

MINUTES OF THE REGULAR CITY COUNCIL MEETING

January 12, 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
David Owen, Economic Development Director
Randy Fulbright, Fire Chief
Becky Ferguson, Director of Finance
Amie Schultz, Library Director
Charles Dudley, Code Enforcement Officer
John Scholl, Water Plant Operator
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Clarissa Flemming
Austin Quintero Hope Porter
Daniel Robertson Sarah Porter
Sherrie Porter Karen Spruiell
Jerry Spruiell Margie Gaitan
Michael Porter Cynthia J Witherspoon

AGENDA ITEM NO. 1: Call to Order.

The Mayor called the meeting to order at 7:00 p.m.

AGENDA ITEM NO. 2: Invocation.

Councilman Dyer 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 December 8, 2014.
- B. Acceptance and Approval of the Minutes of the Special City Council Meeting of December 1, 2014.
- C. Acceptance and Approval of the Minutes of the Regular Economic Development Corporation's Board of Directors' Meeting of January 6, 2015.

Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten accepting and approving the general consent agenda. Motion carried with five ayes. (Unanimous)

- D. Approve a Joint Project With Lakeview Church of God to Place a Bench at Lake Gordon Honoring Former Pastor, Tommy Porter.

The Parks and Recreation Director briefed the Council on this proposed joint project with Lakeview Church of God. Their pastor passed away while using the walking track. The church has raised funds and are wanting to purchase a memorial bench and rock with a plaque close to the site of his death. The City would pour the slab and install the bench and rock. Motion was made by Councilwoman Shierry and seconded by Councilman Sheppard approving a joint project with Lakeview Church of God to place a bench at Lake Gordon honoring former pastor Tommy Porter. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 6: Public Hearing.

- A. A Public Hearing to Determine Whether the Wooden Detached Accessory Structure Located on the South One-Half of the West One-Half of Block 3 in the First Addition to the City of Iowa Park, Wichita County, Texas, Also Known as 210 West Texas Avenue, 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 7:07 p.m. Mr. Jerry Spruiell stated the garage has been demolished. There is still some debris that needs picked up. The staff presented the Council with photos showing the garage gone. The public hearing closed at 7:10 p.m.

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

No action was taken since the structure has been torn down.

- B. A Public Hearing to Determine Whether the 1997 GMC Pickup Truck, Bearing Texas Tag Number AA6-7033 and Also Identified by Vehicle Identification Number 1GTEC14W5VZ512051, Being Located on Private Property at 102 West Magnolia Avenue, Should be Abated in Accordance With the Junked Vehicle Regulations Outlined in Section 8.06 of the City’s Code of Ordinances.

The public hearing opened at 7:10 p.m. The Code Enforcement Officer stated letters had been sent to both the vehicle owner as well as the property owner with neither contacting the City. The vehicle was still parked in front of the house but had been moved onto a trailer. Both the registration and inspection sticker were expired. The public hearing closed at 7:14 p.m.

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

Motion was made by Councilman Sheppard and seconded by Councilwoman Williams approving and adopting Resolution Number 15-01, ordering the abatement, removal and/or destruction of the 1997 GMC pickup truck, bearing Texas tag number AZ6-7033, and also identified by Vehicle Identification Number 1GTEC14W5VZ512051, being located upon on private property at 102 West Magnolia Avenue within forty-five (45) days from adoption of this resolution. Motion carried with five ayes. (Unanimous)

- C. A Public Hearing to Determine Whether the 1988 Toyota Pickup Truck, Bearing Texas Tag Number DHN-9461 and also identified by Vehicle Identification Number JT4RN50RXJ5111714, Being Located on Private Property at 401 East Lafayette Street, Should be Abated in Accordance With the Junked Vehicle Regulations Outlined in Section 8.06 of the City’s Code of Ordinances.

The public hearing opened at 7:14 p.m. The Code Enforcement Officer stated this vehicle has been moved but is still visible from the right-of-way. Both stickers were expired. Letters had been sent to both property owner and vehicle owner with no response. The public hearing closed at 7:16 p.m.

(i) Action as a Result of Public Hearing.

Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten approving and adopting Resolution Number 15-02, ordering the abatement, removal and/or destruction of the 1988 Toyota pickup truck, bearing Texas tag number DHN-9461, and also identified by Vehicle Identification Number JT4RN50RXJ5111714, being located upon on private property at 102 West Magnolia Avenue within forty-five (45) days from adoption of this resolution. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 7: Appointment.

- A. Approve the Appointment of Mr. Jerry Flemming as Secretary to the Iowa Park Economic Development Corporation.

Former City Manager Mike Price held this position until his retirement in December. Current City Manager Jerry Flemming stated he was willing to serve as secretary to the EDC. Motion was made by Councilwoman Williams and seconded by Councilman Dyer approving the appointment of Mr. Jerry Flemming as secretary to the Iowa Park Economic Development Corporation. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 8: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Mayor to Execute an Amended and Restated Non-Annexation Agreement With the Sealed Air Corporation, Cryovac Division.

The City Manager explained this resolution amends the non-annexation agreement to allow Cryovac to purchase and use treated wastewater effluent in its chiller and boiler operations. Motion was made by Councilwoman Williams and seconded by Councilwoman Shierry approving and adopting Resolution Number 15-03 authorizing the Mayor to execute an amended and restated non-annexation agreement with the Sealed Air Corporation, Cryovac Division. Motion carried with five ayes. (Unanimous)

- B. A Resolution of the City Council of the City of Iowa Park, Texas Approving the Iowa Park Economic Development Corporation's Proposal to Execute an Economic Development Incentive Agreement With the Cryovac Division of the Sealed Air Corporation.

The Economic Development Director briefed the Council on the EDC's proposed Economic Development Incentive Agreement. Under this agreement, the EDC will contribute \$100,000.00 to the City for use in the construction of the water reuse project while Cryovac agrees to maintain no less than fifty (50) full time jobs paying at least \$25,000.00 annually for each job through December 31, 2029. Motion was made by Councilwoman Williams and seconded by Councilman Sheppard approving and adopting Resolution Number 15-04 approving the Iowa Park Economic Development Corporation's Proposal to execute an economic development incentive agreement with the Cryovac Division of the Sealed Air Corporation. Motion carried with five ayes. (Unanimous)

- C. A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving General Order Number 203.000 Addressing Evidentiary and Non-Evidentiary Requests in Criminal Cases.

The Chief of Police briefly explained General Order Number 203.000 to the Council. The evidentiary request applies to items that constitute or contain "evidence" involved in a criminal

prosecution and are available upon request to the District Attorney's Office or to the defense. For the non-evidentiary request, or non-evidence items, the Police Department will require both the District Attorney's Office and the defense to utilize a subpoena. The purpose of this policy is to protect materials that are not evidence in a criminal case but the release of such could jeopardize an on-going investigation or endanger the lives of the officers. Motion was made by Councilwoman Shierry and seconded by Councilwoman Wooten approving and adopting Resolution Number 15-05 accepting and approving General Order Number 203.000 addressing evidentiary and non-evidentiary requests in criminal cases. Motion carried with five ayes. (Unanimous)

D. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Mayor to Execute a Lease Agreement on Behalf of the City of Iowa Park With Bobby Bounds for a Portion of the West Smith Avenue Right-of-Way.

Mr. Bobby Bounds or a representative was not present and the Council had several unanswered questions regarding the proposed lease agreement. Motion was made by Councilwoman Williams and seconded by Councilman Sheppard to table this item until Mr. Bounds could be present. Motion carried with five ayes. (Unanimous)

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

A. Update Signature Card at State National Bank to Remove Former City Manager Michael C. Price and add new City Manager Jerry Flemming.

Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten updating the signature card at State National Bank to remove former City Manager Michael C. Price and add new City Manager Jerry Flemming. Motion carried with five ayes. (Unanimous)

The meeting adjourned at 7:29 p.m.

PASSED, APPROVED AND ADOPTED this 26th day of January, 2015.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman