

CITY OF IVANHOE

SPECIAL MEETING

MINUTES

JULY 22nd, 2020

6:00 PM

Meeting was called to order by Mayor Bennett at 6:00 PM. Quorum established with all Council members present except Councilman Blackstone. City Attorney Mr. Brad Elrod was also present. The meeting was broadcast via the city Facebook page per coronavirus order and guidelines of Governor Abbott.

Agenda Item #1 – Mayor’s report

Mayor Bennett provided information on several items:

- The number of coronavirus cases in Tyler County has grown exponentially after the 4th of July holiday; 12 new cases recorded today, with 41 active. A total of 87. The first death in the county has occurred: an Ivanhoe property owner. Residents are reminded of the governor’s order for social distancing and wear face masks.
- The proposed FY-2021 Budget was filed on July 16th and sent to Council for review on July 17th. Due to Senate Bill 2 in the 2019 legislative session which instituted a number of tax reforms the proposed budget had to be developed almost a month earlier than previous years. A budget workshop for Council to discuss and recommend changes is scheduled for July 31st at 4 PM.

Agenda Item # – Resolution #2020-13R Planning & Capacity Building

Mayor Bennett informed the Council the agenda item would be addressed at a future meeting following a Public Hearing.

Agenda Item #3 – \$100,000 liability insurance requirement for contractor’s

Councilman Herrington explained he had requested the matter be placed on the agenda to get clarification of the city requirement for contractor liability insurance. Resolution #2015-7R references contractors who perform work for the city on city streets. The city has expanded the requirement to include contractors doing work for private property owners. City attorney Brad Elrod clarified that if Council wants a

requirement that can be enforced, it needs to be an ordinance instead of a resolution. He said his research indicates that other cities in Texas have general liability requirements, the City of Woodville does not. Councilman Herrington asked if the Council wants to use the existing requirements, but change from a resolution to an ordinance that applies just for contractor's working for the city? Or to extend the requirement to any contractor operating in the city? He noted that he would not be voting on the matter since he has a contracting business. Mayor Bennett questioned the enforceability of requiring contractors to provide the city with general liability insurance coverage to protect city streets. She commented that most folks will abide by the requirement, but some would not, and noted that the city does need to establish guidelines to protect the city, especially with new street surface work being done. Councilman Vonderlin voiced that permits are not required for various contractors, and all permits should require insurance. Mayor Bennett responded that in some instances there is no contractor doing work, simply a property owner arranging for help, would the insurance requirement come into play? Councilman Warren commented that it will be difficult to enforce a liability insurance requirement except in cases of manufactured homes being moved on city streets or tree removal services. Otherwise he is not in favor of the requirement. Councilman Herrington reiterated the comment from Councilman Blackstone during previous discussion on the matter that most contractors who have a state license will have general liability insurance coverage. Councilman Morris commented that he agrees with the \$100,000 insurance requirement; contractor's doing work in the city should have their insurance information on file with the city. Councilman Herrington agreed that it is a good idea for the city to know who is operating within the city. City Attorney Brad Elrod reminded Council they cannot pick and choose who will do work in the city. Councilman Herrington introduced the possibility of the insurance requirement being based on vehicle/equipment weight and specific services. He commented that it begs the question of contractors parking on the edge of city streets and the resulting damage. Councilman Vonderlin commented that storage buildings being delivered may not weigh a lot but there is usually a considerable bit of turning involved to place the building. Councilman Herrington submitted a motion to transition the existing resolution to an ordinance. Councilman Morris provided the second. City Attorney Brad Elrod informed Council that his research indicates specific requirements are required and asked if Council would be open to arranging a committee to bring a recommendation to Council? Councilman Warren noted that a committee to identify the specific permits that would necessitate general liability insurance is a good idea. Following the additional discussion Councilman Herrington withdrew his motion, with Councilman Morris withdrawing his second. Mayor Bennett then appointed Councilman Warren and Councilman Herrington to consult with the city attorney and bring a recommendation to Council in a future meeting.

Agenda Item #4 – Residential & Commercial permit fees

Councilman Vonderlin reported that he and Councilman Morris met to review the current residential permit fees. He submitted their recommendation to Council for proposed changes to the fee structure. Council had general discussion of contracting with a Building Inspector as needed along with policy and procedures detailing the responsibility of the property owner and contractors. Councilman Herrington

observed that the procedures tie in with the contractor liability insurance that was discussed under agenda item #3. Mayor Bennett expressed she does not feel the 48 hours allowed for city review of building and work permit applications is sufficient. Councilman Vonderlin commented that the permit application procedures would be better to specify city business days. Following the discussion Councilman Vonderlin submitted the motion to adopt the recommended fee structure changes and add permit requirement for roofing/re-roofing, and Certificate of occupancy. Councilman Morris concurred with the second and the motion passed unanimously.

Agenda Items #5 – Council comments

None. Mayor Bennett asked if there were any comments or questions submitted via Facebook. There were none.

Agenda Item #6 – Adjourn

Councilman Herrington made the motion to adjourn with a second by Councilman Warren and the meeting was concluded at 7:22PM.

Respectfully submitted,

C. D. Woodrome, City Secretary