

## REGULAR MEETING OF CITY COUNCIL

JULY 11, 2011 – 6:00 P.M.

<b>PRESENT:</b>	Billy John Murphy	Mayor
	Greg Drennan	Alderman Place 1
	Kim Johnston	Alderman Place 2
	Donnie Hayes	Alderman Place 3
	Dianna Sursa	Alderman Place 4
	Mike McMahan	Alderman Place 5
<b>STAFF:</b>	Mark Anderson	City Manager
	Jocelyn Perez	City Secretary
	Marie Farbrot	Chief of Police
	Alan Wells	Fire Chief
	Tonia Eberhardt	EMS Director
<b>GUESTS:</b>	John Abbott	Rod Kimmell
	Lori Beagle	Jason Kirksey
	Terry Bevins	Lynn Kovarna
	Kristine Bevins	Dain Lee
	Amy Bustillos	Rhonda Locke
	Kay Chisum	Brice Manasco
	Harold Cobb	Apple Manry
	Mandy Cook	Rhonda Manry
	Jim Corbitt	Joey Martinez
	April Couch	Cindy McKissick
	Daryl Couch	Dan Olinger
	Rooster Dawson	Ashley Orr
	Billy Deluna	Chase Orr
	Raymond Deluna	Gail Orr
	Charlotte Dill	Steve Orr
	Fred Doak	Voyn Orr
	Blake Estridge	Dalbert Phelan
	E.C. Garza	Charlie Phillips
	Sonya Gonzales	Lee Phillips
	Mark Graves	Mike Ray
	Alicia Hardin	Patty Ray
	Donna Harrah	Jimmy Redwine
	Justin Hart	Susan Reed
	Shila Hart	Gaylon Russell
	Homer Hillhouse	Debbie Sargent
	Mark Hope	Don Schenk

**GUESTS Cont.:** Charity Hope  
David Howard  
Candace Howard  
Richard Howard  
Regan Howard  
Dustin Irvin  
Bethany Irvin  
Debbie Irvin  
David Irvin  
Rick Irvin  
Donna Irvin  
Missy Keenar  
Carl Scott  
Neal Scott  
Tamara Scott  
Connie Short  
Neal Short  
Danny Sims  
Jackie Speed  
Virginia Stowe  
Robin Stroud  
Dammon Tucker  
Kelly J. Tull  
Kelly Tull

**NEWS MEDIA:** Tara Hopkins  
Borger News Herald  
News Channel 10

**ITEM #1: CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE, WELCOME GUESTS**

Mayor, Billy Murphy called the meeting to order at 6:00 P.M., Council Member Hayes gave the invocation, and lead the pledge. Mayor Murphy took time to thank all guests for coming.

**ITEM #2: PUBLIC COMMENT**

E.C. Garza

Mr. Garza thanked everyone for their support. He said that during his whole time off in 8 months had no contact from the City.

Sonya Gonzales

She felt that E.C. was abounded by the City and that she had a petition of over 100 signatures supporting his position as a Narcotics Officer. She would also like to know why he is the lowest paid and stated that everyone here wants him to stay. Mayor Murphy told Ms. Gonzales that he would make a copy of the petition and give the original back.

Richard Howard

Mr. Howard confronted the council on the Pay-Scale of the officers. He asked all members if they knew what other officers were making in the area.

Mandy Cook

Officer Garza has done enough for this community and we all support him, even the crack heads.

Joey Martinez

Mr. Martinez informed the council that at one point he had some items stolen and that it was Officer Garza who brought Justice to the case.

Susan Reed

Mrs. Reed has been working with Jocelyn and Marie at gathering information for a neighborhood watch program.

Neal Short

Mr. Short would like to know what is going on.

Mandy Cook

Is the City currently working with outside agency's to get situations resolved?

April Couch

Mrs. Couch asked if we are calling Danny Richards daily and if not we need too.

Jason Kirksey

Mr. Kirksey informed the council that he had contacted the Texas Ranger Phillip Ditto. He stated that the Ranger informed him that our department does not have experience or training.

Dain Lee

Mr. Lee made the comment that with everything going on he doesn't understand how we (the City) let anyone go.

Joey Martinez

Mr. Martinez asked the council to look at the pay scale a little better.

Missy Keener

What is the law on shooting someone? Mayor Murphy encouraged citizens whom choose to carry a gun to please take a Handgun Class.

Blake Estridge

How far will the investigation go and why is there a 20 – 25 minute response time?

Shila Hart

Mrs. Hart stated that the 45 minute response time is a concern to her.

Sonya Gonzales

Would like to know way E.C. is paid the least. Mayor Murphy replied he was not sure.

April Couch

We are not asking to shoot someone; we just want to know the cops are out there.

Alicia Hardin

I was so sick. I didn't realize, but someone tried to break in while both cars were in our driveway. It was obvious that we were there. These people don't even care if you home. They still try to break in. Her children are scared.

Lee Phillips

Garza is always there for back-up. He's always there for the jailers. He's always patrolling and we need him.

Neal Short

Let's get down to the "nut-cut", we've always had a drug problem.

Donna Harrah

Around 10:00pm – 10:30pm across the street from her is like Grand Central Station. Since all the patrolling has been going on things have slowed down.

Kelly Tull

We chose to live here. Our towns safety rests on your heads at night. You are responsible for our town and you're not doing it.

E.C. Garza

Lee Phillips reminded me that Stinnett Police Department is a joke. Maybe I'm a horrible cop, but maybe I'm a good talker. It has taken me a year to get a good relationship. It took a lot for me to get the County to respect the Stinnett Police Department.

Billy Deluna

I'm going to give names and addresses of everyone I know that is involved with illegal behavior.

Mandy Cook

We had a man that came into our office and told us he moved to Stinnett because he knew he could get away with what he wanted.

April Couch

We work hard for what we have; unfortunately we are probably all going to lose it.

Tonia Eberhardt

We need to call right away when we see something happen. We have to report it when we see it happen, not two days or a week later.

Rhonda Locke

I just don't think it should take all of us.

Eric Johnston

The facts are the Stinnett Police Department is under paid, under staffed, and under trained.

David Irvin

The part is not just rounding them up, but also making sure that they get prosecuted.

Rodney Kimmell

Can we write tag numbers down for vehicles if we think that they are in an area that they shouldn't be? Mayor Murphy stated yes.

E.C. Garza

You bust your butt on a case and then all he gets is deferred adjudication.

Mandy Cook

What kind of certification does a Police Officer need? Police Chief Farbro stated that along with mandatory state classes they also need 40 hours of training every 2 years.

Sonya Gonzales

Why is a Reserve going to class rather than an Officer?

Donna Irvin

Mrs. Irvin thanked everyone for coming out the other night. She stated that we as citizens have failed. She encouraged the community to come together and work as a whole.

Lori Beagle

I know we have people right across the street selling drugs.

Blake Estridge

Cold hard facts, we bust 1 and 2 more happen.

Jason Kirksey

The Texas Ranger told Kirksey that he wanted the Stinnett Police Officers to get trained on finger printing. Police Chief Farbro told Mr. Kirksey that she has been working with Borger Police Department and the Sheriff's Office. She also has submitted a list of druggies to Ranger Ditto.

Alicia Hardin

Thanked the Council for working on the streets.

Orville McCroskey

How much longer on the roads because it's messing with my wife's wheelchair?

Kelly Tull

How many City employees do we have? Mayor Murphy replied that we have 3 left, 2 are gone and that they left over money. Mrs. Tull then asked how many have their Water License? Mayor Murphy replied we still have 2 of them with licenses.

Ashley Orr

A K-9 Unit is the only way you do not need a search warrant. She was very optimistic about the acquiring of a K-9 unit for the community.

**ITEM #3: APRIL COUCH – CONCERNS WITH THE POLICE DEPARTMENT**

Mrs. Couch presented the council pictures of the Irvin Incident.

The business of fighting against drugs and crime needs to become the priority on the agenda of every citizen. This is a matter of deep concern for our people and for the local government. It is a fact that should serve as a "wake-up call" where we come together to see how we can halt and reverse the trend. It is our duty to wage war against the drug dealer s who is driven by greed and material ambition and who by their evil trade are affecting our city. The use of drugs by individuals makes them behave violently, which is not just a social problem but security threat. We, the citizens of Stinnett, are seeking cooperation from Police Department, other local law enforcement, and prosecuting attorneys, in taking a robust stance on drug control and crime prevention and noted they are moving in the right direction.

1. Building Relationships with other law enforcement:
  - a. Hutchinson County Sheriff's Office

- b. Borger Police Department
- c. Fritch Police Department
- d. Texas Rangers
- 2. Training / Certifications
  - a. Finger Printing
  - b. Investigation
  - c. Interrogation
  - d. Grants – Gaining information from others.
    - i. Do we do the basics or do we go above and beyond?
- 3. Implementing and Enforcing a Curfew
  - i. If we have it Please enforce it.
- 4. Policies and Procedures
  - a. Cops on duty
    - i. We need to see them out.
- 5. Actions being taken against the excessive crime in the City.
  - a. Burglaries / Break – In’s
  - b. Arson
  - c. Drugs
  - d. Struck Off Property
    - i. Tear down these old abandoned houses. We will volunteer to help the City.

Mrs. Couch explained that the Citizens all voted the Council in and that now they need the Council’s help.

**ITEM #4: MONTHLY REPORTS**

**Maintenance:** (No Report)

**E.M.S.:** (No Report)

**Fire Department:** Gena Wells reported the following:

**Calls**

May 2011 = 10 Calls

June 2011 = 27 Calls

**Trucks**

8464 –

- 1. Needs a heater core. When we get the opportunity , we will get one ordered and get it replaced.
- 2. The lights on the truck had to be rewired. Thanks to Richard and David Howard for getting this fixed.

8465 –

- 1. The front tires have been replaced.
- 2. 2 of the rear taillights were removed from the vehicle. A Police Report was made and lights were replaced.

3. The Sheave on the pump came apart and ate the belt. Payton Machine Shop in Borger welded the sheave back together and we had a belt expedited. A new sheave and belt have been ordered in case it came apart again.
4. The power from the battery to the pump was faulty. We had to replace the wire. Thanks to Richard and David Howard for assisting us in getting this fixed.
5. A new thermostat was installed due to the truck overheating.

8466 –

1. We attempted to get a radio installed in this truck, but the inverter that we had was bad. We are still trying to get communication to this truck.
2. We replaced the nozzles this weekend with fire hose connections in an attempt to standard the equipment.

8468 –

1. Curtis had to rebuild a bracket for the power steering pump.

### **Equipment**

- ✓ We purchased some pistol grip nozzles to make it easier for the firefighters to control the hoses.
- ✓ TNT will be looking at the power unit for our extrication tools.

### **Training**

- ✓ NIMS I100 and I700 as well as S130/190 are a requirement to respond to an emergency on the trucks.
- ✓ Top of Texas Rural Fire Academy is continuing. We will have 3 individuals attending classes next weekend in Canadian.

### **Grants**

FEMA has awarded Hutchinson County a Fire Management Assistance Grant (FMAG) for the Riemer Fire. We are in the process of putting the required information together for the reimbursement.

At next month's meeting, we will need on the agenda to consider and/or approve applying for the Assistance to Firefighter's Grant. We will be asking for a Wildland/Urban Interface Truck. It appears the cost of a truck will be about \$200,000.

**Police Department:** Chief of Police, Marie Farbro reported the following:

Contacts – 32  
 Calls for Service – 188  
 Accidents – 3  
 Agency Assists – 15  
 Arrests – 2  
 E.M.S. – 8

- ✓ Chief Farbro will be attending Police Chief School in June 2011.

**C.D.C.:** (No Report)

**Cemetery:** (No Report)

**City Manager:** Mark Anderson reported the following:

Street Improvements: This work was completed on June 22, 2011.

County / City Joint Street Project: County began prep work on this last week.

Water – Carter Addition Project: Project is complete.

Ambulance Service: Awaiting word from HCHD in regard to another review session to be scheduled with them.

City Clean-UP: 11.72 Tons of Trash at a total cost of \$3,738.00.

Griffin / Fencing: Fence has not yet been removed. I have contacted City Attorney in regard to this and he indicated he will contact Griffin’s Attorney.

\*\*\*\*\* BREAK 7:50 \*\*\*\*\*

\*\*\*\*\*RETURNED TO SESSION 7:53 \*\*\*\*\*

**ITEM #5: MINUTES FROM REGULAR MEETING MAY 9, 2011, SPECIAL MEETING MAY 23, 2011 AND REGULAR MEETING JUNE 13, 2011 – APPROVED**

Following review of the minutes of the regular meeting of May 9, 2011, Special Meeting May 23, 2011 and Regular Meeting June 13, 2011, motion was made by Council Member Drennan, seconded by Council Member Johnston, to approve the minutes as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**ITEM #6: JUNE 2011 PAYMENT TRANSACTIONS - APPROVED**

The expenditures for June 2011 were submitted for the consideration of the Council. A motion was made by Council Member McMahan, seconded by Council Member Hayes, to approve payment of the expenditures for June 2011. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**ITEM #7: “STRUCK OFF” PROPERTY (MAIN STREET) LOTS 10-16 BLOCK 58 O.T.S – JOSE MORALES & BALTAZAR MORALES - APPROVED**

An offer of \$6,000.00 was submitted from Jose Morales & Baltazar Morales for property location on Main Street (lots 10-16, block 58, Original Town-site of Stinnett). They are looking to bring in a Subway Franchise. This property has a total appraised value of \$10,500.00. Motion was made by Council Member Hayes, seconded by Council Member Johnston, to accept the offer of \$6,000.00. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**ITEM #8: RESOLUTION NO: 071111: DENYING SOUTHWESTERN PUBLIC SERVICE COMPANY'S APPLICATION FOR APPROVAL TO RENEW INTERRUPTIBLE CREDIT OPTION AND SAVER'S SWITCH TARIFFS - APPROVED**

City Secretary Jocelyn Perez provided the council with copies of the resolution Denying SPS's Application for Approval,

**RESOLUTION NO. 071111**

**Denying SPS's Application for Approval**

**A RESOLUTION OF THE CITY COUNCIL OF STINNETT, TEXAS, DENYING SOUTHWESTERN PUBLIC SERVICE COMPANY'S APPLICATION FOR APPROVAL TO RENEW INTERRUPTIBLE CREDIT OPTION AND SAVER'S SWITCH TARIFFS**

**The City of Stinnett, Texas finds the following:**

- 1.** On May 17, 2011, Southwestern Public Service Company ("SPS") d/b/a Xcel Energy filed its Statement of Intent and Application for Approval to Renew Interruptible Credit Option and Saver's Switch Tariffs ("Application") with the City. In the Application, SPS seeks authority to renew two existing load management programs, with modifications, effective January 1, 2012 through December 31, 2014: the Interruptible Credit Option and Saver's Switch tariffs.
- 2.** The City is a regulatory authority under Chapter 33 of the Public Utility Regulatory Act ("PURA"), and has original jurisdiction over SPS's rates, operations and service within the municipality.
- 3.** January 1, 2012, is the effective date of the tariffs proposed in the Application.
- 4.** On July 11, 2011, the City conducted a hearing wherein it considered the Application, and determined that the Application should be denied.

Based upon these findings,

**NOW, THEREFORE, BE IT RESOLVED by the City of Stinnett, Texas, that Southwestern Public Service Company's Application for Approval to Renew Interruptible Credit Option and Saver's Switch Tariffs shall be denied.** I Billy Murphy, do hereby proclaim the month of October as **DOMESTIC VIOLENCE AWARENESS MONTH** and urge our citizens to work together to eliminate domestic violence from our community.

**DULY PASSED** and approved by the City Council of the City of Stinnett, Texas, on this 11<sup>th</sup>, day of July 2011.



APPROVED:

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BILLY J. MURPHY, Mayor

ATTEST:

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Jocelyn Perez, City Secretary

Motion was made by Council Member McMahan, seconded by Council Member Sursa, to approve Resolution No. 071111: Denying Southwestern Public Service Company's Application for Approval to renew interruptible credit option and saver's switch tariffs. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**ITEM #9: POLICE DEPARTMENT K-9 UNIT PRESENTED BY DRENNAN ROGERS - APPROVED**

Officer Rogers and Officer Heredia presented the Council with a presentation of "Bony" the possible K-9 dog. According to Officer Rogers Bony would be a huge asset to the City in Narcotics and Tracking. Bony has been donated from the Canine Academy Training Center. Officer Rogers would be attending training on August 22<sup>nd</sup>, 2011. The average cost of keeping her would be approximately \$2,000 a year. Wal-Mart has graciously granted \$1,500 towards the project. Officer Rogers requested approval from the council to go out and ask for donations for the K-9 Unit that would be required to transport Bony. Motion was made by Council Member Johnston, seconded by Council Member Sursa, to allow Officer Rogers to go out for donations. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**ITEM #10: EXECUTIVE SESSION**

Council went into executive session @ 8:35 p.m.

**ITEM #11: ACTION FROM EXECUTIVE SESSION: NONE**

Council came out of executive session @ 10:09. No action was taken.

**ITEM #12: ADJOURN**

Motion was made by Council Member Sursa, seconded by Council Member McMahan, to adjourn the meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

Meeting adjourned @ 10:13 pm.

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Billy Murphy  
Mayor

ATTEST

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Jocelyn Perez  
City Secretary