

MINUTES OF THE REGULAR CITY COUNCIL MEETING

March 12, 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
Ross Caston, Assistant Fire Chief, EMS Operations
Jimmy Eaton, Police Lieutenant
Sherry Fowler, Police Sergeant
David Mauldwin, Police Sergeant
Amie Schultz, Library Director
Becky Ferguson, Director of Finance
Greg Polly, Code Compliance Officer
Jeff Lisec, Police Officer
Jayson Owen, Police Officer
Dereck Vann, Police Officer
Victoria Kamp, Reserve Police Officer
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Michael Baker
James Winkler Jessica Winkler
Lindsey Vann Nandia Lisec
Ron Lisec Mary Lisec
Ethan Lisec Branda Schofield
Josh Schofield Ricky Shook
Valerie Halverson

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).
A. Presentation of Life Saving Awards.

The Chief of Police recognized two of his officers, Sergeant David Mauldwin and Police Officer Jeff Lisec. On March 6th the officers were dispatched to a local residence for a welfare check. Upon arrival the officers detected a strong odor of natural gas coming from the residence. They observed the subject lying on a couch. They made several attempts of knocking on the door but could not wake up the subject. Officer Lisec kicked open the front door. Once in they discovered the stove's gas burners were on and they shut them off. They carried the subject outside where emergency medical personnel were and subject was transported to the hospital. The heroic acts of Sergeant Mauldwin and Officer Lisec are credited to saving the subject's life. The Chief of Police presented both men with Life Saving Awards.

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 February 26, 2018.
- B. Acceptance and Approval of the Minutes of the Regular Community Development Corporation's Board of Directors' Meeting of February 27, 2018.

Motion was made by Councilwoman Williams and seconded by Councilman Sheppard accepting and approving the general consent agenda as presented.

AGENDA ITEM NO 6: Appointment.

- A. Consider the Appointment of Mr. Raymond Forsythe to Serve on the Iowa Park Community Development Corporation.

The City Manager reminded Council that the Community Development Corporation bylaws state the Board shall consist of seven members. Mr. Heath Hodges served on the Board since 2009 and as Vice-President since 2016. He passed away December, 2017. Mr. Raymond Forsythe has submitted an application to serve on the Iowa Park Community Development Corporation. The several members of the Board have endorsed his appointment. Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry approving the appointment of Mr. Raymond Forsythe to serve on the Iowa Park Community Development Corporation. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 7: Oath of Office.

- A. Administer Oath of Office to Community Development (4B) Corporation Director Raymond Forsythe.

The City Secretary administered the Oath of Office to Community Development (4B) Corporation Director Raymond Forsythe.

AGENDA ITEM NO. 8: Public Appearance.

- A. A Public Appearance by Mr. Josh Schofield Regarding Liability Claim to His Property Located at 712 West Alameda.

Mr. Josh Schofield spoke to the Council on his recent liability claim. He owns the residence at 712 West Alameda. He had renters in it until June, 2017 and the water meter was shut off and locked by the City. He and his wife cleaned and fixed up the house and placed it on the market. On January 3, 2018, Mr. Schofield went to check on the house and discovered wet countertops, cabinets and flooring in the kitchen. He turned sink faucet on and water came out even though the meter was off and locked. The City was notified and the meter was pulled on January 5th. A claim was filed with the City's insurance. An independent insurance adjuster, hired by the City's insurance company, came out and inspected the house. After his report, the City's insurance offered \$3,399.60 to fix the problems. Mr. Schofield stated he had Servpro out and they told him he needs to have a mold test check and it will cost \$650.00, which he does not have. He asked the Council to pay for that test. At this time the City Manager stated the Council should take no action since this was an open insurance case. He invited Mr. and Mrs. Schofield to come to City Hall the next day and they could review and call the insurance company.

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

No action was taken.

AGENDA ITEM NO. 9: Public Hearing.

- A. A Public Hearing to Determine Whether the Three Utility Building Structures Located at 904 South Wall, Also Known as Lots 1-2, Block 172, 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 the Said Structure Should be Abated Accordingly.

The public hearing opened at 7:18 p.m. Mr. Gregory Dickey, owner of the property, was not present. The residential structure was abated by the City at the end of February. When that structure was removed three substandard utility buildings were discovered. The public hearing closed at 7:22 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 #18-02-A declaring the three utility building structures located at 904 South Wall, also known as Lots 1-2, Block 172, 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 structures to be abated within forty-five (45) days of the adoption of this Council Order. Motion carried with five ayes. (Unanimous)

- B. A Second Public Hearing to Consider Granting an Extension for the Property Owner to Abate the 1,700 sq. ft. Wood Frame, Plaster/Stucco Structure Located at 111 West Cash, Also Known as Lot 6, Block L of the Original Townsite to the City of Iowa Park, Wichita County, Texas.

The public hearing opened at 7:22 p.m. Mr. James Winkler, owner of the property, stated the roofing company has started reroofing the building. The electricity has been reconnected and he is having mold check done. He asked the Council for an extension to complete the project. The public hearing closed at 7:24 p.m.

(i) Action as a Result of Public Hearing.

Motion was made by Councilwoman Shierry and seconded by Councilwoman Williams granting an extension for the property owner to abate the 1,700 sq. ft. wood frame, plaster/stucco structure located at 111 West Cash, also known as Lot 6, Block L of the 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 five ayes. (Unanimous)

AGENDA ITEM NO. 10: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Accepting the Audit Report From MWH Group P.C. for the Municipal Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017; and Approving Payment of the Invoice for Said Audit.

Ms. Valerie Halverson, Senior Auditor with MWH Group, P.C., briefed the Council on the recently completed audit for fiscal year 2016/2017. She stated it was a smooth audit without any major issues. As in the past, she noted there was deficiency in internal control that is due to the small size of the office staff. At year end, the City was financially sound. Motion was made by Councilman Sheppard and seconded by Councilwoman Williams approving and adopting Resolution Number 18-07 accepting the audit report from MWH Group, P.C. for the municipal fiscal year beginning October 1, 2016 and ending September 30, 2017. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 11: Ordinance.

- A. An Ordinance of the City of Iowa Park, Texas Amending the Code of Ordinances at Section 13.02.006 (2) Modifying the Date and Times Portable Trash Containers Shall be Out for Collection of Solid Waste.

The City Manager explained that there are several residences that leave their portable trash containers out at the curb all week. Upon reviewing, staff realized the Code needed updating. This

proposed ordinance allows residents to place their containers out in the right-of-way beginning at 5:00 p.m. the day before the scheduled pickup day and must be returned no later than 8:00 a.m. the day after the scheduled collection day. Motion was made by Councilman Sheppard and seconded by Councilwoman Dyer approving and adopting Ordinance Number 1245 amending the Code of Ordinances at Section 13.02.006 (2) modifying the date and times portable trash containers shall be out for collection of solid waste. Motion carried with five ayes. (Unanimous)

- B. An Ordinance of the City of Iowa Park, Texas Amending the Code of Ordinances at Section 12.02.002 to Add the 400 Block of North Park Avenue and the 200 and 300 Blocks of South Park Avenue to the List of One Way Streets.

It was noted that these four blocks of one way streets are not listed in the Code of Ordinances. Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry approving and adopting Ordinance Number 1246 amending the Code of Ordinances at Section 12.02.002 to add the 400 block of North Park Avenue and the 200 and 300 blocks of South Park Avenue to the list of one way streets. Motion carried with five ayes. (Unanimous)

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

- A. Discuss and Consider Authorizing the Fire Chief to Sign a Contract With the City of Wichita Falls for Maintenance and Repairs of the Fire Department's Emergency Vehicles.

Assistant Fire Chief, EMS Operations briefed the Council on the proposed contract. The department uses various mechanics for maintenance and repairs of their vehicles and equipment. The City of Wichita Falls employs certified emergency vehicle technicians and has contracts with other departments to perform work. They charge for parts plus ten percent. This contract does not obligate Iowa Park Volunteer Fire Department to use the City of Wichita Falls. Motion was made by Councilwoman Williams and seconded by Councilman Sheppard authorizing the Fire Chief to sign a contract with the City of Wichita Falls for maintenance and repairs of the Fire Department's emergency vehicles. Motion carried with five ayes. (Unanimous)

The meeting adjourned at 7:51 p.m.

PASSED, APPROVED AND ADOPTED this 26th day of March, 2018.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman