

MINUTES OF THE REGULAR CITY COUNCIL MEETING

July 25, 2022

MEMBERS PRESENT: Mayor Ray Schultz  
Mayor Pro tem Lori Shierry  
Councilmen Randall Barker and Jeff Pogatshnik  
Councilwoman Sherrie Williams (via ZOOM)  
Councilwoman Stephanie Wooten

MEMBERS ABSENT: None

PERSONNEL: Jerry Flemming, City Manager  
Mike McCarty, Public Works Director  
Jason Griffin, Parks and Recreation Director  
Steve Davis, Police Chief  
David Owen, Economic Development Director  
Amie Schultz, Library Director  
Becky Ferguson, Director of Finance  
Greg Polly, Code Enforcement Officer  
Justin Penn, Police Sergeant  
James Horn, Water/Wastewater Maintenance Supervisor  
Dustin Arledge, Police Officer  
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Donald Ehlert  
April Schuler Lisa Brackett  
Steve Smith Amanda Day  
Tim Day Misty McCarty

AGENDA ITEM NO. 1: Call to Order.

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

AGENDA ITEM NO. 2: Invocation.

The City Manager gave the invocation.

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

There were no recognitions at this time.

AGENDA ITEM NO. 4: Citizens' Input.

The Parks and Recreation Director informed the Council beginning August 1, 2022, the Iowa Park Municipal Swimming Pool and Spray Park hours of operation will change due to lack of available

lifeguards. The new hours will be Mondays, Wednesdays, Thursdays, Saturdays and Sundays, 1:00 p.m. to 6:00 p.m. The pool will be closed on Tuesdays and Fridays.

AGENDA ITEM NO. 5: General Consent.

- A. Acceptance and Approval of the Minutes of the Regular City Council Meeting of July 11, 2022.
- B. Consider the Request From the Iowa Park Athletic Booster Club for a Waiver of the Fireworks Ordinance for Hawk Explosion at the Iowa Park High School Campus on Saturday, August 20, 2022.

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

AGENDA ITEM NO. 6: Public Appearance.

- A. A Public Appearance by Denver Barnet, Owner of Sincerely Yours, Requesting Closure of North Wall Between Bank and Park From 9:00 A.M. to 10:30 A.M. on Saturday, August 13, 2022 for Prayer on the Square Event.
- B. A Public Appearance by Denver Barnet, Owner of Sincerely Yours, Requesting Closure of North Wall From Cash to West Park and West Park From North Yosemite to North Wall From 5:00 P.M. to 8:00 P.M. on Saturday, October 29, 2022 for the Annual Masked on the Square Event.

Ms. Barnet was not present; however, staff was able to explain the two requests. The Prayer on the Square is a new event and will only last one and a half hours. The Annual Masked on the Square event has been well received in the past. This Halloween themed event is hosted by downtown merchants.

(i) Action as Result of Public Appearance.

Motion was made by Councilwoman Shierry and seconded by Councilwoman Wooten approving the two requests by Denver Barnet to close North Wall between Bank and Park from 9:00 a.m. to 10:30 a.m. on Saturday, August 13, 2022 for Prayer on the Square event and to close North Wall from Cash to West Park and West Park from North Yosemite to North Wall from 5:00 p.m. to 8:00 p.m. on Saturday, October 29, 2022 for the annual Masked on the Square event. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 7: Procurement Action.

- A. Discuss and Consider Approval of the Public Safety Facilities Design-Build Contract with Anthony Inman Construction as the Design-Builder for the Design and Construction of the New Fire and Police Stations with a Current Estimated Maximum Contract Value of \$4.7 Million, with a Contract Execution and Start Date of August 1, 2022 and Giving the Mayor Authority to Execute the Agreement Pending any Final Negotiated Terms and Approval by the City Attorney Thereof.

Motion was made by Councilwoman Williams and seconded by Councilwoman Williams and seconded by Councilman Barker approving the public safety facilities design-build contract with Anthony Inman Construction as the design-builder for the design and construction of the new fire and police stations with a current estimated maximum contract value of \$4.7 million, with a contract execution and start date of August 1, 2022 and giving the Mayor authority to execute the agreement pending any final negotiated terms and approval by the City Attorney thereof. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 8:     Ordinance.

- A. An Ordinance of the City Council of the City of Iowa Park, Texas Declaring a State of Disaster for the City of Iowa Park Resulting From the Potential Threat of Fires Due to Drought Conditions and Adverse Weather Conditions and Implementing Temporary Restrictions for the Use of Combustible Materials in an Outdoor Environment and Establishing Penalties for Violators.

The Fire Chief has asked the Council to reinstate the burn ban due the extreme heat and dry conditions. Motion was made by Councilwoman Williams and seconded by Councilman Barker approving and adopting Ordinance Number 1360 declaring a State of Disaster for the City of Iowa Park resulting from the potential threat of fires due to drought conditions and adverse weather conditions and implementing temporary restrictions for the use of combustible materials in an outdoor environment and establishing penalties for violators. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 9:     Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Mayor to Execute the Eleventh Amendment to the Wholesale Water Purchase Contract Between the City of Iowa Park, Texas and the City of Electra, Texas.
- B. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Mayor to Execute the Seventeenth Amendment to the Wholesale Water Purchase Contract Between the City of

Iowa Park, Texas and Wichita Valley Water Supply Corporation.

- C. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Mayor to Execute the Nineteenth Amendment to the Wholesale Water Purchase Contract Between the City of Iowa Park, Texas and the Horseshoe Bend Estates Homeowners' Association.
- D. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Mayor to Execute the Thirteenth Amendment to the Wholesale Water Purchase Contract Between the City of Iowa Park, Texas and the Iowa Park Consolidated Independent School District.

The City Manager explained that he has received the water rate study from the City of Wichita Falls. Based on the study, there will be a water rate increase of approximately 0.38%. This increase will be passed on to the wholesale water customers as follows:

<u>Customer</u>	<u>Current</u>	<u>Proposed (per 1,000 gallons)</u>
City of Electra	\$5.23	\$5.25
Wichita Valley	\$7.59	\$7.62
Horseshoe Bend	\$7.59	\$7.62
Iowa Park CISD	\$10.70	\$10.74

Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Resolution Numbers 22-08, 22-09, 22-10, and 22-11 amending the wholesale water purchase contracts between the City of Iowa Park and the City of Electra, Wichita Valley Water Supply Corporation, Horseshoe Bend Estates Homeowners' Association and the Iowa Park Consolidated Independent School District. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 10: City Manager's Report.

- A. Discuss and Consider Allowing the Iowa Park Healthcare Center a Surplus Piano From the Former First Christian Church.

Iowa Park Healthcare Center has requested one of the surplus pianos. Their current piano sustained water damage from the fire they had a year ago. Motion was made by Councilman Pogatshnik and seconded by Councilwoman Wooten allowing the Iowa Park Healthcare Center to have a surplus piano from the former First Christian Church. Motion carried with five ayes. (Unanimous)

- B. Discuss and Consider a Proposed Lease Agreement with the Iowa Park Recreational Activities Club, Incorporated for the Building and Property Located at 806 N. 3<sup>rd</sup> Street.

Staff had revised the lease agreement with the RAC requiring them to maintain utilities to the facility. Several members of the RAC board were present. Mr. Donald Ehlert stated that if the RAC were to be required to pay their own utilities, they will be forced to close as they do not have enough income coming in to cover those expenses. Councilwoman Shierry stated she had no problem with the City providing the non-profits with water and sewer services but felt paying electricity and natural gas needs to be discussed further. The Mayor asked the staff to gather all utilities costs the City pays for each non-profit and bring back to next meeting. It was noted the RAC's lease expires September 30<sup>th</sup>. If the RAC were to have to increase their fees or even close, they would need time to allow people using the facilities or after school care to make other arrangements. Motion was made by Councilwoman Wooten and seconded by Councilman Pogatschnik to extend the RAC Lease agreement to January 1, 2023. Motion carried with five ayes. (Unanimous)

C. Receive Preliminary Capital Outlay Report for Proposed 2022-2023 Operating Budget.

The City Manager briefed the Council on the preliminary capital outlay for the proposed 2022-2023 operating budget. They include the following:

<u>Building and Structure Improvements</u>	<u>General Fund</u>	<u>Utility Fund</u>
City Hall Renovations	\$40,000.00	\$40,000.00
Library Historic Repairs	\$ 9,500.00	
Replace RAC HVAC System	\$30,000.00	
Demolish Pump House at Ground Storage		\$ 2,000.00
 <u>Machinery and Equipment</u>		
Vehicle Replacement Code	\$54,000.00	
Vehicle Replacement Streets	\$200,000.00	
Vehicle Replacement Police	\$58,030.00	
Vehicle Replacement Support Services		\$80,000.00
Drainage Bucket for Backhoe	\$15,000.00	
Crack Sealing Equipment Streets	\$ 8,700.00	
Umbrella Replacement Spray Park	\$ 7,400.00	
Lift Gate for Animal Control Vehicle	\$ 3,500.00	
Replace Meter Reader Phone		\$ 800.00
Replace Lab Equipment Water Plant		\$ 5,000.00
Replace Lab Equipment Wastewater		\$ 6,000.00
 <u>Systems Improvement</u>		
North Park Place Circle	\$160,000.00	
Replace 2 Computers Police	\$ 4,000.00	
WatchGuard Video Upgrade	\$ 7,500.00	
Document Scanners (2) Dispatch	\$ 2,000.00	
Veeam Back-Up & Recovery System Dispatch	\$ 4,000.00	
Replace Printer Municipal Court	\$ 500.00	
Ground Storage Meter		\$ 7,000.00

Street Construction

Concrete, Asphalt, Slurry

\$220,000.000

It was noted the \$160,000.00 for North Park Place Circle is just for engineering work. No work would start until all new housing construction is complete. It was the consensus of the Council to move the North Park Place Circle to the unfunded Capital Outlay list. Councilwoman Williams noted the proposed industrial showers at the wastewater plant and animal facility were in the unfunded capital outlay. She felt the two showers were necessary for safety reasons.

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

The City Manager stated the City ended the third quarter in good financial condition. As of March 30, 2022, the General Fund had \$1,412,397.00, while the Utility Fund had \$2,491,440.00. Total of all funds balances, including 4A and 4B Corporations were \$10,807,656.00. Total investments were \$1,496,955.00 in General Fund and \$669,864.00 in the Utility Fund.

- E. Discuss and Consider the Local State of Disaster for Public Health Emergency Adopted by City Council on March 23, 2020.

It was noted that the number of COVID-19 cases continue to rise with twenty-six active cases in the 76367-zip code.

AGENDA ITEM NO. 11: Executive Session.

- A. Pursuant to the Texas Government Code, Section 551.074 of the Texas Open Meetings Act for the Purpose of Discussing Personnel Matters and More Specifically Defined as Follows:
  - (i) Performance Evaluation of the Public Works Director.

The Council entered into executive session at 8:05 p.m.

The Council reconvened in open session at 9:02 p.m.

AGENDA ITEM NO. 12: Action as Result of Executive Session.

- A. Performance Evaluation of the Public Works Director.

The Mayor announced that the Council appreciates everything Mike McCarty, Public Works Director, has done the past six months. He is meeting the expectations that Council had set out for him and feels he will continue to grow as Public Works Director as he settles in the new position. Motion was made by Councilwoman Wooten and seconded by Councilman Pogatshnik giving the Public Works Director a ten percent pay increase based on his performance evaluation. Motion carried with five ayes. (Unanimous)

The meeting adjourned at 9:04 p.m.

PASSED, APPROVED AND ADOPTED this 8<sup>th</sup> day of August, 2022.

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Mayor Ray Schultz

ATTEST:

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City Secretary Janice Newman