

**MINUTES: CITY COUNCIL MINUTES
MAY 4, 2009**

MEMBERS

PRESENT: Mayor Joe Higgs, Councilman Andy Garza, Councilman Glenn Ervin, Councilman Robert Patton, Councilman Mike Walker, Councilman Thomas Muir

OTHERS

PRESENT: Mike Brice City Manager, Rose Chavez City Secretary/Asst. City Manager, Jessica Swank, Rebecca Gray, Nicole Burrows, Brad Hughes

1. Call Meeting to Order, Invocation, Pledge of Allegiance.

Mayor Higgs called meeting to order, Councilman Patton led the invocation, followed by Councilman Ervin leading the Pledge of Allegiance.

2. Citizens Input:

Citizens are allowed 3 minutes to speak. The City Council is unable to respond or to discuss any issues brought up during this section.

CONSENT AGENDA

**3. a) Approve Minutes: April 20, 2009 -- Work Session
April 20, 2009 – City Council**

b) Disbursements

c) Approve Grazing Lease with David Fulton

d) Approve Tower Lease Agreement with Speed of Light Broadband

City Manager advised that on item (c), is the grazing lease with David Fulton for the 93 acres of property at the end of Rector Road that was purchased for the new sewer plant. The renewal lease is for a 5 year-term. Originally, the base rent was about \$10.00 a year. The only change in the lease is the yearly base rent charge of \$8.00 an acre, estimated about \$800.00 a year. There was clarification on some wording. There was additional language added that specifies what happens when the City proceeds with the construction of the new sewer plant.

Discussion continued concerning the six month notice that has to be given to Mr. Fulton. The lease also added some wording that takes into consideration if Mr. Fulton is in the harvest season.

Item (d) - The City Manager advised the tower lease is with Speed of Light Broadband, and it is to lease them space at the three water towers. They are a wireless broadband company, and the benefit to the City is free internet access that will be a savings to the City of \$750.00 a month. There is wording in the lease that if

the City decides not to utilize their service, they will pay the City \$250.00 a month per tower.

Councilman Walker made a motion to approve the consent agenda. Seconded by Councilman Patton. Motion carried unanimously.

- 4. Consider any Items Removed from Consent Agenda.**
- 5. Consider and Possible Action on Resolution #R05-03-09 – Permitting a Tent Service for a Specific Period on the North Side of Church Street, East of Interstate 35 Service Road.**

Motion was made by Councilman Muir to adopt Resolution #R05-03-09. Seconded by Councilman Ervin. Motion carried.

- 6. Consider and Possible Action on Approving Audit for Fiscal Year End 2007/2008 by Auldrige Griffin.**

Motion was made by Councilman Patton to approve audit for fiscal year 2007/2008 by AuldrigeGriffin as presented. Seconded by Councilman Walker. Motion carried unanimously.

- 7. Consider and Possible Action on Approving Wholesale Electric Contract with AEP.**

Motion was made by Councilman Patton to approve the wholesale electric contract with AEP. Seconded by Councilman Garza. Motion carried unanimously.

- 8. Adjournment.**

Mayor Higgs adjourned the meeting.