

MINUTES OF THE REGULAR CITY COUNCIL MEETING

April 12, 2010

MEMBERS PRESENT: Mayor Joe Ward
Mayor Pro tem Dan Fears
Councilwomen Sherrie Williams and Stephanie Wooten
Councilmen Ray Schultz and Joe Singer

MEMBERS ABSENT: None

PERSONNEL: Michael C. Price, City Manager
Belvin Lytle, Public Works Director
Robert Johnson, Chief of Police
David Owen, Economic Development Director
Robbie Matthews, Parks and Recreation Director
John Scholl, Water Plant Operator
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Wayne House
Norma Gray Clayton Knapp
Dora Alexander Hack Alexander
Gary Green Lori Shierry
Glenn Durham Dianna Ashley
Annie Smith Gary Hunter

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 invocation was given by the Mayor Pro tem.

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

The Mayor recognized Ms. Amie Schultz for her successful work in writing a grant for the Police Department in which they just received a new K-9 vehicle.

The Mayor also stated a Ms. Jan Probst recently commended the Public Works Director and the Street Department who quickly took care of a drainage issue.

The Mayor presented to the City a framed photograph of McCleskey, the first Mayor of Iowa Park.

AGENDA ITEM NO. 4: Citizens' Input.

No individuals registered to participate in the Citizens' Input.

AGENDA ITEM NO. 5: General Consent.

- A. Approval and Acceptance of the Minutes of the Regular City Council Meeting of March 22, 2010.
- B. Approve a Request From the Wichita Amateur Radio Society to Use City-Owned Property and Equipment at the Oscar Park/Gordon Lake Area on Saturday, June 26th and Sunday, June 27th, 2010 to Conduct an Event Associated With the Nationwide "Field Day of the Amateur Relay League".

- C. Approve a Request From the Iowa Park Chamber of Commerce to Use City-Owned Property and Equipment at Either Oscar Park/Gordon Lake or the Parking Lot at 500 West Highway on Saturday, May 1st, 2010 Between the Hours of 8:00 A.M. and 4:00 P.M. to Hold the Organization's Annual ParkFest Event.

Motion was made by Councilman Singer and seconded by Councilwoman Wooten, approving the general consent items. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 6: Public Appearance.

- A. A Public Appearance by Representatives From Sealed Air Corporation, Cryovac Division Requesting Permission to Use a Portion of Hawk Haven Park and Certain City-Owned Equipment on Saturday, June 5, 2010 and on Saturday, June 12, 2010 in Conjunction With Their Thirty-Fifth Anniversary Celebration.

Mr. Gary Green, representing Cryovac, took this opportunity to thank the Council for allowing them to use the former Wal-Mart parking lot to hold their garage sale. He stated that they raised over \$1,000.00 which will go to Relay for Life.

Mr. Green stated Cryovac is planning for their thirty-fifth anniversary celebration in June. They would like to use the area of land in Hawk Haven Park south and west of the RAC. They had checked into using the RAC but they were completely booked for the month. The Friendly Door has offered them the use of their facilities. Cryovac plans to have a live band outside and Jeff Watts will be cooking hamburgers. They would like to have use of the City's porta-toilets and generators.

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

Motion was made by Councilman Fears and seconded by Councilwoman Williams, approving the request from Sealed Air Corporation, Cryovac Division to use a portion of Hawk Haven Park and certain City-owned equipment on Saturday, June 5, 2010 and on Saturday, June 12, 2010 in conjunction with their thirty-fifth anniversary celebration. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 7: Public Hearing.

- A. A Public Hearing to Determine Whether the Residential Structure Located on the North Seventy-Five Feet (75') of Lots 1 and 2 in Block 179 of the Original Townsite to the City of Iowa Park, Wichita County, Texas, Also Known as 1000 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 7:14 p.m. The City Manager explained this is the second time this structure has been before the Council. The property is owned by the estate of Sam Hunter. According to the Appraisal District, the mobile home is owned by Ivy Barnett and Carrie Brazier. Ms. Brazier is deceased. However, the City learned that Mr. Glenn Collier has owned the mobile home since but claims he has sold it to the current owner, Norma Gray. It was noted that the front door was missing during most of the winter months and had been repaired at one point but is now broken again. The water had been disconnected for non-payment the first part of January and was reconnected March 29th. Ms. Gray stated she does have water in the house by using a garden hose and was informed that a garden hose was not a legal fixture. Ms. Gray stated she has been looking for another place to live. The public hearing closed at 7:44 p.m.

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

Motion was made by Councilwoman Wooten and seconded by Councilman Fears, approving and adopting Council Order Number 10-01, giving owners Ivy Barnett, Carrie Brazier, Glenn Collier, Norma Gray or Roy Gray, or their representative(s) until Saturday, May 1, 2010 to abate the nuisance or to vacate the residential structure and ordering the City Manager to then remove the mobile home/residential structure and seek payment for the removal from one or more of the described parties. Motion carried with five ayes. (Unanimous)

- B. A Public Hearing to Determine Whether the 1982 GMC Pickup Truck, Bearing Texas Tag Number 21R-MV9 and Identified by VIN #1GTCC314B9C8513634, Being Located on the Public Right-of-Way Adjacent to 800 Park Plaza, 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 7:47 p.m. The City has not been able to find the owners of the vehicle. The homeowner of 800 Park Plaza does not know who owns the vehicle or who left it in the street next to her home. The vehicle registration came back to Michael Chitwood who is stationed at Dyess Air Force Base. Mr. Chitwood stated he sold the vehicle to a Shawn Payne who lives in Anson, Texas. The staff has been unable to locate anyone in or around Anson with that name. The staff recommended the Council order the vehicle abatement and the street crew will temporarily store it at the former Barbour yard on West Highway until later in the year before having it destroyed. The public hearing closed at 7:53 p.m.

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

Motion was made by Councilwoman Williams and seconded by Councilman Singer, approving and adopting Resolution Number 10-14, ordering the abatement, removal and/or destruction of a 1982 GMC pickup truck, bearing Texas tag number 21R-MV9 and identified by VIN #1GTCC314B9C8513634 abandoned on public right-of-way adjacent to 800 Park Plaza, within ten (10) days from the adoption of this resolution. 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 City Manager to Exceed His Authorized Spending Limit to Cover Cost of Repairs to the Public Utilities Department's Vac-Tron Machine.

This resolution will authorize the payment of an invoice from Vermeer Equipment of Texas for repairs to the City's vac-tron machine. Total cost for materials, parts and labor is \$6,728.51. Motion was made by Councilman Singer and seconded by Councilwoman Williams, approving and adopting Resolution Number 10-15, authorizing the City Manager to exceed his authorized spending limit to cover cost of repairs to the Public Utilities Department's Vac-Tron machine. Motion carried with five ayes. (Unanimous)

- B. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the City Manager to Purchase a Truck Cab and Chassis for the City's Public Utilities Department Through the Houston-Galveston Area Council of Governments' Co-Operative Purchasing Program.

This will be a 2011 Ford F-450 cab and chassis truck and will cost \$22,978.95 for the vehicle and an additional \$7,000.00 will be purchased for a new utility bed. \$35,000.00 had been budgeted for this item. Motion was made by Councilman Fears and seconded by Councilwoman Wooten, approving and adopting Resolution Number 10-16, authorizing the City Manager to purchase a truck cab and chassis for the City's Public Utilities Department through the Houston-Galveston Area Council of Governments' Co-Operative Purchasing Program. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 9: Bid Action.

- A. Discuss and Consider Authorizing the City Manager to Advertise for Bids to Relocate a Portion of the Sixteen Inch (16") Water Transmission Line Located Under the Kell Freeway in Wichita Falls.

This line was installed in 1979. It has developed a leak somewhere in the line that runs under the newly expanded Kell Freeway. The City staff and City Engineer Kerry Maroney have been working with representatives at TX DoT to make the necessary repairs to the line. However, TX DoT is opposed to the repairs because it would temporarily close the off and on ramps east of Barnett Road. TX DoT will require the City to rebores the entire Freeway, which is approximately six hundred (600) linear feet. Cost to rebores and install new casing and water pipe beyond the two ramps is estimated to cost up to \$250,000.00. The staff wants to bid out this project, with the bids firm for one hundred twenty days (120) days, so that there will be an exact figure if and when the City has to travel to Austin to speak to its legislators, the Governor's office and the Texas Water Development Board to try to receive an interest free loan. Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten, authorizing the City Manager to advertise for bids to relocate a portion of the sixteen inch (16") water transmission line located under the Kell Freeway in Wichita Falls. Motion carried with five ayes. (Unanimous)

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

- A. Discuss and Consider Establishing a Line of Succession for Administrative Positions of Management for City Services.

The Mayor stated this item was on the agenda because of the recent health problems of the City Manager. The City's Charter requires the Council to designate a qualified city employee to exercise the powers and perform the duties of the City Manager during his or her temporary absence. The Charter also states that the Council will appoint an officer of the City to perform the duties of the City Manager during his or her absence if longer than thirty (30) days. An officer is the Chief of Police, Public Works Director, Economic Development Director and the City Attorney. The City Manager reminded the Council that if the Council must appoint an employee or officer, a special called or regular City Council meeting must be held, which requires a seventy-two hour posted notice. The seventy-two hours should allow enough time to ascertain how long the City Manager will be out and meet with the various department heads and administrative staff to determine what action to take.

- B. Receive a Report From Representatives of the City's "Alliance for Youth" Committee About Facilities Available for a Local Boys' and Girls' Club in Iowa Park.

Robert Johnson gave a brief report to the Council on meetings the group has had with board members of the RAC and Optimist Club concerning the use of their facilities in establishing a local Boys and Girls Club. He informed the Council that the RAC is not interested in being a part of the program at this time and the Optimist Club have not yet made a decision. Mr. Johnson suggested the committee begin looking at other facilities and/or locations that could be utilized for a Boys' and Girls' Club.

- C. Receive an Operations Report and Discuss and Consider Authorizing the City Manager to Contract for Repairs to the City's Outdoor Warning Systems.

The City Manager explained the testing of the warning sirens that was recently performed. Some of the units were not operational. They are all working most of the time now. Four are in need of new control boards and three of the sirens need to be relocated. Total cost of the upgrade is \$16,000.00. Money would have to come out of surplus funds. The City Manager also told the Council that an additional three to four sirens are needed to become more effective throughout the City. He plans to include those new units in the upcoming budget process. Motion was made by Councilwoman Williams and seconded by Councilman Singer, authorizing the City Manager to contract for repairs to the City's outdoor warning systems. Motion carried with five ayes. (Unanimous)

The meeting adjourned at 8:41 p.m.

PASSES, APPROVED AND ADOPTED this 26th day of April, 2010.

Mayor Joe Ward

ATTEST:

City Secretary Janice Newman