

REGULAR CITY COUNCIL MEETING

The governing body of the CITY OF LITTLEFIELD, TEXAS met at 6:00 p.m. the 23rd day of January 2018 at the City Council Chambers, 525 Phelps Avenue, to consider all matters and related incidents to the City of Littlefield.

Present: Eric Turpen, Mayor Lottie Spencer, District 1, Mayor Pro tempore
Michael Rangel, District 2 Rene Duran, District 3
Johnny Williamson, District 4

City Manager Mitch Grant, City Attorney Slater Elza, City Secretary Janine Butler, Treasurer Andrew Eisenwine

Audience: 21 (9 staff)

1. Call to order

Mayor Eric Turpen called the meeting to order at 6:00p.m.

2. Invocation

Mayor Turpen led the invocation.

3. Pledge of Allegiance

Council Member Johnny Williamson led the pledge.

4. Citizen Comments

No one had requested to comment.

5. Introduction of New City Employees

No new employees

6. Consider and Approve Minutes from the December 19th and 29th Meetings

The motion to approve the minutes was made by Council Member Johnny Williamson.

The second motion was made by Council Member Rene Duran. The motion passed unanimously.

7. Consider and Approve Monthly Departmental Reports: Police Dept.; Fire Dept.; EMS; Code Enforcement; Animal Control; Landfill; Water/Wastewater; Streets and Parks; Municipal Court; Monthly Financial Reports; Sales Tax Collection; Property Tax Collection reports; LEDC A and B and Parks Advisory Committee minutes, if Boards met

The motion to approve the monthly reports was made by Mayor Pro tempore Lottie Spencer. The second motion was made by Council Member Johnny Williamson. The motion passed unanimously.

Mayor Turpen changed order

19. Consider and Approve Placement of Storage Building at Texas Civil Commitment Center-Bill Clayton Facility

Michael Williamson and another representative from TCCC-BCF were present and have requested constructing a 25'x50' permanent structure for storing equipment. They would be responsible for the cost and it would be a permanent part of the city-owned facility. Mayor Turpen made the motion to approve contingent on letter of understanding signed by both entities. The second motion was made Council Member Michael Rangel. The motion passed unanimously.

8. Presentation of Webb, Webb & Wright's 2016-2017 Annual Financial Report

Steve Webb and Mitch Edwards were present to report the annual financial audit. Steve explained the audit and went over the highlights. He said "great job" and the city is on the "up-tick".

9. Presentation from Code Enforcement Regarding 204-210 Phelps Ave.

City Manager Mitch Grant presented pictures, copies of notices, health and safety issues, and recommended 30 day notice to owner for repair or destruction.

City Attorney Slater Elza asked the City Manager "Who is it who inspected the facility after the search warrant was made?" Mr. Grant stated "Fire Marshall Jamie Grey, Code Enforcement Lance Parker, and myself entered the properties." Mr. Grant is a licensed plumbing inspector.

Mr. Elza asked "From what you and your staff have seen in these properties who have been identified in the agenda, do you think these are dangerous?" Mr. Grant stated, "Yes".

Mr. Elza asked "From what you have seen, is there any cost effective way to repair those properties?" Mr. Grant stated "No."

Mr. Elza asked, "In fact, the structural integrity of those structures in the pictures we have seen, it appears the walls and a part of the roof lean?" Mr. Grant stated, "Yes." Mr. Elza asked "Do these buildings present a danger not just to people who would occupy them or enter them, but people would be by them on the street or sidewalk?" Mr. Grant answered "Yes."

Mr. Elza asked, "You did a title search for the owners and tried to contact owners?" Mr. Grant stated, "Yes." Mr. Grant stated, "All owners listed were sent certified letters and public notices in newspaper and posted on building."

Mr. Elza stated, "Now, tonight you have received what is titled a Special Power of Attorney from Brandon Hatch and Angela Massey by allegedly giving certain rights to Al Olmstead. Did you get that tonight for the first time?" Mr. Grant stated "First time."

Mr. Elza asked "Is it your understanding that Mr. Olmstead is here?" Mr. Grant answered "Yes."

Mr. Elza stated, "Mr. Olmstead will be allowed as any other citizen to speak to this council tonight." Mr. Grant said "Yes, that is right."

Mr. Elza asked "If fire or other emergency responders had to respond to this location, would they be in danger if they entered these structures?" Mr. Grant answered, "Yes."

Mr. Elza asked "Has there been evidence that these properties are open and available through windows and doors to vagrants, animals, and children could get into?" Mr. Grant answered, "Yes."

Mr. Elza asked "Is that another concern of the city that somebody without knowing better or without good judgment could go in there and be hurt?" Mr. Grant answered "Yes"

Mr. Elza stated "I have come into possession and will make it a part of the record along with the Special Power of Attorney, a letter dated January 22, 2018. A letter from Al Olmstead addressed to the City Council and yourself. Did you get a copy of that?" Mr. Grant stated "Yes."

Mr. Elza continued, "On the second page, in the first full paragraph it starts 'Plaintiffs-designate assert that punitive damages are justified by the fact that City Manager Mitch Grant (1) literally ran them off their property and out of town by refusing water service to their family at any address within the City,...' You never told somebody you are not allowed to have water services anywhere in the city?" Mr. Grant answered, "No."

Mr. Elza continued reading the paragraph, "'and (2) thereby exposed the two Phelps Avenue properties to effectively total destruction by night-raiding vandals, who destroyed only those two properties as soon as they were vacant.' Would you agree with Mr. Olmstead's assessment of the properties on Phelps Avenue that we are talking about tonight, as they sit there today, sit in a state of total destruction?" Mr. Grant answered, "Yes."

Mr. Elza asked, "You believe, and you would ask this City Council to believe, Mr. Olmstead when he said they are in total destruction in those facilities? And would you agree that it is not really this City Council's decision or purpose to decide how they got in this condition, only that they are in this condition of total destruction?" Mr. Grant answered, "Yes."

10. Public Hearing Regarding Notice of Dangerous Building and Hearing: 204-210 Phelps Ave., Littlefield, Texas (Lots 4-8, Block 17 Original Town of Littlefield)

Mayor Turpen closed the regular meeting and opened the public hearing at 6:31p.m.

Mr. Al Olmstead had requested and signed the statement he swore to tell the truth. Mr. Olmstead mentioned older sewer system and fraudulent inducement to contract to sell properties. He stated he did not know how to contact Brandon Hatch.

Mayor Turpen closed the public hearing and reopened the regular meeting at 6:42p.m.

11. Consider and Approve A Resolution of the City of Littlefield, Texas; Declaring That Certain Improvements Described Herein Are Public Nuisances, and Requiring the Demolition and Removal of Such Improvements; Providing for Filing of Liens; Providing a Repealer Clause; Providing Severance Clause; Providing Effective Date

Mayor Turpen made the motion to approve the Resolution, Section 4, ii, to order owners of properties to immediately secure and destruction of the structures and the debris removed within 30 days. Mayor Pro tempore Lottie Spencer made the second motion. The motion passed unanimously.

12. Consider and Approve Ordinance Designating the Lamb County Leader News as the Official Newspaper

Mayor Turpen made the motion to approve the ordinance. Council Member Johnny Williamson made the second motion. The motion passed unanimously.

13. Consider and Approve A Resolution Documenting Review of the City of Littlefield Investment Policy For 2017-2018 And Documenting Any Changes

Mayor Turpen made the motion to approve the resolution. Council Member Johnny Williamson made the second motion. The motion passed unanimously.

14. Consider and Approve A Resolution Of The City Council Of The City Of Littlefield, Texas Authorizing Submission of A Grant Application For The Edward Byrne Memorial Justice Assistance Grant Program (JAG)

Chief Hester requested submission of this grant. Mayor Turpen made the motion to approve the Resolution. Council Member Michael Rangel made the second motion. The motion passed unanimously.

15. Consider and Approve A RESOLUTION OF THE LITTLEFIELD CITY COUNCIL AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE USDA TEXAS COMMUNITY FACILITIES DIRECT LOAN AND GRANT PROGRAM FOR A CARDIAC MONITOR; AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY OF LITTLEFIELD IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF LITTLEFIELD WILL COMPLY WITH THE GRANT REQUIREMENTS AND COMMIT FUNDING FOR THE PURCHASE

EMS Director Monica McGee presented the resolution. Mayor Turpen made the motion to approve the Resolution. Council Member Johnny Williamson made the second motion. The motion passed unanimously.

16. Consider and Approve A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LITTLEFIELD ORDERING THE GENERAL ELECTION TO BE HELD JOINTLY WITH THE LITTLEFIELD INDEPENDENT SCHOOL DISTRICT ON MAY 5, 2018, FOR THE PURPOSE OF ELECTING THE POSITIONS OF TWO (2) MEMBERS, (DISTRICTS 1 AND 2) TO THE LITTLEFIELD CITY COUNCIL TO HOLD OFFICE FOR A PERIOD OF TWO YEARS; DESIGNATING LOCATIONS OF POLLING PLACES; DESIGNATING RUN-OFF DATES; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION. *Una RESOLUCION DEL AYUNTAMIENTO DE LA CIUDAD DE LITTLEFIELD que ORDENA que LA ELECCION GENERAL SEA DISTRITO INDEPENDIENTE COLECTIVAMENTE CON EL DISTRITO INDEPENDIENTE de LA ESCUELA de LITTLEFIELD el 5 de mayo del 2018, PARA EL PROPOSITO DE ELEGIR LA POSICION de DOS (2) MIEMBROS, (DISTRITO 1 Y 2), AL AYUNTAMIENTO de LITTLEFIELD para TENER la OFICINA PARA UN PERIODO DE DOS ANOS; DESIGNANDO las LOCACIONES DE CENTROS ELECTORALES; DESIGNAR DESEMPATE FECHA; ORDENANDO que NOTAS DE ELECCION para SER DADAS COMO PRESCRITO POR la LEY CON RESPECTO A TAL ELECCION.*

Council Member Johnny Williamson made the motion to approve the Resolution. Council Member Michael Rangel made the second motion. The motion passed unanimously.

Miembro del Consejo Johnny Williamson hizo la moción para aprobar la resolución. Miembro del Consejo Michael Rangel hizo el segundo movimiento. La moción aprobada por unanimidad.

17. Consider and Approve Contract with Kimley-Horn Associates for CDBG Wastewater Grant

Mayor Turpen made the motion to approve the contract with Kimley-Horn for engineering services. Council Member Johnny Williamson made the second motion. The motion passed unanimously.

18. Consider and Approve Tax Deed(s) for Trust Properties in the City of Littlefield from Texas Communities Group:
R18916 602 E. 16th St.
R19976 517 W. 5th St.

Mayor Turpen made the motion to approve the presented Tax Deeds. Council Member Michael Rangel made the second motion. The motion passed unanimously.

19. Consider and Approve Placement of Storage Building at Texas Civil Commitment Center-Bill Clayton Facility
Previously acted on.

20. Consider and Approve Resolution Applying for Planning Grant
Mayor Turpen made the motion to agree to application for a planning grant. There is no resolution at this time. Mayor Pro tempore Lottie Spencer made the second motion. The motion passed unanimously.

21. Consider and Approve Ordinance Amending Backflow Prevention Rules
Mayor Eric Turpen made the motion to approve the ordinance. Council Member Johnny Williamson made the second motion. The motion passed unanimously.

22. Consider and Approve an LED Street Light Proposal from Xcel Energy
No action taken.

23. Consider and Approve Directives for Track Loader for Landfill
Mayor Turpen made the motion to rebid for same specification for track loader. Council Member Michael Rangel made the second motion. The motion passed unanimously.

24. Consider and Approve Ordinance Amending Fees for Alcohol Beverage Permit
Council Member Johnny Williamson made the motion to approve the ordinance amending fees for Alcohol Beverage Permit. Mayor Pro tempore made the second motion. The motion passed unanimously.

25. Consider and Approve Purchase of Used Police Administrative Vehicle and Set Maximum Amount
After some discussion, no action was taken. Look at this item at a later date.

26. Adjourn
Mayor Turpen adjourned the meeting at 7:14p.m.



Mayor Eric Turpen

Attest: 
City Secretary