

June 6, 2023

A regular meeting of the City Council was held on Tuesday, June 6, 2023, at 6:30 p.m., with Mayor Kerry Symons presiding. Mayor Symons gave the invocation and the Pledge of Allegiance was recited. Mayor Symons welcomed guests.

COUNCIL MEMBERS PRESENT: Mayor Kerry Symons, Councilmembers Greg Good, Shae Cunningham, Brad Kile, and Shirley Howard

COUNCIL MEMBERS ABSENT: J Aston

OTHERS PRESENT: Landis, Fowler, Knapp, Blasingame, Waters, Mary Dudley, and Mike Peters

COUNCIL ITEMS: None

SUPPLEMENTAL ITEMS: None

CONSIDER APPROVING MINUTES OF THE PREVIOUS MEETING: COUNCILMAN SHAE CUNNINGHAM MADE A MOTION TO APPROVE THE MINUTES OF MAY 16, 2023, SECONDED BY COUNCILMAN GREG GOOD. ALL VOTED AYE, MOTION CARRIED.

CONSIDER PAYING BILLS OF THE PREVIOUS MONTH: Landis informed Council that the first set of bills will be delivered on Thursday, June 8, 2023. There were no construction estimates at this time.

CONSIDER PASSING RESOLUTION #418-23 APPROVING THE 9-1-1 INTERLOCAL AGREEMENT WITH THE PANHANDLE REGIONAL PLANNING COMMISSION: Landis introduced Mike Peters from the Panhandle Regional Planning Commission. Mr. Peters informed Council that our 9-1-1 system contract with PRPC is renewed every 2 years and was last renewed in 2021. COUNCILMAN BRAD KILE MADE A MOTION TO APPROVE PASSING RESOLUTION #418-23, APPROVING THE INTERLOCAL AGREEMENT WITH THE PRPC FOR OPERATION AND MAINTENANCE OF THE 9-1-1 SYSTEM, SECONDED BY COUNCILMAN SHAE CUNNINGHAM. ALL VOTED AYE, MOTION CARRIED.

RESOLUTION #418-23

WHEREAS, the 9-1-1 Emergency Telephone Number is the dedicated nationwide emergency number for police, fire and ambulance which provides major life saving advantages to citizens and public safety agencies; and

Whereas, the Panhandle Regional Planning Commission has since 1989, developed plans for the establishment, operation and maintenance of 9-1-1 services in the Panhandle area; and

Whereas; the Local Government has previously appointed the Panhandle Regional Planning Commission as administrator of Local Government's 9-1-1 program; and

Whereas; the proposed Interlocal Agreement for 9-1-1 Service and Equipment is required by the Commission on State Emergency Services to insure funding for Local Governments 9-1-1 service;

NOW, THEREFORE, BE IT RESOLVED that the CITY OF PERRYTON, TX

1. Has reviewed the proposed Interlocal Agreement for 9-1-1 Service and Equipment.
2. The proposed Interlocal Agreement is hereby ratified and approved.
3. That the person executing the Interlocal Agreement is authorized and directed to execute said Interlocal Agreement on behalf of their governing body.

APPROVED AND ADOPTED on the 6th day of June, 2023

/s/ Kerry Symons /s/
Kerry Symons, Mayor

ATTEST:

/s/ Kim Fowler /s/
Kim Fowler, City Secretary

CONSIDER APPOINTMENTS TO HOTEL/MOTEL TAX APPLICATION REVIEW COMMITTEE: Landis asked Council to consider appointments to Hotel/Motel Tax Application Review Committee to replace Councilwoman Marcia Hale. COUNCILMAN BRAD KILE MADE A MOTION TO APPOINT MAYOR SYMONS, COUNCILWOMAN SHIRLEY HOWARD, AND CRYSTAL RICHARDSON TO THE HOTEL/MOTEL TAX APPLICATION REVIEW COMMITTEE, SECONDED BY COUNCILMAN SHAE CUNNINGHAM. ALL VOTED AYE, MOTION CARRIED.

FILING OF PROPOSED FISCAL YEAR 2023-2024 BUDGET: Landis stated that the 2023-2024 Annual Budget Proposal was filed with the City Secretary on Tuesday, June 6, 2023. Landis gave a brief description overview of the proposal. No action is necessary at this time. The Proposed FY 2023-2024 Budget will be reviewed in detail during a Work Session on Tuesday, June 20, 2023.

CONSIDER ADOPTING ORDINANCE #1084-23, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES DEALING WITH ADMINISTRATION: Waters asked Council to consider adopting Ordinance #1084-23, Amending Chapter 2 of the Code of Ordinances dealing with administration. **COUNCILMAN GREG GOOD MADE A MOTION TO ADOPT ORDINANCE #1084-23, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES DEALING WITH ADMINISTRATION, SECONDED BY COUNCILMAN SHAE CUNNINGHAM. ALL VOTED AYE, MOTION CARRIED.**

ORDINANCE #1084-23

AN ORDINANCE AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE III, "OFFICERS AND EMPLOYEES" OF THE CODE OF ORDINANCES OF THE CITY OF PERRYTON, TEXAS, BY AMENDING ARTICLE III, "DIVISION 1. "GENERALLY,"; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the desire of the City Council of the City of Perryton, Texas to maintain the Code of Ordinances in a manner that reflects the administrative needs and capabilities of the organization; and

WHEREAS, the duties, powers and responsibilities of the officers and employees require amendment to be consistent with the current duties, powers and responsibilities required of the administrative employees; and

WHEREAS, the position of Assistant City Manager has not previously been established within the Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PERRYTON, TEXAS:

Section 1: That Chapter 2 "Administration", Article III "Officers and Employees", Division 1. "Generally" is hereby amended to read as follows:

ARTICLE III. OFFICERS AND EMPLOYEES

Sec. 2-36. Officers: Generally.

The officers of the city shall be a City Manager, an Assistant City Manager, a City Engineer and Director of Public Works, a Finance Officer, a City Secretary, a Chief of Police, a Fire Chief, a City Attorney, a City Health Officer and a Municipal Court Judge as well as any other officers and agents that the city council may establish from time to time, with such additional officers to be appointed as provided in section 2-38.

Sec. 2-37. Duties, powers and responsibilities.

The powers, duties and responsibilities of officers of the city shall be those set forth in Texas Local Government Code, Title 2, Chapter 25, and other related statutory provisions now existing or hereafter enacted or amended, affecting general law cities, together with such additional powers, duties and responsibilities as may from time to time be established by ordinance or resolution. The powers, duties and responsibilities shall include, without limitation, those that are stated in this article and state law.

Sec. 2-38. Appointment.

- (a) The City Manager, the City Secretary, the City Attorney, the Municipal Court Judge and the City Health Officer shall be appointed by and shall hold office at the pleasure of the City Council, except that the City Health Officer shall be appointed each two (2) years coinciding with the term of the Mayor.
- (b) The division officers, namely, the Assistant City Manager, the City Engineer and Director of Public Works, Finance Officer, Chief of Police and the Fire Chief shall be appointed by the City Manager and confirmed by the City Council. Such officers shall hold office at the pleasure of the City Manager.
- (c) Other officers of the city and department heads shall be appointed by the respective division officers, namely, the Assistant City Manager, the City Engineer and Director of Public Works, Finance Officer, Police Chief, Fire Chief and such appointed officers and department heads shall hold office at the pleasure of such division officers except that the appointment of assistants shall be by the division officers and confirmed by the City Manager and such assistants shall hold office at the pleasure of the division officer making their appointments.
- (d) Other agents and employees of the city shall be appointed in accordance with policies established by the City Council through regulations set forth in personnel regulation handbooks and classification programs and they shall hold their appointments at the pleasure of the officers and department heads making their appointments.

Secs. 2-39 – 2-50 Reserved.

Sec. 2-51. City Manager: Authority, responsibility, duties.

General authority and responsibility for the conduct and administration of the municipal affairs, including the interpretation, implementation and execution of policy as adopted by the city council are vested in the city manager as provided by Texas Local Government Code, Chapter 25 and other statutory provisions affecting general law cities. Such responsibilities shall include the establishment of standards of efficiency, welfare and morale of city employees and the general control and supervision of officers, department heads and positions created and approved by the city council. Other responsibilities shall include the authority to combine, allocate and distribute among the various officers of the city, not only those express duties and responsibilities delineated by law but such other and further duties as will provide for the efficient administration of the city's business. The City Manager shall have authority to review all matters delegated to appointed officers and department heads within the city and may confer and counsel with the City Council when exercising authorities and responsibilities conferred in this division on major issues of operations and personnel.

Secs. 2-52 – 2-65 Reserved.

Sec. 2-66. Assistant City Manager: Authority, responsibility, duties.

The Assistant City Manager shall have authority and responsibility for the conduct and administration of the municipal affairs, including the interpretation, implementation and execution of policy as adopted by the City Council when assigned by the City Manager. Such responsibilities may include the establishment of standards of efficiency, welfare and morale of city employees and the general control and supervision of officers, department heads and positions created and approved by the City Council. Other responsibilities may include the authority to combine, allocate and distribute among the various officers of the city, not only those express duties and responsibilities delineated by law but such other and further duties as will provide for the efficient administration of the city's business. The Assistant City Manager, when authorized by the City Manager, will have authority to review all matters delegated to appointed officers and department heads within the city and may confer and counsel with the City Council when exercising authorities and responsibilities conferred in this division on major issues of operations and personnel. The Assistant City Manager serves as acting City Manager as assigned. The Assistant City Manager shall have the powers, duties, and responsibilities of the City Manager in the event of the City Manager's absence or incapacitation. The Assistant City Manager is directly responsible to, and reports to the City Manager.

Secs. 2-67 – 2-80 Reserved.

Sec. 2-81. City Engineer and Director of Public Works: Authority, responsibility, duties.

General authority and responsibility of directing and supervising public work activities shall lie with the City Engineer and Director of Public Works, including streets, parks recreational facilities, golf course, solid waste collection and disposal, utilities systems (waterworks, sanitary sewers, and gas distribution), building, electrical and plumbing inspections. The City Engineer and Director of Public Works shall provide planning and engineering services for public works activities, and other activities of the city as time may permit, including estimates of construction and assisting the Finance Officer in the development, implementation and control of the public works annual operating budget. Other duties shall include the establishing of quality and standards for goods, materials and may be required to be a registered professional engineer authorized to practice in the state. The City Engineer and Director of Public Works is directly responsible to and reports to the City Manager.

Secs. 2-82 - 2-95 Reserved.

Sec. 2-96. Finance Officer: Authority, responsibility, duties.

The Finance Officer shall direct, supervise and participate in the activities of the support services division of the city, namely, the duties of utility billing and collections, inventory control, ad valorem tax and personnel benefits administration. Responsibilities include performing administrative work in developing, preparing, implementing and controlling the general budget as well as the development of procedures for a program of sound financial management and control. The Finance Officer is directly responsible to, and reports to the City Manager. The Finance Officer also serves as the Deputy City Secretary.

Tasks to be performed shall include:

- (1) Setting objectives, developing procedures and proposed changes in existing financial methods;
- (2) Directing the maintenance of central accounting systems;
- (3) Directing and supervising the activities of utility billing;
- (4) Developing, directing and participating in the administration of a comprehensive personnel program;
- (5) Preparing financial statements for the city;
- (6) Proposing and reviewing city ordinances related to expenditures;
- (7) Reviewing and advising appropriate officers and department heads with respect to their departmental expenditures on a monthly basis;
- (8) Advising the City Manager and the City Council concerning the financial status of the city;
- (9) Directing purchasing activities of the city;
- (10) Advising the City Manager and preparing budget amendment resolutions upon such occasions as are necessary and appropriate throughout the course of the budget year;

- (11) Directing and advising in the investment decisions involving city monies;
- (12) Accepting the powers, duties and responsibilities of the City Manager in the event of his/her absence, the absence of the Assistant City Manager and the City Engineer and Director of Public Works; and
- (13) Taking over such other duties not set forth in this division as provided for in state statutes.

Secs. 2-97 – 2-110 Reserved.

Sec. 2-211 City Secretary: Authority, responsibility, duties.

The City Secretary provides staff support to the City Council, prepares and distributes agendas and support materials, and attends every meeting of the City Council, keeping accurate minutes of the proceedings. The City Secretary oversees the records management program for the city and maintains, safeguards and records all documents approved by the City Council. The City Secretary performs research on records for the public, city staff and the City Council as requested.

Tasks to be performed shall include:

- (1) Administering oaths of office;
- (2) Validating and certifying petitions;
- (3) Coordinating the appointment process to the city's boards and commissions;
- (4) Accepts lawsuits and claims filed against the city;
- (5) Coordinates and updates the city's municipal code of ordinances;
- (6) Accepts petitions and appeals filed by citizens;
- (7) Serves as the elections administrator for all city elections;
- (8) Serves as the city's personnel benefits coordinator;
- (9) Performs other duties as may be required by the City Council or State Law.

Secs. 2-112 – 2-125 Reserved

Sec. 2-126. Chief of Police: Authority, responsibility, duties.

The Chief of Police shall have the responsibility for planning, directing and controlling the activities of the police department which are consistent with federal and state laws and the ordinances of the city. Other duties extend to establishing policy, the supervising, training and disciplining of members of the department, but such activities shall not be inconsistent with the policies of the City Council and the terms of this division. The Chief of Police is directly responsible to and reports to the City Manager.

Other duties shall include:

- (1) Organization of procedures and regulations;
- (2) Preparation of budgets, budget reports, estimates and justification;
- (3) Providing information to the City Manager and City Council when requested;
- (4) Maintaining liaison with other law enforcement agencies;
- (5) Conducting public relations activities;
- (6) Recruiting applicants.

Secs. 2-127 – 2-140 Reserved.

Sec. 2-141. Fire Chief: Authority, responsibility, duties.

The Fire Chief shall have the responsibility for planning, directing and controlling the activities of the fire department and the emergency medical services. The responsibility of operating the emergency medical services shall be consistent with the obligations established through the joint services agreement of the city, the county and the county hospital district. The Fire Chief is directly responsible to and reports to the City Manager.

Other duties and responsibilities of the fire chief shall be:

- (1) Those duties set forth in this Code and the statutes of the state and other such laws and regulations as may be now or hereafter adopted relating to both fire prevention and emergency medical services;
- (2) Submit budget estimates for consideration;
- (3) Appoint and supervise all firefighters and emergency medical services personnel, including volunteers;
- (4) Arrange for fire-fighting and emergency medical service certification for personnel of the department.

Secs. 2-142 – 2-155 Reserved.

Sec. 2-156. City Attorney: Authority, responsibility, duties.

The City Attorney shall act as prosecuting attorney on matters before the municipal court of the city, including the police department, fire department, fire marshal's duties and the sanitary health inspectors.

Other duties shall include:

- (1) Meeting with the City Council as requested, giving advice to the body before such meetings;
- (2) Drafting of ordinances, resolutions and contracts;
- (3) Advising the officers of the city on legal matters as requested; and

(4) Defending the city on matters before the courts.

Secs. 2-157 – 2-170 Reserved.

Sec. 2-171. City Health Officer: Authority, responsibilities, duties.

The City Health Officer shall act and advise the City Council in matters of promotion of health and sanitary regulations.

Secs. 2-172 – 2-180 Reserved.

Section 2. BE IT FURTHER ORDAINED, that should any article, section, part, paragraph, sentence, phrase, clause, or word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be illegal, inoperative, unconstitutional, invalid, or ineffective.

Section 3. BE IT FURTHER ORDAINED, that this ordinance shall take effect June 6, 2023

PASSED AND APPROVED this 6th day of June, 2023.

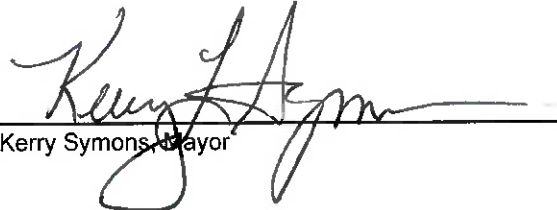
CITY OF PERRYTON, TEXAS

/s/ Kerry Symons /s/
Kerry Symons, Mayor


ATTEST:

/s/ Kim Fowler /s/
Kim Fowler, City Secretary

There being no further business, COUNCILMAN SHAE CUNNINGHAM MADE A MOTION TO ADJOURN AT 6:49 P.M., SECONDED BY COUNCILMAN GREG GOOD. ALL VOTED AYE, MOTION CARRIED.


Kerry Symons, Mayor

ATTEST:


Kim Fowler, City Secretary