

MINUTES OF THE REGULAR CITY COUNCIL MEETING

December 14, 2020

MEMBERS PRESENT: Mayor Ray Schultz
Mayor Pro tem Sherrie Williams (via Zoom)
Councilwomen Kelly Ewing and Lori Shierry
Councilmen Andy Payne and Brad Wynn

MEMBERS ABSENT: None

PERSONNEL: Jerry Flemming, City Manager
Steve Davis, Chief of Police
Jason Griffin, Parks and Recreation Director
David Owen (via Zoom)
Lewis Skinner, Fire Chief
Patrick Moulton, Assistant Fire Chief
Derek Vann, Police Sergeant
Becky Ferguson, Director of Finance
Amie Schultz, Library Director
Jeremy Hicks, Police Officer
Colby Alston, Police Officer
Janice Newman, City Secretary

VISITORS: Dolores Hamilton (via Zoom) Jonathan Clubb
Steve Moody Katy Allard

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 Mayor gave the invocation.

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

The City Manager recognized and welcomed Mr. Steve Moody, School Superintendent and Mr. Jonathan Clubb, City and School Tax Assessor/Collector.

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 November 9, 2020.
- B. Approve the Re-Appointment of Mr. Dan King as the City's Joint Representative to the Medical Services Board.

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

AGENDA ITEM NO. 6: Oath of Office.

- A. Administer Oath of Office to Patrol Officer Colby Alston.

The City Secretary administered the Oath of Office to Patrol Officer Colby Alston.

AGENDA ITEM NO. 7: Public Appearance.

- A. A Public Appearance by Mr. Chris Harp Requesting Permission to Complete an Eagle Scout Project at George Hammonds Park/Lake Iowa Park.

Mr. Chris Harp was not present. The Parks and Recreation Director presented his request. Mr. Harp, member of Eagle Scout Troop 34, is wanting to construct a human sundial at the George Hammonds Park, close to the Iowa Park Gun Club. The sundial will be made of twelve stones and a pedestal. A person would stand on the pedestal and their shadow cast on the stone markers indicating the time of day. The sun dial will be approximately 10' x 18' with each stone being six to eight inches above ground.

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

Motion was made by Councilman Payne and seconded by Councilwoman Ewing approving the request by Mr. Christ Harp to complete an Eagle Scout Project at George Hammonds Park/Lake Iowa Park. Motion carried with five ayes. (Unanimous)

- B. A Public Appearance by Ms. Katy Allard Requesting the City Council to Consider Making North Third Street, in Front of Kidwell Elementary School, a One-Way Street.

Ms. Katy Allard asked the Council to consider making the area around Kidwell Elementary School on North Third a one-way street. She does not feel it is safe for the children. The City Manager explained the street was designed as a two-way street when the subdivision as well as the school were built and was engineered as such. Mr. Steve Moody, School Superintendent, felt that some of the traffic problems are due to the improvements being made at the school and the construction should be completed in the March to April timeframe. Ms. Allard asked if at the end of the construction and if there are still problems, would the City consider making a left turn illegal when

headed north bound. The City Manager stated the City and School will get together and review any options available. He pointed out that if an engineer is required there will be an expense so they would come back to the Council before any changes were made.

(i) Action as a Result of Public Hearing.

No action was taken.

AGENDA ITEM NO. 8: Public Hearing.

- A. A Public Hearing to Consider the Annexation Into the Corporate Limits of the City of Iowa Park of a Tract of Land Comprising of 0.43 Acre Out of Block 10, Tarrant County School Land, A-282, Located Adjacent to the Current Corporate Limits of the City.

The City Manager explained this property, owned by Randy and Darleta Catlin, is located on the east side of Johnson Road north of Park Place Circle. The property is suitable for a single-family residence. There were no other comments.

- B. A Public Hearing to Consider Establishing a Single-Family Residential District (R-1) at 0.43 Acre Out of Block 10, Tarrant County School Land, A-282.

The City Manager explained that according to the City's Code of Ordinances, any territory annexed shall be deemed to be designated as A-G General Agricultural District. However, the A-G district must contain a minimum of five acres. The established zoning district adjacent to this lot is R-1, Single-Family Residential District across Johnson Road at Shiloh Estates. There were no other comments.

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 Williams and seconded by Councilwoman Shierry approving and adopting Ordinance Number 1318 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 five ayes. (Unanimous)

- B. An Ordinance of the City of Iowa Park, Texas Establishing a Single-Family Residential District (R-1) at a 0.43 Acre out of Block 10, Tarrant County School Land, A-282, to the City of Iowa Park, Wichita County, Texas.

Motion was made by Councilwoman Williams and seconded by Councilwoman Ewing approving and adopting Ordinance Number 1319 establishing a Single-Family Residential District (R-1) at a 0.43 acre out of Block 10, Tarrant County School Land, A-282, to the City of Iowa Park, Wichita County, Texas. Motion carried with five ayes. (Unanimous)

- C. An Ordinance of the City Council of the City of Iowa Park, Texas Abandoning One Hundred Feet (100') of the City Right-of-Way in the 200 block of North Alcott Avenue In-Between Two Hundred Feet (200') of Block 83 and Two Hundred Feet (200') of Block 82 and One Hundred Feet (100') of the Southernmost One Hundred Feet (100') of the Intersection of North Alcott Street and East Park Avenue (*Which May be Hereinafter referred to as "Right-of-Way"*) of the Original Townsite to the City of Iowa Park, Wichita County, Texas.
- D. An Ordinance of the City Council of the City of Iowa Park, Texas Abandoning the Remaining Seventy-Five Feet (75') of the City Owned Street in the 500 block of East Park Avenue In-Between Three Hundred Feet (300') of Block 72 and Three Hundred Feet (300') of Block 83 (*Which May be Hereinafter Referred to as "Right-of-Way"*) of the Original Townsite to the City of Iowa Park, Wichita County, Texas.
- E. An Ordinance of the City Council of the City of Iowa Park, Texas Abandoning Seventy-Five Feet (75') of the City Owned Street in the 200 Block of North Texowa Street In-Between Two Hundred Feet (200') of Block F and Two Hundred Feet (200') of Block 83 and Seventy-Five Feet (75') of the Southernmost One Hundred Feet (100') of the Intersection of North Texowa Street and East Park Avenue (*"Which May be Hereinafter Referred to as "Right-of-Way"*) of the Original Townsite to the City of Iowa Park, Wichita County, Texas.
- F. An Ordinance of the City Council of the City of Iowa Park, Texas Abandoning the Remaining Seventy-Five Feet (75') of the City Owned Street in the 600 Block of East Park Avenue In-Between the Western Most One Hundred and Fifty Feet (150') of Block 73 and the Western Most One Hundred and Fifty Feet

(150') of Block 82 (*Which May be Hereinafter Referred to as "Right-of-Way"*) of the Original Townsite to the City of Iowa Park, Wichita County, Texas.

- G. An Ordinance of the City Council of the City of Iowa Park, Texas Abandoning One Hundred and Fifty Feet (150') of the City-Owned Street in the 400 Block of East Park Avenue In-Between Two Hundred and Ninety Feet (290') of Block A and Two Hundred and Ninety Feet (290') of Block F (Which May be Hereinafter Referred to as "Right-of-Way") of the Original Townsite to the City of Iowa Park, Wichita County, Texas.

The City Manager explained these ordinances abandon rights-of-ways that are within the W.F. George Middle School grounds. The City Council had previously approved a Right-of-Way Encroachment Agreement that allows the School to encroach on the rights-of-way while the City retains all rights to operate and maintain the public infrastructure within the rights-of-way. The School has requested the City formally abandon the rights-of-ways on the campus grounds. Motion was made by Councilwoman Shierry and seconded by Councilwoman Shierry and seconded by Councilman Payne approving and adopting Ordinances Numbers 1320, 1321, 1322, 1323 and 1324 abandoning rights-of-way to the Iowa Park Consolidated Independent School District. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 10: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing a Change Order for the Wastewater Improvements Project.
- B. A Resolution of the City Council of the City of Iowa Park, Texas Accepting the Wastewater Improvements Project and Authorizing Final Payment.

The City Manager reminded Council that Bowles Construction Company was awarded the contract to install the North Texowa Lift Station, a new Texowa force main and a new Garden Valley force main in the amount of \$658,613.60. Several changes were recommended that resulted in a savings of \$155,617.60. The final payment due Bowles Construction is \$16,956.05. Motion was made by Councilman Payne and seconded by Councilwoman Ewing approving and adopting Resolution Number 20-34 authorizing a change order for the Wastewater Improvements Project and Resolution Number 20-35 accepting the Wastewater Improvements Project and authorizing final payment. Motion carried with five ayes. (Unanimous)

- C. A Resolution of the City Council of the City of Iowa Park, Texas Approving and Adopting the Police Department's General Order Number 102.008 Concerning Criminal History Records Proper Access, Use and Dissemination Procedures.

The Chief of Police stated that during a recent audit by the Texas Department of Public Safety Secure Site Division, it was recommended the Police Department adopt the DPS policy which meets the minimum standards and processes from the Federal Bureau of Investigation. Motion was made by Councilman Payne and seconded by Councilwoman Williams approving and adopting Resolution Number 20-36 approving and adopting the Police Department's General Order Number 102.008 concerning criminal history records proper access, use and dissemination procedures. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 11: Bid Action.

A. Discuss and Consider Bids for Industrial Avenue Roadway Improvements.

Two bids were received as follows:

Mandela Concrete	\$118,500.00
Wilson Contracting	\$350,407.50

The City Manager explained that the bid by Mandela Concrete was not submitted in accordance to the bidding documents therefore cannot be considered. Motion was made by Councilman Payne and seconded by Councilwoman Ewing awarding the bid for Industrial Avenue Roadway Improvements to Wilson Contracting. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 12: City Manager's Report.

A. Discuss and Consider the Construction of a Type 6 Brush Truck on a Ford Chassis in the Amount of \$168,412.00 From Boise Mobile Equipment.

The Fire Chief explained the City budgeted \$175,000.00 for the purchase of new grass fire truck. The Fire Department created a seven member committee and they looked at four different manufacturers and determined Boise Mobile Equipment had everything the Department needed at the best price. It was noted there is a twelve to fourteen month delivery date. The City Manager stated a pre-pay discount of \$3,500.00 is provided by Boise Mobile Equipment. However, staff suggested purchasing a twelve month certificate of deposit in the same amount of \$168,412.00 at 2.45% and earn more interest than the \$3,500.00 pre-pay discount. Motion was made by Councilwoman Williams and seconded by Councilman Payne approving the construction of a Type 6 Brush Track on a Ford Chassis in the amount of \$168,412.00. Motion carried with five ayes. (Unanimous)

B. Discuss and Consider a Purchase of \$16,500.00 for 10 Mobile Digital Radios for the Fire Department Vehicles.

The Fire Chief stated that since the Police Department upgraded their repeater and the County is upgrading the repeaters throughout the county and will be turned into mix mode. By having the digital radios the firemen will be able to communicate with dispatch and each other on the scene.

The company supplying the equipment, 49er Communications is having a closeout sale on these radios for \$1,600.00 each while the same radios from Motorola are approximately \$2,700.00 each. This is an unbudgeted item. Motion was made by Councilwoman Shierry and seconded by Councilman Payne authorizing the purchase of 10 mobile digital radios in the amount of \$16,500.00 for the Fire Department Vehicles. Motion carried with five ayes. (Unanimous)

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

The City Manager said that the active case numbers are going down while the recovered numbers are starting to climb. Staff recommends that the declaration remain in effect.

AGENDA ITEM NO. 13: Executive Session.

A. Pursuant to the Texas Government Code, Section 551.074 of the Texas Open Meetings Act for the Purpose of Deliberations About the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee; and More Specifically, to Discuss an Attorney/Client Engagement Agreement With Guevara Law, P.C.

The Council entered into executive session at 7:37 p.m.

The Council reconvened in open session at 8:02 p.m.

AGENDA ITEM NO. 14: Action as a Result of Executive Session.

A. Discuss and Consider an Attorney/Client Engagement Agreement With Guevara Law, P.C.

Motion was made by Councilwoman Shierry and seconded by Councilman Payne authorizing the Mayor to sign an attorney/client engagement agreement with Guevara Law, P.C. Motion carried with five ayes. (Unanimous)

The meeting adjourned at 8:02 p.m.

PASSED, APPROVED AND ADOPTED this 11th day of January, 2021.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman