

MINUTES OF THE REGULAR CITY COUNCIL MEETING

April 27, 2015

MEMBERS PRESENT: Mayor Ray Schultz
Mayor Pro tem Sherrie Williams
Councilwomen Lori Shierry and Stephanie Wooten
Councilmen Keith Dyer and Tim Sheppard

MEMBERS ABSENT: None

PERSONNEL: Jerry Flemming, City Manager
David Sherrill, Public Works Director
Robert Johnson, Chief of Police
Robbie Matthews, Parks and Recreation Director
David Owen, Economic Development Director
Andy Payne, Acting Fire Chief
Becky Ferguson, Director of Finance
Amie Schultz, Library Director
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Beverly Bohannon
David White Clay Parker
Samantha Talbert Emma Flemming
Beatrice Flemming

AGENDA ITEM NO. 1: Call to Order.

The Mayor called the meeting to order at 7:00 p.m.

AGENDA ITEM NO. 2: Invocation.

Councilman Dyer gave the invocation.

AGENDA ITEM NO. 3: Recognition of Special Guest(s)/Action(s).

There were no recognitions of special guest(s)/action(s).

AGENDA ITEM NO. 4: Citizens' Input.

Mrs. Beverly Bohannon stated she has lived at 520 West Magnolia for twenty years and complained about speeding vehicles along West Magnolia. It was noted there are no stop or yield signs on West Magnolia from North Pacific to West Highway. She stated cars have been radar clocked at sixty miles per hour. She would like to see a stop sign on Magnolia at North First Street. Also noted West Magnolia on the west side of West Highway is forty miles per hour. It was suggested placing a thirty mile per hour sign on West Magnolia on the east side of West Highway.

AGENDA ITEM NO. 5: General Consent.

- A. Acceptance and Approval of the Minutes of the Regular City Council Meeting of April 13, 2015.
- B. Acceptance of the Minutes of the Board of Adjustment Meeting of April 20, 2015.

Motion was made by Councilwoman Williams and seconded by Councilman Sheppard accepting and approving the general consent agenda as presented. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 6: Public Hearing.

- A. A Public Hearing to Determine Whether the Wooden Detached Accessory Structure Located at Lot 11, Block 3, Garden Valley 1 to the City of Iowa Park, Wichita County, Texas, Also Known as 1202 South Wall, Should be Declared a “*Substandard Structure*” as That Term is Defined in Section 3.02.001 of the Code of Ordinances and Whether Said Structure Should be Abated Accordingly.

The public hearing opened at 7:03 p.m. It was noted the house on this property is vacant and the accessory building is not secured and is in need of major repair. Councilwoman Shierry asked that the Code Enforcement Officer be present when a Code Enforcement item is on the agenda. Councilwoman Williams stated this property is directly behind her home and she turned it in to Code Enforcement. The public hearing closed at 7:10 p.m.

- (i) Action as a Result of Public Hearing.

Motion was made by Councilman Dyer and seconded by Councilwoman Wooten approving and adopting Council Order Number 15-02, declaring the wooden detached accessory structure located at Lot 11, Block 3, Garden Valley 1 of the City of Iowa Park, Wichita County, Texas, also known as 1202 South Wall Street, a “*Substandard Structure*” as that term is defined in Section 3.02.001 of the Code of Ordinances and ordering the abatement within forty-five (45) days of the adoption of this Council Order. Councilwoman Williams abstained. Motion carried with four ayes.

AGENDA ITEM NO. 7: Ordinance.

- A. An Ordinance of the City Council of the City of Iowa Park, Texas Rescinding Ordinance Number 1151 and the Temporary Restrictions for the Use of Combustible Materials in an Outdoor Environment That Were Enacted on December 10,2012.

The City Manager explained due to the recent rains, Wichita County lifted the county burn ban. Acting Fire Chief Andy Payne said the Fire Department was fine with the City lifting theirs.

Motion was made by Councilwoman Shierry and seconded by Councilman Sheppard approving and adopting Ordinance Number 1189, rescinding Ordinance Number 1151 and the temporary restrictions for the use of combustible materials in an outdoor environment that were enacted on December 10, 2012. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 8: Pubic Appearance.

- A. A Public Appearance by Shawn Mahler of Bobby Bounds Excavation, Requesting Permission to Use Public Rights-of-Way and City-Owned Property for a Professional Fireworks Display, a Waiver of the Fireworks Ordinance (5.01.002) Which Prohibits the Use of Fireworks Within the City Limits.

Mr. Mahler was not present; however, the City Manager explained the request of Bobby Bounds Excavation seeking permission to sponsor a professional fireworks display on the southeast side of Lake Gordon. They are asking the City to provide security and cleanup. Various locations were discussed and considered. The fireworks company, Illumination Fireworks LLC, will perform a ten to fifteen minutes display with finale. They also have insurance for such events. Motion was made by Councilman Sheppard and seconded by Councilman Dyer granting permission to use public rights-of-way and City-owned property for a professional fireworks display, a waiver of the fireworks ordinance (5.01.002) which prohibits the use of fireworks within the City limits, with the location being determined by the City staff and as long as there is no burn ban in effect. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 9: City Manager's Report.

- A. Consider Granting an Extension to Pallet Outlet, Incorporated, to Terminate Lease Agreement at 306 East Jefferson.

It was noted that two Councilmembers, Stephanie Wooten and Tim Sheppard, the City's Code Enforcement Officer and Public Works Director as well as the Acting Fire Chief, toured the 402 East Highway building and discovered numerous code and safety violations. Since that time, Mr. David Buckley, President of Pallet Outlet, Inc., sent a letter to the Council stating his business will be moving out of Iowa Park. He plans to vacate the property at 402 East Highway on or before May 31, 2015. He asked for an extension to vacate 306 East Jefferson from May 26, 2015 until June 30, 2015. Motion was made by Councilwoman Williams and seconded by Councilman Sheppard granting an extension until June 30, 2015 to Pallet Outlet, Incorporated, to terminate the lease agreement at 306 East Jefferson.

- B. Receive a Report on the City's Current Financial Condition and Future Needs as Dictated by the Home Rule Charter.

The City Manager briefed the Council on the City's current financial condition through the second quarter of the fiscal year. The General Fund showed total year to date revenues at \$2,801,353.79 and expenditures at \$1,788,911.35. The Water and Sewer Fund had revenues at \$1,632,149.34

while expenditures were at \$1,907,083.20. The City Manager believes the City needs to start putting its resources into the infrastructures, most notably the wastewater treatment plant.

The meeting adjourned at 8:01 p.m.

PASSED, APPROVED AND ADOPTED this 18th day of May, 2015.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman