

MINUTES OF THE REGULAR CITY COUNCIL MEETING

September 26, 2022

MEMBERS PRESENT: Mayor Ray Schultz
Mayor Pro tem Lori Shierry
Councilmen Randall Barker and Jeff Pogatshnik
Councilwomen Sherrie Williams and 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
Andy Payne, Fire Chief
Amie Schultz, Library Director
Becky Ferguson, Director of Finance
Greg Polly, Code Enforcement Officer
James Horn, Water/Wastewater Maintenance Supervisor
Sven Herrmann, Acting Streets and Drainage Foreman
Louis Booth, Water/Wastewater Supervisor
Keyton Koch, Laborer
Janice Newman, City Secretary

VISITORS: Steven Parkey

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.

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 12, 2022.

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

AGENDA ITEM NO. 6: Public Hearing.

A. A Public Hearing to Discuss and Consider the City of Iowa Park's Operating Budget for Fiscal Year 2022/2023.

The public hearing opened at 7:02 p.m. It was noted this is the second and final public hearing to consider the 2022/2023 General Fund and Water and Sewer Fund operating budgets. The General Fund budget contains revenues and expenditures of \$4,824,670.00. The Water and Sewer fund contains revenues and expenditures of \$4,386,730.00. There were no other comments. The public hearing closed at 7:04 p.m.

B. A Public Hearing to Discuss and Consider a Proposal to Increase Total Tax Revenue From Properties on the Certified Tax Rolls.

The public hearing opened at 7:04 p.m. This is the second and final public hearing to consider a proposal to increase total tax revenue from properties on the certified tax rolls. The proposed tax rate is \$0.72 per \$100.00 valuation. There were no other comments. The public hearing closed at 7:06 p.m.

AGENDA ITEM NO. 7: Resolution.

A. A Resolution of the City Council of the City of Iowa Park, Texas Adopting the Operations Budgets for the General Fund and Water and Sewer Fund for Fiscal Year 2022/2023.

Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Resolution Number 22-17 adopting the operations budgets for the General Fund and Water and Sewer Fund for fiscal year 2022/2023. Motion carried with five ayes. (Unanimous)

B. A Resolution of the City Council of the City of Iowa Park, Texas Establishing an Ad Valorem Tax Rater for the Year 2022 on all Property Situated Within the City Limits of Iowa Park, Texas on January 1, 2022.

Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten that the property tax rate be increased by the adoption of a tax rate of \$0.72/\$100.00, which is effectively an 11.06 percent increase in the tax rate. This is Resolution Number 22-18. Motion carried with five ayes. (Unanimous) Councilwoman Williams stated just to be clear, the actual tax rate is going down by two cents.

C. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing and Approving the Write-Off of Bad Debts.

The fiscal year 2021/2022 utility billing write-off is \$18,504.04 with \$6,069.73 from 1000 Mary LLC. Council instructed staff to take action to collect from the former apartment owner. Motion was made by Councilwoman Wooten and seconded by Councilwoman Williams approving and adopting Resolution Number 22-19 authoring and approving the write-off of bad debts. Motion carried with five ayes. (Unanimous)

D. A Resolution of the City Council of the City of Iowa Park, Texas Prohibiting Fishing to the General Public at Lake Gordon From 8:00 A.M. on Thursday, October 13, 2022 Until 12:00 P.M. on Saturday, October 15, 2022, Except for Participants of the City's "FishFest" Event.

This year's FishFest event is set for Saturday, October 15, 2022. Lake Gordon will be restocked with channel catfish on Thursday, October 13th. Motion was made by Councilwoman Shierry and seconded by Councilman Barker approving and adopting Resolution Number 22-20 prohibiting fishing to the general public at Lake Gordon from 8:00 a.m. on Thursday, October 13, 2022 until 12:00 p.m. on Saturday, October 15, 2022, except for participants of the City's "FishFest" event. Motion carried with five ayes. (Unanimous)

E. A Resolution of the City of Iowa Park, Texas Finding That Oncor Electric Delivery Company LLC's ("Oncor" or "Company") Application to Change Rates Within the City Should be Denied; Finding That the City's Reasonable Rate Case Expenses Shall be Reimbursed by the Company; Finding That the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of This Resolution to the Company and Legal Counsel.

The Oncor Steering Committee, of which the City is a member, has recommended the rate increase should be denied. Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Resolution Number 22-21 finding that Oncor Electric Delivery Company LLC's ("Oncor" or "Company") application to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 8: Ordinance.

A. An Ordinance of the City of Iowa Park, Texas Accepting and Approving the Replat of Lots 11-A & 12-A, Block 57, Original Townsite to the City of Iowa Park, Wichita Council, Texas.

The Planning and Zoning Commission recommended the Council approve the next four ordinances. This ordinance is for 810 East Bank and 404 North Seneca. There are two mobile homes with each sitting on portions of both lots. The two adjacent properties currently run north and south and this replat will have them east and west, putting the two mobile homes on separate lots. Motion was made by Councilwoman Wooten and seconded by Councilman Barker approving and adopting Ordinance Number 1364 accepting and approving the replat of Lots 11-A & 12-A, Block 57, Original Townsite to the City of Iowa Park, Wichita Council, Texas. Motion carried with five ayes. (Unanimous)

- B. An Ordinance of the City of Iowa Park, Texas Accepting and Approving the Final Plat of Lot 2, Block 1 of the Electra Memorial Iowa Park Addition to the City of Iowa Park, Wichita County, Texas.

This is a 1.05-acre tract on SE Access Road owned by Mr. David Parkey and is in the process of being annexed. Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Ordinance Number 1365 accepting and approving the final Plat of Lot 2, Block 1 of the Electra Memorial Iowa Park Addition to the City of Iowa Park, Wichita County, Texas. Motion carried with five ayes. (Unanimous)

- C. An Ordinance of the City of Iowa Park, Texas Accepting and Approving the Replat of Lots 1-7, Block 13 of the Cowherd Brothers Subdivision, Wichita County, Texas.
- D. An Ordinance of the City of Iowa Park, Texas Accepting and approving the Final Plat of Lots 1-6, Block 24 of the Cowherd Brothers Subdivision, Wichita County, Texas.

Both properties are owned by Wichita Hay Producers and are in the City's extraterritorial jurisdiction. The subdivision regulations in the City's Code of Ordinances state all proposed lots within the extraterritorial jurisdiction that are less than five acres, must be approved by the City. Each of the two tracts are being subdivided into lots less than five acres. The first resolution is an 11.55-acre property and is located at FM 368 and Watts Road. The second resolution is a 19.5-acre tract located at FM 367 and South Bell Road. Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Ordinance Number 1366 accepting and approving the replat of Lots 1-7, Block 13 of the Cowherd Brothers Subdivision, Wichita County and approving and adopting Ordinance Number 1367 accepting and approving the final plat of Lots 1-6, Block 24 of the Cowherd Brothers Subdivision, Wichita County, Texas. Motion carried with five ayes. (Unanimous)

- E. An Ordinance of the City of Iowa Park, Texas Amending the Code of Ordinances at Section A3.005 of Article A3.000 in Appendix A to Establish Maximum Fees Charged for Mobile Home or Trailer Park Permits.

The current fees are an initial fee of \$50.00 per space, an annual fee of \$25.00 per space, and a transfer fee of \$50.00 per space. The proposed ordinance creates maximum fees of \$1,000.00, for the initial fee and transfer fee and a maximum of \$500.00 per park for transfer fee. Motion was made by Councilwoman Wooten and seconded by Councilman Barker approving and adopting Ordinance Number 1368 amending the Code of Ordinances at Section A3.005 of Article A3.000 in Appendix A to establish maximum fees charged for mobile home or trailer park permits. Motion carried with five ayes. (Unanimous)

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

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

The total local numbers appear to have slightly increased.

The meeting adjourned at 7:35 p.m.

PASSED, APPROVED AND ADOPTED this 10th day of October, 2022.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman