

MINUTES OF THE REGULAR CITY COUNCIL MEETING

February 26, 2018

MEMBERS PRESENT: Mayor Pro tem Sherrie Williams
Councilwomen Deborah Dyer and Lori Shierry
Councilmen Tim Sheppard and Brad Wynn

MEMBERS ABSENT: Mayor Ray Schultz

PERSONNEL: Jerry Flemming, City Manager
David Sherrill, Public Works Director
Jason Griffin, Parks and Recreation Director
David Owen, Economic Development Director
Andy Payne, Fire Chief
David Golden, Assistant Fire Chief, Fire Operations
Ross Caston, Assistant Fire Chief, EMS Operations
Jimmy Eaton, Police Lieutenant
Sherry Fowler, Police Sergeant
Amie Schultz, Library Director
Greg Polly, Code Compliance Officer
David Bolin, Street Foreman
Jonny Butler, Street Equipment Operator
Wayne Whitehead, Street Equipment Operator
Jerry Lassiter, Street Equipment Operator
Sven Herrmann, Street Labor
Jayson Owen, Police Officer
Dereck Vann, Police Officer
Janice Newman, City Secretary

VISITORS: Dolores Hamilton
Ricky Shook
Raynae McCauley
David Ohm
Deanne Schram
DeWayne Williams
Lindsey Vann
Jan Mathews
Robert McCauley
Gratan Eiben
Wesley Fowler
Eldon Patterson
David Williams
Angela Whitehead

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 Economic Development Director gave the invocation.

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

The City Manager recognized the Street Department crew praising their hard work and dedication. He noted that as soon as the street rebuild work was done they started working on drainage issues. They have done some building improvement projects at several City facilities. They performed site prep work at the Animal Control Facility prior to construction and are currently working on the roadway from Burnett Ranch Road to the Lake Buffalo Boat Ramp. Last week when the snow and sleet hit, they were out, starting at 4:00 a.m. spreading material on the roadways to make them safe.

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 February 20, 2018.
- B. Acceptance and Approval of the Minutes of the Special Economic Development Corporation's Board of Directors' Meeting of February 13, 2018.

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

AGENDA ITEM NO. 6: Election Business.

- A. Approve the Appointments of Ms. Frances Leath as Election Judge and Ms. Maxie Britt as Alternate Judge for the May 5, 2018 General Election.

Motion was made by Councilwoman Dyer and seconded by Councilwoman Shierry approving the appointments of Ms. Frances Leath as Election Judge and Ms. Maxie Britt as Alternate Judge for the May 5, 2018 General Election. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 7: Public Appearance.

- A. A Public Appearance by Robert Lee and Jerri Raynae McCauley to Discuss Council Order #17-07-B.

Mr. Robert McCauley appeared before the Council requesting more time in order for him to move his mobile home. It was noted on January 22, 2018, the Council granted him an additional seven days to remove the structure. Mr. McCauley called on February 22, 2018 requesting another public hearing because that was not enough time to relocate his home. They have found property outside the city limits and currently have their property at 206 S. Jackson on the market. Mr. McCauley asked the Council for an addition three months to relocate his home.

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

Motion was made by Councilman Sheppard and seconded by Councilwoman Dyer granting ninety days for Robert Lee and Jerri Raynae McCauley to remove their mobile home from 206 S. Jackson. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 8: Public Hearing.

- A. A Public Hearing to Determine Whether the Manufactured Home-Type Residential Structure Located at 410 North Seneca, Also Known as Lots 1-2-3 & 12.5' of Adj. St., Block 56, 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 7:11 p.m. Mrs. Jan Mathews, owner of the structure, stated she and her husband plan to remove the mobile home but want to salvage some parts to use at another location. The public hearing closed at 7:15 p.m.

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

Motion was made by Councilman Sheppard and seconded by Councilwoman Dyer approving and adopting Council Order #18-06 declaring the manufactured home-type residential structure located at 410 North Seneca, also known as Lots 1-2-3 & 12.5' of Adj. St., Block 56, 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 sixty (60) days of the adoption of this Council Order. Motion carried with four ayes. (Unanimous)

- B. A Public Hearing to Determine Whether the Manufactured Home-Type Residential Structure Located at 206 North Hawthorne, Also Known as Lots 1-2-3, Block 81, 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 7:15 p.m. Mr. Gratan Eiben, owner of the property was present. He stated he uses this mobile home for storage of items and supplies he uses at his rental properties. It was noted the mobile home needs to be secured and underpinned. The porch needs to be removed as does the water heater that is falling out of the structure. Mr. Eiben stated he will get the mobile home secured, underpinned and the porch removed. The public hearing closed at 7:21 p.m.

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

Motion was made by Councilman Sheppard and seconded by Councilwoman Dyer approving and adopting Council Order #18-07 declaring the manufactured home-type residential structure located at 410 North Seneca, also known as Lots 1-2-3, Block 81, 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 forty-five (45) days of the adoption of this Council Order. Motion carried with four ayes. (Unanimous)

- C. A Public Hearing to Determine Whether the Mobile Home-Type Residential Structure Located at 310 East Lafayette, Also Known as Lots 13-14 & W 12.5’ Lot 15, Block 119, 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 7:23 p.m. Mr. Eldon Patterson, owner of the property and his daughter, Mrs. Deanne Schram, appeared before the Council requesting time to remove the structure. They have family that can help them but they do not live in the area and are school teachers. The public hearing closed at 7:29 p.m.

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

Motion was made by Councilman Sheppard and seconded by Councilwoman Dyer approving and adopting Council Order #18-08 declaring the mobile home-type residential structure located at 310 East Lafayette, also known as Lots 13-14 & W 12.5’ Lot 15, Block 119, 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 sixty (60) days of the adoption of this Council Order. Motion carried with four ayes. (Unanimous)

- D. A Public Hearing to Determine Whether the Detached Garage and Utility Buildings Structures Located at 314 East Lafayette, Also Known as E 37.5’ of Lot 15 all Lot 16, Block 119, 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 7:30 p.m. Mr. Dewayne Williams, owner of the property, stated he plans to demolish the two structures. He has access to a backhoe but will be dependent on the weather. The public hearing closed at 7:32 p.m.

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

Motion was made by Councilwoman Dyer and seconded by Councilwoman Shierry approving and adopting Council Order #18-09 declaring the detached garage and utility buildings structures located at 314 East Lafayette, also known as E 37.5’ of Lot 15 all Lot 16, Block 119, 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 sixty (60) days of the adoption of this Council Order. Motion carried with four ayes. (Unanimous)

- E. A Public Hearing to Determine Whether the Single Family Residential Structure Located at 603 E Ruby, Also Known as Lot 4, Block 5, McCleskey Addition 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 7:33 p.m. Mr. Donald Sidlauskas, owner of the property, was not present and has not made any attempts to contact the City. This single family structure is being used as a chicken coup. According to the Appraisal District, the structure is valued at \$380.00. It is dilapidated, substandard and unfit for human habitation. The public hearing closed at 7:36 p.m.

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

Motion was made by Councilman Sheppard and seconded by Councilman Wynn approving and adopting Council Order #18-10 declaring the single family residential structure located at 603 E Ruby, also known as Lot 4, Block 5, 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 structure to be abated within forty-five (45) days of the adoption of this Council Order. Motion carried with four ayes. (Unanimous)

- F. A Public Hearing to Determine Whether the Single Family Residential Structure Located at 607 E Ruby, Also Known as Lot 3, Block 5, McCleskey Addition 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 7:37 p.m. Mr. Andrew Sidlauskas, owner of the property, was not present and has not contacted the City. This single family residential structure is also being used as a chicken coup and is dilapidated, substandard and unfit for human habitation. The public hearing closed at 7:39 p.m.

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

Motion was made by Councilwoman Dyer and seconded by Councilman Sheppard approving and adopting Council Order #18-11 declaring the single family residential structure located at 607 E Ruby, also known as Lot 3, Block 5, 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 structure to be abated within forty-five (45) days of the adoption of this Council Order. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 9: Ordinance.

- A. An ordinance of the City Council of the City of Iowa Park, Texas, approving a tariff authorizing an annual rate review mechanism (“RRM”) as a substitution for the annual interim rate adjustment process defined by Section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”) and the Steering Committee of Cities served by Atmos; requiring the Company to reimburse Cities’ reasonable ratemaking expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Open Meetings Act; declaring an effective date; and requiring delivery

of this ordinance to the Company and legal counsel for the Steering Committee.

This ordinance is a negotiated RRM tariff which will result in a rate reduction effective by mid-March. Motion was made by Councilman Sheppard and seconded by Councilwoman Shierry approving and adopting Ordinance Number 1244 approving a tariff authorizing an annual rate review mechanism (“RRM”) as a substitution for the annual interim rate adjustment process defined by Section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”) and the Steering Committee of Cities served by Atmos; requiring the Company to reimburse Cities’ reasonable ratemaking expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Open Meetings Act; declaring an effective date; and requiring delivery of this ordinance to the Company and legal counsel for the Steering Committee. Motion carried with four ayes. (Unanimous)

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

- A. Discuss and Consider Establishing Dates and Times for the Operations for the Iowa Park Municipal Pool and Spray Park as Well as User Fees and Rules of Said Pool and Park for the 2018 Swim Season.

The Parks and Recreation Director briefed the Council on the proposed dates, times, fees and rules for the upcoming swim season. The pool is scheduled to open on Saturday, May 26, 2018 and close on Sunday, August 12, 2018. Staff is proposing reducing the daily membership fees from \$5.00 to \$3.00 and a season pass to a flat \$35.00 per individual. Other proposed changes are \$1.00 day Tuesdays. Individuals can get in for a dollar with the requested donation. The first Tuesdays of each month will be canned goods, the second Tuesdays will be school supplies, the third Tuesdays will be pet food, and the fourth Tuesdays will be books for the library. There will be red white and blue days on designated holidays. Wear red white and blue bathing suit and pay \$2.00. On Friday, August 3rd, will be military/veteran appreciation day .Active duty, reserve and veterans, their spouses and children will get in for \$1.00 each. Friday, August 10th will be first responder’s appreciation day. First Responders and their family will get in for \$1.00 each. Other special days will include citizen appreciation day, senior citizens, educators, father’s day, super hero day, team spirit day and green bathing suit day. Motion was made by Councilman Sheppard and seconded by Councilman Wynn establishing dates and times for the operations for the Iowa Park Municipal Pool and Spray Park as well as user fees and rules of said pool and park for the 2018 swim season as presented by staff. Motion carried with four ayes. (Unanimous)

The meeting adjourned at 7:53 p.m.

PASSED, APPROVED AND ADOPTED this 12th day of March, 2018.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman