

MINUTES OF THE REGULAR CITY COUNCIL MEETING

March 8, 2021

MEMBERS PRESENT: Mayor Ray Schultz  
Mayor Pro tem Sherrie Williams (via Zoom)  
Councilwoman Lori Shierry  
Councilmen Andy Payne and Brad Wynn

MEMBERS ABSENT: Councilwoman Kelly Ewing

PERSONNEL: Jerry Flemming, City Manager  
David Sherrill, Public Works Director  
Steve Davis, Chief of Police  
Jason Griffin, Parks and Recreation Director  
David Owen, Economic Development Director (via Zoom)  
Amie Schultz, Library Director  
Becky Ferguson, Director of Finance  
Janice Newman, City Secretary

VISITORS: Dolores Hamilton (via Zoom) Taylor Kelley  
Jack Browne Stephanie Wooten  
Chris De La Garza Jeffrey Pehl  
Valerie Halverson Marcia Jacobi

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 Mayor gave the invocation.

AGENDA ITEM NO. 3: Recognition of Special Guest(s)/Action(s).

The City Manager introduced Mrs. Stephanie Wooten, former City Councilwoman who will be serving again beginning in May.

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 8, 2021.

- B. Acceptance and Approval of the Minutes of the Regular Community Development Corporation's Board of Directors' Meeting of February 23, 2021.

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

AGENDA ITEM NO. 6: Public Appearance.

- A. A Public Appearance by Ms. Chris De La Garza Requesting the Use of Electricity and Water at Oscar Park and Permission to Close Off a Portion of North Jackson and Council Drive on Saturday, April 24, 2021, Beginning at 8:00 A.M. and Ending at 10:00 P.M. and a Variance to Section 1.10.041 of the Code of Ordinances to Allow Alcoholic Beverages in a City Park for Their "Frontier Days" Fundraising Event to Provide Shelter and Support Services to Homeless Veterans in the Area.

Ms. De La Garza spoke briefly with the Council asking permission to use Oscar Park for their "Frontier Days" event. This family friendly event is a step back in time with music, vendors, and children activities and is free to the public. She also asked Council to consider a variance to the alcohol in a City park as they have a vendor that wants to sell alcohol.

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

Motion was made by Councilwoman Shierry and seconded by Councilman Payne approving the request by Ms. Chris De La Garza for the use of electricity and water at Oscar Park and to close off a portion of North Jackson and Council Drive on Saturday, April 24, 2021, beginning at 8:00 a.m. and ending at 10:00 p.m. and granting a variance to Section 1.10.041 of the Code of Ordinances to allow alcoholic beverages in a City park for their "Frontier Days" fundraising event to provide shelter and support services to homeless veterans in the area. Motion carried with three ayes. (Unanimous)

- B. A Public Appearance by Mr. Jeffrey Pehl, to Request 2021 Vietnam War Commemoration Events for the City of Iowa Park.

Senior Pastor Jeffrey Pehl of the First United Methodist Church explained that the Vietnam War Veterans Recognition Act designates every March 29<sup>th</sup> as National Vietnam War Veterans Day. In April, 2019, the City of Iowa Park became a Vietnam War Commemorative Partner. Pastor Pehl has secured a large commemorative flag to fly under the U.S. flag from March 26 through March 29, 2021. A commemorative event is to be held at Oscar Park on Monday, March 29, 2021 from 2:00 p.m. to 4:00 p.m. to distribute lapel pins and to thank and honor the veterans of the Vietnam War for the National Vietnam War Veterans Day event. Vietnam Veterans who would like a lapel pin but are unable to attend the event will be able to contact City Hall and request a pin through April 2, 2021.

(i) Action as a Result of Public Appearance.

Motion was made by Councilwoman Williams and seconded by Councilman Payne approving a Vietnam War Commemoration public event to be held at Oscar Park on Monday, March 29, 2021 from 2:00 p.m. to 4:00 p.m. in conjunction with National Vietnam War Veterans Day on March 29, 2021. Motion carried with three ayes. (Unanimous)

AGENDA ITEM NO. 7: Proclamation.

- A. A Proclamation of the Mayor of the City of Iowa Park, Texas Proclaiming March 9, 2021 as Mask-Up Initiative Day in Iowa Park.

The Mayor read a proclamation proclaiming March 9, 2021 as Mask-Up Initiative Day in Iowa Park.

AGENDA ITEM NO. 8: Petition.

- A. Receive a Petition From Edward Taylor Kelley to Disannex His Property From the Corporate Limits of the City of Iowa Park, Texas.

Councilwoman Shierry stated she has a business relationship with Mr. Kelly and upon the advice of the City Attorney, if any vote is taken she will abstain. This property is located at 1998 Johnson Road. Councilwoman Williams stated she is opposed to the disannexation. Mr. Kelley stated when he purchased the property, the city limit sign was approximately one-quarter of a mile from his property so he was under the impression this property was outside the city limits. After further research it was discovered this property had been annexed into the city limits several years ago. He is unable to get on city sewer and has put in a septic system. He is on city water but said he has the option of getting water from Wichita Valley Water Supply. When he called the police for different things, they didn't know he was inside the city limits. He has no need to be in the city limits of Iowa Park. When asked about tying into the City's sewer main, Mr. Kelley stated it was cost prohibitive. He would have to run his sewer line approximately 1,500 feet to get to the City's main and would be required to have a sewer lift pump station. The Mayor suggested this item be tabled until all City Council members can be present.

(i) Action as a Result of the Petition.

Motion was made by Councilman Payne and seconded by Councilwoman Williams tabling this item until the next regular City Council meeting. Motion carried with three ayes. (Unanimous)

AGENDA ITEM NO. 9: Election Business.

- A. Receive and Accept the Certification of Unopposed Candidates From the City Secretary.

- B. Order Cancellation of the City Council General Election to be Held on Saturday, May 1, 2021 in Accordance with Section 2.053(a) of the Texas Election Code.

Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry accepting the Certification of Unopposed Candidates from the City Secretary and ordering the cancellation of the City Council General Election to have been held on Saturday, May 1, 2021 in accordance with Section 2.053(a) of the Texas Election Code. Motion carried with three ayes. (Unanimous)

Councilman Wynn arrived at this time.

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, 2019 and Ending September 30, 2020 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 2019/2020. 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 Councilwoman Williams and seconded by Councilman Payne approving and adopting Resolution Number 21-02 accepting the audit report from MWH Group P.C. for the municipal fiscal year beginning October 1, 2019 and ending September 30, 2020 and approving payment of the invoice for said audit. Motion carried with four ayes. (Unanimous)

- B. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing up to \$2,688.98 in Expenditures by the Iowa Park Community Development Corporation for a Project to Enhance Youth Sports Within the City of Iowa Park.

The Community Development Corporation recently met and determined the proposed improvements to the Iowa Park Optimist Club were suitable for children's sports as described in Section 505.152 of the Texas Local Government Code. The improvements include a glass door commercial refrigerator, a pizza warmer, sanitizer equipment and a printer copier. A public notice of the proposed expenditures was published in the Iowa Park Leader on February 4, 2021. It must be published sixty days prior to any expenditure of the Community Development Corporation. Motion was made by Councilwoman Shierry and seconded by Councilman Payne approving and adopting Resolution Number 21-03 authorizing up to \$2,688.98 in expenditures by the Iowa Park Community Development Corporation for a project to enhance youths Sports within the City of Iowa Park. Motion carried with four ayes. (Unanimous)

- C. First Reading of a Resolution of the City Council of the City of Iowa Park, Texas Authorizing up to \$53,961.00 in Expenditures

by the Iowa Park Community Development Corporation for Projects to Enhance a Public Park and Open Space Improvements Within the City of Iowa Park.

It was noted that since this proposed expenditure is over \$10,000.00, it must have two readings before passage. The Community Development Corporation has determined the proposed improvements to Murphree Park were suitable for Public Park and open space as described in Section 505.152 of the Texas Local Government Code. The proposed improvements include a four-piece playground equipment, surfacing, two benches, a sunshade, baseball backstop improvements and landscaping. The Council questioned the Parks and Recreation Director about one of the four-piece playground equipment being handicap accessible. He stated he would look into adding a handicap feature to the equipment. There were no other comments.

D. First Reading of a Resolution of the City Council of the City of Iowa Park, Texas Authorizing Up to \$32,500.00 in Expenditures by the Iowa Park Community Development Corporation for Projects to Enhance a Public Park and Open Space Improvements Within the City of Iowa Park.

The Community Development Corporation has determined the proposed improvements to the Gary Compton Softball Field were suitable for Public Park and open space as described in Section 505.152 of the Texas Local Government Code. The proposed improvements include replacement of the chain-link fencing, wooden benches in the dugouts, bat racks and sponsor boards. There were no other comments.

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

A. Discuss and Consider Setting a Date and Time for the Annual Employee Service Awards Event.

Motion was made by Councilwoman Shierry and seconded by Councilman Payne to have the annual employee service awards program on Friday, March 19, 2021 at 7:00 a.m. with breakfast being prepared by the Mayor and Council. Motion carried with four ayes. (Unanimous)

B. Discuss and Consider the Local State of Disaster for Public Health Emergency Adopted by City Council on March 23, 2020.

On March 2, 2021, Governor Greg Abbott signed Executive Order GA-34 that will remove all COVID-19 related operating limits from businesses and mask wearing mandates in areas which no longer have high hospitalization rates. This order becomes effective March 10, 2021. The Mayor voiced his concerns about lifting the Local State of Disaster. He said the possibility of people travelling during the upcoming Spring Break and returning and having the numbers start to climb again to where the schools have to close, then the City could be in a bind. Councilwoman Williams agreed with the Mayor stating the City should wait until at least a week after Easter. Ms. Marsha Jacobi, President of the Iowa Park Rotary Club agreed and stated the Rotary Club is selling

yard signs advocating “Mask Up”. She presented the City with a U.S. flag that was flown over the State Capitol.

The meeting adjourned at 8:09 p.m.

PASSED, APPROVED AND ADOPTED this 22<sup>nd</sup> day of March, 2021.

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Mayor Ray Schultz

ATTEST:

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City Secretary Janice Newman