

MINUTES OF THE REGULAR CITY COUNCIL MEETING

June 13, 2022

MEMBERS PRESENT: Mayor Ray Schultz  
Mayor Pro tem Lori Shierry  
Councilmen Randall Barker and Jeff Pogatshnik  
Councilwoman Sherrie Williams

MEMBERS ABSENT: Councilwoman Stephanie Wooten

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  
Greg Polly, Code Enforcement Officer  
Dwayne Birkenfeld, Assistant Fire Chief  
James Horn, Water/Wastewater Maintenance Supervisor  
Sven Herrmann, Acting Streets and Drainage Foreman  
Brian Jones, Water/Wastewater Maintenance Equipment Operator  
Janice Newman, City Secretary

VISITORS: Dolores Hamilton David Sherrill

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 Special City Council Meeting of May 16, 2022.

- B. Acceptance and Approval of the Minutes of the Regular Economic Development Corporation's Board of Directors' Meeting of June 7, 2022.

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

AGENDA ITEM NO. 6: Appointment.

- A. Discuss and Consider the Appointment of the City Manager Jerry Flemming as City Council Representative on the Local Board of the Texas Emergency Services Retirement System for a Term of Two Years.

It was noted the Iowa Park Volunteer Fire Department participates in the Texas Emergency Services Retirement System. State law requires a Local Board of Trustees consists of six members one of whom is to be appointed by the governing body. This is a two year term. Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry appointing City Manager Jerry Flemming as City Council representative on the Local Board of the Texas Emergency Services Retirement System for a term of two years. Motion carried with four ayes. (Unanimous)

- B. Discuss and Consider the Appointment of Andrea Pogatshnik on the Community Development Corporation Board of Directors to Replace Her Husband Jeffrey Pogatshnik.

Motion was made by Councilwoman Shierry and seconded by Councilman Barker approving the appointment of Andrea Pogatshnik on the Community Development Corporation Board of Directors to replace her husband, Jeffrey Pogatshnik. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 7: Ordinance.

- A. An Ordinance of the City of Iowa Park, Texas Accepting the Replat of Lot 10-A, Block 58, Original Townsite, to the City of Iowa Park, Wichita County, Texas.

This is a replat of Lot 11 and the East ½ of Lot 10, Block 58, also known as 706 East Bank. This property is owned by Robert and Rhoda Baumer. They plan to tear down the existing house and build a new home. Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik approving and adopting Ordinance Number 1356 accepting the replat of Lot 10-A, Block 58, Original Townsite, to the City of Iowa Park, Wichita County, Texas. Motion carried with four ayes. (Unanimous)

- B. An Ordinance of the City Council of the City of Iowa Park, Texas Rescinding Ordinance Number 1354 and the temporary

restrictions for the Use of Combustible Materials in an Outdoor Environment that Were Enacted on April 25, 2022.

The Mayor stated he does not have a problem rescinding the ordinance due to recent rains. Motion was made by Councilman Pogatshnik and seconded by Councilman Barker rescinding Ordinance Number 1354 and the temporary restrictions for the use of combustible materials in an outdoor environment that were enacted on April 25, 2022. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 8: Resolution.

- A. A Resolution of the City of Iowa Park, Texas Suspending the June 17, 2022 Effective Date of Oncor Electric Delivery Company's Requested Rate Change to Permit the City Time to Study the Request and to Establish Reasonable Rates; Approving Cooperation with the Steering Committee of Cities Served by Oncor to Hire Legal and Consulting Services and to Negotiate with the Company and Direct any Necessary Litigation and Appeals; 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 for the Steering Committee. **(Res #22-07)**

Oncor Electric Delivery Company filed an application on May 13, 2022 with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates. They are asking an 11.2% increase in residential rates and a 1.6% increase in street lighting rates. This proposed resolution would suspend the June 17, 2022 effective date of the rate increase for the maximum period permitted by law to allow the City, in conjunction with the Steering Committee, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement to pursue. Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry approving and adopting Resolution Number 22-07 suspending the June 17, 2022 effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities served by Oncor to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; 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 for the Steering Committee. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 9: Budget Items.

- A. Receive City Human Resources Report.

The City Manager explained that the cost of living has risen six percent. He prepared two options for the Council to consider. Option 1 is a six percent across the board pay increase while Option 2 is a variable increase based on pay grade. Option 1 would increase both General Fund and Water and Sewer Fund by \$112,102.00 while Option 2 would increase by \$255,662.00. The Council

asked the City Manager to prepare an Option 3 that would be somewhere between Option 1 and Option 2. The Council asked the City Manager to get costs on how pay increases would impact the cost of Workers' Compensation.

B. Receive City Facilities Report.

The City Manager gave a brief report on the City's facilities and noted he is still waiting for the contract for the Fire and Police buildings. City Hall staff recently met with the architect concerning the new City Hall building.

All five HVAC units at the RAC will need to be replaced. Staff has received one bid in the amount of \$28,000.00.

The Library has some possible structural issues that will need to be addressed. All of the wood trim outside needs to be replaced and/or painted.

C. Receive City Vehicles and Equipment Report.

The City Manager briefed the Council on the City's vehicles and equipment. Several new vehicles that were budgeted have been ordered but there is no delivery date. The 1978 excavator is at the end of its service life. Due to cost and infrequent use, staff is recommending fitting the backhoe with a grading bucket at a cost of \$15,000.00. The 1987 trencher is rarely used and is at the end of its service life. Due to cost and infrequent use, staff recommends disposal without replacement.

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

- A. Discuss and Consider a Proposed Lease Agreement with Rodolfo and Hazel Ybarra for a 0.14-Acre Tract of Land out of Rose Park of the Original Townsite, Also Known as 400 West Daisy.

This item was passed at the request of the property owner.

B. Discuss and Consider Disposal of Toshiba Phones.

The City's new phone system has been installed and staff is ready to dispose of the thirty old Toshiba phones. Staff proposes to list the phones at GovDeals.com. Motion was made by Councilwoman Williams and seconded by Councilman Pogatshnik authorizing the disposal of Toshiba phones. Motion carried with four ayes. (Unanimous)

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

It was noted there were nine COVID positive cases in the 76367-zip code.

The meeting adjourned at 8:21 p.m.

PASSED, APPROVED AND ADOPTED this 27<sup>th</sup> day of June, 2022.

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Mayor Ray Schultz

ATTEST:

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City Secretary Janice Newman