

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
WESTMORLAND FOR December 16, 2009

The City Council of the City of Westmorland met in a regular meeting in City Hall on Wednesday, December 16, 2009 at 6:00 PM. Mayor Henry Graham called the meeting to order at 6:02 PM.

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

Oral Communication - Public: 1). Larry Ritchie was present to give an update on the Baughman Road project. The project was awarded to Cooley Construction who came in under the \$1.2M allocated for the project. Larry is in discussion with IC Public Works to use some of the left over money for base and/or asphalt for Howenstein road from Forrester Road over to the Jake James Park. Mayor Graham to have this come before council before Larry strikes any deals.

Second Reading and Adoption of Ordinance 09-01, Development Impact Fee Ordinance – Council: M – Gus Sanchez to approve the second reading and adoption of Ordinance 09-01 S – Stanley Brummett M/C

Sale of unutilized tractor – Joe Diaz: Joe would like to post this tractor for sale. Council to have Joe accept sealed bids to be opened at the first meeting in January. Tabled

Cleaning of Water Ponds – Mayor Graham: The small ponds have not been cleaned completely in about eight years stated the Mayor. Mayor Graham questioned how was the council going to determine how much material is in the bottom of the ponds and how deep are they? Joe Diaz stated that the big ponds are about 18 feet and the small ones are around 12 feet deep. On the big pond the sludge runs around 2-3 feet deep and the small ones were a foot and a half stated Joe. Council to get quotes on the cost to have a contractor perform this work since Lucas is short handed right now. The difficulty is going to be how to bid on the volume, time and removal of the sludge that will be transferred to the Sewer Plant. There are some local contractors that have hauled the sludge before that can clean the ponds so council directed Joe to get some estimates to bring back at the next meeting. Larry also works with some guys that do this type of work as well. Tabled

Approval of Minutes for December 2, 2009 and City Warrants: M – Thomas Landrum to approve the minutes of December 2, 2009 as presented and to pay the city warrants S – Stanley Brummett M/C

Hiring part-time Water/Sewer Operator to take weekend read – Councilman Brummett: Because Lucas is short-handed he has been doing all the weekend reads and there are some weekends that he is going to need off because he is going to be out of town. There are two individuals that have both worked for the city that are available to help him out if the hourly rate is right. The Mayor would like them to help out Lucas every other weekend but that won't always be possible because of their other jobs. Lucas also needs someone that can be on call so he can go to San Diego and not have to worry about the plants. Discussion continued on call out pay versus stand by pay. Councilman Brummett stated that other employees in the Public Works Department need to be trained to be a backup person if they can become certified.

The Mayor stated that this needs to be worked out before Lucas can leave town for a long time, otherwise Lucas is not leaving town. This was understood by all. The discussion continued on coverage for weekends and for this Saturday at \$25.00 hour. Because of the upcoming Holiday the Mayor is not opposed to the \$25/hour for this Saturday but before it becomes a long-term basis, council needs to have

their terms confirmed. The City Attorney wants to see a written agreement between the city and the individual that will do the weekend reads as a coverage person for Lucas. M – Henry Graham to pay \$25/hour for this Saturday only for the individual of Lucas' choice provided a contract is signed S – Gus Sanchez M/C. Councilman Brummett to meet with Lucas and the individual tomorrow to give the City Attorney the needed information for the long-term agreement that he needs to draft.

Closed Session: Council adjourned into closed session at 6:48 PM. Council re-adjourned back into regular session at 7:34 PM. Council to pay City Attorney fees in the amount of \$5,600.00 for litigation not covered under PERMA.

Approval to purchase pipe, fittings, sump pump and vault for Improvements to North H Street – Mitch Driskill: This expense is tied into H Street by Lyalls. The listed items will be purchased with a not-to-exceed amount of \$10,000.00 to get moving with the drainage issues. M – Thomas Landrum to purchase the above listed items with a not-to-exceed amount of \$10k S Gus Sanchez M/C

Approval payment of consultant invoices – Mitch Driskill: The City Attorney will have continued discussions with PERMA regarding the Dudek invoices before the city pays them.

Adjournment: With no further business, council adjourned this meeting at 7:37 PM.

/s/Sally Traylor
Sally Traylor, City Clerk

/s/ Henry Graham
Henry Graham, Mayor