

**CITY OF IVANHOE**  
**REGULAR MEETING**

**MINUTES**

May 14<sup>th</sup>, 2020

6:30 PM

Meeting was called to order by Mayor Bennett at 6:30 PM. Quorum established with all Council members present. City Marshal Terry Riley and City Attorney Mr. Brad Elrod were also present. Councilman Vonderlin provided the invocation and Mayor Bennett led the Pledge of Allegiance. There were 4 individuals present in the audience with 15 individuals viewing by Facebook.

**Communications from the audience-Agenda items**

Mayor Bennett noted that no one had signed up to address Council via email prior to the meeting, and no one had submitted question or comment by Facebook.

**Agenda Item #1 – Consent agenda items**

Mayor Bennett asked if there were any items on the consent agenda that needed to be removed. Hearing none, Mayor Bennett then asked if there was any objection to approval of the consent agenda. There being no objection Mayor Bennett called the consent agenda items approved including the minutes of the regular Council meeting April 9<sup>th</sup>, 2020, and the Special meetings on April 18<sup>th</sup> and April 24<sup>th</sup>, 2020.

**Agenda Item #2 – Mayor’s report**

Mayor Bennett expressed thanks to Vance Townsend, Brandon & Shaun with Rarity Communications for being available to set up & provide equipment to stream the Council meeting on Facebook. She then provided information on several items:

- Practicing Social distancing is still required, including during Council meetings.
- All events have been curtailed in the Civic Hall until further notice.
- The Ivanhoe Property Owners Improvement Association has opened the park areas from 10 AM to 6 PM daily.
- Reminder that anyone who has not provided their census information needs to do so.

- On street rehabilitation projects: the work on Chanticleer and Charmaine South should commence in the next week after the contractor attended a pre-construction meeting on Wednesday. The Durwood project will have notice in the paper for construction bids in late May & early June.
- A special Council meeting will be needed for change order needed on the Durwood project. After polling Council, the Mayor tentatively called the special meeting for Wednesday, May 20<sup>th</sup> at 5 PM.

### **Agenda Item #3 – Emergency order continuation**

Mayor Bennett asked Council if there were any change to be addressed to the current Emergency order resulting from the Covid-19 public health pandemic. Hearing none, she declared the Emergency order will continue unchanged.

### **Agenda Item #4 – Supervisor of Dams report**

Mr. Rusty Harrison had submitted his written monthly inspection reports on the dams for inclusion in the Council packet. Mr. Harrison commented that nothing of significance pertaining to the dams is occurring. The water weed buildup at Tristan overflow is an on going problem that he has to clean out regularly. Councilman Vonderlin asked when the catwalk would be replaced at the Tristan overflow valve. Mr. Harrison responded that it would be welded back to the valve walkway when the Public Works department can get to it but it is not a priority. The agenda item was information only, no action was taken by Council.

### **Agenda Item #5 – Municipal Court report**

Judge Rader had provided her monthly report that was provided in the Council packet. There were 11 citations issued during January and total fines collected were \$1125.20 with the city portion being \$744. Judge Rader informed those present that a lot of municipal court information is now available on the city web site. The agenda item was information only, no action was taken by Council.

### **Agenda Item #6 – Marshal office report**

Marshal Terry Riley reviewed his monthly report that had been included in the Council packet: The Marshal's office responded to 18 calls to the office, and 24 calls thru the Tyler County Sheriff office. 4 citations were written and 6 warnings were issued. He submitted a request to Council for lowering the

speed limit on Ivanhoe Drive at the entrance. (Which is addressed in Agenda item #9) The agenda item was for information only, no action was taken by Council.

### **Agenda Item #7 – Code Enforcement report**

Code Enforcement liaison Councilman Vonderlin reported 40 open cases that have letters of violation sent to property owners, with 2 current stop work orders. There are 8 follow up letters about to be sent after no contact by property owners following the 30 day deadline after the 1<sup>st</sup> notification was sent. Office Assistant Malissie Taylor has 40 new cases that have letters ready to be mailed, with 58 violations being investigated. 8 cases have been closed. The agenda item was for information only, no action was taken by Council.

### **Agenda Item #8 – Public works report**

Public Works Director Mr. David Marshal informed Council that 30 work orders are currently active. 27 previous workorders were completed in April. 3 property owner culverts are on schedule for installation. The pre-construction work on Chanticleer with 5 deteriorated culverts replaced and detour routes worked on prior to the contractor moving in for street rehabilitation. For the Charmaine South portion of the project 12 culverts will need to be replaced prior to Mason Construction beginning work. The contractor has completed the tree removal along Charmaine South and all utilities have been marked. The detour route for that project is Ivanhoe Estates Dr, and work is underway to get it ready for the increased traffic with the public works crew doing partial street resurfacing, right of way tree trimming & mowing. In addition preparation work is being done for construction of the pole barn at the Emily facility. The contractor expects to begin work on that project within the next 2 weeks. The \$2500 project will have 30 poles supporting the roof cover for 10 spaces to protect equipment. Installation of the new elevated 500 gallon diesel tank is complete and meets the guidelines of the EPA and TX Commission on Environmental Quality. Following Mr. Marshalls report Councilman Herrington asked if recycled asphalt would be used on Linda Lane since it appears to work well on other streets that have inclines. Mr. Marshall responded that he has been working with TxDOT to obtain another 1000 yards of the recycled asphalt material so additional streets can be surfaced. The agenda item was for information only, no action was taken by Council.

### **Agenda Item #9 – Ordinance #2020-6 amending Ordinance #2013-5 traffic speed limits**

City Marshal Terry Riley had submitted a written request to Council to lower the speed limit on Ivanhoe Drive at the entrance. The request stated for the safety of the drivers and the children of our community his office would like for the Council to consider lowering the speed limit from 30 MPH to 15 MPH along Ivanhoe Drive from the intersection of Galahad Dr. & Ivanhoe Dr. to the intersection of Ivanhoe Dr. and

US Hwy. 69. The reason for the request is due to the increase in school traffic and the parking of delivery trucks around the businesses located at the front entrance to our community.

Councilman Vonderlin made the motion to adopt Ordinance #2020-6 amending Ordinance #2013-5 to add a section providing for reduced speed limits on certain streets. Councilman Herrington put forth the thought of changing the speed limit from 30 MPH on the main throughfares to 20 MPH before providing a second on the motion. Council passed the motion to adopt Ordinance #2020-6 unanimously.

Councilman Morris asked City Marshal Terry Riley if the city streets could have center striping. Marshal Riley said street striping is regulated by TxDOT.

#### **Agenda Item #10 – Authorization for construction bids on Durwood project**

Councilman Vonderlin made the motion to go out for bids for the Community Development Block Grant project. Councilman Herrington provided the second and the motion passed unanimously.

#### **Agenda Item #11 – Authorization for construction bids on Ivanhoe Drive project**

Councilman Herrington made the motion to go out for bids for the Texas Water Development Board forgivable loan project. Councilman Warren provided the second and the motion passed unanimously.

#### **Agenda Item #12 – Conditional use of property by contractor**

Mayor Bennett explained the agenda item had been placed on the agenda if needed. At this time the contractor is not ready to proceed so the agenda item is postponed.

#### **Agenda Item #13 – Transfer Codified Ordinance updates & hosting**

Mayor Bennett informed Council that Franklin Publishing has made an offer to provide free hosting and updates for the next two years for the Ordinances, minutes and Resolutions. The current provider American Legal has already informed the city that the update to the current codified ordinance will cost \$1200. With the free web hosting offered by Franklin Publishing the savings will be over \$2,000 for 2 years on a 3 year contract. The 3<sup>rd</sup> year cost will be slightly less than the current annual cost. Councilman Blackstone made the motion to move the Codified Ordinance hosting and updates to Franklin Publishing. Councilman Herrington provided the second and the motion passed unanimously.

#### **Agenda Item #16 – Financial report-January 2020**

City Treasurer C. D. Woodrome had provided the monthly spreadsheet of income and expenses and supporting documents in the Council packet. He provided additional information relating to the city finances:

- The TX Water Development Board \$215,000 forgivable loan for the culvert on Ivanhoe Dr. is scheduled to close tomorrow with funds to be deposited to the escrow account.
- The TX Dept. of Agriculture 15 day comment period has commenced and will conclude right after Labor Day weekend. The city will then be able to go out for construction bids on the Durwood project.
- \$5,402.19 sales tax arrived earlier in the week. The funds will all be deposited to the general sales tax as a result of the results of the November election. Previously the total was split between general sales tax and restricted street funds. Mr. Woodrome noted that unlike many cities around the country he does not expect sales taxes to nose dive due to the coronavirus pandemic.
- The collection rate at the end of April is 81.54% which compares favorably with same time last year (81.77%). With 4 months remaining in the FY-2020 budget it remains to be seen what impact the pandemic will have on property tax payments. A side note: the tax Assessor calculates the delinquent property taxes due for Ivanhoe North for the one year of its existence (2010) is \$6,609.
- If the \$33,200 donation from the Alabama Coushatta tribes and the \$17,400 transfer from the Hurricane Harvey fund is removed from the income calculations (as anomalies), the revenue for FY-2020 is \$503,979 which is considerably higher than the same time last year (\$474,462).
- Next month there will be two additional accounts that will be part of the financial report: the account for the Bond repair project and the account set up for the Durwood Project (Community Development Block Grant) funds. The escrow account is set up under the control of the Water Development Board for drawdowns as authorized by the Mayor upon recommendation of the engineer.

Following the information Mr. Woodrome asked Council to postpone approving the April financial report until after he gets a \$1760 discrepancy worked out with the accountant. Council took no action on the monthly financial report.

#### **Agenda Item #17 – Executive session**

Mayor Bennett recessed the regular meeting at 7:11 PM for executive session on Agenda items #15 & #16 per Texas Government Code 551.072. Mayor Bennett called the regular meeting from recess at 7:47 PM

**Agenda Item #15 – Substation lease agreement**

Mayor Bennett informed those present that the City will continue the current agreement with the Ivanhoe Property Owners Improvement Association on a month to month basis.

**Agenda Item #16 – Electronic sign update**

Mayor Bennett informed those present that the agenda item will be postponed to a future meeting.

**Agenda Item #18 - Communications from audience-non agenda matters**

None

**Agenda Items #19 – Council comments**

None

**Agenda Item #20 – Adjourn**

Councilman Herrington made the motion to adjourn with a second by Councilman Blackstone and the meeting was concluded at 7:47 PM.

Respectfully submitted,

C. D. Woodrome, City Secretary