

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
WESTMORLAND FOR March 17, 2010

The City Council of the City of Westmorland met in a regular meeting in City Hall on Wednesday, March 17, 2010 at 6:00 PM. Mayor ProTem Thomas Landrum called the meeting to order at 6:01 PM.

Present at time of roll call: Council members Stanley Brummett, Freddie Beltran, Jr., Larry Ritchie and Thomas Landrum. Also present were, Anne Graham, City Treasurer, and Martin from Mitch Driskill's office, Wayne Walker, Fred Beltran, Chief of Police and City Clerk Sally Traylor. Absent: Mayor Henry Graham, Joe Diaz, Mitch Driskill, City Attorney and Fire Chief Sergio Cruz

Oral Communication - Public: 1). Gerald Landrum informed council that he is pursuing grants that will help the city either build or equip them with a new fire department. He has not been able to find any grants to build Police Stations. The main grant that he is going after is the Associate Firefighters Grant (AFG), which has \$360M available with no cap and no matching funds for equipment. He will be going after Vehicle Acquisition to obtain a Pumper Truck, Brush/Attack Truck, Tanker Truck and a quaint (aerial) Ladder Truck. He is also looking into operations and safety supplies. All the research is done on a volunteer basis at no cost to the city. Council did not have a problem with Gerald pursuing on his own time grants for the city.

Adjournment to Planning Commission Meeting: Council adjourned into the Planning Commission meeting at 6:08 PM.

Approval on Modification of the CUP "Condition of Approval", Item #4 to waive the Sanitation and Water Capacity fees for applicants at 115 West Main Street (The Green Frog Bar) – Benjamin Coute': Mr. Coute' came back before the board after learning his Building Permit application was re-assessed at a higher rate and Capacity Fees were added after the property has been paying into the Assessment District year after year. Commissioner Ritchie wants to see new business in town and would like to see this grandfathered in and stop charging huge fees. The calculation of the new use fees can not be supported by a Resolution or Ordinance, because according to the Final Engineers Report (Assessment District) the Capacity Fees are only based on New Construction. Mr. Coute' challenged Mr. Hamby's methodology and the factor he used to base his calculations on. Mr. Hamby was not present at the meeting. M – Stanley Brummett to waive the Capacity Fees for The Green Frog Bar S – Larry Ritchie M/C

Adjournment back to the Regular City Council Meeting: The Planning Commission board re-adjourned back to the regular City Council meeting at 6:28 PM.

Applicant at 115 West Main Street (The Green Frog Bar) is requesting approval to have the valuation of the Building Permit fees be based on the actual cost of Construction (\$20,661.00) in lieu of the estimated cost calculated by BJ Engineering (\$88,000.00) – Benjamin Coute': Othon at BJ Engineering used a methodology treating it like a new piece of construction instead of the minor modification done to the building. Mr. Coute' would like the charges to be based on the cost of construction. M – Larry Ritchie to direct the Clerk to collect the city permit fees on actual construction costs (\$20,660.69) not the estimated cost and that the applicant be credited for any plan check & electrical fees already paid S – Stanley Brummett M/C

Public Hearing to discuss the Final Grantee Performance Report (GPR) for grant 05-STBG-1503 and CDBG Program Income – Clerk: Mayor ProTem Landrum opened the Public Hearing in order for any public to make public comments. The clerk will be submitting the final closeout documents to the state to closeout this three-year grant that ended December 31st. M – Larry Ritchie to accept the final GRP so the

clerk can submit the closeout documents to the state S – Stanley Brummett M/C No comments from the public. The Public Hearing was than closed.

Approval of Minutes for March 3, 2010 and City Warrants: M – Larry Ritchie to approve the minutes of March 3, 2010 as presented and to pay the city warrants S – Stanley Brummett M/C

Adoption of Resolutions 10-07 to 10-13 Establishing Development Impact Fees for Administrative, Fire, Law Enforcement, Park, Circulation, Water and Wastewater Facilities: The committee met and went over the fee structure that was included in the Development Impact Fee report. The clerk typed a new chart showing the reduced amounts suggested by the committee. However, Councilman Ritchie still thinks the fees are too high and would like to see a reduction of 65% from the original fees in the DIF report based on the current economy for a period of two years. The committee did not have time to address EDU's and the trip generation fees. Councilman Ritchie to go back to committee and bring the EDU's and trip generation fees at a later date. M – Larry Ritchie to adopt Resolutions 10-07 to 10-13 with the actual numbers to come back and they be reduced by 65% off the fees set in the DIF report across the board S – Stanley Brummett M/C

7th Street Project Update – Wayne Walker: Wayne Walker reported to council that 7th Street was completed last week with the exception of the signs that will be up very soon. The good news is that Westmorland completed their project before Holtville and will get the first publicity on the ARRA funds. Westmorland and Holtville are the only two cities that used their money to do street projects. An extra \$10k had to be spent for graffiti removal. Councilman Ritchie would like to see a Graffiti removal program put in place to make these kids and parents responsible for the damage done to city property. Council directed Martin to have Mitch review what the city can do to punish the offenders.

Closed Session: Council adjourned into closed session at 7:11 PM. Council re-adjourned back into regular session at 7:38 PM with no action taken.

Adjournment: With no further business, council adjourned this meeting at 7:39 PM.

/s/Sally Traylor
Sally Traylor, City Clerk

/s/ Thomas Landrum
Thomas Landrum, Mayor ProTem