**MINUTES**

**FRITCH CITY COUNCIL REGULAR SESSION**

**TUESDAY DECEMBER 19, 2017**

**SFISD BOARD ROOM 540 EAGLE DRIVE FRITCH, TEXAS**

**7:00 P.M.**

1. **Call to order. Welcome Citizens and Visitors.** Meeting called to order at 7:00 p.m. by Mayor W. Kelly Henderson. Councilmembers present: Tom Ray, Dwight Kirksey, Arlin Audrain and Denise Campbell. Mayor Pro Tem Richard Hein was absent. City employees present: Drew Brassfield, Cindy Cook, Houston Gass, Roger Pense, Stephanie Davidson, Judge Shila Hart and Fire Chief Ed Adamson.
2. **Invocation and Pledge of Allegiance.** Prayer given by Councilmember Audrain.
3. **Open forum – Comments/Concerns from Citizens:** Terry Homan with the Hutchinson County Sheriff’s Department spoke on open forum. Mr. Homan said I have three questions and comments that I want to make. The first one is I have recently been made aware of Mr. Brassfield using money that was allocated for a school he was supposed to attend but instead he used to purchase tires for his personal vehicle. He then paid it back slowly but surely, out of his paycheck until he was contacted by the Texas Rangers that it was illegal. At that point, he paid it back in full. This is the same thing that happened seventeen years ago and most recently with Bobby Lamb, Monte Leggett and the whole nine yards. We are coming back full circle ladies and gentlemen. This is a specific thing he is doing. He’s doing it a little at a time to see how much he can get away with. I don’t know if he figured out he could or couldn’t get away with it since the money was paid back. Second thing is that most recently, I have found out that a house purchased by the Chief of Police is a house owned by Mr. Brassfield in Panhandle. When I worked for the Police Department here, it was policy that any police officer that worked for the City of Fritch had to live here because of response time. There is no way that the man can live in Panhandle and work here with a response time less than thirty minutes. It is a forty-five minute drive from here to Panhandle and that’s if he’s dressed in uniform. Same with living in Pampa. Anybody that was on the City Council or worked for the Police Department had to live in city limits. If you want to change policy that is fine and dandy. It will be a travesty to the city and the citizens of the City of Fritch if you did do that. Next thing I want to bring up is the PD itself. I am constantly being asked by citizens as well as ex-council members – How’s the new Chief of Police working out? Have you seen the new Chief? This is probably the fifth time I have seen him in the last ten months that he’s been here. Two of them were helping him work a case and last week helping with CPS. Is he already living in Panhandle? Is he not supposed to be working? Y’all tell me. I’ve never seen the man out patrolling. From my understanding, sitting in the office playing video games on the computer is not working. Last time I checked that is not working. That’s the last thing I have to say.
4. **Consent Items:**
	1. **Approve minutes of the following meetings: November 21, 2017.**
	2. **Approve accounts payable.** Motion made by Councilmember Campbell to approve the consent items as presented. Second made by Councilmember Audrain. Vote 4/0.

The next four items were pulled off of the consent agenda and placed into new business for discussion. These properties are on the list with other taxing entities and Texas Communities Group. Mr. Donnie Hayes has made an offer on C, D and E above the bid received through the County.Manager Brassfield said the Council could remove these properties from the Texas Communities Group list and consider them sold or reject these bids and let the properties go to Texas Communities Group marketing campaign.

* 1. **Approve bid of $100 for struck off property, described as Lots One (1) and Two (2), all in Block Three (3), Original Town of Fritch, Hutchinson County, Texas located on N. Railroad Ave, Fritch Texas.**
	2. **Approve bid of $100 for struck off property, described as Lots Three (3) thru Eight (8), all in Block Three (3), Original Town of Fritch, Hutchinson County, Texas located on N. Railroad Ave, Fritch Texas.**
	3. **Approve bid of $100 for struck off property, described as Lots Nine (9) and Ten (10) all in Block Three (3), Original Town of Fritch, Hutchinson County, Texas located on N. Railroad Ave, Fritch Texas.**

Motion made by Councilmember Kirksey to decline the bids as presented in C, D and E of the consent items. Second was made by Councilmember Ray. Vote 4/0.

* 1. **Approve bid of $3,000 for struck off property, described as Lots One (1) thru Four (4), in Block Nine (9), Original Town of Fritch, Hutchinson County, Texas located on 400 S. Railroad Ave, Fritch Texas.**  Motion made by Councilmember Kirksey to accept the bid of $3,000 for struck off property, described as Lots One (1) thru Four (4), in Block Nine (9), Original Town of Fritch, Hutchinson County, Texas located on 400 S. Railroad Ave, Fritch Texas. Second made by Councilmember Audrain. Vote 4/0.

**5. New business:**

1. **Discuss and take action on settlement offer from Bickerstaff, et. al.** Mayor Henderson stated that at the previous Council meeting, approval was given for City Manager Brassfield to contact Bickerstaff law firm and obtain a settlement offer. Bickerstaff made an offer of $ 15,264.89. This is approximately a 25% decrease from the original bill. The Mayor said it is higher than he was anticipating. He was hoping for 50% off. They did perform a service for us but never received payment. Legally, we could probably avoid paying it and not have any repercussions, but it still feels like the ethical thing to do is to pay it. Motion made by Councilmember Campbell to accept the settlement offer from Bickerstaff. Second was made by Councilmember Ray. Vote 4/0.
2. **Presentation from members of the local American Legion concerning a charity bike ride in August of 2018.** Virgie Morris gave handouts to the Council about a charity bike ride that the American Legion is working on. She said it is possible that it could bring thousands of dollars to our county. What we are asking for is your support because we are going to need everybody on board including Fire Department, Police Department and volunteers. We are trying to raise money for the American Legion which serves all of Hutchinson County. The handouts included applications and registration forms for anyone who is interested in participating in the art contest for children in grades eight through twelve in Hutchinson County. We are trying to get someone to come up with a good logo. This will be August 4, 2018 but we have to start now to get everything together. We have the routes planned. We will be coming through Fritch and Sanford and up around the lake all the way up to Dumas. One of the rides is 92 miles. One will be 13 miles. There will be four different lengths of rides plus a 5K run. Anybody that donates will get their name printed on a t-shirt and water bottle unless we get too many. The City of Borger has promised a thousand dollars to help with advertising. We would like to make this a yearly event to raise money for the American Legion. We are also working on a gun club for children so they can be in competition all across the nation. Charlie Morris and Robert Pinkerton are in charge of the event and Virgie Morris is the representative from the auxiliary. There are a lot of people working on this. We are hoping to fill up the hotels and restaurants in all the towns. It will be advertised all across the county. All bike clubs will be notified. Former President George Bush has been invited. It is being called the “Tour De “Hope I Make It”. We would like to be on the agenda again in March. Councilmember Kirksey informed Ms. Morris that funding for the event could not come from the City Council because that is illegal, but it could come from the EDC.

**6. City Staff & Affiliated Entities reports**

**A. Report from City Manager – Over all status update.** Manager Brassfield said that the progress on Walnut looks amazing. The County has done a really good job for us and the public feedback has been positive. There have been a few little minor hiccups such as culverts not being placed exactly where residents wanted them. The full marketing plan will be made public after the start of the new year and will be run in conjunction with the City of Borger’s marketing strategy. The Borger City Manager, Eddie Edwards, and I have requested a “clean-up clause” be added to the deed restrictions when the property is sold. According to Texas Communities Group attorneys, the standard clause is six months. We have settled for a 4 month clause which will give the new property owner 4 months from the time the deed is recorded to clean up the property. We now have a link on the City’s website home page to TCG’s website that will show all the properties for sale in Fritch thanks to Councilmember Kirksey. There is a map online for any citizen who wants to see what properties are for sale. Dwight Brandt, with Brandt Engineers, came to see me and reported that they have completed the mapping for Phases 1A and 1B. We should be receiving an actual map of our water lines in the well field in the very near future. Mr. Brandt reports that these new maps are established through GPS coordinates and are considerably more accurate and exhaustive than anything the City has had before. This will help public works especially out in the well field. We conducted an audit with Republic Services on our solid waste. This was done on November 27th. Emily went with an employee from Republic. Both came up with a count of 496 dumpsters inside city limits and in the following areas outside city limits: Fritch Estates, Wright Addition, Irwin Addition, and Maverick Village. We had a Worker’s Compensation audit done and it was determined that the City overpaid and will be receiving $1,916.00 in a refund. The new Personnel Manual was rolled out on Monday, December 11, 2017. We had a mandatory lunch meeting. We went chapter by chapter through the entire manual. We had a Christmas party. We had a great turn out. 33 people attended the party. We had excellent food, great music, and a lot of fun. Cindy Cook was the big winner at Bingo. Special thanks to Celebration Family Church for donating the door prizes, to Houston Gass for providing the smoker and helping cook the briskets, to the Fire Department for use of their building and to everyone who provided food and drinks. We auctioned off 3 briskets to raise $100 to go toward next year’s party. The only semi-bad news to report on is that last Friday on December 15th, a 2003 Toyota Camry rear-ended the City’s John Deere tractor on E. Broadway. There were no injuries. Officers were called to the scene. Our employee did go the next morning to get checked up. There was little to no damage to the tractor.

**B. Report from Chief of Police – November report.** From 11/17 to 12/15/2017, there have been 235 calls for service. 152 of those calls were traffic related, 6 Home alarm calls, 8 reckless driver calls, 2 Assaults , 5 animal calls, 3 911 hang ups, 3 civil stand-by’s, 6 field interviews, 2 suspicious activity calls, 10 agency assist calls – CPS, Fire, EMS and HCSO, 5 house /business checks, 7 domestic disturbance calls, 1 funeral escort, 4 motor vehicle accidents, 1 forgery/counterfeit money call, 1 burglary, 3 public service calls, 2 motorist assist, 2 follow up investigations, and 1 theft. Seven arrests were made during this reporting period. Sgt. Tullos completed his new supervisor training as required by TCOLE. Contact with Tyler Technologies has been made. They are working out the schedule with their engineers and programmers, and will have a definitive date after Christmas to begin the project after the first of the year. I purchased a new computer firewall and am awaiting the arrival of the new network switch. As soon as those can be installed my computer network should begin working itself out and be more secure. Extra patrols are being added to the city park to stop the kids from driving on the grass and destroying the park.

**C. Report from Public Works Director – Update on water, sewer and streets.** Public Works Director Roger Pense reported there were 32 work orders generated between 11/16/17 and 12/13/17. They have started pulling culverts and placing them to the side on Walnut Street. On Monday, the 11th, the county came and started pulling the ditches. We have a lot of the culverts put back into place. There is a little more top base to be put on. It should drain when finished. The line going from East to West is positive downhill. There is nothing to report on Parks currently. In sewer, we have been performing routine maintenance. We have repaired 12 water leaks this month. A list of completed leaks and current leaks was included in the council packet.

**D. Report from Fire Chief – Call report for November.**  Fire Chief Adamson reported there was a total of 23 calls for the month of November. Seven were inside the City and 15 in Hutchinson County and one in Moore County. The control burn went extremely well. He thanked the Borger Fire Department, Crutch Ranch, Big Creek Ranch, National Park Service and our guys that were available here today. Jesse’s Pizza provided groceries for everybody there today. Everything went as planned. The original plan was for Borger to have had their prescribed burn but they did not meet all of their criteria so all the resources were moved to Fritch.

**E. Museum Report – Christmas Bazaar and visitors for the month.** The Museum has had 68 visitors this past month. Most were from the Christmas Bazaar. A new pump was purchased for one of the aquariums. It cost $275.04. Miss Cupcake Delights donated 150 cookies for the Christmas Bazaar and Jesse’s Pizza donated prizes for the Ugly Sweater contest which was a first for the Museum. A page was included in the Council’s packet which showed visitors by the month and also a page listing revenue. In the past couple of days more donations have come in the amount of $250.

**F. Court Report – November report.** Judge Shila Ratliff brought the Court report. There are 923 cases total in the court system. For November, a little over $5,000 was brought in. Judge Ratliff explained to Council that she and Court Clerk Trisha Burris have been working through some old case files of past officers. She brought a box of 255 cases that are going to have to be dismissed. She explained that if an officer doesn’t sign a complaint then the case can only be held for up to two years. The cases are dated from 2000 up to 2015. There were two cases from 2016 that the officer refused to sign the complaints on. These are all past officers. The Mayor asked why we still have cases from 2000 still sitting around. Judge Ratliff said it is normal. In her JP court, she has cases from the nineties. People do not pay Class C Misdemeanors. She said that the way to prevent this from happening again is to have all of the complaints signed. She stated that they are doing this. The 255 cases add up to $ 96,000 that will have to be dismissed. There will be a “Not Guilty” docket on January 11, 2018. The prosecutor comes in and talks to the people. Even though a case is from 2010, a person can come in and file “Not Guilty” on their case. If the prosecutor is not able to work a deal with them, then they will go to court and have a trial by judge or a trial by jury. In past cases, officers will not come in to testify and the cases will have to be dismissed. Mayor asked what costs is there if the case is taken to trial. Judge Ratliff said there are jury fees and prosecutor fees. The Mayor asked if we had any numbers on what goes to court. Judge Ratliff said most people pay but there are people who feel they are innocent and file not guilty and that is their right. Once a ticket is written, we may never see them again. We issue a show cause hearing. If they don’t show up, a warrant is issued. Then it will go to collections which collect a lot of the time. March is the biggest time of the year because a warrant round up is done for the state of Texas and because people get their tax return.

* 1. **E.D.C. Report – No report.**
	2. **Crime Control Report – No report.**

**7. Mayoral/councilmember announcements.** Mayor Henderson stated that it is difficult on the Council when people make statements about things that are going on and that are probably misinformed about what has actually happened. Just know that the City Council and the current administration are doing everything they can to keep things on the up and up and to keep the City of Fritch going in a positive direction. I would be glad to have that conversation with anybody at any point in time.

 **8. Future agenda items.** American Legion on the March agenda. Next meeting will be January 16, 2018.

 **9. Executive Session –The City Council will convene into closed session in accordance with Texas Government Code Subchapter D, Section 551.074 (personnel matters).**

**1. Judge Shila Ratliff.** Council entered into Executive Session at 7:39 p.m.

**10. Reconvene from Executive Session. Take action as necessary on any agenda action item that was**

 **discussed in closed session.** Council reconvened into Open Session at 8:08 p.m. Mayor Henderson stated a committee consisting of Judge Shila Ratliff, Councilmember Kirksey and Councilmember Audrain would be formed to work on the evaluation for the Municipal Judge.

**11. Adjournment.**  Motion to adjourn made by Councilmember Audrain. Second made by Councilmember Campbell. Vote 4/0.

 **READ, PASSED AND APPROVED on this \_\_\_\_\_ day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2017.**

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 **Mayor W. Kelly Henderson Cindy Cook, City Secretary**