



City Of Seagraves

Regular Session

Seagraves City Council

July 9th , 2019 – 7:00 P.M

City Council Chambers 309 Hill St.

Guests: Luis Guerrero, Kevin Jefferson, Brent Grundstrom, Barbie Reynolds, Renee Goodger, Lee Lerma, Juan Perez, Alma Perez, Joe Bueno, Wade Ellis, Josh Goen, Ruben Valles, Victor Triana, Melissa Antillon, Calvin Sellers.

- 1) **Call to Order-Announce Quorum:** 06:01PM
- 2) **Pledge of Allegiance:** Dan Grife
- 3) **Invocation:** Ruben Valles
- 4) **Roll Call:** Debra Middleton, Charles Evans, Kendra Sellers, Cindy Durham, Shannon Wadzeck, Ruben Valles
- 5) **Approve Minutes:** Motion to Accept 06-10-19 by Alderman Sellers, Second by Alderman Middleton. Motion passed by unanimous vote. Motion to Accept 06-17-19 by Alderman Sellers, Second by Alderman Durham. Motion passed by unanimous vote.
- 6) **Discussion of Code Enforcement:** Mayor Evans began by saying that he and Judge Sellers visited with Code Enforcement Officials in some of the surrounding cities. The Mayor said that in Seminole, for example, there are two Code Enforcement Officers. One is attached to the Public Works Department and the other to the Police Department. The Mayor said that these cities had some problems with junk vehicles and weeds, but programs and procedures are in place to deal with these issues. The Mayor said that he brought back some examples of correspondence used to communicate with the population about the issues being addressed. The Mayor directed The Council to look at the letter titled "WHAT DOES IT TAKE TO BE A RESPONSIBLE NEIGHBOR". Several Aldermen began to circle the words "Denver City" on the example. The City Secretary said that the letter was a mock up of a version borrowed by the Mayor earlier today and that it was provided to show the form and was not a final version. Alderman Durham asked if Denver City sent this letter to the residents there. Judge Sellers said that they do at first and that a more strongly worded letter is sent if the problem persists. Mayor Evans said that the Code Enforcement Officer in Denver City is also the Public Works Director, Building Inspector, Animal Control Officer, and Fire Marshal. Alderman Middleton asked, "Are we actually going to do this?" The Mayor said yes. The Mayor said that The City of Seagraves will have to hire or assign a second Code Enforcement Officer to be sure that the enforcement process is carried out. The Mayor said that Code Enforcement Officers must be certified, and that part of the certification process is having to be

mentored for some period prior to taking the certification course and examination. The Mayor suggested that The Public Works Director take the Exam and become certified as The Director has already been through the mentorship process. The Mayor said that once The Director has been certified, The Director can mentor other employees, who can become certified as well. Alderman Middleton asked why the letter stated a fine of \$500 when another version of the letter stated the fine at \$2,000. The City Secretary said that the version stating \$2,000 indicated the actual fine contained in the ordinance The City of Seagraves had passed and was posted on the city website. The Secretary said that the other version stated the fine that is legally authorized for that class of misdemeanor by The State of Texas. The Secretary reminded The Council that he had previously pointed out that the ordinance the city had enacted was, in fact, not legal. The law firm currently conducting the codification process will correct all such discrepancies contained in any of the ordinances enacted by The City of Seagraves and bring the entire Code of Ordinance into legal compliance with state statutes. Alderman Middleton said the letter should contain the same language contained in the existing ordinance regardless of the legality of the fine contained in it.

Alderman Sellers Motion to send out the final version of the letter with the fine referenced to match the existing ordinance to all residences in Seagraves as soon as possible, Second by Alderman Valles. Motion passed by unanimous vote.

- 7) **Discussion of Budget Process:** Alderman Sellers said that The Council should call a budget workshop as soon as possible. The Alderman said that the budget should be completed by the end of the month, if possible. The Aldermen discussed the date for the first budget workshop and The Mayor directed The City Secretary to set the workshop for Tuesday the 16th of July at 06:00PM at Council Chambers to work on the Police Department Budget.
- 8) **Old Business (tentative):** The Mayor directed The Council to read the document “Are We Open for Business” contained in the council packets and said that would explain the issue. The Mayor said that was all that would be said about it and instructed The City Secretary to introduce the next Agenda Item.
- 9) **Discussion Regarding the Acquisition of Real Property for City Use:** The Mayor said that regarding the Mahler property the contract for sale is in the hands of the attorneys. The property for the construction of a City Hall is available for purchase from the Vuicich estate if The Council wishes to buy it. The Mayor said that Seagraves ISD has offered to deed the old elementary school to the city and that the matter was open for discussion. The Mayor said that this property would be of benefit to the city, and that many uses for the school were possible. The Mayor said that even though the present state of the school is less than desirable due to vandalism, it is not a major concern. The Mayor said that Monica McCormick was still interested in using part of the school for a project that would be sponsored by South Plains Collage and the M.S. Doss Foundation for a Secondary Education Facility. Alderman Sellers said that there were two notes she wished to discuss. The Alderman said that after discussing the matter with The Superintendent, some issues were of concern. The Alderman said that roof leak repair estimates of over \$12,000 were mentioned and another company would not issue a quote for cleaning and minor repair of damage due to vandalism, but it would probably exceed \$220,000 just to pick up and haul off debris. The Alderman said that there are no concrete offers to make use of any part of the school from any party. The Alderman said that she is not convinced it would be worthwhile. Alderman Sellers further said that as a business owner in Seagraves the workforce is nonexistent. The Alderman said the city does not have the

money to fix it up. The Mayor said that he had been approached by a local business man who was looking to develop a property and open whatever might be needed in Seagraves. Alderman Middleton said that she was in complete agreement with Alderman Sellers. Alderman Sellers said that housing was needed first. Mayor Evans said that he had heard enough and called for a vote for the record as to whether the City of Seagraves would pass by the opportunity to gain title to a building and property of such a size, regardless of the condition, being offered to the city at absolutely no cost whatsoever. The Mayor said, "for the record vote yes or no."

Alderman Sellers Motion not to acquire the old elementary school being offered to the city, at no cost whatsoever, from the Seagraves ISD, Second by Alderman Middleton. Alderman Sellers-aye, Alderman Middleton-aye, Alderman Durham-aye, Alderman Wadzeck-aye, The Mayor called Alderman Valles. Alderman Valles-aye. The Motion NOT to Acquire the old elementary school and grounds at no cost from Seagraves ISD passed. The City Will Pass. Alderman Sellers said that the new city hall should not go forward either. The Alderman said that the city needs to consider utilizing what has. Alderman Wadzeck agreed. Alderman Sellers asked why the city needed to proceed with the construction of a new city hall, why is it necessary? The City Secretary explained that the primary reason is because the present city hall was not compliant with ADA requirements. The Secretary said that funding for the Waste Water Improvement Project is dependent on city facilities being compliant with all federal equal employment, equal rights, and equal access statutes. Alderman sellers asked why, and who says we must comply? The City Secretary said that since the funding for the project is being provided by the USDA, which is a federal agency, stipulations for such funding require that the statutes be observed by any participant in the project. The Alderman asked if the USDA had said that the city had to build a new city hall before beginning the Waste Water Project. The Secretary said that the representative from USDA had said the requirement could be satisfied if the city were in the process of building, but that the city hall would have to be ADA compliant. The funding and the process of constructing the facility would have to be finalized prior to the funding for the Waste Water Project. The City Secretary said that assurances to the USDA that the city would comply had moved the application process forward to the point that the city had already been awarded a search grant for \$30,000 and had already had our engineers complete the first phase of the site study. The USDA representative, Dalia McNally, who is working on the Waste Water Project explained that to The Mayor, Ms. Goodger and The Secretary when the process was beginning. In fact, the phrase "The City of Seagraves is an Equal Opportunity Employer" will have to be added to all letterhead, forms and publications. Alderman Sellers said that the representative from the USDA should come to the City Council and say that this stipulation was, in fact, true. Alderman Sellers continued by saying that she was not calling The City Secretary a liar. Alderman Sellers said that she will require the USDA to appear in person and say that becoming compliant with the Americans With Disabilities Act is a condition of the federal government funding a project in Seagraves. The Secretary said that he does not deal directly with Ms. McNally. The Director of Public Works is the liaison for the project. The Secretary said that he may be able to get The Area Director of the USDA to come to a council meeting. The Secretary said he did not know if The Area Director would be free or willing to come to a council meeting. The Secretary said that The Area Director had already come to meet with the Mayor and city staff numerous times to offer assistance on this and other funding possibilities. The Mayor said that this discussion was not on the agenda and was a settled matter. The Mayor directed The Secretary to the next agenda item

- 10) **Discussion and Possible Action on Equipment Acquisition PD:** The Chief directed The Council to the finance offer from Government Capital Corp. The City Secretary said that this was the same Financer that the city had just paid off for the two cruisers The Council was asked to replace and that the loan has already been approved. The Secretary pointed out that the monthly payment for one unit was not much less than for two, but the difference in the term of the loan would be 24 months longer for two. The Secretary recommended an accelerated pay-back because police vehicles are apparently short lived. Alderman Sellers said that The Council should not decide the matter until the police department Budget Process was underway. The Mayor tabled the discussion for inclusion in the budget workshop.
- 11) **Municipal Court Report:** Alderman Durham asked about the Comparison Report. Alderman Sellers asked what the ordinance cases referred to. Judge Sellers said that they were dog-at-large cases. Motion to accept the report by Alderman Sellers, Second by Alderman Valles, Motion passed by unanimous vote.
- 12) **Police Department Report:** The Chief reported that Officer Mendoza has been hired but there is a delay in his start by about one week. The Chief said that he has also hired a patrolwoman. The Chief said she lives in Denver City. The Chief said that she is new to law enforcement, so she will be in training for some time until The Chief feels she is ready. The Chief said she will be on the payroll, but she will be riding with another officer while she is being trained. Alderman Valles asked if he could be recognized. The Alderman said that he had a question for The Chief. Alderman Valles was recognized. Alderman Valles said that his question was asked by several citizens and that is was; how should you react if you watch someone with property and you know it is your property and when you report it, nothing is done? The Alderman said he is referring to a trailer house break-in where a gun and safe were stolen. The serial number of the gun is known. Alderman Valles said the gun owner told him that no report was taken by the responding officer. The Chief said that it is an ongoing investigation and will take some time. The Chief said it involves other agencies. Alderman Wadzeck spoke without being recognized and said that she wanted to know about the scheduling. Alderman Wadzeck asked how much time The Chief spent in the office or out patrolling. The Chief said he was on duty 36 hours, on the day in question. Motion to accept the report by Alderman Sellers, Second by Alderman Middleton. Motion passed by unanimous vote.
- 13) **Public Works Report:** Mayor Evans said that he has been meeting with the department heads and that one of the suggestions was for all monthly reports to be submitted to The City Secretary earlier so that the reports could be sent to The Council by e-mail for review. The Mayor said the when The Council came into session, the department reports could all be approved by Consent Agenda noting any question or answer to a specific issue. The City Secretary said that the session packets would be sent electronically for the next session to save picking up and delivering them the weekend before the meeting. The Secretary said he hoped this would save time and paper as well as giving The Council more time for review. Alderman Middleton asked if The Director had heard from the company that was going to repair the water tower. The Director said that she had not. Alderman Middleton Motion to accept the report, Second by Alderman Sellers. Motion passed by unanimous vote.
- 14) **Administrative Report:** The City Secretary asked The Council to look at the report for this month and to notice that the portfolio of city funds as listed in detail on the first page. The Secretary said

that he would continue to list the balances and significant changes to the portfolio each month and said that this report was, in part, to make the required quarterly summary report as Investment Officer as required by the Public Funds Investment Act. Alderman Durham asked about the item in the reports regarding the under-performance of the Investment Fund Account in June. The City Secretary said that Tex-Pool had continued to report a 2.49% return whereas FUB had fallen to 1.9% for June. Alderman Durham asked if The Secretary knew why the return from FUB had diminished. The Secretary said he did not but if the trend continued he would have to move the account to the better performing fund.

Alderman Middleton Motion to accept the report, Second by Alderman Wadzeck. Motion passed by unanimous vote.

- 15) **Public Comment:** The City Secretary called on Mr. Lee Lerma. Mr. Lerma declined to comment. The City Secretary called Luis Guerrero: Mr. Guerrero asked why The City Police cannot do something about stolen property. Mr. Guerrero said that people are selling drugs and should be known to The Police. Mr. Guerrero asked why The Police cannot stop and question them. Mr. Guerrero asked why nothing is ever done. Mr. Guerrero said that he knows the city has a curfew and asked why, when individuals are seen and reported walking down alleyways with backpacks and carrying property in the middle of the night, are they never questioned and allowed to roam freely. Mr. Guerrero said that if nothing is done about recurring crime in the city, someone will be hurt. Mr. Guerrero said that he has children and that if someone hurt his child, they would be hurt. The City Secretary called Juan Perez: Mr. Perez said he was going to talk about fireworks. Mr. Perez said that a city council person had reported him to The Police for selling fireworks. Mr. Perez said that he got a ticket for offering fireworks for sale on Facebook. Mr. Perez said that no one had any proof he had sold them. Mr. Perez said that he had seen fireworks being discharged the evening of the 4th of July all over town and that no police had responded to that. Mr. Perez said he had observed a police officer at a party that night, but the officer did not go out. The City Secretary called on Melisa Antillon: Ms. Antillon asked why the city was kicking people out of the RV behind her house at 806 14th. Ms. Antillon said that the occupant did not have anywhere else to go. Luis Guerrero asked to add one more thing. The Mayor agreed. Mr. Guerrero said that an openly operating crack house is located at 7th and Ave. G. and that he realized that tall weeds are a concern, but....

The Mayor then thanked those who spoke for the comments and thanked the guests for coming.

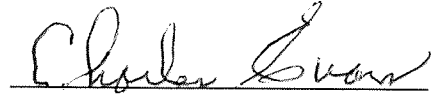
- 16) **Set a Date for the Next Regular Session:** August 12th 6:00PM in Council Chambers.

At this point Alderman Valles said Special Session: The Mayor asked Alderman Valles to repeat and Alderman Valles asked The Mayor to declare an executive session.

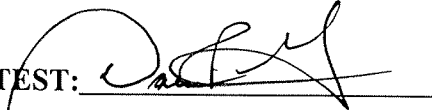
Executive Session Declared: 07:50PM with Chief Grundstrom remaining. The Chamber was cleared.

Executive Session Ended 08:20PM

17) **Motion to Adjourn:** Motion to adjourn by Alderman Sellers, Second by Alderman Wadzeck.
Motion passed by unanimous vote. Adjournment 08:23PM



Charles Evans, Mayor

ATTEST: 
City Secretary (Dan Grife)