

MINUTES OF THE REGULAR CITY COUNCIL MEETING

June 13, 2016

MEMBERS PRESENT: Mayor Pro tem Sherrie Williams  
Councilwomen Lori Shierry and Stephanie Wooten  
Councilmen Tim Sheppard and Keith Dyer

MEMBERS ABSENT: Mayor Ray Schultz

PERSONNEL: Jerry Flemming, City Manager  
David Sherrill, Public Works Director  
Robert Johnson, Chief of Police  
Andy Payne, Fire Chief  
Patrick Moulton, Assistant Fire Chief, Fire Operations  
Becky Ferguson, Director of Finance  
Amie Schultz, Library Director  
Terry Wooten, Police Sergeant  
Matt Ohm, Police Officer  
Taylor Yager, Police Officer  
Jeff Lisec, Police Officer  
Jayson Owen, Communications Technician/Reserve Police Officer  
Justin Penn, Reserve Police Officer  
Janice Newman, City Secretary

VISITORS: Dolores Hamilton                      Shelli Starr  
Norma Mulkey                                      Jaye Mulkey  
Steve Starr    David Parkey  
David White    Carol Mahler  
Shawn Mahler    Clay Parker  
Pamela Penn    Carmen Lozipone

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 Chief of Police 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 Regular City Council Meeting of May 23, 2016.
- B. Acceptance and Approval of the Minutes of the Iowa Park Community Development Corporation's Board of Directors' Meeting of May 31, 2016.
- C. Acceptance and Approval of the Special City Council Session With the Iowa Park Planning and Zoning Commission and the Iowa Park Board of Adjustment of June 6, 2016.
- D. Acceptance and Approval of the Special City Council Session With the Iowa Park Community Development Corporation and the Iowa Park Economic Development Corporation of June 7, 2016.

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

AGENDA ITEM NO. 6: Oath of Office.

- A. Swear in Reserve Patrol Officers Jayson Owen and Justin Penn.

The City Secretary swore in Reserve Patrol Officers Jayson Owen and Justin Penn.

AGENDA ITEM NO. 7: Public Appearance.

- A. A Public Appearance by Mr. Shawn Mahler of Bobby Bounds Excavation Requesting an Exemption of the Fireworks Ordinance (Sec. 5.01.002), Use of the Gordon Lake Dam for a Public Fireworks Display on Sunday, July 3, 2016 and Permission to Close the Sidewalk on the Dam From 12:00 Noon Until After the Show for Public Safety.

Mr. Shawn Mahler explained Bobby Bounds is again providing a fireworks display and would like to have it located behind the dam at Lake Gordon which is where it was located last year. Mr. Mahler has been in contact with radio personality Jim Russell with Cumulus Broadcasting. They plan on doing a simulcast with the radio station.

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

Motion was made by Councilwoman Shierry and seconded by Councilwoman Wooten granting the request and exemption of the fireworks ordinance and use of the Gordon Lake dam for a public fireworks display on Sunday, July 3, 2016 and granting permission to close the sidewalk on the dam from 12:00 noon until after the show for public safety. Motion carried with four ayes. (Unanimous)

- B. A Public Appearance by Mr. David Parkey Requesting an Exemption to the Building Regulations Ordinance at Section 3.007.003 (b) to Only Open a Portion of Cheyenne Avenue.

It was noted that Mr. David Parkey owns property at 800 East Alameda, which is all of Block 26 of the Original Townsite, also known as Antelope Park. He has a buyer for 5.51 acres out of this tract of land, which is off of the dead end of Cheyenne Avenue. City Code states the street must be opened to its entire length and width at one time. Mr. Parkey requested an exemption to this ordinance by only opening a portion, 175 feet, of Cheyenne Avenue to serve this one tract.

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

Motion was made by Councilman Dyer and seconded by Councilman Sheppard granting an exemption to Mr. David Parkey for an exemption to the building regulations ordinance at Section 3.007.003 (b) to only open a portion of Cheyenne Avenue. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 8: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Finding That the Conditions and Circumstances for the Conveyance of the Property Described in This Resolution Have Occurred and Authorizing the City Manager to Execute a Special Warranty Deed on Behalf of the City Conveying the Property Described Herein to MGR Enterprises, Inc., d/b/a Gene James Heating and Air Conditioning.

It was noted the City had entered into two Texas Capital Fund Contracts with the Texas Department of Economic Development and Economic Development Agreements with both Kathy's Bakery and Deli and Gene James Air Conditioning in 1999. These were interest free loans with both businesses making monthly payments. Kathy's Bakery and Deli has paid off their loan and a warranty deed had been issued. Gene James now wants to pay off his loan and this resolution authorizes the City Manager to execute a special warranty deed to MGR Enterprises, Inc., d/b/a/ Gene James Heating and Air Conditioning. Motion was made by Councilwoman Wooten and seconded by Councilwoman Shierry approving and adopting Resolution Number 16-10 finding that the conditions and circumstances for the conveyance of the property described in this resolution have occurred and authorizing the City Manager to execute a special warranty deed on behalf of the City conveying the property described herein to MGR Enterprises, Inc., d/b/a Gene James Heating and Air Conditioning. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 9: City Manager's Report.

A. Discuss and Consider Authorizing the City Manager to Make Necessary Repairs to the Exterior of the Economic Development Building.

The City Manager explained to the Council there is extensive water damage as well as termite damage to the Economic Development Building. The interior walls and ceiling have been torn out and exposed the widespread damage. It appears some of the damage started immediately after it was built due to the wall and roof not being tied into the adjacent building properly. The slab has been submerged on both the north and south sides of the building which show considerable damage. Staff is recommending making necessary repair to the exterior, including roofing to stop any further water damage. Three bids were received as follows:

David White	\$16,734.97
Wichita Roofing	no dollar amount stated
Guaranteed Roofing and Construction	\$12,281.00

Councilwoman Shierry asked why local contractors were not contacted. She felt locals are not given a chance to bid. It was explained this was handled as an emergency situation and was not advertised.

The Council temporarily adjourned the meeting and went across the street to tour the damaged building.

It was noted the building was built as a meeting place for the Chamber of Commerce. Councilman Sheppard suggested getting with the Chamber of Commerce to see if they can help financially with any of the repairs. David White stated that the way the roof is designed, if it is repaired, it will leak again, especially if there is a heavy snow fall. It was the consensus of the Council to not spend any more money on the building at this time. Motion was made by Councilman Sheppard and seconded by Councilwoman Shierry to table this item to allow staff to come back with other options to consider, including purchasing, leasing or renting another building. Motion carried with four ayes. (Unanimous)

B. Discuss and Consider the Service Agreement With the Iowa Park Chamber of Commerce.

This service agreement began October 1, 2007 and renews automatically every year. The current term is set to expire September 30, 2016. The agreement covers Chamber duties performed by the Economic Development Director and allows for reimbursement for his time and materials for the specified duties. Any other duties must be approved by the City Council. Also addressed is the space for the Chamber provided by the City for records and meetings at no additional cost to the Chamber. Motion was made by Councilman Sheppard and seconded by Councilman Dyer not to renew the service agreement with the Iowa Park Chamber of Commerce. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 10: Executive Session.

A. Pursuant to the Texas Government Code, Section 551.074 (a) (1) of the Texas Open Meetings Act for the Purpose of Discussing the Appointment(s) of a Public Officer and More Specifically Defined as Follows:

(1) Discuss and Consider Applicants to Serve on the City's Community Development Board and the Planning and Zoning Commission.

The Council entered into executive session at 8:30 p.m.

The Council reconvened in open session at 8:32 p.m.

(i) Action as a Result of Executive Session.

Motion was made by Councilwoman Wooten and Seconded by Councilman Sheppard appointing John Campbell to the Planning and Zoning Commission and Gay Bradford to the Community Development Board. Motion carried with four ayes. (Unanimous)

At this time the City Manager briefed the Council on an incident that happened at the pool earlier this date. The assistant pool manager was mixing chemicals to put in the water to shock and treat the PH levels. When the chemicals were mixed and water added, chlorine gas was released and the assistant pool manager and four young swimmers inhaled the toxic gas. The pool manager and lifeguards responded immediately and evacuated the pool. The Police Department and the Iowa Park Volunteer Fire Department were called to assist and treated the five injured by the gas. Two victims were transported to the hospital by ambulance while the others were transported by private vehicles. All were treated and released. The City Manager stated there will be a complete investigation and more training on proper treatment procedures.

The meeting adjourned at 8:30 p.m.

PASSED, APPROVED AND ADOPTED this 27th day of June, 2016.

---

Mayor Ray Schultz

ATTEST:

---

City Secretary Janice Newman