

REGULAR MEETING OF THE CITY COUNCIL, CITY OF SHALLOWATER, AUGUST 15, 2023 AT 7:00 P.M. WITH THE FOLLOWING MEMBERS PRESENT:

ASHLEY CARR
ADMINISTRATIVE ASSISTANT
AMANDA CUMMINGS
CITY SECRETARY
WILL GRIFFIS (VIA CONFERENCE CALL)
CITY ATTORNEY
RUSSEL MOSES
CITY ADMINISTRATOR

ALDERMAN:
LOGAN SCARLETT
CHRIS CODY
JASON WHITE
TROY WHITE
KYLE YEAGER

Others Present: Ruben Ponce, Shawn Claunch, James Andrews, Brian Williams, Trey Carrillo, Logan Willeby, Leonard Nail, Billy Taylor, Linda Taylor

Pledge of Allegiance: The meeting was opened at 7:06 p.m. by Mayor Pro Tem Chris Cody.

Invocation: Invocation was offered by Mayor Pro Tem Chris Cody.

Open Forum: Mayor Pro Tem Chris Cody opened open forum at 7:07 p.m. Billy Taylor stated that he wanted to thank the council and the utility workers for their promptness in getting his alley fixed. He stated that there were workers there at 7:00 AM the following day after he brought it to the councils' attention. He also thanked Officer Claunch for assisting him through the process. Mr. Taylor stated that they did a fantastic job and he was very pleased.

Public Hearing for Variance Request to Replace Existing Mobile Home with an Updated and Larger Model for 509 Ave H for Logan Willeby: Public hearing was opened at 7:09 p.m. Logan Willeby was present. The public hearing was closed at 8:09 p.m.

Department Reports:

Fire Department: Chief Bucks report stated that the fire potential for wildland fire is beginning to pick up due to increased temperatures and lack of rainfall. It also stated that the water tanks have been ordered for the tanker replacement and it will take 6-8 weeks to manufacture before shipping to DACO for the tanker to be manufactured.

Emergency Management: No new business.

Municipal Court: Ashley Carr presented the court report as follows, three truancy cases, one pre-trial, one trial, eleven payment plans, seven driver safety cases, thirteen deferrals and one hundred warrants. Judge McAuley is working with Chief Williams to conduct a warrant round up.

Police Department: Chief Williams asked if there were any questions on the report and there were none. He stated that they have the new truck in and are working on getting it outfitted. He talked with the local businesses in down town about the BBQ Cookoff and he said that all they asked was that we wait until 6:00 p.m. on Friday to block off the streets, place the porta johns around the corner or down the street and put some extra cones around the beauty shop to block off parking. Chief Williams stated he is working with Judge McAuley to do a warrant roundup the last Wednesday of this month or the first Wednesday in September.

Consider and Discuss Proposal for Radios for New Officers: Alderman J. White made the motion to approve the proposal from Dailey and Wells Communications, Inc. for radios for the new officers for \$10,059.52. Alderman Yeager made the second. Motion carried with all in favor.

Consider and Discuss Appointment of Paul Carrillo as Fire Inspector and Training Requirements: Chief Williams stated that he and Amanda spoke with Garrett Nelson and he recommended that we appoint Trey Carrillo as Fire Inspector so he can do inspections on food trucks and buildings. He stated that Officer Carrillo will have one year to complete the training requirements and attend the class in Dallas before taking the state test. Alderman J. White made the motion to appoint Paul Carrillo as fire inspector. Alderman Yeager made the second. Motion carried with all in favor. Mayor Pro Tem Chris Cody officiated the Statement of Office and Oath of Office.

Code Enforcement: Officer Claunch stated that they had four code enforcement calls this month and all four had been closed. He also stated that they were able to close the case of a stolen truck from months back with the conviction of one female.

Public Works: Water drawn from our well field totaled 620,300 gallons; 86% of which was treated and distributed, totaling 572,100 gallons. Rejected wastewater from the Water

Treatment Plant was 76,700 gallons- about 14%. Water demand from the City of Lubbock came to 11,672,000 gallons, constituting 95.1 % of our total water usage for the month due to ongoing issues with the EDR system. Wastewater flow for the month was 6,058,700 gallons, with an average flow of 195,000 gallons per day, putting us at 67% of system capacity for the month. The Public Works Crew replaced the meter and curb stop at 1010 10th St and 1318 10th St, replaced the crosswalk sign at 17th St & Ave L, repaired a large amount of potholes across the city, and did extensive groundskeeping on City property including shredding, weed eating, and weed spraying. The largest project this month was the emergency clearance of a major blockage at State Highway 84 and FM 179 - the convergence point for the entire sewer system as it flows under Highway 84 and to the treatment plant. Crewmembers worked nonstop for the entire day to clear the blockage and ensure proper operation could resume. To round out the month, a new crew member, Ethan, was brought on board on the very last day of the month. Public Works employees continue to work on grounds upkeep Citywide, pothole repairs, and mowing/shredding along with continuing their education and intensive record keeping overhaul.

Consider and Discuss Water and Sewer Updates and Engineering Report-

Leonard Nail, Parkhill: Leonard stated that the scrubber for the EDR plant had been delivered. He stated that the surveyors would be out in a couple of weeks to complete the survey on Hwy 84 for the line going to the sewer plant.

Consider and Discuss Sewer Project to Repair the Line Under HWY 84: Russel

Moses stated that the line that runs under Hwy 84 to the sewer plant, which is the main line for all sewer lines in Shallowater, collapsed again. He stated that it took six men working on the line for about eight hours to get it cleared enough to for it to be somewhat operational; it is currently running, but he stated that it could collapse completely at any time. Russel stated that the line must be replaced. Leonard stated that they are unable to get a camera line through it going either direction due to the collapsed line. The line is approximately 500 feet. The entire line will require to be replaced from in front of Molecular Motors across Hwy 84 to the headworks for the wastewater plant. Leonard stated that TXDOT requires perpendicular lines and the line is not perpendicular. His suggestion was to move to the east and put another manhole going perpendicular there and placing another manhole between the existing one and the fence. Leonard also stated that the survey that will be done in the next couple weeks is critical for replacing the line. He mentioned that they could not get a flow line on the manhole when they were doing the Water and Wastewater Study. He said it looks to be .19% slope which is very flat and there is a challenge to not be out of the ground by the time you get back

over to the plant. He said a little elevation could be gained towards the plant, but there is very little slope now. He added that everything coming to the plant is a 6" force main and 10" lines which makes the casing big. He stated that in the future it will be tough to split the flow if we are able to put in a new facility at a different location, but if we plan ahead and there is a possibility, we could put the reuse plant nearby and operate off of the same wastewater permit. He thought this would be easier for the city to operate. Russel explained that if the line collapses and we have to put a bypass across the TXDOT highway they want it done as quickly as possible. The fee to bypass the line is \$9,124 per month and this a two-month project. He told the council that this is critical and they need to plan to do this because the blockage never came loose and out the other side, they were only able to get water flowing, and this is a problem. Alderman Yeager asked if he we could get someone out to start the work immediately. Ruben Ponce stated that potentially L. Howard could do this. Alderman T. White said this is an emergency situation and we need to start working on it because it is an emergency for public health purposes. Leonard asked if you can design and install the line with an emergency process. Will stated that the normal bidding process can be waived for a public safety issue. Amanda Cummings asked Will if the American Rescue Plan Act (ARPA) funding could be applied to an emergency project. Will said he would have to check into that. Amanda mentioned that she has an ARPA webinar coming up and she will ask for clarification. Leonard stated that he could not stress enough how critical the survey will be, but they are a few weeks out from getting it done. Amanda asked Will if the council could have a Special Meeting for the Raftelis Rate Study Presentation that was just going to be a workshop, but if we can get a quorum, they could vote on moving forward so we are not sitting on it until the next meeting. Mayor Pro Tem Cody asked the council if they were able to commit to meeting so Parkhill can get a plan and cost estimate together for us so we can move forward on the project. Everyone committed except for one that cannot take off from work. Alderman T. White made the motion to proactively give Russel and the city the authority to implement the bypass system that Russel presented to council, in the event that the sewer line under Highway 84 collapses. Alderman Yeager made the second. Motion carried with all in favor. Alderman T. White made the motion to give Leonard Nail the directive to begin the design process for the bore, casing and sewer line replacement under Highway 84 as we are in an emergency situation that could affect public safety. Alderman Scarlett made the second. Motion carried with all in favor.

Consider and Discuss a Resolution Dedicating Right of Way Easements and Authorizing Mayor Potter to Sign the Dedicated Row Easements for Land Between the Churches and City Property West of Ave Q or in "Shallowater Business Park": Alderman Scarlett made the motion to approve the resolution dedicating

right of way easements and authorizing Mayor Potter to sign the dedication row easements for land between the churches and city property west of Ave Q or in "Shallowater Business Park". Alderman Yeager made the second. Motion carried with all in favor.

Consider and Discuss Septic System Authorization for the Church of Christ:

Alderman T. White made the motion to allow City Attorney Will Griffis to draft a letter to the effect that we will provide the Church of Christ the ability to put a septic system in and then tie into our sewer system at which time it is available. Alderman Scarlett made the second. Motion carried with all in favor.

Consider and Discuss Variance Request to Replace Existing Mobile Home with an Updated and Larger Model for 509 Ave H for Logan Willeby:

Alderman Yeager made the motion to approve the variance request to replace existing mobile home with an updated and larger model for 509 Ave H for Logan Willeby. Alderman T. White made the second. Motion carried with all in favor.

Consider and Discuss A Resolution of the City Council of the City of Shallowater, Texas, Approving a Negotiated Settlement Between the Executive Committee of Cities Served by Atmos West Texas ("Cities") and Atmos Energy Corp., Declaring Existing Rates to Be Unreasonable; Adopting Tariffs that Reflect Adjustments Consistent with the Negotiated Settlement; Finding the Rates to Be Set By the Attached Settlement Tariffs to Be Just and Reasonable and in the Public Interest; Approving and Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring and Effective Date; and Requiring Delivery of this Resolution to the Company and the Cities' Legal Counsel:

Alderman J. White made the motion to approve the resolution. Alderman Scarlett made the second. Motion carried with all in favor.

Consider and Discuss Placing the 2010 and 2012 Dodge Chargers Up for Sealed

Bids: Alderman J. White made the motion to place the 2010 and 2012 dodge chargers up for sealed bid. Alderman Yeager made the second. Motion carried with all in favor.

Consider and Discuss the 2023 Proposed Property Tax Rate and Public Hearing

Notice(s): Alderman Yeager made the motion to propose the voter approval rate of \$0.594766 per \$100 valuation and publish the public hearing notice. Alderman Scarlett made the second. Motion carried with four in favor and one absent with Mayor Pro Tem Cody, Alderman J. White, Alderman T. White, Alderman Scarlett, and Alderman Yeager voting in favor and Mayor Potter absent.

Consider Minutes of Previous Meeting: Alderman J. White made the motion to approve the bills payable. Alderman Yeager made the second. Motion carried with all in favor.

Consider Financial Report: Alderman J. White made the motion to approve the bills payable. Alderman Scarlett made the second. Motion carried with all in favor.

Consider Bills Payable: Alderman J. White made the motion to approve the bills payable. Alderman Yeager made the second. Motion carried with all in favor.

Budget Workshop: The council had a budget workshop. Amanda explained that she would be filing the proposed budget with the County Clerk this Friday and let told everyone to contact her if they have any questions.

There being no further business, meeting was adjourned at 8:27 p.m.

Amanda Cummings, City Secretary

Royking Potter, Mayor