

CITY COUNCIL MEETING JULY 11, 2000

MINUTES

This meeting of the Ransom Canyon City Council was held at the Ransom Canyon Fire Station, 1 Ridge Road, Ransom Canyon, TX Mayor Leon Whetzel called the meeting to order at 7:00 P.M. Council Members present were Earl Starks, Sandra Jones, Inez Speed and Robert Englund. David Peterson was absent with prior notification.

MINUTES: Mayor Whetzel requested P 1 PP 4, line 8 be changed to read.." the area designated by the Land Commission.." With no other exceptions, Inez Speed moved to approve the minutes, Robert Englund seconded the motion, all approved.

FINANCIAL REPORT: Melissa Verett stated that this financial statement was a reliable record of accounts and recommended approval by the council. Inez Speed so moved, Sandra Jones seconded the motion, all approved.

ENERGAS REQUEST FOR INCREASE: Acie Boyd represented Energas at this meeting, and he explained the city options. Some cities approved the negotiated increase of 3 million, (from an initial request for 9 million.) Some cities (Lubbock) denied the increase, and are choosing to go to Railroad Commission hearings in Austin in September. Ransom Canyon had options. If the increase is approved, and Lubbock gets a lower increase in September, Ransom Canyon will have 30 days to request the same rate. However, legal expenses will be incurred at that time. If Ransom Canyon accepts the settlement increase figure at this July meeting, no legal expenses will be incurred. If the increase is denied, legal expenses will be incurred. These expenses are approved by the Railroad Commission, and Energas recovers Ransom Canyon's proper part through direct billing increases to Ransom Canyon customers, recovery will be made over a three year period.

Earl Starks asked about the possibility of another rate increase. In the settlement agreement, Energas agrees to a three year moratorium. The Railroad Commission will not approve a moratorium.

Inez Speed made a motion to accept the May, 2000 committee negotiated increase from Energas. Robert Englund seconded the motion, all council members voted aye.

PRELIMINARY BUDGET: Mayor Whetzel explained that the preliminary budget was available for public inspection at City Hall. It is still work-in-progress and more work sessions are planned by the city council. The budget hearing is in August.

BUILDING COMMITTEE: Approved one minor house addition. Mayor Whetzel advised the council that he was recommending procedural building permit changes. When a builder picks up plans for an improvement over 1,000 sq. feet in scope, the builder will receive a letter stating job site cleanliness requirements. Job sites must have toilets, (which is an OS14A requirement), they must have trash containers, and they will be advised that no construction trash be to be placed in the city dumpsters. This procedure is called for due to problems recently with some builders, and with mounting city expenses for the open top container. Ordinance 56 already provides for \$100 per day fine. The Mayor called for a motion to this end.

Inez Speed made the motion to attach the letter, keeping a signed copy on file with the permit. Robert Englund seconded the motion. All council members voted aye. Motion was approved.

Ricky and Myrna Beaver attended the meeting to discuss their fence. It is over 18" high at the curb, which covers the easement area. The city has a lift station that adjoins this property, at this point. Wayne Gentry gave the Beavers permission to build the fence, with the understanding that the fence was not to be higher than the lift station. Also, there should be enough area left around the lift station to allow the city to work on the equipment. All council members had seen the fence, and all expressed their opinion that the fence

is attractive, and has been done in good taste. In this council opinion, the construction is reasonable, and there are no neighbors to the West that would be directly affected. Mrs. Speed added that when Wayne Gentry consented to the construction, he was a city employee. Ordinance 56 states that the council can approve permanent structures in the easement. The fence is already in place, and the council took no action to direct the owner to make changes.

Kim Copeland reported for the library that a busy summer reading camp was ending, that it had been highly successful and over 50 children and adults attended the Saturday evening awards ceremony. Kenny Schuette was the top reader with over 56 hours. Inez Speed made a motion to approve the new board members, Colleen Kendall, President; Shauna Peterson; Novice Bartlett, Vice President; Scrub Hawley, Sec/Treas.; and Jean McQueen. Sandra Jones seconded the motion, and all approved.

James Hill reported for the police department. July 4 was safe and calm, with some policing of fireworks. Four officers worked that event. James stated that much of our traffic has been drawn to Lubbock's Fourth on Broadway activities.

Harold Needham submitted his report to the council, and the council had no questions. Mayor Whetzel asked about leasing a wood chipper to help with the disposal of brush and tree limbs. Harold will research. Rockslide signs will be posted on the back hill.

Mayor Whetzel instructed Harold to remove the boards from the lake weir. This has been a long standing problem, and the Mayor strongly advised that the city be in jeopardy of 1. The law, and 2. Safety. The TNRCC has rules against these boards that artificially raise the level of the lake, and the city could be looking at a creek instead of a lake if TNRCC were to withdraw our permit based on our violation of the elevation limitations, and the unsafe condition created by the boards. Sandra Jones stated that whoever put the board up should be fined for fiddling with city property. Leon Whetzel stated that he was on the water board and the TNRCC instructed them to remove the boards. This has been a problem for a long time. Attorney Sims stated that if it happens again, if we know who did it, we could fine them for vandalism or for criminal mischief.

Mayor Whetzel announced that Hugo Reed had surveyed most of the property that is involved in the water line project. They have not talked to the people who own the tiger, and the water line will go through the middle of the cage, so this problem still wants a solution. The contract should be awarded November 1.

Inez Speed told Harold the front road looks good.

James Hill reported for the fire department. They had 1 medical call this month, and July 4th was very successful and much fun was had by all.

The POA was represented by Donna Ricks, Mary Ellen Zwank, Dick Hulslander, and Mark Lawson. The POA requested that the city take over maintenance and mowing of the park and meadow. Mayor Whetzel recommended that this be done, and the city bill the POA on an annual basis, some amount, (\$400) to be decided on. The property will remain under the ownership of the POA. The POA also wanted the city to dredge Brookhollow. The mayor sees this as a Property Owners problem, not to be solved by the city. The POA wants the city to build a swimming pool.

Mayor Whetzel stated that due to the expense of this project, it was appropriate to research the costs, and put the issue up for election by the population at the next general election. If the measure is passed, the city can budget for it, borrow the money, and tax the people accordingly.

Under Open Forum, Mayor Whetzel asked attorney Sims to brief the council on the status of the sludge lawsuit. John advised that the case is in the discovery mode. The city of Lubbock has answered our interrogatories, and they have issued a request for production of documents.

John stated that the publicity has generated people calling, having their well water tested, and it is high in nitrates, or otherwise, not acceptable. These are new people who live on the Acuff road area, who were

not involved in the water aquifer poisoning case ten years ago. What people are discovering is that the aquifer continues to show signs of being altered by the land application of sewer water on the 80-acre site east of Lubbock. This public sentiment is to our benefit. All the water wells in the east 4th street area that have been tested show high nitrate levels. A Pizza place on 19th had readings so high that they have posted a notice stating that people cannot drink their water. A reading of 10 is the max, and one farmer has readings of 13 or 14. We have a tremendous ally with the environmental impact people, and the class action suit could mean tremendous damages to the City of Lubbock. Our deal was in 1990. Jack Pflueger with the V8 ranch is directly involved, as is Buffalo Lake, especially since they are first in line for damages. Buffalo Springs, Lubbock County, cannot afford this bad image. The Buffalo District has taxing authority they have never used. Depositions are set for mid July. John has daily help from Fitz and Melcher who have provided photographs in the rain, showing run-off and broken dikes, etc. The issue is set for September trial. Lubbock is only using three Texas Tech witnesses who will only testify about growing crops; Lubbock has no experts for the aquifer. Lubbock does realize the resolve of people in the affected area.

There was no further business, so the council adjourned to executive session to discuss personnel issues. The council later reconvened to open session, but did not take action relative to the executive session.

There being no further business, the meeting adjourned.

Melissa Verett
City Secretary