



# City Of Seagraves

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## Regular Session

### Seagraves City Council

Monday, April 1<sup>st</sup>, 2019 – 7:00 P.M

City Council Chambers 309 Hill St.

**Guest:** Larry Carlisle, Sharon Ellerd, Calvin Sellers, Chris Nill, Renee Goodger, Barbara Reynolds, Monetta Barron, Vickie Rodriguez, Hermalinda Veliz, Brent Grundstrom

- 1) **Call to Order-Announce Quorum:** 07:00PM
- 2) **Pledge of Allegiance:** Dan Grife
- 3) **Invocation:** Charles Evans
- 4) **Roll Call:** Charles Evans, Cindy Durham, Kendra Sellers, Debra Middleton, Ruben Valles, Shannon Wadzeck
- 5) **Approve Minutes:** Alderman Sellers Motion to accept minutes of 03-11-19 Regular Session, Second by Alderman Durham. Motion passed by unanimous vote.
- 6) **Presentation by Communities Unlimited:** Chris Nill introduced himself to the council and gallery. He said that he represented a non-profit organization that offered technical and grant writing assistance to rural communities in partnership with USDA and other agencies. He will assist the city with the application process through the USDA waste water improvement project by performing a rate study of the sewer and water utility. He said that in addition to support services, Communities Unlimited also makes small loans of up to \$100,000.00 at competitive rates and works with local chambers of commerce.
- 7) **Report on USDA Loan/Grant Progress:** See City Secretary's Report to the Council.
- 8) **Discussion Municipal Pool:** Vickie Rodriguez was present, and Alderman Middleton asked her if she would be willing to supervise the pool again this summer. Ms. Rodriguez said that she would. Ms. Rodriguez said that the pool and building would need some repairs before it opened. TMLIRP had found some issues last year when the facility was inspected, and those items will need to be taken care of. Alderman Sellers asked if the city would have to run an advertisement for bids before appointing anyone to run the pool. The City Secretary said that because the city is not going to offer the facility for lease to be run by a contractor, and because Ms. Rodriguez is an employee of the city, no bid is necessary. The Secretary did say that the council should decide what hours the pool would operate, what the fees would be, what the dates of operation would be and if any special events would be done. Alderman Valles asked if the pool could be open at no charge on opening day. Alderman Valles asked Ms. Rodriguez if the first day was free last year. Ms. Rodriguez said that it was. The discussion broke into small groups between aldermen and between members of the gallery(unrecordable chatter) Alderman Wadzeck asked

if the pool will be open on Mondays. Ms. Rodriguez said no. Monday is the cleaning day. Alderman Sellers suggested that the same hours and fees as last year be used this summer and that the pool open on Memorial Day, May 27<sup>th</sup>, for a free day. Opening day should be June 04, 2019 and run through August 25<sup>th</sup>, 2019.

Alderman Sellers so Motioned, Second by Alderman Durham. Motion passed by unanimous vote.

- 9) **Resolution 19-04-01-A Dissolve ED-A:** The City Secretary read the resolution aloud.

Alderman Sellers Motion to pass, Second by Alderman Middleton. Motion passed by unanimous vote.

- 10) **Resolution 19-04-01-B Racial Profiling:** Chief Grundstrom explained the reason for the resolution to the council and the City Secretary read the resolution aloud. Alderman Durham asked if the department reported the statistics monthly or annually. The Chief said the report was submitted annually and had to be accompanied by the resolution.

Alderman Durham Motioned to pass, Second by Alderman Valles. Motion passed by unanimous vote.

- 11) **Discussion of Cross-Contamination Prevention and Ordinance:** Mayor Evans asked Director Goodger to explain the impact and need in laymen's terms. Director Goodger said the ordinance would mainly impact residential water customers that have an outdoor sprinkler system because most of the businesses in town already complied with the code. The Director said that the state statutes had identified the use of sprinkler systems without a backflow preventer as a public health hazard. The Director said that because of the possibility of contamination of the municipal water supply, backflow preventers are now required on all outdoor water delivery systems connected to a municipal water system. The preventers must be properly installed and inspected. Alderman Sellers asked how the city would determine if the preventers were properly installed. The Director said that homeowners would be required to hire a licensed plumber to install and certify the preventers. Alderman Durham asked if The Director had an idea as to the costs involved. The Director said that the costs would be between \$75.00 and \$250.00. Alderman Sellers asked what the consequences of a resident choosing not to comply would be. The Director said that if a resident chooses not to comply with the ordinance, the recourse available to the city is to shut off water service to the residence until the preventer is installed or the sprinkler system is disconnected and sealed from the service. Alderman Durham asked how many residences would be involved. The Director said that about 300 homes has such a system. Alderman Durham asked about systems supplied by a private well and not connected to the municipal supply system. The Director said in such cases no preventer is required. Alderman Valles asked what assistance could be offered to those that could not afford to come into compliance. Alderman Middleton asked if The Director could do the inspections if a home owner self-installed the preventer. Alderman Valles asked if The Director is licensed to do the inspections. The Director said yes, however no time is available and the practice would be unusual. Mayor Evans asked if the city is required to comply with the statutes. The Director said that the city did not have to comply, but that it is something the city needs to do. The City Secretary was recognized. The Secretary said that the city will have time to get the residents in compliance with the ordinance and can work with the citizens to get their systems set up and certified, but the fact of having the ordinance in place before the code of ordinances is published later this year will be helpful for anyone looking to see if the city does recognize the state statutes. Alderman Middleton suggested that The Council consider the matter at a special session. Mayor Evans tabled the discussion and directed The City Secretary to disseminate any information regarding the matter to the council.

12) **Municipal Court Report:** The Municipal Judge told the council that because the meeting was held early, the figures on the report were slightly less than those listed on previous reports. The Judge asked for clarification regarding the date or dates for the city-wide clean-up so that he could schedule community service workers. The clean-up is scheduled for Saturday the 27<sup>th</sup> of April. Alderman Valles said that the 26<sup>th</sup> had been cancelled because the ISD was not going to participate. Alderman Sellers Motion to accept the report, Second by Alderman Middleton. Motion passed by unanimous vote.

13) **Police Report:** The Chief also reported that figures may seem low due to the shorter reporting period. The Chief reported that in-vehicle routers have arrived; currently waiting for installation.

The traffic-stop and subsequent arrest of an individual (resulted in \$8K cash seizure) went to the ATF and assisted the ATF in getting a federal indictment of the individual for drug and weapons smuggling. The US Attorney said that the Seagraves Police Department did such an outstanding job that it assisted the ATF who had been investigating the individual for two years. Alderman Sellers said that the action and the report were impressive.

The Chief continued by saying that he would like to take some time to discuss with The Council issues concerning the breakdown in communication, rumors, and continued discussions of members' personal issues that burden day to day activity; not only for the police department but other city departments as well. The Chief stated we are all on a team with the same objectives, why can we not focus on the major issues that we face? The Chief said that if anyone has concerns or issues he prefers that they just ask him directly.

Alderman Valles said that he had observed an incident the past Friday night at a local convenience store wherein he saw Officer Zalewski putting a man in his cruiser and leaving town traveling north.

Alderman Valles said that he followed the cruiser but lost sight of it. The Chief said that the convenience store in question had asked the police to enforce posted loitering rules. In such cases it is the practice of local law enforcement to transport vagrants toward the destination indicated by the vagrant and provide a ride to the next jurisdiction where they are transferred to law enforcement in that jurisdiction for transport to the next and so on, essentially helping the vagrant on the way to the stated destination. The Chief said that was the case in the incident Alderman Valles had observed. The Chief said that the entire encounter was reported by Officer Zalweski and was in keeping with established departmental protocols. Mayor Evans asked about the Officer search and if the department had any qualified candidates. The Chief said that he was still looking and had not yet found a suitable candidate. The Mayor asked how many officers were currently working. The Chief said that three officers and himself were working. Alderman Middleton complimented Office Jefferson for doing neighborhood patrols. Chief Grundstrom said that it was a trade-off doing residential patrols at the cost of traffic citations being issued. Alderman Sellers asked why unregistered vehicles remain illegally parked in front of residences for extended periods or seemingly permanently. The vehicles are not registered and interfere with traffic. The Chief said that he had been wanting to ask about a parking ordinance for the city but that according to state traffic code such vehicles should be red tagged and towed.

The Chief then said that he had asked the animal control officer to attend the session tonight because some aldermen had been insisting that the officer be present. The Chief said that the officer was here to listen to the concerns of the aldermen but if any of The Council wished to discuss performance it would be appropriate to speak to him and not the officer in open session.

Mayor Evans said that when code enforcement was set up under Chief McAuley, the Animal Control

officer and a police officer were jointly assigned the responsibility. Both were sent to code enforcement training but only the Animal Control Officer successfully completed the training. Officer Flores has since left the city and no other Police Officer was ever assigned to work alongside the Animal Control Officer in code enforcement. The City Secretary was recognized and told the council that in the training he had just attended for zoning and code enforcement he learned that in most cities, code enforcement is an entire department and not a single person. The Mayor said that he intended to have patrol officer work in conjunction with animal control. The Mayor said when a citation is issued, it should be issued by a uniformed policeman and not by animal control. The Animal Control Officer said that the kennel the city operates is not legally a kennel at all. It can only hold 3 dogs and has no place for cats. So many people in town do not keep animals in yards, and many dogs are running loose. People do not seem to believe having animals spayed is important. Chief Grundstrom said that it seems to be more of a community attitude problem than an animal control issue. The City Secretary was recognized and reminded the Mayor that the meeting had been in progress for approximately two hours. The mayor declared a recess at 08:54PM

09:00PM The Mayor called the session to order. Mayor Evans asked if the officer had any other problems or issues. The Chief said that the vehicle used by animal control was in bad shape and was not properly equipped. The Chief told the council that the officer had to make frequent trips to the veterinarian in Brownfield and to the landfill in Seminole each week. Alderman Durham asked if the control officer could administer euthanasia drugs. The Animal Control Officer said that was not something she could do. Alderman Durham asked if the veterinarian in Brownfield disposed of the animals. The officer said that was something the veterinarian did not do for the city because of the lower rates charged. The Mayor directed the Chief of Police to investigate the costs for a replacement vehicle properly equipped for animal control.

Alderman Sellers Motioned to accept the report, Second by Alderman Durham. Motion passed by unanimous vote.

- 14) **Public Works Report:** Alderman Valles asked if the director was ready for the city-wide clean-up. Director Goodger said that the city had ordered the roll off dumpsters for the 26<sup>th</sup> and 27<sup>th</sup> and was ready for the event. Alderman Valles said that the clean-up would only be done on the 27<sup>th</sup>. Alderman Durham asked if the city yard was being kept open on Saturdays. The Director said that it was open the first Saturday of each month and said that notices had been placed at all businesses and in City Hall. Director Goodger said that Ron Perrin, who inspects the water tanks, had submitted an estimate for the inspections to be performed this summer. The Director pointed out that the fees increased as compared to last year and does not include cleaning but that some of the tanks did have sediment, so cleaning will be needed in a year or two. The Director asked the council to review the attachments regarding the commercial mower. The Director said that the zero-turn mower the parks department has is badly worn and should be replaced. The Kubota 70-inch mower that is quoted will be of better quality and will do a faster and better job at maintaining city parks and well fields. Alderman Durham asked if the existing equipment could be repaired. The Director said at this point it should be replaced. Alderman Durham asked if the Director had priced other mowers. The Director said that the bid had originated through Buy Board and that the equipment was already competitively bid by that agency. Mayor Evans authorized the purchase and directed the City Secretary to proceed. Mayor Evans asked the director about the status of the water purification system. Director Goodger said that the system was going to be tested tomorrow. Alderman Middleton asked about the status of the water tower repairs. The director said that Mr. Dow

had not had much cooperation from the manufacturer and had said that the manufacturer was not in vigorous business and had not responded to requests for information on the tower.

Alderman Sellers Motion to accept the report, second by Alderman Middleton. Motion passed by unanimous vote.

15) **Administrative Report:** The Secretary reported on the inquiries made with the City Attorney regarding the issue of exercising eminent domain. The Secretary said that if the city were to be forced to that remedy, the issue might be held up for several years, so it would be advisable to seek alternate locations. The Secretary also reported on the status of the dissolution of the Economic Development Corporation and said that the city could take possession of the assets as soon as the Comptroller's Office had accepted the Certificate of Termination.

Alderman Sellers Motion to accept the report, Second by Alderman Valles. Motion passed by unanimous vote. Alderman Valles was recognized. Alderman Valles announced that the Ministerial Alliance would be participating in the National Day of Prayer to be held on May Second at 06:00PM

16) **Set Date for Next Regular Session:** May 13th at 07:00PM in Council Chambers.

**Motion to Adjourn:** motion by Alderman Middleton, Second by Alderman Sellers

**Adjournment 09:54PM**

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**Charles Evans, Mayor**

**ATTEST:** \_\_\_\_\_

**City Secretary (Dan Grife)**