

MINUTES OF THE REGULAR CITY COUNCIL MEETING

June 11, 2018

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

MEMBERS ABSENT: None

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
Tracey Jennings, City Attorney
Sherry Fowler, Police Sergeant
Amie Schultz, Library Director
Greg Polly, Code Compliance Officer
Jayson Owen, Police Officer
Derek Vann, Police Officer
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Lindsey Vann
Ralph Dillard Julie Payne
Crystal Kelmer Jeremy Hicks

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 May 14, 2018.
- B. Acceptance and Approval of the Minutes of the Special City Council Meeting of May 21, 2018.

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

AGENDA ITEM NO. 6: Public Hearing.

- A. A Public Hearing to Determine Whether the Single Family Residential Structure and Detached Garage Structure Located at 101 East Garden, Also Known as Lot 1, Block 8 of the Garden

Valley 1 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 7:01 p.m. Mr. Ralph Dillard, owner of the property, was present to discuss the scope of work required. The Code Compliance Officer had photos of the two structures and stated the detached garage needs the most attention and needs secured. The public hearing closed at 7:05 p.m.

(i) Action as a Result of Public Hearing.

Motion was made by Councilwoman Williams and seconded by Councilwoman Dyer approving and adopting Council Order #18-20, declaring the residential structure and detached garage located at 101 East Garden, also known as Lot 1, Block 8 of the Garden Valley 1 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 five ayes. (Unanimous)

B. A Public Hearing to Determine Whether the Utility Building Structure Located at 1002 E Pasadena, Also Known as Lots 7-8, Block 92 of the 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 7:07 p.m. The Code Compliance Officer stated he had been in contact with Ms. Virginia L. Reeder, owner of the property. She has hired Mr. David Ohm to tear down the structure and he should start the demolition in a couple of days. Councilwoman Shierry felt this item should not be on the agenda since plans are already in place to take care of the structure. The Council and staff discussed first sending a letter or include in the complaint to contact the Code Compliance Officer to make plans to take care of a substandard structure prior to it going to the Council. The public hearing closed at 7:16 p.m.

(i) Action as a Result of Public Hearing.

Motion was made by Councilman Sheppard and seconded by Councilwoman Williams tabling this item until the next regular Council meeting if needed. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 7: Ordinance.

A. An Ordinance of the City of Iowa Park Making Findings; Amending Ordinance No. 1084 Adopted on June 22, 2009, and Recodified on February 14, 2011, by Providing for a Certain Addition by Assigning the Name “Reinvestment Zone No. 1 of the City of Iowa Park, Texas” to the Zone Designated in Section 1 of Ordinance No. 1084; Providing an Effective Date; Providing for Severability; Providing a Repealer Clause; Providing for Publications; and Making an Open Meeting Finding.

B. An Ordinance of the City of Iowa Park Making Findings; Amending Ordinance No. 1136 Adopted on November 7, 2011, by Providing for a Certain Addition by Assigning the Name “Reinvestment Zone No. 2 of the City of Iowa Park, Texas” to the Zone Designated in Section 1 of Ordinance No. 1136; Providing an Effective Date; Providing for Severability; Providing a Repealer Clause; Providing for Publications; and Making an Open Meeting Finding.

- C. An Ordinance of the City of Iowa Park Making Findings; Amending Ordinance No. 1135 Adopted on November 7, 2011, by Providing for a Certain Addition by Assigning the Name “Reinvestment Zone No. 3 of the City of Iowa Park, Texas” to the Zone Designated in Section 1 of Ordinance No. 1135; Providing an Effective Date; Providing for Severability; Providing a Repealer Clause; Providing for Publications; and Making an Open Meeting Finding.

The City Manager explained that Section 311.004 (a)(5) of the Texas Tax Code describes the contents of a reinvestment zone ordinance which must assign a name to the zone for identification. That was not done on the three reinvestment zones created by the City. The State Comptroller’s Office has requested the names and the City Attorney drafted these ordinances. Motion was made by Councilwoman Dyer and seconded by Councilman Sheppard approving and adopting Ordinance Number 1247 amending Ordinance No. 1084, assigning the name “Reinvestment Zone No. 1 of the City of Iowa Park, Texas”; adopting Ordinance Number 1248 amending Ordinance No. 1136 assigning the name “Reinvestment Zone No. 2 of the City of Iowa Park”; and adopting Ordinance Number 1249 amending Ordinance No. 1135 assigning the name “Reinvestment Zone No. 3 of the City of Iowa Park, Texas”. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 8: City Manager’s Report.

- A. Discuss and Consider Replacing the Condenser and Air Handler for the Second Story of the Tom Burnett Memorial Library.

It was noted that the current General Fund budget includes \$8,000.00 for the replacement of the HVAC system for the upstairs room at the Library. The City requested estimates and received a total of five as follows:

<u>Name of Bidder</u>	<u>Description</u>	<u>Amount</u>
Guyette Air Conditioning & Heating	7.5 ton – 11.2 EER	\$10,130.00
Otis Air Conditioning & Refrigeration	7.5 ton – 11.2 EER	\$10,684.07
Gene James Air Conditioning & Heating	7.5 ton – 13.0 EER	\$10,780.45
Gene James Air Conditioning & Heating	7.5 ton – 12.9 EER	\$11,291.15
Gene James Air Conditioning & Heating	10 ton – 13.3 EER	\$12,536.15

After a brief discussion, motion was made by Councilman Sheppard and seconded by Councilwoman Shierry awarding a quote from Gene James Air Conditioning & Heating for a 7.5 ton – 13.0 EER at \$10,780.45 for the condenser and air handler for the second story of the Tom Burnett Memorial Library. Motion carried with five ayes. (Unanimous)

- B. Discuss and Consider Scheduling a City Council Workshop to Discuss Parks, Swimming Pool, Special Events and the Library.

Motion was made by Councilman Sheppard and seconded by Councilwoman Williams setting a special City Council workshop on Monday, June 18, 2018 at 6:00 p.m. at the Tom Burnett Memorial Library. Motion carried with five ayes. (Unanimous)

- C. Discuss Scheduling a Grand Opening Ceremony at the New Iowa Park Animal Control Facility.

It was noted the new facility is nearing completion. Staff would like to host an open house to have the Council, Community Development Corporation, staff and citizens an opportunity to see the new facility. Motion was made by Councilwoman Dyer and seconded by Councilwoman Williams setting Saturday, July 14, 2018 at 10:30 a.m. for the grand opening ceremony at the new Iowa Park Animal Control Facility. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 9: Executive Session.

- A. Pursuant to Texas Government Code Section 551.071 of the Texas Open Meetings Act, for the Purpose of Consulting With

the City Attorney to Seek Advice on Legal Matters More Specifically Defined as Follows:

(1) Consider Possible Litigation in Regard to Real Property at the Following Locations:

- (i) Lots 4 & 5 and E 10' of Lot 6 of Benton Subdivision of Denver Park; Also Described as Being Lots 4 & 5 and E 10' Lot 6, Block 96, Original Townsite and Commonly Known as 606 East Highway Iowa Park, Wichita County, Texas.
- (ii) PT of Lots 11-12, Block 102, Original Townsite and Commonly Known as 206 South Jackson, Iowa Park, Wichita County, Texas.

The Council entered into executive session at 7:34 p.m.

The Council reconvened in open session at 8:41 p.m.

AGENDA ITEM NO. 10: Action as a Result of Executive Session.

A. Consider Possible Litigation in Regard to Real Property at the Following Locations:

- (i) Lots 4 & 5 and E 10' of Lot 6 of Benton Subdivision of Denver Park; Also Described as Being Lots 4 & 5 and E 10' Lot 6, Block 96, Original Townsite and Commonly Known as 606 East Highway, Iowa Park, Wichita County, Texas.

Motion was made by Councilwoman Williams and seconded by Councilwoman Dyer instructing staff to continue moving forward in pursuing bringing the property into compliance. Motion carried with five ayes. (Unanimous)

- (ii) PT of Lots 11-12, Block 102, Original Townsite and Commonly Known as 206 South Jackson, Iowa Park, Wichita County, Texas.

Motion was made by Councilwoman Williams and seconded by Councilman Sheppard instructing staff to continue moving forward in pursuing bringing the property into compliance. Motion carried with five ayes. (Unanimous)

The meeting adjourned at 8:42 p.m.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2018.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman