

May 17, 2021

On this the 17th day of May, 2021 at 6:30 PM the City Council of the City of Friona, Texas, convened in regular session at the regular meeting place thereof, in the Friona City Council Chambers, 619 Main Street, the meeting being open to the public and notice of said meeting having been given as prescribed by Chapter 551 of the Government Code, with the members being present and in attendance, to wit:

Bruce Fleming, Alderman  
Greg Lewellen, Alderman  
Brent Loflin, Alderman  
Alan Monroe, Alderman  
Leander Davila, City Manager

Absent: Ricky White, Mayor  
Jeff Stowers, Alderman

Others present included: Rosa Mendez, City Secretary  
Nik Baucom, EMS Director  
Vince Viaille, Managing Director Specialized Public  
Finance Inc.  
Jesus Mendez, citizen  
Azucena Gomez, citizen

Mayor Pro-tem Lewellen called the meeting to order at 6:32 p.m.

**ITEM 1 ROLL CALL**

The Mayor Pro-tem Lewellen called roll and announced that a quorum was present.

**ITEM 2 INVOCATION AND PLEDGE OF ALLEGIANCE**

Alan Monroe gave the invocation and Mayor-Pro-tem Lewellen led the Pledge of Allegiance to the United States Flag.

**ITEM 3 HEAR PUBLIC COMMENTS**

There were no public comments.

**REGULAR HEARING:**

Note: Agenda items were taken out of order. Item 5 was taken up first, then Item 15, and then the City Council returned to their regular order with Item 4.

**ITEM 5            CONSIDER AND TAKE ACTION ON APPROVAL OF VARIANCE BY JESUS MENDEZ & AZUCENA GOMEZ TO PLACE A MOBILE HOME AT 312 WOODLAND (ORIGINAL TOWN BLOCK 92, LOT 12)**

All the required signatures were on the variance form.

**MOTION**        A motion was made by Alderman Monroe to approve a variance by Jesus Mendez and Azucena Gomez to place a mobile home at 312 Woodland (Original Town Block 92, Lot 12). The second to the motion was made by Alderman Loflin and the motion carried with a vote of 4/0.

**ITEM 15        PRESENTATION FROM VINCE VAILLE FROM SPECIALIZED PUBLIC FINANCE INC. REGARDING A FINANCIAL ANALYSIS FOR PROPOSED TAX NOTES FOR FRIONA**

**ITEM 4            CONSIDER AND TAKE ACTION ON APPROVAL OF MINUTES OF THE APRIL 12, 2021 REGULAR CITY COUNCIL MEETING**

**MOTION**        The motion was made by Alderman Fleming and a second by Alderman Monroe to approve the minutes of the April 12, 2021 Regular City Council Meeting. The motion carried with a vote of 4/0.

**ITEM 6            CONSIDER AND TAKE ACTION ON APPROVAL OF ACCOUNTS PAYABLE FOR APRIL 2021**

City Manager Davila reviewed and answered questions about Accounts Payable.

**MOTION**        The motion was made by Alderman Fleming and a second by Alderman Loflin to approve the April 2021 Accounts Payable. The motion carried with a vote of 4/0.

**ITEM 7            CONSIDER AND TAKE ACTION ON APPROVAL OF THE FINANCIAL STATEMENT FOR APRIL 2021**

**MOTION**        Upon a motion by Alderman Monroe and a second by Alderman Loflin the Financial Statement for April 2021 was approved by a vote of 4/0 of the city council.

**ITEM 8            CONSIDER AND TAKE ACTION ON APPROVAL OF ORDINANCE NO. 21.05.12 OF THE CITY OF FRIONA, TEXAS CODE OF ORDINANCES REGULATING PEDDLERS, SOLICITORS, CANVASSERS AND ITINERANT MERCHANTS; ESTABLISHING PROTECTIONS FOR HOMEOWNERS DESIRING TO AVOID PEDDLERS, SOLICITORS, CANVASSERS**

**AND ITINERANT MERCHANTS; REGULATING HANDBILLS; ESTABLISHING A PERMIT FEE; PROVIDING A PENALTY OF UP TO \$500 PER VIOLATION; PROVIDING AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER AND PROVIDING FOR PUBLICATION**

**ORDINANCE NO. 21.05.17**

**AN ORDINANCE OF THE CITY OF FRIONA, TEXAS CODE OF ORDINANCES REGULATING PEDDLERS, SOLICITORS, CANVASSERS AND ITINERANT MERCHANTS; ESTABLISHING PROTECTIONS FOR HOMEOWNERS DESIRING TO AVOID PEDDLERS, SOLICITORS, CANVASSERS AND ITINERANT MERCHANTS; REGULATING HANDBILLS; ESTABLISHING A PERMIT FEE; PROVIDING A PENALTY OF UP TO \$500 PER VIOLATION; PROVIDING AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER AND PROVIDING FOR PUBLICATION**

City council agreed that modifications needed to be made to Ordinance No. 21.05.17 before it could be approved. Therefore, Section 8 of page 5 and Section 11(c) will be omitted from the ordinance.

**MOTION** The motion was made by Alderman Fleming to approve Ordinance No. 21.05.17 regulating peddlers, solicitors canvassers and itinerant merchants; establishing protections for homeowners desiring to avoid peddlers, solicitors, canvassers and itinerant merchants; regulating handbills; establishing a permit fee; providing a penalty of up to \$500 per violation; providing an effective date; providing a savings clause; providing a repealer and providing for publication. The second to the motion was made by Alderman Monroe and the motion passed with a unanimous vote of 4/0.

**ITEM 9** **CONSIDER AND TAKE ACTION ON APPROVAL OF ORDINANCE NO. 21.05.17A AMENDING THE FRIONA CODE OF ORDINANCES, CHAPTER 4, "BUSINESSES REGULATIONS", BY ADDING ARTICLE 4.400, "MOBILE FOOD VENDORS", TO ALLOW FOR AND REGULATE MOBILE FOOD VENDORS; PROVIDING FOR EXEMPTIONS, REQUIRING AN INSPECTION AND PERMITS; ESTABLISHING A FEE, DISTANCE REQUIREMENTS, AND HOURS OF OPERATION; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION**

**ORDINANCE NO. 21.05.17A**

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A motion was made by Alderman Loflin to send this ordinance back to the Planning and Zoning Committee to simplify and take into consideration the exemption of charitable organizations. The second to the motion was made by Alderman Monroe and the motion passed with a unanimous vote of 4/0.

**ITEM 10 UPDATE ON DISCUSSION BY THE PLANNING AND ZONING COMMISSION REGARDING A RENTER'S ORDINANCE TO ALLOW FOR AND REGULATE OWNERS OF SINGLE-FAMILY, DUPLEX AND MULTI-FAMILY RESIDENTIAL RENTAL PROPERTIES**

City Manager Davila provided an update on the status of a Renter's Ordinance creation

**ITEM 11 BRIEFING REGARDING THE ZONING DESIGNATION CHANGE FROM ATWELL, LLC FOR ALLSUPS CONVENIENT STORE #905 LOCATED AT SUBDIVISION 470, LOT 24, BLOCK 12 AND SETTING THE SCHEDULE FOR APPROVAL**

City Manager Davila provided an update on the rezoning request from Allsup

**ITEM 12 CONSIDER AND TAKE ACTION AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS FOR THE FRIONA MUNICIPAL COURTROOM PROJECT LOCATED AT 617 MAIN STREET, FRIONA, PARMER COUNTY, TEXAS**

A motion was made by Alderman Fleming to deny approving this item in lieu of a council priority plan to take all city building projects into consideration during the budget process. The second to the motion was made by Alderman Loflin and the motion passed with a unanimous vote of 4/0.

**ITEM 13 CONSIDER AND TAKE ACTION ON APPROVAL OF ANNUAL REVIEW OF THE CITY OF FRIONA'S 2021 INVESTMENT POLICY**

**MOTION** The motion was made by Alderman Fleming to approve the City of Friona's 2021 Investment Policy. Alderman Loflin made the second to the motion and the motion passed with a vote of 4/0.

**ITEM 14 CONSIDER AND TAKE ACTION TO AWARD A BID FOR A TRACT OF LAND IN THE NW1/4 SECTION 1, T3S R3E, CAPITAL SYNDICATE SUBDIVISION, PARMER COUNTY, TEXAS**

**MOTION** A motion was made by Alderman Fleming to award a bid for a tract of land in the NW1/4 Section 1, T3S R3E, capital syndicate subdivision, Parmer County, Texas. The second to the motion was made by Alderman Monroe and the motion passed with a vote of 4/0.

**EXECUTIVE SESSION:**

Mayor Pro-tem Lewellen announced at 7:56 p.m. that the Friona City Council would close into Executive Session. Mayor Pro-tem Lewellen, members of the City Council, City Manager Davila, City Secretary Mendez and EMS Director Nik Baucom remained for the executive session.

**ITEM 16 DISCUSSION REGARDING EMPLOYMENT STATUS OF EMS EMPLOYEES, INCLUDING SALARY, BENEFITS, DISCIPLINE, TERMINATION, PROMOTION, AND/OR RECLASSIFICATION (AUTHORIZED BY TEXAS GOVERNMENT CODE, SUBCHAPTER D, SECTION 551.074 PERSONNEL)**

No action taken in executive session.

**REGULAR HEARING:**

Reconvened into Regular Session at 8:10 p.m.

**ITEM 17 RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION, IF ANY, ON ITEM 16 DISCUSSED IN EXECUTIVE SESSION**

**MOTION** Alderman Monroe made the motion to reverse and increase the pay scale for all EMS employees as noted in the chart below. Alderman Loflin made the second to the motion and the motion passed with a vote of 3/0. Alderman Fleming abstained from the vote.

RANK	STANDBY PAY	ADDED WHEN WORKING	TOTAL WORKING PAY
EMT	\$7.50 <i>(from \$5.00)</i>	\$7.50 <i>(from \$7.35)</i>	\$15.00 <i>(from \$12.35)</i>
Advanced EMT	\$10.00 <i>(from \$7.50)</i>	\$10.00 <i>(from \$9.40)</i>	\$20.00 <i>(from \$16.90)</i>
Paramedic	\$12.00 <i>(from \$10.00)</i>	\$12.00 <i>(from \$11.50)</i>	\$24.00 <i>(from \$21.50)</i>

**ITEM 18      ADJOURNMENT**

With no further business at hand the meeting was adjourned at 8:13 p.m.

APPROVED:

ATTEST:

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Ricky White, Mayor

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Rosa Mendez, City Secretary