

MINUTES OF THE REGULAR CITY COUNCIL MEETING

March 22, 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  
Police Sergeant Sherry Fowler  
Police Officer Stephen Jones  
Police Officer Wendy Seiber  
John Hare, Communications Technician  
Janice Newman, City Secretary

VISITORS: Dolores Hamilton Wayne House  
Shirley Raymond Teresa Virgin  
Garry Green Glenn Durham  
Cindy Clifton Jerry Clifton  
Lori Shierry Annie Smith  
Dianna Ashley Donald E Ehlert  
Lynell Hare Carol Patnode

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 Singer gave the invocation.

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

The Mayor told the Council that Ms. Norma Fortner had recently been recognized by the Police Department for her daily work with the Operation Good Morning Program.

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 8, 2010.

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

AGENDA ITEM NO. 6: Oath of Office.

- A. Swear in Patrol Officer Wendy Seiber.

The Mayor swore in Patrol Officer Wendy Seiber.

AGENDA ITEM NO. 7: Appointment.

- A. Approve the Appointment of Tracy “Dan” Fears to the Wichita-Wilbarger 9-1-1 District’s Board of Managers.

Councilman Fears will be replacing Mr. Jerry Reed, who has had to resign from the Board due to health issues. Motion was made by Councilman Singer and seconded by Councilwoman Wooten, approving the appointment of Tracy “Dan” Fears to the Wichita-Wilbarger 9-1-1 District’s Board of Managers. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 8: Public Appearance.

- A. A Public Appearance by Representatives From Sealed Air Corporation, Cryovac Division Requesting Permission to Utilize the Former ALCO Parking Lot as a Central Location to Conduct Multiple Garage Sale Sites to Coincide With the Chamber’s City-Wide Yard/Garage Sale Scheduled for April 10, 2010 With Donations Received From Vendors Using Said Site to go to the Local Relay for Life Event That Will Occur in May of 2010.

Ms. Shirley Raymond explained to the Council their desire to use the former ALCO parking lot to hold a multi-vendor garage sale. They plan to use the marked parking spaces as booth spaces for the vendors and will use sidewalk chalk to number the spaces. Mr. Raymond assured the Council that the group will clean up everything after the event.

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

Motion was made by Councilwoman Williams and seconded by Councilman Fears, granting the request from Sealed Air Corporation, Cryovac Division to use the former ALCO parking lot as a central location to conduct multiple garage sale sites to coincide with the Chamber’s City-Wide Yard/Garage sale scheduled for April 10, 2010 with donations received from vendors using said site to go to the local Relay for Life event that will occur in May of 2010. Motion carried with five ayes. (Unanimous)

- B. A Public Appearance by Representatives From Sealed Air Corporation, Cryovac Division to Discuss Permitting and Construction Requirements That Would be Required to Build a “Habitat for Humanity” Home in Iowa Park.

Ms. Shirley Raymond stated they have not been able to meet with their representative for Habitat for Humanity but plan to later this week. If Cryovac decides to pursue the Habitat for Humanity, they will bring this item back to another meeting for Council approval. The City Manager explained the City could waive all permit fees but license contractors would still be required to pull all permits including building, electrical, mechanical and plumbing.

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

No action was taken on this item.

- C. A Public Appearance by Reverend John Hare, Pastor of the Pacific Avenue Baptist Church Requesting the Council Grant the Church a Waiver From its Unsubscribed Advertising Requirements Found in Section 6.02.003 (a).

Reverend John Hare explained his church plans to go door to door and give residents a packet that contains various pamphlets and Hershey’s Hugs chocolate candies. Reverend Hare stated the church will only leave the package on the door if they cannot make contact with the residents. The plastic packet has an opening which allows it to be placed on a door knob and prevents the contents from spilling out.

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

Motion was made by Councilwoman Williams and seconded by Councilman Singer, granting the request for a waiver from its unsubscribed advertising requirements found in Section 6.02.003 (a) to Reverend John Hare, Pastor of the Pacific Avenue Baptist Church. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 9:     Resolution.

- A.     A Resolution of the City of Iowa Park, Texas Authorizing the City Manager to Purchase a New Grounds-Type Turf Mower for the Parks and Recreation Department.

The staff researched several models and brands and checked the State's BuyBoard program and the Houston-Galveston Area Council of Governments' Cooperative Purchasing program. This John Deere mower from Quality Implement has thirty-one horsepower, a 72" cut and cost \$12,676.00. A total of \$13,500.00 was budgeted for this item.. Motion was made by Councilman Fears and seconded by Councilwoman Wooten, approving and adopting Resolution Number 10-09, authorizing the City Manager to purchase a new grounds-type turf mower for the Parks and Recreation Department. Motion carried with five ayes. (Unanimous)

- B.     A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving Police Department General Order #100.060 Establishing Guidelines for Issuing or Denying a Certificate of Proficiency for Retired Peace Officers of said Department.

The Chief of Police explained General Order #100.060 that will govern the issuance or denial of a Certificate of Proficiency for retired peace officers of the City of Iowa Park as required by the State. A Certificate of Proficiency allows a retired officer to carry a weapon. Every two years the retired officer must qualify with a weapon through the Iowa Park Police Department at which time a new identification card and Certificate of Proficiency will be issued with the final determination being made by the Chief of Police. Motion was made by Councilman Fears and seconded by Councilman Singer, approving and adopting Resolution Number 10-10, accepting and approving Police Department General Order #100.060 establishing guidelines for issuing or denying a Certificate of Proficiency for retired peace officers of said Department. Motion carried with five ayes. (Unanimous)

- C.     A Resolution of the City Council of the City of Iowa Park, Texas Accepting and Approving Police Department General Order #202.005 Establishing Guidelines and a Policy for Use of Informants.

The Chief of Police explained General Order #202.005 which establishes guidelines and policy when working with informants and goes with the narcotics division. Chief Johnson stated the department has had great success recently with the use of informants and plan to continue their use. Motion was made by Councilwoman Williams and seconded by Councilwoman Wooten, approving and adopting Resolution Number 10-11, accepting and approving Police Department General Order #202.005 establishing guidelines and a policy for use of informants. Motion carried with five ayes. (Unanimous)

- D.     A Resolution of the City Council of the City of Iowa Park, Texas Endorsing Certain Legislative Changes Relating to the Sunset Review of the Texas Public Utility Commission and the Special Purpose Review of the Electric Reliability Council of Texas.

The City Manager reminded the Council that the City is a member of the Oncor Steering Committee which is proposing legislative changes that would make electricity more affordable and reliable within the State of Texas. This resolution along with a letter of support from the Mayor will be sent to the State Legislature giving the City's endorsement of changes relating to the current Sunset Review of the Texas Public Utility Commission and the Special Purpose Review of the Electric Reliability Council of Texas. Motion was made by Councilman Singer and seconded by Councilwoman Wooten, approving and adopting Resolution Number 10-12,

endorsing certain legislative changes relating to the Sunset Review of the Texas Public Utility Commission and the Special Purpose Review of the Electric Reliability Council of Texas. Motion carried with five ayes. (Unanimous)

- E. A Resolution of the City Council of the City of Iowa Park, Texas Amending the General Fund Budget for Fiscal Year 2009/2010 Creating Revenue and Expenditure Line Item Accounts to Track LEOSE Funds for Training Officers of the Iowa Park Police Department.

This resolution will create both a revenue line item and an expenditure line item to track the Law Enforcement Officers' Standards and Education (LEOSE) Funds. Motion was made by Councilwoman Wooten and seconded by Councilwoman Williams, approving and adopting Resolution Number 10-13, amending the General Fund budget for fiscal year 2009/2010 creating revenue and expenditure line item accounts to track LEOSE funds for training officers of the Iowa Park Police Department. Motion carried with five ayes. (Unanimous)

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

- A. Discuss and Consider Authorizing the City Manager to Execute a Contract With Franklin Legal Publishing, Incorporated for Recodification of its Code of Ordinances in Relation to the Adoption of the City's New Home Rule Charter.

The City Manger explained that approximately every two years Franklin Legal Publishing performs a supplement to the City's Code of Ordinances with the new adopted and approved ordinances passed by the Council. Franklin Legal Publishing informed the City that with the recent passage of the Home Rule Charter, much of what is included in the Code book is either invalid or in conflict with the charter and/or state law. They proposed instead of preparing a supplement to the code, the City apply that money to a full recodification project. Franklin Legal Publishing will perform a full editorial and legal review on the code and will bring it up to date with state law and in full compliance with the home rule charter. They quoted a price of approximately \$8,000.00 which includes all new binders and tabs and placing the code on CD and on the City's website. Motion was made by Councilwoman Williams and seconded by Councilman Singer, authorizing the City Manager to execute a contract with Franklin Legal Publishing, Incorporated for Recodification of its Code of Ordinances in relation to the adoption of the City's New Home Rule Charter. Motion carried with five ayes. (Unanimous)

AGENDA ITEM NO. 11: Executive Session.

- A. Pursuant to the Texas Government Code, Section 551.073 of the Texas Open Meetings Acts for the Purpose of Deliberating a Negotiated Contract for a Prospective Gift or Donation to the City of Iowa Park.

The Council entered into executive session at 7:44 p.m.

The Council reconvened in open session at 8:05 p.m.

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

The Mayor announced no action would be taken.

The meeting adjourned at 8:05 p.m.

PASSED, APPROVED AND ADOPTED this 12<sup>th</sup> day of April, 2010.

---

Mayor Joe Ward

ATTEST:

---

City Secretary Janice Newman