrick passed from this life Monday night, September 11, and services were scheduled for Thursday, Sept. 14. Condolences to his wife, Sally. In addition to having many personal achievements, George was a valued Ransom Canyon friend and citizen.

Having no further business, the meeting was adjourned.

Melissa Verett
City Administrator