

MINUTES OF THE REGULAR CITY COUNCIL MEETING

March 9, 2015

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

MEMBERS ABSENT: None

PERSONNEL: Jerry Flemming, City Manager
David Sherrill, Public Works Director
Robert Johnson, Chief of Police
Robbie Matthews, Parks and Recreation Director
Becky Ferguson, Director of Finance
Amie Schultz, Library Director
Mike McCarty, Water & Sewer Maintenance Operator
Trevor Bryant, Water & Sewer Maintenance Operator
David Golden, Fireman
John Scholl, Water Plant Operator
Robin Morris, Administrative Assistant
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Kristina Burns
Robert Johnston David White
Clay Parker

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 of special guest(s)/action(s).

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 9, 2015.
- B. Acceptance and Approval of the Minutes of the Planning and Zoning Commission Meeting of February 9, 2015.
- C. Acceptance and Approval of the Special Community Development Corporation's Board of Directors' Meeting of February 17, 2015.
- D. Acceptance and Approval of the Regular Economic Development Corporation's Board of Directors' Meeting of March 3, 2015.

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: Election Business.

- A. Order Cancellation of the City Council General Election to be Held on Saturday, May 9, 2015 in Accordance With Section 2.053(a) of the Texas Election Code.

It was noted that all three races were unopposed which allows for the cancellation of the election. Motion was made by Councilman Sheppard and seconded by Councilwoman Wooten ordering the cancellation of the City Council General Election to be held on Saturday, May 9, 2015 in accordance with Section 2.053 (a) of the Texas Election Code. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 7: Public Appearance.

- A. A Public Appearance by Ms. Kristina Burns, Representing the Relay for Life of Iowa Park, Requesting Use of Electricity and Water at Griffith Field on West Magnolia Avenue for Their Annual Fund Raising Event to Be Held on May 2, 2015; Requesting a Waiver of the Solicitation Ordinance (Section 4.02.003) Which Prohibits the Solicitation of Donations Upon a Public Right-of-Way and Requesting a Waiver of the Sign Ordinance (Section 3.06) Prohibiting Advertising Signs Upon the City's Public Rights-of-Way.

Ms. Kristina Burns, Event Chair for the Relay for Life of Iowa Park, asked the Council to once again allow the group to use water and electricity at the Iowa Park Griffith Field on Saturday, May 2, 2015, from 6:00 p.m. to 12:00 a.m. for their annual Relay event. The weekend of April 18, they are planning a "paint the town purple" by posting Relay street-signs throughout the town

and hanging purple ribbons from posts. For this event Ms. Burns asked the Council for a waiver of the sign ordinance. Then on the morning of April 25th, they are asking for a waiver of the solicitation of donations upon a public right-of-way so that they can “Fill the Purple Bucket” at the intersection of West Highway and Yosemite. Ms. Burns stated that the group will have all of the signs and purple ribbons taken down within one week from the Relay event.

(i) Action as a Result of Public Appearance.

Motion was made by Councilwoman Shierry and seconded by Councilman Dyer granting the request from Relay for Life of Iowa Park to use electricity and water at Griffith Field on West Magnolia Avenue for their annual fund raising event to be held on May 2, 2015; granting the request for a waiver of the solicitation ordinance (Section 4.02.003) and a waiver of the sign ordinance (Section 3.06) as requested. The Public Works Director will provide the individuals who will be soliciting donations at the intersection of West Highway and Yosemite with safety vests. Motion carried with five ayes. (Unanimous)

B. A Public Appearance by Robert Johnston, Manager of Auto Plus of Iowa Park, Requesting Permission to Close the 200 Block of North Wall Street on March 28, 2015 to Host a Car Show.

Mr. Robert Johnston asked the Council for permission to close the 200 block of North Wall Street on Saturday, March 28, 2015 from 9:00 a.m. until 1:00 p.m. to allow Auto Plus of Iowa Park to host a car show. He plans to have the participant’s park on either side of Wall Street between Cash and Park. He hopes to have twenty-five to thirty cars in the show with each paying a \$5.00 registration fee that will go to the Iowa Park Friendly Door.

(i) Action as a Result of Public Appearance.

Motion was made by Councilwoman Williams and seconded by Councilman Dyer granting the request from Auto Plus of Iowa Park to close the 200 block of North Wall Street on March 28, 2015 to host a car show. The Public Works Department will provide barricades and cones to block the street. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 8: Appointment.

A. Consider the Re-Appointment of Mr. Glenn Barham as one of the “Cities Appointees” to the Wichita-Wilbarger 9-1-1 District Board of Managers.

Mr. Barham’s term expires on May 11, 2015 and he has expressed his willingness to be re-appointed to the board. Motion was made by Councilman Sheppard and seconded by Councilwoman Williams approving the re-appointment of Mr. Glenn Barham to the Wichita-Wilbarger 9-1-1 District Board of Managers. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 9: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Submission of a 2015 Texas Criminal Justice Division Grant Application for Funds for the Iowa Park Police Department's "Computer Aided Dispatch and Mobile Data Terminals Projects".

The Chief of Police asked the Council for approval of a Criminal Justice Grant in the amount of \$51,460.00 for two different requests for his department. The first request is for C.A.D. (Computer Aided Dispatch) at a cost of \$24,875.00. The second request is for laptop systems and accessories at a cost of \$26,585.00, which would outfit three patrol vehicles with the C.A.D. system and laptops. The only cost to the City would be air card amounts for the three laptops to have continuous internet service which would be approximately \$70.00 annually. Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten approving and adopting Resolution Number 15-11 authorizing the submission of a 2015 Texas Criminal Justice Division grant application for funds for the Iowa Park Police Department's "Computer Aided Dispatch and Mobile Data Terminals Projects". Motion carried with five ayes. (Unanimous)

- B. A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving the City of Iowa Park Substance Abuse Policy.

The City Manager briefed the Council on the proposed substance abuse policy which includes possible options the City could use for employees with substance abuse issues including a "last chance". This would allow the City to retain certain employees that have good work performance and admit they have a problem, want help and are willing to comply with treatment and other interventions that may be offered. The Council discussed reactions to certain over the counter and prescription drugs that could possibly affect an employee's driving capability. Councilwoman Wooten would like to see further reduction of the amount of days taken before an employee can use their major medical leave. Motion was made by Councilwoman Shierry and seconded by Councilwoman Wooten approving and adopting Resolution Number 15-12 accepting and approving the City of Iowa Park Substance Abuse Policy. Motion carried with five ayes. (Unanimous)

- C. A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving the City of Iowa Park Smoking and Tobacco Use Policy.

The City Manager explained that a Councilperson asked that a smoking policy be put in place for all new vehicles purchased by the City. This policy is for all City vehicles and buildings as well as all playgrounds, athletic fields, and swimming pools. The policy prohibits all tobacco use within fifty feet of any park bench, picnic table, gazebo or restroom owned by the City. Councilwoman Williams was opposed to the policy as written. She felt fifty feet was too far and noted that Wichita Falls is only twenty-five feet. Several other Councilmembers voiced their concerns and felt the policy needed to be worked on and studied in more detail. Motion was made by Councilwoman Williams and seconded by Councilman Dyer to table this item.

D. A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving the City of Iowa Park Safety Equipment Policy.

In order to provide a safe work environment, this policy addresses what safety equipment is required and when an employee is to use such equipment. Employees who work in the field are furnished gloves, eye and ear protection, hard hats and respirators as well as safety vests. Other safety gear, also known as Communal Safety Equipment, is shared and includes safety belts in vehicles, welding shields and harnesses. Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry approving and adopting Resolution Number 15-13 accepting and approving the City of Iowa Park Safety Equipment Policy. Motion carried with five ayes. (Unanimous)

E. A Resolution of the City Council of the City of Iowa Park, Texas Expressing Opposition to Proposed State Legislation Which Would Enact Municipal Revenue Caps.

It was noted there are several bills that have been introduced in the Texas legislature that cap the amount of property tax revenues municipalities can collect. This resolution opposes any State legislation which would enact municipal revenue caps. Motion was made by Councilman Sheppard and seconded by Councilman Dyer approving and adopting Resolution Number 15-14 expressing opposition to proposed State legislation which would enact municipal revenue caps. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 10: Public Hearing.

A. A Public Hearing to Determine Whether the Wooden Manufactured Housing Structure Located on the North 100' of Block 171 of the Original Townsite to the City of Iowa Park, Wichita County, Texas, Also Known as 903 South Wall Street, 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 7:56 p.m. During discussion it was discovered that only the owner of the mobile home had been notified but the owner of the property had not. The public hearing closed at 8:01 p.m.

(i) Action as a Result of Public Hearing.

Motion was made by Councilwoman Williams and seconded by Councilman Sheppard to table this item to allow until the property owner could be notified. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 11: City Manager's Report.

- A. Consider Authorizing the City Manager to Spend \$17,043.00 to Have the Roof of the City Hall Complex Coated With Foam and Elastomeric Sealant.

The staff had four proposals for the roof repair on City Hall. The preferred solution was also the lowest price from Texoma Spray Foam. The City Manager pointed out that the Council had budgeted \$7,000.00 for the same elastomeric coating installed on the RAC. However, the RAC had the roof patched and a new roof is not needed at this time. He suggested reallocating that money to be used towards the City Hall roof. Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten authorizing the City Manager to spend \$17,043.00 to have the roof of the City Hall complex coated with foam and elastomeric sealant. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 12: Executive Session.

- A. Pursuant to the Texas Government Code, Section 551.072 of the Texas Open Meetings Act for the Purpose of Deliberating the Purchase of Real Property.
- B. Pursuant to the Texas Government Code, Section 551.072 of the Texas Open Meetings Act for the Purpose of Deliberating the Lease of Real Property.
- C. Pursuant to the Texas Government Code, Section 551.072 of the Texas Open Meetings Act for the Purpose of Deliberating the Lease of Real Property.

The Council entered into executive session at 8:10 p.m.

The Council reconvened in open session at 9:07 p.m.

- A. (i) Action as a Result of Executive Session.

Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry to purchase a 1.57 acre tract of land on West Highway, also known as the East ½ of Block 34 and Block 21, Texas Addition in the amount of \$15,000.00. Motion carried with five ayes. (Unanimous)

- B. (i) Action as a Result of Executive Session.

Motion was made by Councilwoman Wooten and seconded by Councilman Dyer not to renew the lease on city-owned property at 400 East Highway. It was noted the lease expires November, 2015. Motion carried with five ayes. (Unanimous)

C. (i) Action as a Result of Executive Session.

Motion was made by Councilwoman Wooten and seconded by Councilman Sheppard not to renew the lease on city-owned property at 306 East Jefferson. This lease expires May 26, 2015. Motion carried with five ayes. (Unanimous)

The meeting adjourned at 9:09 p.m.

PASSED, APPROVED AND ADOPTED this 23rd day of March, 2015.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman