

# MINUTES OF THE REGULAR CITY COUNCIL MEETING

June 10, 2019

MEMBERS PRESENT: Mayor Pro tem Sherrie Williams  
Councilwomen Kelly Ewing and Lori Shierry  
Councilmen Andy Payne and Brad Wynn

MEMBERS ABSENT: Mayor Ray Schultz

PERSONNEL: Jerry Flemming, City Manager  
David Sherrill, Public Works Director  
Steve Davis, Chief of Police  
Jason Griffin, Parks and Recreation Director  
David Owen, Economic Development Director  
Lewis Skinner, Fire Chief  
Greg Polly, Code Enforcement Officer  
Mike McCarty, Water/Wastewater Supervisor/Fire Marshall  
Amie Schultz, Library Director  
Sherry Fowler, Police Sergeant  
Christine Dison, Animal Control Office  
Janice Newman, City Secretary

VISITORS: Dolores Hamilton                      Camille Connor  
Debbie Klein                                      Frank Riley  
Lydia Riley                                        April Scholl  
Vida Cooke                                        Joe Yahya  
Cindy Tracey                                      Mike Tracey  
Vern Mikkelson                                 Jeffrey Pehl

AGENDA ITEM NO. 1: Call to Order.

The Mayor Pro tem 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.

No individuals registered to participate in the citizens' input.

AGENDA ITEM NO. 5: General Consent.

- A, Acceptance and Approval of the Minutes of the Regular City Council Meeting of May 13, 2019.
- B. Acceptance and Approval of the Minutes of the Regular Economic Development Corporation's Board of Directors' Meeting of June 4, 2019.
- C. Consider a Request From Mike McCarty for the Use of City Equipment and an Operator to Reconstruct the Mud Volleyball Pits on City Property at Oscar Park and for Water for an Independence Day Mud Volleyball Tournament and Charity Fundraiser on Saturday, June 29, 2019.

Motion was made by Councilwoman Shierry and seconded by Councilman Payne accepting and approving the general consent agenda as presented. Motion carried with three ayes. (Unanimous)

Councilman Wynn arrive at this time.

AGENDA ITEM NO. 6: Public Hearing.

- A. A Public Hearing to Determine Whether the Wooden Residential Structure Located at 609 South Colorado, Also Known as Lot 7 & 20' of St – Lot 8 & 20' of St, Block 142 of the Original Townsite to the City of Iowa Park, Wichita County, Texas 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 7:02 p.m. The Code Enforcement Officer explained that the City has disconnected both the water and sewer from this residence due to leaks. In order for the water and sewer to be reconnected, a licensed plumber must pull a permit and make all necessary repairs. This was brought to the Council due to people living in the house with no utilities. Ms. Vida Cooke, owner of the property, stated no one lives at the residence. A gentleman in the audience stated he is working on the house and does stay there with his family overnight sometimes. The public hearing closed at 7:05 p.m.

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

Motion was made by Councilwoman Shierry and seconded by Councilman Payne approving and adopting Council Order #19-01 declaring the wooden residential structure located at 609 South Colorado, also known as Lot 7 & 20' of St – Lot 8 & 20' of St, Block 142 of the Original Townsite to the City of Iowa Park, Wichita County, Texas a "*Substandard Structure*" as that term is defined in Section 3.02.001 of the Code of Ordinances and ordering the structure to be abated within thirty (30) days of the adoption of this Council Order. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 7: Ordinance.

- A. An Ordinance of the City of Iowa Park, Texas Amending the Code of Ordinances at Section A3.001 (a) of Article A3.000 in Appendix A to Amend the Residential Building Permits Fees.

The City Manager explained the Texas Legislature passed a law, HB 852, on May 21, 2019 which immediately prohibited using residential property values for determining building permit fees by municipalities. Some of the City's permits are based on value, such as siding, roofing and enclosures on existing structures. Once the City was made aware of the new law, he immediately set a temporary flat fee of \$35.00 for residential alterations. Fees for commercial permits will remain the same. Motion was made by Councilman Wynn and seconded by Councilwoman Ewing approving and adopting Ordinance Number 1270 amending the Code of Ordinances at Section A3.001 (a) of Article A3.000 in Appendix A to amend the residential building permits fees. Motion carried with four ayes. (Unanimous)

- B. An Ordinance of the City of Iowa Park, Texas Amending the Code of Ordinances at Section 2.03.002 to Modify the Disposition of Impounded Dogs and Cats; Redemption by Owner, Fees and Add Section A2.005 in Appendix A to Add Pet Adoption Fees.

It was explained that currently when someone adopts a pet from the reclaim center, they are required to sterilize, vaccinate and register the pet as a condition of adoption. This has proven to be difficult to verify and many adopters have neglect to comply. This ordinance will require a non-refundable \$75.00 adoption fee paid in advance that will cover the cost of sterilization, vaccination and registration. The Animal Control Officer will take the pet to a veterinarian to be sterilized and vaccinated and will register the pet prior to the release to the adoptive family. Motion was made by Councilman Payne and seconded by Councilwoman Ewing approving and adopting Ordinance Number 1271 amending the Code of Ordinances at Section 2.03.002 to modify the disposition of impounded dogs and cates; redemption by owner, fees and add Section A2.005 in Appendix A to add pet adoption fees. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 8: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving the City of Iowa Park Communication and Social Media Policy.

Staff has prepared a broad-based communication policy that provides general guidance on communication related issues. Many are not mandatory restrictions but a general guideline. The City Attorney has approved of the policy. Motion was made by Councilwoman Shierry and seconded by Councilwoman Ewing approving and adopting Resolution Number 19-10 accepting and approving the City of Iowa Park Communication and Social Media Policy. Motion carried with four ayes. (Unanimous)

- B. A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving a Revision to the City of Iowa Park “Employee Equipment Deduction Program”.

The City has had an equipment deduction program that allows employees to purchase work related equipment and gear not provided by the City. Items have been purchased using the City’s tax exempt status. The City purchases the equipment and or gear and the employee reimburses the City by payroll deduction for the remainder of the fiscal year. The program was suspended a month ago when it was discovered the employees are required to pay sales tax since the equipment and gear belongs to them. It was also discovered that employees exempt under the Fair Labor Standards Act are prohibited from the program. Both the City Attorney and Auditors have reviewed and approved the new revision. Motion was made by Councilman Payne and seconded by Councilwoman Shierry approving and adopting Resolution Number 19-11 accepting and approving a revision to the City of Iowa Park “Employee Equipment Deduction Program”. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 9: Bid Action.

- A. Accept, Review and Consider Bids Received From Parties Interested in Purchasing Surplus Properties Under the City’s Trusteeship.

The City Manager explained that this property was put up for bids through Texas Communities Group. The following bid was received:

Cliff and Elizabeth Burton    1215 Bell Road North            \$600.01

Motion was made by Councilman Wynn and seconded by Councilman Payne accepting the bid of \$600.01 from Cliff and Elizabeth Burton for 1215 Bell Road North. Motion carried with four ayes. (Unanimous)

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

- A. Discuss and Consider the Designation of a Representative for the City of Iowa Park on the NORTEX Regional Planning Commission and a Proxy or Proxies to Serve on the Commission in the Absence of the Designated Representative.

The Mayor has been the designated representative and Sherrie Williams has been the proxy since May 18, 2015. She is willing to let someone else serve. The City Manager stated he is willing to also serve as a proxy. Multiple proxies are allowed with a letter signed by a quorum of the Council. Motion was made by Councilwoman Shierry and seconded by Councilman Wynn appointing Ray Schultz as the designated representative and Sherrie Williams and Jerry Flemming as proxies. Motion carried with four ayes. (Unanimous)

B. Discuss and Consider Expenditure of \$12,500.00 to Arrowhead Welding to Replace the Pier at Lake Iowa Park.

The Parks and Recreation Director stated that the pier at Lake Iowa Park had become so dilapidated and dangerous that City crew had to completely remove it. Parts of the old pier have been salvaged to be used on a replacement. Arrowhead Welding has giving a quote to replace the pier for \$12,500.00. This is an unbudgeted item and funds will come out of surplus. Motion was made by Councilwoman Shierry and seconded by Councilman Wynn authorizing the expenditure of \$12,500.00 to Arrowhead Welding to replace the pier at Lake Iowa Park. Motion carried with four ayes. (Unanimous)

C. Discuss and Consider a Task Order From Halff and Associates in the Amount of \$40,000.00 for Programming of a New Public Safety Facility.

This programming will be divided into five phases that will include site investigation, needs assessment study, estimate of construction cost, and construction documents. Motion was made by Councilwoman Ewing and seconded by Councilman Payne authorizing a task order from Halff and Associates in the amount of \$40,000.00 for programming of a new public safety facility. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 11: Public Appearance.

A. A Public Appearance by Jeffrey Pehl of the U.S.A. Vietnam War Commemoration to Present the City With a Vietnam War 50<sup>th</sup> Anniversary Commemoration Flag and a Commemorative Partner Certificate.

Jeffrey Pehl, pastor of the First United Methodist Church, congratulated the City for becoming member of the Vietnam War Commemorative Partner Program. He presented the City with a Vietnam War 50<sup>th</sup> Anniversary Commemoration Flag and a Commemoration Partner Certificate. Mr. Pehl stated the program has started to honor spouses of Vietnam Veterans who have passed away and at this time he presented Cindy Davis Tracey with a Certificate of Honor. He then presented lapel pins to two Vietnam Veterans who were present, Mike Tracey and Vern Mikkelson.

The meeting adjourned at 8:15 p.m.

PASSED, APPROVED AND ADOPTED this 24<sup>th</sup> day of June, 2019.

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Mayor Ray Schultz

ATTEST:

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City Secretary Janice Newman