

MINUTES OF THE REGULAR CITY COUNCIL MEETING

August 24, 2020

MEMBERS PRESENT: Mayor Ray Schultz
Mayor Pro tem Sherrie Williams
Councilwomen Kelly Ewing and Lori Shierry
Councilmen Andy Payne and Brad Wynn

PERSONNEL: Jerry Flemming, City Manager
David Sherrill, Public Works Director
Steve Davis, Chief of Police
David Owen, Economic Development Director
Jason Griffin, Parks and Recreation Director
Amie Schultz, Library Director
Becky Ferguson, Director of Finance
Derek Vann, Police Sergeant
Patrick Bentley, Police Officer
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Aaron King
Devin Smith Jewlie Bentley
Mathew Davidson Macie Bentley
Maverick Bentley

AGENDA ITEM NO. 1: Call to Order.

The Mayor called the meeting to order at 6:00 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 July 27, 2020.

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: Oath of Office.

The City Secretary administered the Oath of Office to Police Officer Patrick Bentley.

Councilwoman Ewing arrived at this time.

AGENDA ITEM NO. 7: Public Hearing.

A. A Public Hearing to Consider an Ordinance of the City of Iowa Park, Texas Accepting and Approving the Final Plat of Lots 1B and 2B, Block C of the Manes Subdivision to the City of Iowa Park, Wichita County, Texas.

This property is located on Pacific between Coleman and Manes. Pacific Avenue Missionary Baptist Church recently sold the northern portion of their property to JAK Real Estate Holdings. Mr. Aaron King, owner of Chicken Express, stated he plans to build a Chicken Express at this location and hopes to open in February or March, 2021.

(i) Action as a Result of Public Hearing.

Motion was made by Councilwoman Williams and seconded by Councilman Payne approving and adopting Ordinance Number 1291 accepting and approving the final plat of Lots 1B and 2B, Block C of the Manes Subdivision to the City of Iowa Park, Wichita County, Texas. Motion carried with four ayes. (Unanimous)

- B. A Public Hearing to Consider an Ordinance of the City of Iowa Park, Texas Approving the Rezoning of Lot 2B, Block C of the Manes Subdivision to the City of Iowa Park, Wichita County, Texas From Single-Family Residential District (R-1) to Commercial Automotive and Recreational (C-A/R) Zone.

This proposed ordinance will allow restaurants and drive-through restaurants. It was noted that the north side of the 500 block of West Manes as well as the south side of the same block, north and west of the existing alley are zoned C-A/R.

(i) Action as a Result of Public Hearing.

Motion was made by Councilman Payne and seconded by Councilwoman Ewing approving and adopting Ordinance Number 1292 approving the rezoning of Lot 2B, Block C of the Manes Subdivision to the City of Iowa Park, Wichita County, Texas from Single-Family Residential District (R-1) to Commercial Automotive and Recreational (C-A/R) zone. Motion carried with four ayes. (Unanimous)

- C. A Public Hearing to Consider an Ordinance of the City of Iowa Park, Texas Accepting and Approving the Final Plat of Lot 7-A, Block 103, Original Townsite to the City of Iowa Park, Wichita County, Texas.

This property is located at 210 West Jefferson and is owned by Brandon Cogdell. It is on the northeast corner of South Jackson and West Jefferson. Some structures on his Lot 7 encroach onto Lot 8. Mr. Cogdell was able to obtain 11.56 feet of Lot 8.

(i) Action as a Result of Public Hearing.

Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry approving and adopting Ordinance Number 1293 accepting and approving the final plat of Lot 7-A, Block 103, Original Townsite to the City of Iowa Park, Wichita County, Texas. Motion carried with four ayes. (Unanimous)

At this time the Mayor called for a recess.

The Council reconvened at 6:30 p.m.

- D. A Public Hearing to Discuss and Consider the City of Iowa Park's Operating Budget for Fiscal Year 2020/2021.

The City Manager explained the proposed budget contains a balanced General Fund operating budget in the amount of \$4,146,420.00 and a balanced Utility Fund operating budget in the amount of \$4,075,810.00. The budgets contain a three percent salary increase, one additional police officer position to bring the total number to twelve, upgrade the Parks part-time laborer to full-time. Three new radios for the Police Department will complete the upgrade from analog to digital. A new grass fire truck is also included in the budget.

- E. A Public Hearing to Discuss and Consider a Proposal to Increase Total Tax Revenue From Properties on the Certified Tax Rolls

and to Schedule a Date and Time for a Public Meeting to Adopt the Tax Rate.

This is the first of two public hearings to consider the proposal to increase total tax revenue. The proposed General Fund budget is based on a \$0.75 per \$100.00 valuation. The second public hearing is scheduled for Monday, September 14, 2020 at 7:00 p.m.

AGENDA ITEM NO. 8: Ordinance.

- A. An Ordinance of the City Council of the City of Iowa Park, Texas Amending the Code of Ordinances by Adding Article A12.06.001 Golf Carts and Off Highway Vehicles and by Adding Article A12.000 Traffic and Vehicle Related Fees; Regulating the Operation of Golf Carts and Off Highway Vehicles Within the City Limits of Iowa Park; Repealing of All Portions of the Code of Ordinances in Conflict; Providing a Penalty; Providing for Published Notice; Providing an Open Meetings Clause; and Providing for Related Matters.

The Chief of Police briefed the Council on the proposed golf carts and off highway vehicles ordinance. The Council recently passed a golf cart ordinance but it does not include language for off highway vehicles. This ordinance will become effective October 1, 2020. Motion was made Councilwoman Shierry and seconded by Councilman Payne approving and adopting Ordinance Number 1294 amending the Code of Ordinances by adding Article A12.06.001 Golf Carts and Off Highway Vehicles and by adding Article A12.000 Traffic and Vehicle Related Fees; regulating the operation of golf carts and off highway vehicles within the City limits of Iowa Park; repealing of all portions of the Code of Ordinances in conflict; providing a penalty; providing for published notice; providing an open meetings clause; and providing for related matters. Motion carried with four ayes. (Unanimous)

- B. An Ordinance of the City of Iowa Park, Texas Amending the Code of Ordinances at Section 9.02.003, 9.02.004, 9.02.005, 9.02.006 and 9.02.007 to Modify the City's Personnel Policies.

The City Manager explained the current leave policy which allows employees to donate a portion of either their personal leave or major medical leave to an employee in need. This allows employees to be out for up to six months, which can cause a department problems by being short staffed and paying overtime. This ordinance replaces maternity leave with family and medical leave to be consistent with the Family and Medical Leave Act. It also reduces the maximum personal leave donated to any employee from 1,040 hours to 480 hours and limits donations to personal leave and not major medical leave. Councilwoman Shierry voiced her concern over limiting the donations to only come from personal leave and not major medical. Motion was made by Councilwoman Williams and seconded by Councilman Payne to table this item to allow the City Manager to survey the employees.

Councilman Wynn arrived at this time.

AGENDA ITEM NO. 9: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving General Order Number 200.009 Addressing the Report Requirement and Review Process When Force is Used and General Order Number 200.010 Addressing Use of Force.

The Chief of Police presented the proposed changes to General Orders regarding use of force. He stated that due to several events happening across the country concerning police and deadly force he felt it was time to review and strengthen the General Orders relating to use of force. Motion was made by Councilman Payne and seconded by Councilwoman Shierry approving and adopting Resolution Number 20-19 accepting and approving General Order Number 200.009 addressing the report requirement and review process when force is used and General Order Number 200.010 addressing use of force. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 10: City Manager's Report.

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

On March 20, 2020, the Mayor declared a local state of disaster and on March 23, 2020, the Council voted to extend the declaration until further notice. The City Manager briefed the Council on the latest information from Wichita County Health Department. As of this date there are forty-one active cases in Iowa Park. County wide there have been 1,227 COVID-19 cases and thirteen deaths.

The meeting adjourned at 7:27 p.m.

PASSED, APPROVED AND ADOPTED this 14th day of September, 2020.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman