

REGULAR MONTHLY

MINUTES

March 18th, 2021

6:00 PM

Meeting was called to order by Mayor Bennett at 6:00 PM. Quorum established with all Council members present. City Attorney Brad Elrod and City Marshal Terry Riley were present. Mr. Elrod provided the invocation and Mayor Bennett led the Pledge of Allegiance. There were 6 individuals present in the audience and 19 via Facebook. Everyone was wearing face masks and adhering to Social distancing requirements. Mayor Bennett noted the meeting was being live streamed on Facebook and You-Tube to allow anyone who wanted to attend the meeting virtually to do so during the Covid-19 health emergency.

Communications from the audience

Mr. Karl Muench spoke to Agenda item #19 regarding the purchase or lease of the substation property from the Ivanhoe Property Owners Improvement Association and placement of the electronic sign. He urged the Homeowners Association Board to consider selling the property to the city. No other comments were submitted and Mayor Bennett reminded anyone viewing the meeting on Facebook that they could submit comments or questions during the meeting to be presented at the end of the meeting.

Agenda Item #1 – Consent agenda items

Mayor Bennett asked if there were any items on the consent agenda that needed to be removed. City Secretary C. D. Woodrome requested the minutes of the Public Hearing-January 26th, 2021 and Tax Rate Workshop be removed since they were not complete. Mayor Bennett then asked if there was any objection to approval of the remaining items on the consent agenda. There being no objection Mayor Bennett called the consent agenda items approved including the minutes of the Emergency meeting February 11th, 2021, and the Regular meeting February 11th, 2021.

Agenda Item #2 – Mayor's report

The Mayor provided information on several items:

- Thank you to several volunteers from the city who came together to construct a handicamp ramp for an elderly resident. Two individuals from Woodville United Methodist Church provided the leadership for the project.
- The donated bench in the Civic Hall has been updated with plaques as a memorial for Deputy Marshal Chuck Marshall. The bench will be placed outside the Community Center as soon as the flooring and roof are completed.
- A Community Service individual who specializes in refrigeration and A/C was able to repair the ice machine at no cost to the city.
- Municipal Judge Rader has now taken the position of Presiding Judge and Judge Haney will be Associate Judge.
- The rating results of the \$11 million Hazard Mitigation grant application is expected in late spring/early summer
- The ratings result of the \$8 million Supplemental grant application that was transferred from the TX Dept. of Emergency Management is still in the review process. It is not known when the General Land Office will complete the review.

Agenda Item #3 – Supervisor of Dams report

Supervisor of Dams Mr. Rusty Harrison informed Council that nothing major was happening with the dams. He had submitted his monthly written report of his observations at the dam for inclusion in the consent agenda. He commented that from the amount of trash being thrown on Camelot Dam it appears to be a garbage dumping site. The grating on the overflow at Camelot Dam is very heavy so he uses a stick to remove the buildup of weeds and trash that get caught in the grate. Regarding the exploratory work for the void on the park end of Charmaine Dam he has been unable to reach Mr. Jimbo Williams at Chance Construction to arrange for the test bores. The agenda item was information only, no action was taken by Council.

Agenda Item #4 – Public works report

Public Works Coordinator Mr. David Marshall informed Council that 635 work orders have been entered in the iWorQs software program since the city began utilizing the program two and a half years ago. The program is helping with reports and more effective scheduling of the Public Works crew. The fly ash material donated by Woodville Pellets appears to be working very well when mixed with dirt. Now that the initial test project has proven to work, more of the fly ash will be used with expected savings of about

\$2,000 per month on other road material. The property on Perdilot that was donated to the city is needed as a storage site for the fly ash and mixing site. Council discussed the material as a cost savings to the city. Mayor Bennett noted the property would need to be surveyed and cleared of trees and underbrush for use.

Councilman Morris questioned the status of obtaining the material distributor for placing material on the shoulders of streets. Mr. Marshall explained he is still researching the various models, the one he is leaning towards is in the neighborhood of \$8,000. The agenda item was for information only, no action was taken by Council.

Agenda Item #5– Municipal Court report

Mayor Bennett provided a summary of the Court report for August prepared by Judge Cathy Rader. Total fines and court costs collected during February were \$1,834, with \$1,038.89 retained by the city, and \$745.31 going to the state. Court Clerk Malissie Taylor attended the Regional Clerk’s seminar in late January and Judge Rader attended the Regional Judge’s Seminar in February; both were conducted remotely. Restrictions on in-person proceedings and jury trials have been lifted per the Governor Executive Order GA-34 and the TX Supreme Court’s 36th Emergency order. For at least the next 30 days the city office will require the public to continue wearing face masks and using hand sanitizer when in close proximity to staff including Municipal Court. The number of people allowed past the foyer will also be limited at any given time. The agenda item was information only, no action was taken by Council.

Agenda Item #6 – Marshal office report

Marshal Riley reported 112 calls/activity reports received by the city as recorded on the new CopSynch software during February. The calls ranged from security checks/calls for service, traffic stops/license and registration look ups to suspicious persons/misc. activity. He informed Council that a DPS officer would be present at the April Council meeting to provide info on the new state laws relating to golf cart and Utility Vehicle operation on city streets. Mayor Bennett then introduced new Deputy Marshal Officer Jim Zachary who provided Council with his experience and qualifications. He summarized the monthly report with 24 calls coming thru the Tyler County Sheriff dispatch, 29 citations/violations were written and 7 warnings issued. 2 felony warrants were served. The agenda item was for information only, no action was taken by Council.

Agenda Item #7 – Code Enforcement report

Office Assistant Malissie Taylor reported: 123 open cases and 78 closed cases for 2020, there are 4 citations issued on the 2020 cases. For 2021 there are 11 open cases and 2 closed cases with 2 citations

issued. There are 13 septic cases under investigation. Ms. Taylor confirmed that the temporary waiver that Governor Abbott granted on March 16, 2020 due to the Covid-19 pandemic for vehicle registration will end April 14, 2021. The city will resume code Enforcement action on Junk Vehicle violations including travel trailers, rv's and boats. Anyone who has received a code violation letter regarding junk vehicle, travel trailer, rv or boat violations needs to contact the city regarding abating the violation before April 21st, 2021 to avoid penalties/fines being assessed for failure to comply with city ordinances. The property owner of substandard structure located on Charmaine Dr. East has a deadline of March 30th to demolish and remove the structure. If the structure exists on March 31st, the city will commence demolition/ removal and a lien will be filed against the property. The agenda item was information only, no action was taken by Council.

Agenda Item #8 – Fee for enclosing open carport/garage

Mayor Bennett opened the floor to Office Assistant Malissie Taylor regarding adding a permit fee to the existing schedule for enclosing an open carport or garage to make a habitable room. Councilman Herrington commented that conversion of existing structure comes to mind, and what the repurposing of the space will entail. Councilman Blackstone concurred and they recommended contacting the building inspector for clarification of what is needed. No action was taken by Council.

Agenda Item #9 – Fee for signs

City Secretary C. D. Woodrome informed Council that a request for a business sign on private property had been presented. The type of sign and size does not fall within the 6 square foot limitation for permanent display, it would be allowed for 30 days for a business opening announcement. At this time no fee has been set by Council per codified ordinance Chapter 151.03. After brief Council discussion regarding home based businesses and economic development Mayor Bennett said the matter will be turned over to the Planning & Zoning Commission to review the ordinance and provide a recommendation to Council.

Agenda Item #10 – Amendment to current engineering contract on TX Water Development Board project

Mayor Bennett informed Council an additional \$150,000 has been applied for to add engineer oversight to the project to replace the undersized culvert and raise the street surface on Ivanhoe Dr below the breached Lake Ivanhoe Dam. Also the cost of material and construction has increased. Councilman Herrington made the motion to approve the amendment to the contract with LJA Engineering. Councilman Morris provided the second and the motion passed unanimously.

Agenda Item #11 – Review Committee recommendation for engineering firm for 2021/22 TX CDBG application and project

Mayor Bennett turned the floor to Mr. Chuck Vonderlin as Chairman of the committee that had reviewed the response received from the only engineering firm following public notice and email notifications. Mr. Vonderlin informed Council that LJA Engineering was the only respondent and received a rating of 292 points out of a total of 300 based on the rating guidelines of the TX Dept. of Agriculture. The committee recommended LJA Engineering to assist with developing the 2021/22 grant application and if the city is awarded a grant to provide the design work and construction oversight of the project. Mayor Bennett commented that the city was awarded two CDBG grants during the past grant cycle which will reduce the number of points the city will qualify for in this grant cycle. Councilman Herrington made the motion to accept the recommendation of the review committee and approve LJA Engineering for the engineering work. Councilman Morris submitted the second and Council passed the motion unanimously.

Agenda Item #12 – Action on mail service

Councilman Warren explained several citizens had presented issues to him regarding the US Postal Service including delayed delivery and days of no outgoing mail pickup. He said the delayed delivery is particularly concerning when it involves prescription medicine. Mayor Bennett commented the city has corresponded with the local postmaster about these and other issues to no avail. It was noted that residents should call the US Postal Inspectors office and file their complainant. The complaint will be issued a case number. The more complaints filed the more likely action will be taken. The agenda item was information only, no action was taken by Council.

Agenda Item #13 – Financial report - January 2021

City Treasurer C. D. Woodrome had submitted the January financial summary report from the accountant to Council for review prior to the meeting. Mr. Woodrome observed that the printout from Quickbooks On-line is different from the monthly spreadsheet he had prepared for Council while using Quickbooks Desktop, and will take a bit of getting use to. There are still some parts of the report that need to be “fine-tuned” to make it easier to understand. After verifying that the accounts were reconciled to the bank and TX CLASS statements following the February Council meeting his recommendation to Council was to approve the January 2021 financials. Councilman Herrington made the motion for approval with a second from Councilman Craven and Council passed the motion unanimously.

Agenda Item #14 – Financial report – February 2021

City Treasurer C. D. Woodrome had submitted the February financial summary report from the accountant to Council for review prior to the meeting. He informed Council the form of the monthly report is still being tweaked to make it more understandable. All accounts at Citizen's State Bank and at TX CLASS have been reconciled for February. As a side note Mr. Woodrome explained that the outside accountants from Davis Heinemann & Associates had been at city hall the previous week for the FY-2020 financial audit, and he expects requests for additional documents prior to the accountants generating the draft audit for review. The FY-2020 financial audit should be ready for Council action at the April 15th monthly Council meeting. Following the update Councilman Herrington made the motion to accept the February 2021 financial report. Councilman Morris provided the second and the motion passed unanimously.

Agenda Item #15 – Bids for city hall/community center roof replacement

The city had requested bids from local contractors. One contractor responded verbally that they declined to bid due to inability to determine where the water leaks in city hall were coming from. The other contractor: Artisan Brothers/Tyler County Construction had submitted a bid of \$500 to remove the trim, clean and prep then reseal and remount the trim. City Secretary C. D. Woodrome explained the trim has been bent several times by high winds and will likely continue to leak. He requested an additional bid for replacing the trim. Following additional discussion with the contractor a second bid was submitted by Artisan Brother/Tyler County Construction. Council discussed the second bid including getting clarification from the contractor that his bid of \$17,500 includes replacement of the entire roof (75 ft. by 50 ft.) with Galvalume using a new moisture barrier and removal of the old roof. Council delayed action on the item for further research.

Agenda Item #16 – Designating equipment as junk

City secretary C. D. Woodrome informed Council the riding lawn mower that had been donated to the city by Councilman Morris several years ago has reached the point where repair is no longer cost effective, and repair cost for a Motorola 2 way radio from the Marshal's office costs more than a replacement radio. He recommended Council designate the items as junk so they can be removed from inventory and disposed of. Councilman Herrington made the motion to junk the items. Councilman Blackstone provided the second and the motion passed unanimously.

Agenda Item #17 – Progress on changing banks

Councilman Warren asked for an update on seeking proposals for a new depository. Mayor Bennett reminded Council that when the city was formed and requested proposals none of the financial institutions responded. The city is waiting for recommendation from the outside auditor for being able to reduce the number of accounts. Councilman Warren then requested being removed as a signatory on the bank accounts. Mayor Bennett said the Council would have to act on the request, and the agenda item was listed for discussion only. She would arrange for the new signatory cards and the item would be placed on the next Council meeting agenda.

Agenda Item #18 – Schedule workshop on streets

Mayor Bennett polled the Council for a day and time to call a workshop session to discuss roadwork projects, then set the workshop for Tuesday, March 30th at 4:30 PM.

Agenda Item #19 – Purchase/lease of substation property and electronic sign placement

Mayor Bennett noted the agenda item would be discussed in executive session. She moved to Agenda item #21.

Agenda Item #21 – Communications from the audience-Other items

None

Agenda Item #20 – Executive session

Mayor recessed the regular session at 7:43 PM per TX Government Code 551.072 for discussion of purchase/lease of substation property belonging to the Ivanhoe Property Owners Improvement Association (IPOIA)

Mayor Bennett called the regular meeting from recess at 8:15 PM and commented that the city attorney will correspond with the IPOIA attorney for an extension to the 30 day time limit for Council to sign the lease. Additionally Council members Craven and Herrington will meet with the IPOIA board to discuss portions of the proposed lease that the city cannot legally comply with.

Agenda Item #22 – Council comments

Councilman Warren provided the number for anyone experiencing mail service delivery and pickup issues. 877-876-2455 to reach the US Postal inspector. He noted it is important to get a reference number

when filing a complaint. Mayor Bennett informed Council that the State Comptroller will be instituting GIS mapping of all taxing entities in order to provide proper apportionment of sales and use tax, and clarify school district boundaries. Councilman Craven expressed thanks to Mr. Randy Friedrich for providing lunch for all the volunteers who worked on the handicap ramp project.

There being no other Council comments;

Agenda Item #23 – Adjourn

Councilman Craven made the motion to adjourn with a second by Councilman Herrington and the meeting was concluded at 8:18 PM.

Respectfully submitted,

C. D. Woodrome, City Secretary

Approved by Council April 15th, 2021

Cathy Bennett, Mayor