

CITY OF IVANHOE
REGULAR MEETING
MINUTES

February 11th, 2021
6:30 PM

Meeting was called to order by Mayor Bennett at 6:30 PM and quorum established with all Council members present except Councilman Herrington. City Attorney Brad Elrod, Deputy Marshal Michael King and Public Works Coordinator David Marshall were present. 26 individuals were watching via the city Facebook page. Mr. Elrod provided the invocation and the Mayor led the Pledge of Allegiance.

Mayor Bennett asked if there were any comments or questions from the Facebook audience. There being none she moved to agenda items.

Agenda Item #1 – Consent agenda

Mayor Bennett asked if any item on the consent agenda needed to be removed. City Secretary requested the January 26th, 2021 minutes be removed since they were not ready for approval. Hearing no objection to approval of the remaining items she then declared the consent agenda adopted including the minutes of the Special meeting on September 29th, 2020, Special meeting on October 30th, 2020, Special meeting on December 8th, 2020, the Regular meeting on December 10th, 2020, Special meeting on December 15th, 2020, Regular meeting on January 21st, 2021 and the Dam Inspection reports for January 2021.

Agenda Item #2 – Mayors report

Mayor Bennett updated Council on several items:

- Folks have been using Facebook to post complaints or ask questions.. Folks should call the office or utilize the city email for reporting issues and for obtaining correct information.
- Long time Ivanhoe resident Mr. Ron Keef passed away and funeral service is scheduled for this Saturday.
- The Ivanhoe Property Owners Improvement Association will hold the annual meeting in the Civic Hall on Saturday due to the forecast for inclement weather.
- Really bad weather is forecast for Sunday thru Tuesday. Mayor Bennett strongly encouraged residents to stock up on supplies to make it thru the next week and prepare to hunker down.

Agenda item #3 – Supervisor of Dams report

Mr. Rusty Harrison had provided his monthly dams report for inclusion in the consent agenda. He informed Council that not much is going on during the winter months. He would like to contact Chance Construction about drilling test holes at the void on the park end of Charmaine Dam and while here-caulking over the existing caulk during cold weather to see if the caulk will expand with warm weather instead of cracking. The report was for information only, no Council action was required. Mayor Bennett provided approval for Mr. Harrison to proceed with contacting Chance Construction.

Agenda item #4 – Public Works report

Mr. David Marshall informed Council the Public Works Dept. has a lot going on. The crew is prepared for the bad winter weather that is forecast. New warning signs have been installed on the approaches to Charmaine and Galahad Dams. Sherwood North project between Parkview and Hickory is 90% complete. The estimated cost for the repair is between 6 & 7 thousand dollars. First time use of the fly ash mix on the detour route while work was underway on Sherwood Forest North proved the material works exemplary. Weather & material delays have held up work on other projects. He concluded his report asking Council to consider sick leave policy for employees and a work boot allowance for the public works crew. Steel toe boots that can stand up to the heavy use for any length of time run about \$250 a pair. The report was for information only, no Council action was required. Before moving to the next agenda item, Councilman Warren requested Council set up a workshop to discuss roadwork and to set priorities.

Agenda item #5 – Municipal Court report

Judge Rader had submitted her monthly operations report for inclusion in the Council packet. Mayor Bennett reviewed the report that during January the court collected \$971 in fines and court costs, with \$701.30 of the total for the city, and \$269.70 going to the state. The report was for information only, no Council action was required.

Agenda item #6 – City Marshal report

Deputy Marshal Michael King reviewed the monthly operations report: There were 113 total calls/activity reports with the new software CopSynch responded to in January. 15 of those being by referred by the Sheriff's office. The calls ranged from security checks/traffic stops/calls for service/License & registration look-ups to misc. activity/suspicious persons. 26 citations/violations were written and 1 warrant served. Deputy Marshal King informed Council that with the Resolution that had been approved earlier in the day, the grant application to fund a designated law enforcement 2020 model Ford F-150

Police Responder crew cab pick-up has been submitted by the deadline. The report was for information only, no Council action was required.

Agenda item #7– Code Enforcement report

Malissie Taylor reported the total number of open code enforcement cases stands at 138, with 74 cases closed. There are 8 stop work orders placed on properties. 5 citations issued for ordinance violation, 77 junk vehicle cases being worked, with one junk vehicle still in process of being removed by court order. There is 1 abandoned structure declared a nuisance by City Council, 12 non-conforming properties with signs placed. 13 septic cases that will be referred to the TCEQ Designated Representative, 8 code violation cases about to be mailed out, 6 letters that have been returned needing updated addresses and 29 cases in paperwork investigative status. The report was for information only, no Council action was required. Ms. Taylor then informed Council that a hearing has been requested by a property owner regarding a non-conforming property that is up for sale. Mayor Bennett clarified that the case involves a manufactured home located in a District where manufactured homes are not allowed and the home will lose its pre-existing status when the property is sold. Council agreed to set the hearing for 5 PM on March 18th.

Agenda item #8 – Amendment to codified ordinance Section 70.07 truck traffic on city streets.

Court Assistant Malissie Taylor informed Council that Judge Rader requested the addition of wording in Ordinance #2021-5 “as defined herein” to the codified ordinance Section 70.07 (a) relating to parking of commercial vehicles on city streets to make the section easier to understand. Deputy Marshal King clarified that as the ordinance is written commercial vehicle owners living in Ivanhoe cannot park their vehicle on the street or in the right of way. Delivery services are not prohibited from parking on street or right of way for reasonable periods of time. Councilman Morris then made the motion to add the wording. Councilman Craven submitted the second. In discussion Councilman Warren requested clarification if commercial vehicles are allowed to be parked on property if the vehicle is not on the city right of way. Mayor Bennett noted that parking on private property was not within the realm of the agenda item. With no further discussion the motion passed unanimously.

Agenda item #9 – Ordinance #2021-6 changing date and time of Council meetings

Mayor Bennett informed Council that Ordinance #2021-6 was developed in response to her notification to Council of the difficulty to get current month sales tax and ad-valorem collection information to Council by the 2nd Thursday deadline for Council meetings. Those figures are usually not available until after the 12th of the month, sometimes later. She then read Ordinance #2021-6 changing the regular

monthly Council meeting to the 3rd Thursday of each month at or about 6:30 PM. Councilman Morris made the motion to approve the Ordinance amending the codified ordinance. Councilman Craven submitted the second. In discussion Councilman Morris said he would like to change the meeting time to 5 PM. City Attorney Brad Elrod explained he would have difficulty getting to meetings at 5 PM. Councilman Morris amended his motion to have the meetings on the 3rd Thursday on or about 6 PM, with Councilman Craven amending his second correspondingly. The motion then passed unanimously.

Agenda item #10 – Planning & Zoning Commission recommendation regarding adding section to codified ordinance pertaining to noise

City secretary C. D. Woodrome informed Council that the office has received several complaints regarding dogs barking all night and disturbing neighbors. Office assistant Malissie Taylor had researched other cities ordinances and had submitted a City of Cleveland ordinance pertaining to animals and noise to the Planning & Zoning Commission. The P & Z recommendation was being provided for Council review. In discussion Council expressed that such an ordinance could open a can of worms. Deputy Marshal King observed that the Marshals Dept. could address the problem when the barking crosses the threshold of becoming a nuisance. A citation could be issued at the officer's discretion based on the repetitiveness of the complaint and loudness at a particular location. Mayor Bennett postponed the agenda item, noting that it appears the proposed ordinance needs to be fine-tuned and brought before Council at a future meeting.

Agenda item #11 – Equipment & supplies to be declared as junk

City Secretary C. D. Woodrome presented a list of items for Council to declare as junk for disposal. The items (old cell phones and MiFi units) have outlived their usefulness and are no longer repairable. Councilman Blackstone made the motion to dispose of the items as junk. Councilman Craven provided the second and the motion passed unanimously.

Agenda item #12 – Monarch Water rate increase

Councilman Morris provided Council with background info. on the agreement with Monarch Water dated 2014 that established the rates that Monarch Water could charge for the next 7 years. The agreement has run its course and now Monarch has sent notice of a rate increase which will add about 4 dollars per month to a residential water bill. Councilman Morris noted that in the 2014 rate case it cost the city about \$50,000 in legal fees protesting an exorbitant rate increase by Monarch which holds the Certificate of Convenience and Necessity to provide water in Ivanhoe. The current increase is not worth

the expense of a challenge. He said the city should look into an agreement with Monarch going forward. The report was for information only, no Council action was required.

Agenda item #13 – 2021/22 TxCDBG grant writer/administrator

Mayor Bennett opened the floor to Mr. Chuck Vonderlin to present the recommendation of the Evaluation Committee for the grant writer/administrator for the grant application to Texas Dept. of Agriculture (TDA) for the 2021/22 Community Development Block Grant program. Mr. Vonderlin informed Council that 3 proposals had been received by the deadline for submissions: Traylor & Associates, Inc., Langford Community Management Services, Inc., and GrantWorks, Inc. Following the committee scoring of each of the proposals based on criteria set by TDA the committee recommended Langford Community Management Services to provide grant writing and administration services for the 2021/22 TxCDBG grant application and funding. Councilman Morris made the motion to accept the committee recommendation and approve Langford Community Management Services. Councilman Craven submitted the second and the motion passed unanimously.

Agenda item #14 – Financial report for January 2021

City Treasurer C. D. Woodrome updated Council on the transition of monthly accounting review to Andrews Business Solutions. The transition also includes moving from Quickbooks Desktop to Quickbooks On-line. The accountant has completed all the entries going back to the beginning of the city fiscal year and all the accounts have been reconciled with the bank and TxClass balances. The new monthly report looks different from the spreadsheet that Council is use to and is in extremely small font. He recommended Council delay approving the January 2021 financial report until he and the accountant can develop the report in a more understandable format including increasing the size of the numbers and text.

Council took no action on the agenda item. Councilman Warren commented that changes to the Marshal's officer hourly pay rate needs to be communicated more effectively. Mayor Bennett explained that she had met with the Marshal regarding the hourly rate increase during the Covid-19 reimbursement program and before the program ended. Informing the Deputy Marshals is the responsibility of the Marshal.

Agenda item #18 – Communications from the audience-other items

Mayor Bennett moved the agenda item forward with the observation due to the executive session coming up and the Facebook audience would drop out.

Facebook comments/questions:

- Gaylynn Muzny-question: Which dam Mr. Harrison was speaking about?
- Johnnie Williams Jesseph-question: What? So my husband can't park his company truck on the side of the road in front of our house?
- Gaylynn Muzny-comment: When we have walkers in the night that keep dogs barking as well as coons and possums that are out hunting. This is impossible.
- Michelle Byrne Jones-question: If we are talking about barking late at night, what about a very loud maroon and gray truck?
- Greg Jackson-comment: The Council needs to vehemently oppose any rate increase, and search for a new water company. The service is terrible. The water is horrible.
- Steven Kirkpatrick-comment: Just got done paying a \$500 water bill and my average bill is \$120 to \$130 monthly. Complete refusal of explanation for such a high bill.
- Tisha Jones-comment: Need to blacktop these roads.
- Tisha Jones-comment: Just got my truck out of the shop twice, first for rear end went out and then upper & lower ball joints and now gotta get shocks cause these roads are terrible....\$1500 later.

Agenda item #17 – Executive session

Mayor Bennett recessed the regular meeting at 7:47 PM for Executive Session per TX. Government Code 551.072 (Purchase, exchange or lease of property) and 551.074 (matters pertaining to public officer or employees).

Mayor Bennett called the regular meeting from recess at 8:12 PM and addressed remaining agenda items.

Agenda item #15 – Employee sick leave policy

Mayor Bennett noted there will be a sick leave policy added to the employee handbook and turned the floor to Councilman Warren to provide details: the policy will change vacation time to personal time off with 6 days allowed after 1 year employment and 12 days after 2 years or more employment. Employees

can utilize the paid personal days however they wish; vacation, sick leave or other. Councilman Warren then submitted the motion to adopt the change to the employee policy. Councilman Blackstone provided the second and the motion passed unanimously.

Agenda item #16 – Purchase of substation property

Mayor Bennett postponed the agenda item until the March Council meeting (after the Ivanhoe Property Owners Improvement Association annual meeting).

Agenda item #19 – Council comments

Mayor Bennett voiced concern about the winter storm forecast for the coming week and urged everyone to stay safe and stay home during the bad winter weather. There being no other Council comments the Mayor asked for motion to adjourn.

Agenda Item #20 – Adjourn

Councilman Morris made the motion to adjourn with a second by Councilman Warren, and the meeting was concluded at 8:14 PM.

Respectfully submitted,

C. D. Woodrome, City Secretary