

MINUTES OF THE REGULAR CITY COUNCIL MEETING

January 8, 2018

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

MEMBERS ABSENT: Mayor Ray Schultz
Councilman Brad Wynn

PERSONNEL: Jerry Flemming, City Manager
Robert Johnson, Chief of Police
David Sherrill, Public Works Director
Jason Griffin, Parks and Recreation Director
David Owen, Economic Development Director
Andy Payne, Fire Chief
Karla Neal, Municipal Court Clerk/Code Enforcement Officer
Sherry Fowler, Police Sergeant
Mike McCarty, Water/Wastewater Supervisor/Fire Marshall
Greg Polly, Code Compliance Officer
Derek Vann, Police Officer
Sara Rangel, Customer Service Clerk
Janice Newman, City Secretary

VISITORS: Dolores Hamilton
Mike Stephenson
Misty McCarty
Addison McCarty
Paul Rector
James Winkler
Kim Watson
Lindsey Vann
Jennifer Stephens
David Parkey
Dylan Dennis
Kaylie McCarty
Walker McCarty
Michael Baker
Ricky Shook
Carl Watson
Marsha McCarty
Lane Choate

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).

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 December 11, 2017.

B. Acceptance and Approval of the Minutes of the Planning and Zoning Commission Meeting of December 11, 2017.

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

AGENDA ITEM NO. 6: Oath of Office.

- A. Administer Oath of Office to Code Enforcement Officer Karla Neal.

The City Secretary administered the oath of office to Code Enforcement Officer Karla Neal.

- B. Administer Oath of Office to Code Compliance Officer Greg Polly.

The City Secretary administered the oath of office to Code Compliance Officer Greg Polly.

- C. Administer Oath of Office to Fire Marshall Mike McCarty.

The City Secretary administered the oath of office to Fire Marshall Mike McCarty.

AGENDA ITEM NO. 7: Public Hearing.

- A. A Fourth Public Hearing to Consider Granting an Extension for the Property Owner to Abate the Detached Secondary Wooden Living Quarters Structure Located at 103 West Aldine, Also Known as Lots 3-4, Block 18 of the Original Townsite, to the City of Iowa Park, Wichita County, Texas.

The public hearing opened at 7:05 p.m. Mr. Mike Stephenson was present representing his mother who owns the property. He stated work is continuing on the removal of the structure. They filled the roll-off container and are waiting for it to be emptied and brought back to complete the project. The public hearing closed at 7:05 p.m.

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

Motion was made by Councilwoman Shierry and seconded by Councilwoman Dyer approving and adopting Council Order #17-02-C granting an extension for the property owner to abate the detached secondary wooden living quarters structure located at 103 West Aldine, also known as Lots 3-4, Block 18, Original Townsite to the City of Iowa Park, Wichita County Texas within forty-five (45) days from the adoption of this Council Order. Motion carried with three ayes. (Unanimous)

- B. A Public Hearing to Determine Whether the Wooden Residential Structure Located at 501 North Victoria, Also Known as S/2 of Lot 7-A, Block 48, 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 7:08 p.m. The property owner, Dilts Construction, Inc., was not present. A woman in the audience stated she is trying to purchase the residence from Mr. Dilts. It was noted this structure was not secure due to the fact there is no garage door. The City Manager informed the Council that the property has eight liens filed against it totaling \$1,904.34. The public hearing closed at 7:12 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 #18-01 declaring the wooden residential structure located at 501 North Victoria, also known as S/2 of Lot 7”1, Block 48, 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 secured and liens to be paid off within forty-five (45) days of the adoption of this Council Order. Motion carried with three ayes. (Unanimous)

- C. A Public Hearing to Determine Whether the 1,700 sq. ft. Wood Frame, Plaster/Stucco Structure Located at 111 West Cash, Also Known as Lot 6, Block L, 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 7:14 p.m. Mr. James Winkler stated he just had this property transferred into his name from the Iowa Park MuleSkinners. He has received one bid and is awaiting a second bid to reroof the building which should stop the water damage to the attached city-owned building. The public hearing closed at 7:19 p.m.

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

Motion was made by Councilman Sheppard and seconded by Councilwoman Shierry approving and adopting Council Order #18-02 declaring the 1,700 sq. ft. wood frame, plaster/stucco structure located at 111 West Cash, also known as Lot 6, Block L, 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 three ayes. (Unanimous)

- D. A Public Hearing to Determine Whether the 1,392 sq. ft. Wooden Residential Structure Located at 304 East Pecan, Also Known as Lot 11, Block 134, 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 7:20 p.m. Doris Denton c/o Jimmy Denton, owner of the property, was not present. The City Manager explained this property is scheduled to be sold on the courthouse steps on February 6th for back taxes. He also noted there are seventeen liens on the property totaling \$4,034.39. The structure is beyond repair due to the roof, ceiling, floor and walls caving in. The public hearing closed at 7:25 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 #18-03 declaring the 1,392 sq. ft. wooden residential structure located at 304 East Pecan, also known as Lot 11, Block 134, 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 three ayes. (Unanimous)

- E. A Public Hearing to Determine Whether the 1,337 sq. ft. Brick Residential Structure Located at 900 North 4th, Also Known as Lot 16, Block 1, Redin Heights 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 7:25 p.m. Henry Pando, owner of the property, was not present. The Code Compliance Officer has been in contact with Mr. Pando who has indicated he plans to start working on the structure. The public hearing closed at 7:28 p.m.

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

Motion was made by Councilwoman Shierry and seconded by Councilwoman Dyer approving and adopting Council Order #18-04 declaring the 1,337 sq. ft. brick residential structure located at 900

North 4th, also known as Lot 16, Block 1, Redin Heights 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 three ayes. (Unanimous)

- F. A Public Hearing to Consider the Rezone of Lots 2-4, Block 26 of the Original Townsite to the City of Iowa Park, Wichita County, Texas From General Agricultural District (A-G) to Single-Family Residential District (R-1).

The public hearing opened at 7:29 p.m. This land was recently replatted into three lots, all being under five acres that are required for General Agricultural District. Mr. David Parkey, owner of the property, filed a petition to rezone the lots to R-1. The Planning and Zoning Commission recommended the City Council rezone these properties. The public hearing closed at 7:30 p.m.

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

Motion was made by Councilman Sheppard and seconded by Councilwoman Shierry approving and adopting Ordinance Number 1242 accepting the rezone of Lots 2-4, Block 26 of the Original Townsite to the City of Iowa Park, Wichita County, Texas from General Agricultural District (A-G) to Single-Family Residential District (R-1). Motion carried with three ayes. (Unanimous)

AGENDA ITEM NO. 8: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Accepting, Authorizing and Approving the Amended Wichita County Mitigation Action Plan and Establishing an Effective Date.

The City Manager explained the Disaster Mitigation Act of 2000 and the Federal Emergency Management Agency (FEMA) require communities to have mitigation action plans in order to be eligible for federal funding following disasters. The cities of Iowa Park, Burkburnett, Cashion, Electra, the Town of Pleasant Valley and Wichita County have a joint Mitigation Plan which has been amended when necessary. The plan has recently been reviewed and revised and needs to be approved in order to remain eligible for federal funding. Motion was made by Councilwoman Shierry and seconded by Councilman Sheppard approving and adopting Resolution Number 18-01 accepting, authorizing and approving the amended Wichita County Mitigation Action Plan and establishing an effective date. Motion carried with three ayes. (Unanimous)

- B. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Mayor to Execute a Non-Exclusive Tower Attachment Lease Agreement Between the City of Iowa Park and Skybeam LLC d/b/a Rise Broadband on the Water Tower Located at 1600 Northwest Access Road.

The City Manager explained that Rise Broadband has a lease agreement and this new contract addresses requirements set by Homeland Security. Motion was made by Councilman Sheppard and seconded by Councilwoman Shierry approving and adopting Resolution Number 18-02 authorizing the Mayor to execute a non-exclusive tower attachment lease agreement between the City of Iowa Park and Skybeam LLC d/b/a Rise Broadband on the water tower located at 1600 Northwest Access Road. Motion carried with three ayes. (Unanimous)

AGENDA ITEM NO. 9: Ordinance.

- A. An Ordinance of the City of Iowa Park, Texas Amending the Code of Ordinances at Section 5.02.001 (b) to Modify the Fire Marshal Position.

The current code states the position shall be without pay. The new fire marshal is an employee of the city serving as the water/wastewater supervisor. This ordinance removes the “without pay”. Motion was made by Councilwoman Dyer and seconded by Councilman Sheppard approving and

adopting Ordinance Number 1243 amending the Code of Ordinances at Section 5.02.001 (b) to modify the fire marshal position. Motion carried with three ayes. (Unanimous)

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

A. Discuss and Consider Scheduling Date and Time for the Annual Evaluation of the City Manager.

It was the consensus of the Council to conduct the annual evaluation of the City Manager on Monday, January 15, 2018.

The meeting adjourned at 7:48 p.m.

PASSED, APPROVED AND ADOPTED this 22nd day of January, 2018.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman