

**REGULAR MONTHLY MEETING MINUTES**  
**APRIL 15, 2021**  
**6:00 PM**

Meeting was called to order by Mayor Bennett at 6:01 pm. Quorum was established with all council members present, except Councilman David Herrington. Woodville Police Chief Mike McCulley provided the invocation and Mayor Bennett led the Pledge of Allegiance. Mayor Bennett noted that the meeting was being live streamed on the city's YouTube channel.

**Communication from the Audience – Agenda Items**

No communication from the public have been submitted. Mayor Bennett reminded anyone viewing the meeting on YouTube that they can submit comments or questions via email to the City prior to the meeting or during the meeting on YouTube and they would be addressed at the end of the meeting. The city WILL NOT respond to postings on social media. Complaints, comments or questions should be submitted via email or calling the city office.

**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 were any objections to approval of the Consent Agenda and there being no objection, Mayor Bennett called the Consent Agenda Items approved including the Minutes of Regular Meeting of March 18, 2021, Minutes of Public Hearing of March 18, 2021, Minutes of Special Meeting of March 30<sup>th</sup>, 2021, Minutes of Street Workshop of March 30, 2021, and Dam Inspection Reports for March 2021.

**Agenda Item #1 – Presentation of FY-2020 Audit by Pam Huggins of Davis Heinmann & Co.**

Ms. Huggins presented the FY-2020 Audit Report. She explained that in the past that the city only had 3 accounts to audit. For FY-2020 the City now has 10 accounts which is much more time consuming to audit. Davis Heinemann & Co has issued an unmodified opinion for the FY-2020 Audit as presented in the management letter. Ms. Huggins reviewed specific items of interest by page numbers in the report:

- Page 23 - Depreciation Schedule: Capital Assets Beginning Balance was \$456,049 with a net increase of \$747,933 for infrastructure (Tristan bulkhead and road construction) and vehicles (new service truck & firetruck) for a total net asset of \$1,203,982.
- Page 24 - Long-Term Obligations: Principal Amount Bond Fund owed at end of FY-2020 is \$1,920,000. Payments are due March and September of each year.
- Page 20 – Compliance and Accountability: The General Fund expenditures were over appropriations by \$198,912. This was due to not officially amending the budget for the grant money received for the firetruck. The City was instructed to monitor the budget regularly and make budget amendments as necessary.
- Page 26 – Expenditures: Amend Budget to include the \$198,912.
- Page 11 – Balance Sheet: Governmental Funds includes 6 operating accounts and 4 investment accounts.

Following Ms. Huggins presentation, Mayor Bennett called for approval to adopt the FY-2020 Audit as presented. Councilman Warren made the motion to adopt and was seconded by Councilman Craven. Motion passed unanimously.

**Agenda Item #2 – Proclamation of April as Child Abuse Prevention Month**

- Mayor Bennett read the proclamation aloud and declared the month of April 2021 to be Child Abuse Prevention Month in the City of Ivanhoe. She noted that Sunday, April 25, 2021 is declared Blue Sunday and urged all citizens to join in the national effort to raise awareness of preventing child abuse and showing support by wearing blue.
- Guest Speaker, Mike McCully, Police Chief of Woodville and board member of the Tyler County Child Welfare Board (TCCW) and who works with Child Protective Services (CPS) and fostering program, shared that currently, there are 30 children from Tyler County in foster care. The previous year has been challenging with over 60 children placed in foster care, possibly exacerbated by pandemic and mandates. TCCW Board is comprised of professionals in the area and is a 501(3)C Corporation dependant on fundraisers and donations to assist children who are often removed from the home with only the clothes they are wearing, TCCW provides clothing, school supplies, diapers, etc. Anyone interested in being a member or donating is urged to

contact Kathy Harris at Tyler County Juvenile Probation office. TCCW also assists CASA which is an agency that appoints adults to represent the children in legal cases. CASA needs more volunteers.

### **Agenda Item #3 – DPS Presentation of New State Law Governing Golf Carts & Utility Vehicles**

DPS officer was unable to attend. Postponed until a future meeting.

### **Agenda Item #4 – Discuss/Action Planning & Zoning Commission Recommendations**

- Animal Noise Section to Codified Ordinance 2021-6: Councilman Craven read the proposed ordinance summary and presented a complaint form to Council for review. City Attorney Brad Elrod had sent a suggestion via email to the Mayor for a change in the recommendation. Valerie Weber, P&Z Secretary clarified that the City Marshal has received numerous complaints about excessive animal noises and that the proposed ordinance addition is based on San Antonio ordinance. Councilman Blackstone and Warren requested that item be postponed until May 2021. Mayor Bennett postponed the agenda item.
- New Laws Regarding Utility Vehicles: Refer to Agenda Item #3.

### **Agenda Item #5 – Mayor’s Report**

- New LED lighting has been installed in the Community Center.
- City WILL NOT respond complaints, comments or questions on Facebook. Call or email City Hall.
- April 23, 2021 at 6:30 pm is first Bingo Night. Please note that time is 30 minutes earlier than in the past. Bingo will then be on the 1<sup>st</sup> and 3<sup>rd</sup> Fridays of each month at 6:30 pm at the Community Center.
- May 29, 2021 – IVFD will have its Memorial Day weekend Fish Fry and the Ladies Civic Club will have a Bake Sale in conjunction with the fish fry.
- Stolen mail has been found tossed in ditches. Not all problems are the fault of the postal service.
- Monarch Water assisted Ivanhoe citizens who had frozen/broken pipe problems that resulted in high water use by billing the same charges for February as what was charged in January.
- City requested \$150,000 additional funds from the Texas Water District Board (TWDB) for repairing Ivanhoe Dr. downstream of the Lake Ivanhoe dam breach. TWDB meeting is April 22, 2021 and the request is on the agenda. The city has purchased a traffic counter which has been placed on Ivanhoe Dr. at entrance and between Ivanhoe Dr. East and Ivanhoe Dr. West to assist in determining detour routes for the upcoming Ivanhoe Dr. closure during the repair. Councilman Blackstone inquired about temporary reduced speed limits on Hwy. 69 at Tolar Rd.
- Letter received from Grant Administrator stating that GLO/CGBD is requesting additional information on the \$11 million grant application.
- Thanks to Councilman Blackstone and Craven for work done in the Community Center.
- The anticipated donation of property for a new multi-purpose facility did not materialize.

### **Agenda Item #6 – Discuss/Action Supervisor of Dam Report by Rusty Harrison**

- Lake Camelot: Lake is approximately 2” low due to a leaking valve. Area around valve needs to be cleaned out and valve checked. Suggested that the existing 24” valve be replaced with a 10” to 12” valve and brought above grade for easier access. An engineer needs to be consulted.
- Lake Charmaine Dam: Working to schedule Chance Construction for drilling 5 test holes to determine any voids, and clean expansion joints and re-caulk as needed.

The agenda item was for information only, no action was taken by Council.

### **Agenda Item #7 – Discuss/Action Public Works Report**

Public Works Coordinator Mr. David Marshall was not in attendance and the agenda item was postponed.

### **Agenda Item #8 – Municipal Court Activity Report**

Mayor Bennett provided the summary of Court activities for March 2021 prepared by Judge Cathy Rader. Total fines and court costs collected during March were \$639.00 with \$266.53 retained by the City and \$372.47 sent to the State. In March, MVBA, our collection agency, on our behalf, sent “Warrant Reduction Campaign” postcards to all past due collection accounts who have outstanding warrants. The Warrant Reduction Campaign will hopefully encourage defendants to resolve his/her citation between March 19 and April 28. No response from individuals have been received to date.

**Agenda Item #9 – City Marshal Activity Report by Deputy Marshal Jim Zachary**

Total Calls/Activity received by City Marshall Office: 175. Ranging from security checks, traffic stops, calls for service, license and registration research, to miscellaneous activities and suspicious persons. Total calls received from Sheriff's Office: 23. Total Citations/Violations Written: 5. Total Warnings: 2. Warrants Served: 1A/B Warrant and 2 Felony Warrants. Officer Zachary noted that the City Marshal's Office WILL NOT respond to complaints, comments or questions on social media, folks need to call the City Marshal office.

**Agenda Item #10 – Code Enforcement Activity Report by Malissie Taylor**

Total Number of 2020 Open Cases: 115. Total Number of 2020 Closed Cases: 85. Citation for 2020 Open Cases: 3. Total Number of 2021 Open Cases: 11. Total Number of 2021 Closed Cases: 6. Citations for 2021: 0. Current Stop Work Orders on Property: 5. Abandoned Structures Declared Nuisances: 1. Non-Conforming Properties with Signs: 11. OSSF DR Septic Letters of Compliance Sent: 3. OSSF DR Septic Investigations Pending: 10. Junk Vehicle Cases: 85. Removal of Junk Vehicle by Court Order/Ordinance: 1. Ms. Taylor observed that the temporary waiver that Governor Abbott granted on March 16, 2020 due to the Covid-19 pandemic for vehicle registration will ended on April 14, 2021. The City will resume Code Enforcement action on Junk Vehicle Violations, including Travel Trailers and Boats. Anyone who received a code violation letter regarding junk vehicle, travel trailer or boat violations needs to contact the city regarding abating the violation before April 21<sup>st</sup>, 2021 to avoid penalties/fines being assessed for failure to comply with city ordinances. Vehicle inspections must be done at an inspection station. Registration renewal stickers are available online from the Texas Department of Motor Vehicles.

**Agenda Item #11 – Discuss /Action for Addition to Fee Schedule for Enclosing Open Carport to Garage:**  
Postponed.

**Agenda Item #12 – Discuss/Action for Addition to Fee Schedule for Signs:**  
Postponed to discuss with City Attorney.

**Agenda Item #13 – Discuss/Action for TX CGBD 2021/2022 Project and Application**

Mayor Bennett informed Council the Engineer suggests that if the 2021/22 Community Development Block Grant application is approved, the entire amount of \$375,000 be utilized on 22<sup>nd</sup> Street. (Previous discussions included other streets.) No action was taken on the agenda item (see next agenda item).

**Agenda Item #14 – Discuss/Action for Resolution #2021-10R TX CDBG 2021/2022 Project Application**

Mayor Bennett called for motion to approve Resolution #2021-10R to submit the grant application to the TX Dept. of Agriculture for TX CDBG funding in the 2021/22 grant cycle. Councilman Morris made the motion to approve the Resolution to submit the application. Councilman Blackstone provided the second and the motion passed unanimously.

**Agenda Item #15 – Discuss/Action for Street Bond Projects for FY-2021**

Mayor Bennett reviewed the proposed street rehabilitation projects utilizing bond funds for Ivanhoe Dr. from entrance to Camelot Dr., Lakewood Dr. at Chanticleer to across Camelot Dam, Ivanhoe Estates from Sir Robert Burns to Lakewood, portion of Sherwood Forest Dr. from Lakewood to Sherwood Forest West and a portion of Sherwood Forest West. She said the Public Works Coordinator has informed her the public works crew can rework on Ivanhoe East Dr. and Ivanhoe West Dr. after an estimate from a contractor came in at \$550,000. Mayor Bennett stated that costs are more than expected for street work, and bond construction funds will be spent on streets that serve the largest number of residents. City Treasurer Woodrome stated that most grants for infrastructure are limited to serving areas with low to moderate income averages. Councilman Morris stated that the amount of street work is limited to the amount of funds available. He then made the motion to use \$100,000 in bond funds for materials to rework Ivanhoe Dr. East and Ivanhoe Dr. West, with an additional \$1 million going to the remainder of the street projects which will be let for bids. Councilman Craven submitted the second and the motion passed unanimously.

**Agenda Item #16 – Discuss/Action of Financial Report by Treasurer C D Woodrome**

- The March 2021 Financial Summary Report from the accountant had been emailed to Council for review prior to the meeting. All accounts at Citizen's State Bank and at TX CLASS have been reconciled for March.

- The old Quickbooks Desktop software will no longer be supported as of May 31, 2021. Since the City has now transitioned to Quickbooks Online with Andrews Business Solutions (Shirley Andrews) for accounting services this is no longer an issue. The Quickbooks Desktop records will be retained for audit and open records purposes for at least 7 years.
- The Texas Department of Agriculture sent the administrative complete notice for the FAST Grant (Fire Department Brush Truck). The City is awaiting the final payment of \$2,218 from TDA to be deposited so the Grant Administrator can receive final payment and grant can be closed.
- Texas General Land Office (GLO) updates were provided by Heather Lagrone during the bi-monthly conference call. GLO is tracking construction cost increases due to Winter Storm Uri, COVID-19 and the nationwide demand for materials with the subsequent impact to the amount of work that can be done with grant funds. The 2017 Harvey CDBG-MIT Competition received 224 total applications with \$5.936 billion in requested funds. Only 1 in 10 grant applications are expected to be funded. GLO is scoring and reviewing applications and intends to announce awards for Round One in the near future. No word when Round Two applications will be accepted, or if the guidelines will change from Round One. Rollout of the \$500 million Regional Mitigation Program, with funds funneled through DETCOG to Harvey impacted counties is expected once the Method of Distribution (MOD) by DETCOG and GLO is finalized. The MOD is not expected to be finalized until sometime in May at the earliest. This fund is not tied to a specific disaster, and is forward facing with consideration of mitigation for particular types of disasters. Another set aside of funding has been established for the Resilient Communities Program from the GLO. These funds can only be used to update building codes, zoning and permitting processes to ensure more resilient building requirements.
- Verizon Wireless has provided credits towards our monthly billing due to consolidation of cell phones, office phones and wireless internet service. The credit is posted toward April, May and part of June's billing.
- As of October 24, 2021, all outgoing calls, even from cell phones, will require 10 digit dialing to include area code.

Following the report and updates Councilman Morris made the motion to approve the April 2021 financial report. Councilman Blackstone submitted the second and the motion passed unanimously.

**Agenda Item #17 – Discuss/Action on Community Center Roof Bids**

Mayor Bennett explained that there are no funds in the current year budget for re-roofing the Community Center. The agenda item was postponed.

**Agenda Item #18 – Discuss Reopening Bathhouse at Community Center**

Councilman Warren had submitted the agenda item due to the use of a Port-a-Toilet arranged by the Ivanhoe Property Owners Improvement Association not being an ideal situation. Mayor Bennett explained cost feasibility is a major concern as the bathhouse does not meet ADA compliance, and uncertainty about the septic system that serves the bathhouse. The cost of maintenance and safety are also things to be considered. No action was taken on the agenda item.

**Agenda Item #19 – Discuss/Action of Purchase or Lease of Property**

Discussed in Executive Session. No action taken following the Executive Session.

**Agenda Item #20 – Executive Session**

Mayor Bennett called a Recess at 8:00 pm for Executive Session per TX Government Code 551.072. (See agenda item #19). Mayor Bennett called the regular meeting back from Recess at 8:12 pm.

**Agenda Item #21 – Communications from Audience**

None.

**Agenda Item #22 – Council Comments**

None.

**Agenda Item #23 – Adjourn Meeting**

Councilman Warren made the motion to adjourn the meeting and was seconded by Councilman Morris. Past unanimously. Meeting adjourned at 8:14 pm.

Respectfully submitted,

C. D. Woodrome, City Secretary

Approved by Council May 20<sup>th</sup>, 2021

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Cathy Bennett, Mayor