

MINUTES OF THE REGULAR CITY COUNCIL MEETING

October 10, 2022

MEMBERS PRESENT: Mayor Pro tem Lori Shierry  
Councilmen Randall Barker and Jeff Pogatshnik  
Councilwomen Sherrie Williams and Stephanie Wooten

MEMBERS ABSENT: Mayor Ray Schultz

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  
Greg Polly, Code Enforcement Officer  
James Horn, Water/Wastewater Maintenance Supervisor  
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Steven Parkey

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).

The City Manager recognized Mrs. Dolores Hamilton.

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 September 26,2022.
- B. Acceptance and Approval of the Minutes of the Planning and Zoning Commission Meeting of September 26, 2022.

- C. Acceptance and Approval of the Minutes of the Regular Community Development Corporation's Board of Directors' Meeting of September 27, 2022.
- D. Acceptance and Approval of the Minutes of the Regular Economic Development Corporation's Board of Directors' Meeting of October 4, 2022.
- E. Approve a Request from the Iowa Park Volunteer Fire Department for a Waiver of the Solicitation Ordinance (Sec. 4.02.00) at the Intersections of Yosemite & West Highway; Johnson & West Highway; and North Pacific & SW Access Road on Saturday, November 26, 2022 Between the Hours of 7:00 A.M. and 2:00 P.M. for the Annual Fill the Boot Campaign for Kidz Christmas.

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

AGENDA ITEM NO. 6: Public Appearance.

- A. A Public Appearance by Ashley Honea of the Electra Hospital District Requesting Permission to Utilize the Public Walkway Around Lake Gordon/Oscar Park and North Victoria Avenue Right-of-way From Oscar Park Driveway to the Iowa Park Clinic Driveway From 9:00 A.M. to 11:00 A.M. on Saturday, November 12, 2022 for a 5K Walk & Run Event in Honor of National Rural Health Day.

Ms. Ashley Honea was not present. The City Manager explained their desire to hold a 5K walk & run event on Saturday, November 12, 2022. They are asking permission to utilize the public walkway around Lake Gordon and the North Victoria right-of-way from Oscar Park driveway to the Iowa Park Clinic driveway. They have discussed the proposed event with the Chief of Police.

- (i) Action as Result of Public Appearance.

Motion was made by Councilwoman Williams and seconded by Councilman Barker granting permission to the Electra Hospital District to use the public walkway around Lake Gordon/Oscar Park and North Victoria Avenue right-of-way from Oscar Park driveway to the Iowa Park Clinic driveway from 9:00 a.m. to 11:00 a.m. Saturday, November 12, 2022 for a 5K walk and run event in honor of National Rural Health Day. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 7: Appointment.

- A. Discuss and Consider Board and Commission Vacancies.

It was noted Nathan Gilbert has submitted his resignation on the Economic Development Corporation. There is also a vacancy on the Board of Adjustment. It was the consensus of the Council to wait until the November meeting to allow Council and Board members to possibly have recommendations for the appointments.

AGENDA ITEM NO. 8: Public Hearing.

- A. A Public Hearing to Determine Whether the Structures Located at 400 East Pecan, Also Known as Lot 7, Block 8 of the McCleskey 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 7:07 p.m. It was noted neither of the property owners, Stephen and Joy Jackson were present. This property contains a dilapidated 1981 mobile home and a utility building. A complaint was filed on September 26, 2022 and mailed to the Jackson’s as well as posted on the mobile home. The public hearing closed at 7:10 p.m.

(i) Action as Result of Public Hearing.

Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Council Order #22-01, declaring the structures located at 400 E Pecan, also known as Lot 7, Block 8 of the McCleskey Addition 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 structures to be abated within forty-five (45) days of the adoption of this Council Order. Motion carried with four ayes. (Unanimous)

- B. A Public Hearing to Consider the Annexation into the Corporate Limits of the City of Iowa Park, of a Tract of Land Comprising of 1.05 Acres of Land Out of Section 18 of the Tarrant County School Lands, Also Known as Lot 2, Block 1, Electra Memorial Iowa Park Addition, Located Adjacent to the Current Corporate Limits of the City.

The public hearing opened at 7:12 p.m. This commercial property is owned by Mr. David Parkey and is located just east of the Iowa Park Clinic on the SE Access Road. There were no other comments. The public hearing closed at 7:12 p.m.

AGENDA ITEM NO. 9: Ordinance.

- A. An Ordinance of the City of Iowa Park, Texas Annexing the Hereinafter Described Territory to the City of Iowa Park; Extending the Boundary Limits of Said City so as to Include the Hereinafter Described Property Within the City Limits; Granting to the Territory and to all Future Inhabitants all of the

Rights and Privileges of Other Citizens and Binding Future Inhabitants by all of the Acts and Ordinances of Said City; and Providing for an Effective Date.

Motion was made by Councilwoman Wooten and seconded by Councilman Barker approving and adopting Ordinance Number 1369 annexing the hereinafter described territory to the City of Iowa Park; extending the boundary limits of said City so as to include the hereinafter described property within the City limits; granting to the territory and to all future inhabitants all of the rights and privileges of other citizens and binding future inhabitants by all of the acts and ordinances of said City; and providing for an effective date. Motion carried with four ayes. (Unanimous)

- B. An Ordinance of the City of Iowa Park, Texas Amending Section A9.003 (a) and (c) of the Code of Ordinances to Add Multifamily Dwelling, Commercial, Water-Based Commercial, Industrial and Recreation Vehicle Parks to Meter Deposit Fees for Inside-City and Outside-City Utility Customers.

Currently all meter deposits are \$150.00 for inside-city and \$200.00 for outside-city. The deposits are not adequate for utility multi-family, commercial or industrial customers. Staff has proposed various deposit fees for customers based on average consumption for that class of customers. Motion was made Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Ordinance Number 1370 amending Section A9.003 (a) and (c) of the Code of Ordinances to add multifamily dwelling, commercial, water-based commercial, industrial and recreation vehicle parks to meter deposit fees for inside-city and outside-city utility customers. Motion carried with four ayes. (Unanimous)

- C. An Ordinance of the City of Iowa Park, Texas Amending the Code of Ordinances at Section A8.002 of Article A8.000 in Appendix A to Increase the Fees Charged for Residential Solid Waste Collection/Disposal Services.

Per agreement with Waste Connections, rates can increase each year based on the Consumer Price Index. The proposed rates will increase by 9.35% effective January 1, 2023. Staff is recommending increasing the monthly collection rate from \$17.25 to \$18.00, which includes the bulk waste pickup, for the first polycart, and from \$8.00 to \$8.50 for each additional polycart. Motion was made by Councilman Barker and seconded by Councilwoman Williams amending the Code of Ordinances at Section A8.002 of Article A8.000 in Appendix A to increase the fees charged for residential solid waste collection/disposal services. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 10: Resolution.

- A. First Reading of a Resolution of the City Council of the City of Iowa Park, Texas to Authorize Expenditures of up to \$60,000.00 by the Iowa Park Community Development Corporation for Projects to Enhance a Public Park and Open Space Improvements Within the City of Iowa Park.

It was noted that since this proposed expenditure is over \$10,000.00, it must have two readings before passage. The Iowa Park Community Development Corporation has determined the proposed improvements to the Iowa Park Municipal Pool and Spray Park is suitable for enhancing a public park and open space as described in Section 505.152 of the Texas Local Government Code. The proposed improvements are for replacing the two-inch delineator with a four-inch delineator and adding six feet of decking around three sides of the pool. There were no other comments.

- B. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Expenditures of up to \$3,700.00 by the Iowa Park Community Development Corporation for Projects for Children's Sports Improvements Within the City of Iowa Park.

The Iowa Park Community Development Corporation has determined the proposed improvement to the Iowa Park Youth Baseball & Softball Association is suitable as children's sports as described in Section 505.052 of the Texas Local Government Code. The proposed improvement is for a 20' x 20' patio cover. Motion was made by Councilwoman Wooten and seconded by Councilman Barker approving and adopting Resolution Number 22-22 authorizing the expenditures of up to \$3,700.00 by the Iowa Park Community Development Corporation for projects for children's sports improvements within the City of Iowa Park. Motion carried with four ayes. (Unanimous)

- C. A Resolution of the City Council of the City of Iowa Park, Texas Accepting the Industrial Circle Water and Sanitary Sewer Improvements Project and Authorizing Final Payment.

Jimmie Garcia Construction, Inc. has completed the Water and Sanitary Sewer Improvements Project on October 3, 2022. Total cost of the project \$315,444.00 with \$15,772.20 due upon completion. Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Resolution Number 22-23 accepting the Industrial Circle Water and Sanitary Sewer Improvements Project and authorizing final payment. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 11: City Manager's Report.

- A. Discuss and Consider Authorizing the City Manager to Solicit Proposals for a Lease of City Pastureland at Lake Buffalo.

The current grazing lease at Lake Buffalo is held by Mr. Wayne Chitwood, who stated he will not renew the lease agreement when it expires on December 31, 2022. Staff has prepared a request for proposals to be opened November 16, 2022 with the new lease agreement effective date of January 1, 2023. Motion was made by Councilman Pogatshnik and seconded by Councilwoman Williams authorizing the City Manager to solicit proposal for a lease of City pastureland at Lake Buffalo. Motion carried with four ayes. (Unanimous)

- B. Discuss and Consider the City's Contribution Rate for the Employee's Medical Insurance.

The City received the updated medical plans that will become effected January 1, 2023. The rates for the plans are increasing fifteen percent. The annual operating budget includes \$53,000.00 for anticipated health insurance increases. Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik to increase the City's contribution rate fifteen percent for the employee's medical insurance. Motion carried with four ayes. (Unanimous)

C. Receive a Report From the Code Enforcement Officer/Building & Plumbing Inspector on Code Enforcement.

The Code Enforcement Officer briefed the Council on the number of inspections and code violations letters that have been performed. For fiscal year 2021/2022 there were 342 building, plumbing and mechanical permits issued and 355 Code Enforcement letters/violations which include swimming pool, grass/weeds, alley, right-of-way, trailers, junk vehicles, junk/bulk matter, court summons and backflow. Councilwoman Williams noted several junk vehicles that needed to be addressed. Council suggested staff use social media to remind residents of the bulk pickup provided by Waste Connections, Inc.

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

It was noted that as of Friday, October 7, there were three active COVID-19 cases in the 76367- zip code.

The meeting adjourned at 8:20 p.m.

PASSED, APPROVED AND ADOPTED this 24<sup>th</sup> day of October, 2022.

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Mayor Ray Schultz

ATTEST:

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City Secretary Janice Newman