

MINUTES OF THE REGULAR CITY COUNCIL MEETING

January 25, 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 Manger
Belvin Lytle, Public Works Director
Robert Johnson, Chief of Police
Robbie Matthews, Parks and Recreation Director
Steve Davis, Police Sergeant
Sherry Fowler, Police Sergeant
Stephen Jones, Police Officer
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Lou Franklin
Glenn Durham Cindy Clifton
Jerry Clifton Josh Barnes
Kari Barnes Paul Fleming
David Duke Jack Skelton
Pat Larson Betty Brown
Bonnie Skelton

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 Pro tem gave the invocation.

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

The Mayor welcomed Wichita County Sheriff David Duke who was in attendance. The Mayor recognized former Iowa Park Police Officer, Wichita County Deputy Josh Barnes. Deputy Barnes was patrolling in and around Iowa Park on Friday, January 15th shortly after 1:00 a.m. Deputy Barnes noticed and smelled smoke. He followed the smoke and found a two story home on fire at 100 West Jefferson and knew a family lived there. He notified the Iowa Park Police Department and the Sheriff's Department then went to the front door of the home and started yelling and beating on the door which woke the residents up and they were able to get out of the home safely. The Mayor also noted that approximately one year ago Deputy Barnes was one of the first on the scene when Iowa Park resident Sam Hunter's legs were amputated in a farming accident. Sheriff Duke stated that Deputy Barnes has been a real asset to his department and that he would soon become their newest K-9 officer.

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 January 11, 2010.
- B. Approval and Acceptance of the Minutes of the Special City Council Meeting of January 15, 2010.

- C. Approval and Acceptance of the Minutes of the Special City Council Meeting of January 19, 2010.
- D. Authorize the City Manager to Execute a Contractual Agreement With Mandela Construction Company for the Bid Received for the Performance of Concrete Work Associated With the City's Street Rebuild Projects for FY 2009/2010.

Motion was made by Councilwoman Williams and seconded by Councilman Singer, approving the General Consent items, with correction to the minutes of the regular City Council meeting of January 11, 2010. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 6: Ordinance.

- A. An Ordinance of the City Council of the City of Iowa Park, Texas Rescinding Ordinance Numbers 836 and 1083 and Adopting New Regulations Governing Food Establishments Including Food Service Establishments, Retail Food Stores, Mobile Food Units and Roadside Vendors.

Ms. Lou Franklin, Director of Health with the Wichita Falls – Wichita County Public Health District, briefed the Council on the changes being made by the District. The changes include updating the definitions, changes to applications and renewal to permits and changes to the food permit category. Motion was made by Councilman Singer and seconded by Councilman Schultz, approving and adopting Ordinance Number 1099, rescinding Ordinance Numbers 836 and 1083 and adopting new regulations governing food establishments including food service establishments, retail food stores, mobile food units and roadside vendors. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 7: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Accepting the Audit Report of Edgin, Parkman, Fleming & Fleming, P.C. for the Municipal Fiscal Year Beginning October 1, 2008 and Ending September 30, 2009 and Approving Payment of the Invoice for Said Audit.

Mr. Paul Fleming briefed the Council on the recently completed the annual audit of the City's General Fund, Utility Fund and other funds and corporations of the City. Noted were two deficiencies which Mr. Fleming explained. The first was an adjustment the auditors had to make that the staff entered into the wrong account. The second was the bank reconciliations not being performed in a timely matter. Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten, approving and adopting Resolution Number 10-02, accepting the audit report of Edgin, Parkman, Fleming & Fleming, P.C. for the municipal fiscal year beginning October 1, 2008 and ending September 30, 2009 and approving payment of the invoice for said audit. Motion carried with five ayes. (Unanimous)

- B. A Resolution of the City Council of the City of Iowa Park, Texas Accepting the Annual Racial Profiling Report for Calendar Year 2009 as Submitted by the Iowa Park Police Department.

This is a required annual report that must be reviewed and acknowledge by the City Council. Motion was made by Councilwoman Wooten and seconded by Councilman Singer, approving and adopting Resolution Number 10-03, accepting the annual racial profiling report for calendar year 2009 as submitted by the Iowa Park Police Department. Motion carried with five ayes. (Unanimous)

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

- A. Receive a Report on the City's Current Financial Conditions and Future Needs as Dictated by the City's Home Rule Charter.

The City Manager presented the first quarterly report for fiscal year 09/10. The General Fund's year to date revenue reflects \$1,173,042.72 while expenditures are at \$767,554.30. The Water and Sewer Funds showed revenues at \$558,940.18 and expenditures at \$793,323.97. The investment portfolio had \$800,447.12 in total short term investments and \$111,036.93 in total long term investments.

AGENDA ITEM NO. 10. Executive Session.

- A. Pursuant to the Texas Government Code, Section 551.074 of the Texas Open Meetings Act for the Purpose of Discussing Personnel Matters and More Specifically Defined as Follows:
 - (1) Evaluation of the City Manager as Required by Section 4.01 of the City's Home Rule Charter.

The Council entered Executive Session as 7:38 p.m.

The Council reconvened in open session at 9:54 p.m.

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

The Mayor announced the City Manger had received an outstanding evaluation for the past year.

The meeting adjourned at 9:55 p.m.

PASSED, APPROVED AND ADOPTED this 8th day of February, 2010.

Mayor Joe Ward

ATTEST:

City Secretary Janice Newman