

MINUTES
FRITCH CITY COUNCIL REGULAR SESSION
TUESDAY OCTOBER 17, 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 by Mayor W. Kelly Henderson at 7:00 p.m. Councilmembers present: Denise Campbell, Richard Hein, Arlin Audrain, Dwight Kirksey and Tom Ray. City Employees present: Drew Brassfield, Cindy Cook, Roger Pense, Houston Gass, Miguel Lopez, Stephanie Davidson, Jason Collins, Ed Adamson and Judge Shila Hart. Kendal Glover with EDC and Archie Stone with Global Frontline Solutions also present.
2. **Invocation and Pledge of Allegiance.** Prayer led by Councilmember Audrain.
3. **Open forum – Comments/Concerns from Citizens.** No one spoke on open forum.
4. **Consent Items:**
 - A. **Approve minutes of the following meetings: September 19, 2017 called and regular sessions.**
 - B. **Approve accounts payable.**
 - C. **Consider Resolution No. 2017-13 to appoint the Eagle Press as the official newspaper for the City of Fritch for FY2018.** Motion made by Councilmember Campbell to approve the consent items as presented. Second made by Councilmember Ray. Vote 5/0.
5. **New business:**
 - A. **Discuss and take action on Ordinance 560 concerning fee for re-reading meters amending Chapter 13 “utilities” Division 1 Water System Section 13.02.007 customer request to check meter.** Motion made by Councilmember Kirksey to accept Ordinance 560 with changes as presented. Second made by Councilmember Hein. Vote 5/0.
 - B. **Discuss and take action on Ordinance 566 increasing the rates for water taps.** Motion made by Councilmember Campbell to approve the changes made to Ordinance 566 as presented. Second made by Councilmember Audrain. Vote 5/0.
 - C. **Discuss and take action concerning approval of placing internet provider hardware on City’s water tower.** City Manager Brassfield said in May 2016, Plains Internet gave a presentation to the Council. No action was taken at that time. In June of 2016, in the City Manager’s report, it was recommended that no one be allowed to have equipment on the water tower. Plains Internet said they have people calling wanting to have access to their service. A tower usage agreement was sent but the terms lessee and lessor were backwards. The agreement was reviewed by the City Attorney. A lot of cities allow this activity but there should be strict guidelines. Councilmember Campbell said somewhere in the contract it should have provisions for TCEQ and regulatory compliance and responsibility for damage. Mayor Pro Tem Hein said he has a problem with section 6 of their agreement which gives exclusive rights and license to both the 2.4 gigahertz ISM band and the 5 gigahertz ISM band. These are public bands that we as a City cannot give exclusive rights to. The Police Department currently uses these bands for their wireless access point. If we agreed to this, it would limit our ability as a City. Mayor Henderson stated that there should be no exclusive on services but the more options we can give the citizens, the better it would be. Councilmember Audrain asked what happens if the water tower is decommissioned. Will we have to leave it in place for the internet provider? No action taken at this time. This item was tabled.
 - D. **Discuss and take action on approving updated City Employee Handbook.** Council discussed many sections of the City Employee Handbook. Mayor Pro Tem Hein pointed out several areas he had questions about. Most were questions concerning the responsibilities of the department

heads and the City Manager. Mayor Henderson requested changes be made and the handbook be brought again for discussion at a future meeting. No action taken at this time.

- E. **Discuss and take action to add City Manager Drew Brassfield to the TexPool investment accounts by Resolution 2017-13 and designate who has primary authority for transactions.** Motion made by Mayor Pro Tem Hein to add City Manager Drew Brassfield to the TexPool investment accounts by Resolution 2017-13 and designate City Secretary Cindy Cook to have primary authority for transactions. Second made by Councilmember Campbell. Vote 5/0.
- F. **Discuss and take action to add City Manager Drew Brassfield to the TexSTAR investment accounts by Resolution 2017-14 and designate who has primary authority for transactions.** Motion made by Mayor Pro Tem Hein to add City Manager Drew Brassfield to the TexSTAR investment accounts by Resolution 2017-14 and designate City Secretary Cindy Cook to have primary authority for transactions. Second made by Councilmember Audrain. Vote 5/0.
- G. **Discuss and take action on bid placed on struck off property located at 108 N. Sheridan Ave.** Motion made by Councilmember Kirksey to approve bid on 108 N. Sheridan Avenue as presented. Second made by Mayor Pro Tem Hein. Vote 5/0.
- H. **Discuss and take action on approving City Manager to sign prescribed burn plan as part of the Community Wildfire Protection Plan (CWPP).** Fire Chief Ed Adamson presented the burn plan to the Council. This burn plan would help to protect the city by doing control burns on vacant properties that have high vegetation. This would keep the fire from jumping from lot to lot. Chief Adamson said having all the rain is great but at the same time it increases the fuel load for the next possible fire. He explained that we have had three green ups that have died off. This builds fuel underneath the grass that's taller than the vehicles on many of the lots. The top burns fast while the lower portion burns real slow. Doing control burns eliminates this fuel load. Archie Stone with Global Frontline solutions told the Council that people within 300 feet of the prescribed area would be notified about the fire and the possibility of smoke. The Fritch Fire Department has been assisting Borger with their prescribed burn plan. People watched the process and how carefully the burns were handled. Once an area is burned, it comes back greener and it looks thicker but it is more difficult to catch on fire at that point. Councilmember Kirksey asked how they notified the public. Chief Adamson said that the Fire Department personally goes door to door handing out documentation. If one person protests, it can shut the whole burn down. The Hutchinson County Office of Emergency Management will also put out information on their website. Information will be put into the local newspapers and signs posted in the area. Borger Fire Department will also come to help. Chief Adamson said once they receive approval from Council and the City Manager's signature, they will look for the window of opportunity. If one element is not met, the burn is off. Councilmember Ray asked about the wind getting up. Chief Adamson said that if the wind gets up, the burn is shut down. In a wildfire, Mother Nature has control. With a prescribed burn, we have control. Mayor Henderson asked if all of the properties were city owned. Yes for the first part. After that, the Fire Department would go to the property owned by Brinson behind CEFCO. Chief Adamson said another advantage to a prescribed burn is that currently when you try to mow you cannot see all the obstacles such as concrete blocks and mowers are torn up. Once they have been burned, you can see what's on the property. Once they start on private properties, they will obtain the property owner's permission. Mayor Henderson asked what happens if they fire gets out of control, who foots the bill. Chief Adamson said probably the City. He assured the Council that they do the burn slow and they have more than adequate equipment available to handle the situation. Smaller bites are taken and plenty of personnel are available. Motion by Mayor Pro Tem to approve City Manager to sign prescribed burn plan as part of the Community Wildfire Protection Plan. Second made by Councilmember Kirksey. Vote 5/0.

- I. **Discuss and take action to ratify the appointment of a two year term for Patsy Hefner, Donnie Wall and Brooklyn Bidwell to the Fritch Crime Control and Prevention District Board.** Motion made by Councilmember Ray to approve the appointment of Patsy Hefner, Donnie Wall and Brooklyn Bidwell to a two year term to the Fritch Crime Control and Prevention District Board. Second made by Mayor Pro Tem Hein. Vote 5/0.
- J. **Discuss and take action to approve the purchase of Tyler Technologies to upgrade the software at Fritch Police Department by the Fritch Crime Control and Prevention District Board.** Police Chief Houston Gas informed the Council that CopSync, the current program for the Police Department, has filed bankruptcy and at this time, CopSync will not even return his calls. The Police Department also uses Crime Star as their records system but Chief Gas explained that it is outdated and does not offer what Tyler Technologies software offers. Tyler Technologies offers twenty-four hour I.T. support. The cost of \$38,759 includes training for all officers, storage, updates and a maintenance agreement. Chief Gass said it is a proven system that many Police Departments, EMS and Cities use. Members of the Council were concerned with the cost and that maybe this was the latest and greatest software to come out. Chief Gass assured them that this is not just a fad. Mayor Pro Tem Hein said Tyler Technologies is a large corporation that handles more than just police departments. Chief Gass said this program will allow them to be updated with FBI standards and they will be NIBRS compliant. Councilmember Audrain asked about the downside. Chief Gass said he had used the program for ten years while working for the City of Pampa. Their issues were taken care of quickly even if they called at two in the morning. Councilmember Campbell asked if it would cut down on dispatch calls. Chief Gass replied that it should. Mayor Pro Tem Hein said this is almost word for word what we heard about CopSync. Councilmember Campbell was also concerned about the cost of the program that tax payers would pay. Councilmember Kirksey said it is impossible to say there won't be a better system in a few years. We can't predict the future. He also explained this is why the Crime Board exists to help the City with costs. Judge Shila Hart asked if the Police Department was going to electronic ticket writers. Chief Gass said yes that is the plan. She also asked if it was in the contract to get new writers. Chief Gass said what they have is compatible with Tyler Technologies. Judge Hart wanted to know if Tyler Technologies software would talk with Hill Country software that is used by the Court. Chief Gass did not know. Right now it is a bonus if they do. Judge Hart explained that in a few years it will be mandatory for all tickets to be electronically filed. Currently, the tickets are being entered manually. Mayor Pro Tem Hein made the motion to approve the purchase of Tyler Technologies as an upgrade to the software at the Fritch Police Department by the Fritch Crime Control and Prevention District Board. Second made by Councilmember Kirksey. Vote 5/0.
- K. **Discuss and take action on Interlocal Agreement with Hutchinson County for road maintenance and repair.** City Manager Brassfield said the City has had in the past interlocal agreements to do road work and maintenance for the side dirt roads. He had looked at getting with Dwayne Chisum, the road bridge superintendent to come up with another interlocal for specific work on Walnut where we need to come in and redo the entire road to get drainage running in the right direction. Instead of individual interlocal agreements, it was suggested to write one that would allow the county to come in and help at any time with road and bridge projects. This is an agreement with Hutchinson County to come in and help us with road work. Motion made by Councilmember Campbell to approve the Interlocal Agreement with Hutchinson County for road maintenance and repair. Second made by Mayor Pro Tem Hein. Vote 5/0.
- L. **Discuss and take action to amend FY 2017-2018 Budget for the Administration Department and Police Department in the General Fund.** Mayor Pro Tem Hein made the motion to

approve Ordinance 568 amended to just reflect the car allowance corrections. Second by Councilmember Ray. Vote 5/0.

6. City Staff & Affiliated Entities reports

A. Report from City Manager. Water and roads continue to be our top two priorities from a City-wide perspective. We dealt with some pretty major blows to our water lines with having DJ Well Service out at our well field. They did not notify us that they were going to be digging. They hit one of our ten inch main lines. In the Harbor Bay area, we had about 23 foot of line crack and crumble under the weight of all the rain. It caused the rocks and ground to shift. Also with the Community Block project, as we tie in the new lines it is causing issues with the existing lines. One of the things that we have done to get us to a point where we won't have issues like these is become a member of Texas 811. We had to upload some maps and a lot of information. It was free to sign up but every time someone calls in for a dig test, the City will be charged ninety-five cents. It is a lot cheaper to pay a ninety-five cent fee than to pay overtime when a line is hit because they didn't call. PARIS notification ads will be in the paper so people can sign up. Anytime there is an emergency situation which includes water situations. We can do reverse 911, emails or text messages. We have had some turnover in our Publics Works Department. The City does not have the licensing it needs. Two of our Public Works men will be going to Lubbock for the regional class in November so they can get their licenses. Manager Brassfield will also be going through some of this training so that we know for a fact that we have the licensing that we need. He informed the Council that he had visited with TCEQ about working under the City of Panhandle's license. They were here today helping us pull water samples so we could stay in compliance. Within the next two or three months we should have Roger back in compliance so we don't have to work under someone else's license. We will be working towards getting more people licenses. We are making good progress on roads. Obviously, not at the pace the public would like. We have had issues with the dump truck. It has been in the shop for two months. It was not communicated very effectively to the City Manager how long it would take for the parts to come in. Manager Brassfield visited with Payton Machine concerning the repairs. The parts were still about a month out so the truck was made operable and safe for the road. The maintenance crew put out a load of hot mix in the Harbor Bay and Lake View area. Hot mix is only made at certain times over the summer or when there is a specific demand for it. In the meantime, cold mix will be used. We know the roads are in very bad, bad shape but we are working on them. The City Manager is also working on a standalone purchasing policy. We've got some bumps in the road but they will be smoothed out. The City does not have one at this point. In the meantime, a procedure has been implemented that all purchases must be on a purchase order and must come across the City Manager's desk for signature so we can do a better job of tracking purchases on the front end and the back end. We have done a decent job on the back end by bringing in receipts after the purchases. But on the front end for example, we would have Public Works employees go to Lowe's and pick up whatever they needed from the hardware section and then bring in the receipts. It could have been done more efficiently, if we had planned ahead. We possibly could have saved money by purchasing in bulk or buying somewhere else. We are close to wrapping up the insurance claim on the damage done during the summer by the lightning. Damage was incurred in the Police Department, the Fire Department, the Museum and the Senior Citizens. We are trying to decide what to do on the heating and air unit at the Museum; whether to replace it or utilize the existing units and add in some duct work. A building that size could get by with one unit but yet we have three. This would remove one unit from the roof and take some stress off of the old building. It would also be cheaper to do it that way. We are making phone calls with the insurance for clarification on the rules regarding replacement insurance. City Manager Brassfield thanked Mayor Pro Tem Hein for his help on getting our I.T. situation in a much better condition than it had been.

B. Report from Chief of Police. Chief Houston Gass informed the Council that from 9/18/2017 to 10/16/2017, there have been 159 calls for service. Out of those calls for service 85 were traffic related, 3 medical assists, 3 alarm calls, 3 welfare checks, 6 animal calls, 3 criminal mischief, 3 thefts, 5 burglaries, 6 domestic disturbance and the rest were follow up investigations and phone calls. Miguel Lopez was hired last week. He has a few years of experience. Beginning next week a new schedule will be implemented so that the City has 24 hour coverage. This should curb some of the issues like what happened at the Champs school. Last month, Council approved the purchase of a vehicle not to exceed \$30,000. We purchased a 2015 Ford Explorer from Tri-State Ford that came from one of their sister dealerships. We were able to stay significantly below the \$30,000 by about \$8,000. Councilmember Ray asked if the equipment from the old police car would be used on the new one. Chief Gass said everything that he can. He will have to purchase a different console. Consoles are model specific.

D. Report from Public Works Director. Interim Public Works Director Roger Pense said there were 84 work orders generated between 9/19/2017 to 10/13/2017. They patched potholes on 10/16/2017 at Lakeview and Club and Lakeview and Harbor Dr. Depending on Big Creek, they hope to patch with hot mix one more time this year. They will use cold mix to finish repairing the streets. There is some cold mix on hand at this time. There was nothing to report on parks at this time. In the Sewer Department, they are working on the South aerator. A new shaft is being cut for it. It should be up and running in the near future. On the Water side, 7 leaks were repaired this month. The rain made repairing the water lines too hazardous due to the walls falling in on workers and equipment. There was a big 6 inch main line leak on Flintridge due to decaying lines and the age of the lines. There was another 10 inch main line leak on the city side due to a construction crew hitting a main feeder line going to our ground storage tank. There was also a 4 inch main line leak due to a construction crew on El Paso Dr. The 10 inch and 4 inch lines took 8 hours to repair and the 6 inch main line took 21 hours to repair due to the excessive rain and the line kept splitting. 24 feet of pipe was replaced. There are still some orders for leaks to be repaired and we are working diligently on them.

E. Report from Fire Chief. Chief Ed Adamson reported that in the month of September 2017, there were 13 calls for service. Of those calls 4 were in the city limits, 8 in Hutchinson County and 1 in Moore County. The call load for the last several months has been quite low, but we expect "retaliation" in the next month or so when it dries out.

F. Museum Report. Museum Director Davidson reported that the Museum has had 23 visitors since last month. It has slowed down since school has started. The first annual Halloween party will be on October 20, 2017. \$46.19 was spent on trophies for the costume contest and we received \$50 in vendor fees. Entry fees are \$2.00 per person and children two and under will get in free. The annual Christmas Bazaar is scheduled for December 9, 2017. The bazaar is an event the Museum has been doing for a long time.

G. Court Report. Judge Hart asked how often the Council wanted her to come to the meetings whether monthly or quarterly. Mayor Henderson said quarterly should be fine. She told the Council that the Court reflects the activity of the Police Department and ordinance violations filed by Code Enforcement. In September there were ten new tickets in court. There were new laws that came down about indigency. We are working with defendants on the new laws that were passed September 1, 2017. \$4971.10 was brought into the court in the month of August. Councilmember Kirksey inquired about docket. Judge Hart let him know that it had been awhile since the last docket but the prosecutor corresponds with the court through email quite regularly to clear some of the docket cases. Prosecutor Misty Walker speaks with the defendants or attorneys representing the defendants prior to the dockets to try to make plea deals. The Court tries to have several cases

before pulling in the prosecutor for docket due to costs per hour of the prosecutor. There are usually on average a couple of not guilty dockets per year.

H. E.D.C. Report. President Kendal Glover said business is as usual. EDC has a new member – Dwight Kirksey.

I. Crime Control Report. No report.

7. Mayoral/councilmember announcements. No announcements.

8. Future agenda items. Next regular session will be November 21, 2017 at 7:00 p.m.

9. Convene into Executive Session: 9:18 p.m.

The Fritch City Council reserves the right to adjourn into a closed meeting at any time during the course of this meeting to discuss any agenda item for which the Texas Open Meetings Act may allow for a closed session.

TX Government Code, Section 551.074 (personnel matters) – Evaluation for City Secretary.

10. Reconvene into Open Session. Reconvened at 11:05. No action taken.

11. Adjournment. Motion to adjourn made by Mayor Pro Tem Hein. Second made by Councilmember Campbell. Vote 5/0.

READ, PASSED AND APPROVED on this ____ day of _____, 2017.

Mayor W. Kelly Henderson

Cindy Cook, City Secretary