

REGULAR MONTHLY MEETING MINUTES
AUGUST 19th, 2021
6:00 PM

Meeting was called to order by Mayor Bennett at 5:59 pm. Quorum was established with all Council members present. City Attorney Brad Elrod was present. Brad Elrod provided the invocation and Mayor Bennett led the Pledge of Allegiance. Council meetings are lived streamed on YouTube. Mayor Bennett asked if any questions or comments were posted on YouTube. There being none she then proceeded to the agenda.

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. There being no objection, Mayor Bennett declared the Consent Agenda Items approved including the Minutes of the Regular meeting on July 16 and June 17, 2021, Special Meeting of June 28, 2021, Variance Application Public Hearing Meeting of August 12, 2021 and Dam Inspection Reports for July 2021.

Agenda Item #1 – Discuss/Action of Variance Permit for Kodie Brown

Public Hearing was held on August 12, 2021 to discuss variance request from Kodie Brown. Councilman Craven stated that new property owners hold the responsibility on what can and cannot be done on his/her property within Ivanhoe city limits. Councilman Blackstone made the motion to approve the variance request and was seconded by Councilman Warren. Councilman Herrington stated that the city is setting a bad precedence to subvert what the zoning code states and that council should reconsider. Councilman Blackstone stated that the boundary between these two districts falls in the middle of Friar Tuck with mobile homes being allowed on one side of the street and not the other, which is confusing. Planning & Zoning Committee is considering changing the boundary to be at the rear of the property. Councilman Herrington stated the compliance should be with the existing code regardless of any possible future changes. Councilman Blackstone rescinded his motion, followed by Councilman Warren rescinding his second. Councilman Herrington then made the to delay voting on the variance until the Planning & Zoning Commission makes a recommendation. Motion was seconded by Councilman Craven. Councilman Herrington, Craven and Morris voted for and Councilman Blackstone and Warren abstained from voting. Motion to delay action on variance is approved.

Agenda Item #2 – Mayor’s Report

- COVID cases are increasing dramatically and Mayor Bennett encouraged everyone to be vaccinated.
- A Comprehensive Plan survey has been made available on various Ivanhoe Facebook groups. Please participate by completing the survey.
- Work has started on the Texas Water Development Project. Detour is inconvenient with an additional 1.6 miles or approximately 6 minutes additional driving time.
- Monuments at front entrance need repair. Councilman Herrington noticed separation at the joints which allows water to infiltrate. Caulk, repaint/stain wood will cost approximately \$3,200.
- The Mayor concluded her report noting legal notice on the 2021 bond construction on will be published August 26 and September 2, with the bids due Sept. 10th.

Agenda Item #3 - Supervisor of Dam Report

- Lake Camelot Dam: Lake is approximately 1-1/2” low. There is a minor leak through the valve, which will be addressed when work is done on the dam under the TX General Land Office grant. Overflow grate needs to be cleaned out.
- Lake Galahad Dam: Good condition, the caulking is OK.
- Lake Tristan Dam: No issues, water weed buildup around the level control valve has to be cleaned out at least once a week.
- Lake Charmaine Dam: Voids are shallow and relatively small. Chance Construction will be working on recaulking some of the expansion joints, but there is no rush. No action needs to be taken at this time. The report was information only and no action was required.

Agenda Item #4 – Municipal Court Activity Report

- Municipal Court Report for July 2021: Total Fines & Court Costs Collected: \$1,278.10. Total Fines Retained by the City: \$630.90. Total Court Costs Sent to State: \$646.47.
- Magistrate Activity: Class C Misdemeanor Warning by Judge Haney – 18. Class A & B Warnings by Judge Haney – 3. Administrative Search Warrants (junk vehicles) by Judge Rader – 12.

- Year to Date for 10/01/20 to 07/31/21 vs Previous Year to Date for 10/01/19 to 07/01/20.

Citations Issued –	Current YTD: 116	Previous YTD: 83
Funds Collected –	Current YTD: \$10,442.10	Previous YTD: \$5,465.66
Warrants/Capias Issued –	Current YTD: 70	Previous YTD: 39
Citations Closed –	Current YTD: 134	Previous YTD: 65

Judge Rader stated that COVID has had an impact on cases. The report was information only and no action was required.

Agenda Item #5 – City Marshal Activity Report

Deputy Marshal King reported Total Calls/Activity handled with CopSync Received by City Marshal Office for July 2021 - 197. Total Calls Received from sheriff's Office – 21. Code Enforcement Activity Calls – 15. Arrest Warrants – 11. Total Citations/Violations Written – 8. Total Warnings – 5. He concluded his report observing that the jail is open for business and urged anyone with citations or warrants not to ignore them, to contact the Court to take care of their business. The report was information only and no action was required.

Agenda Item #6 – Code Enforcement Activity Report

No report available. Councilman Craven liaison for Code Enforcement stated that 15 cases are being worked.

Agenda Item #7 – Public Works Report

David Marshall stated that everyone knows what the major subject is regarding roads: the Ivanhoe Dr. East/West detour. The estimated time to complete this project was 30 days and Public Works completed in 38 days, but \$7,000 under budget. Seventy loads of material or 491 tons were delivered and the surface is well compacted with each truck load weighing over 25 tons fully loaded. The speed limit has been reduced from 25 mph to 15 mph. Public Works will make repairs as needed to the detour route. Public Works is currently working on Marion Dr. North, Chanticleer and various culverts. Councilman Herrington thanked the Public Works Department for all the hard work they do. David Marshall asked that when you drive by a site, acknowledge the workers with a sign of appreciation for the men who have been working in this heat. The report was information only and no action was required.

Agenda Item #8 – Discuss/Action to Reappoint Municipal Court Judge, Judge Rader

Mayor Bennett explained the appointment of Municipal Court Judge is every 2 years. Previous term was from July 2019 to July 2021. Councilman Herrington made the motion to reappoint Judge Cathy Rader and seconded by Councilman Morris. Motion passed unanimously.

Agenda Item #9 – Discuss/Action Planning & Zoning Commission Recommendations

Councilman Craven stated there is nothing to report at this time.

Agenda Item #10 – Discuss/Action IT Infrastructure & Management Strategies

Councilman Herrington stated there have been major requests from the Marshal's Department regarding IT. The city needs additional office staff to handle the paperwork from all departments. The city is reaching a critical point of updating IT needs. The city needs outside professional assistance. Councilman Herrington requested a workshop where vendors make presentations and assessments of the needs for handling the workflow, documentation and continuation of operations. Councilman Blackstone asked if this would be a consultant type position. Councilman Herrington stated that administration needs to concentrate of their work and let an IT specialist handle hardware, software and related computer issues. Mayor Bennett stated there is not enough time to research and select a specialist to determine associated costs to include in the upcoming fiscal year's budget. Councilman Herrington will research and target the 2023 budget. Councilman Warren suggested that funds from the American Rescue Plan Act may be used for this purpose.

Agenda Item #11 – Discuss/Action FY-2021 Budget Amendments

This item will be postponed until Budget Workshop Meeting on August 31, 2021 at 6:00 pm.

Agenda Item #12 – Discuss/Action on Resolution #2021-15R Joint Agreement with Tyler County for November 2, 2021 Election

Councilman Herrington made the motion to approve the Joint Agreement with Tyler County for the Nov. 2nd, 2021 election. The motion was seconded by Councilman Morris and passed unanimously.

Agenda Item #13 – Discuss/Action Resolution #2021-16R Agreement with Tyler County Clerk to Conduct November 2, 2021 Election

Councilman Craven made the motion to approve the Agreement with the Tyler County Clerk to conduct the Nov. 2nd, 2021 election. Councilman Warren submitted the second and the motion passed unanimously.

Agenda Item #14 – Discuss/Action Resolution #2021-17R Marshal Department Enforcement of IPOIA Owned Property

Attorney Brad Elrod had issues with an ordinance regarding this issue and stated that a resolution is more appropriate than an ordinance and explained that the city supports cooperation with the IPOIA regarding law enforcement as the IPOIA property is an essential part of the city. State law allows law enforcement on private property if a criminal offense is taking place. Trespassing charges can be enforced if a warning has been established, such as a No Trespassing sign. Attorney Elrod suggested, that while he does not represent the IPOIA, that the IPOIA may want to submit a Blanket Agreement to the Marshal's Department detailing what is expected. Councilman Warren made the motion to adopt Resolution #2021-17R and seconded by Councilman Blackstone. Motion passed unanimously.

Agenda Item #15 – Discuss/Action Resolution #2021-18R Fund Administration/Project Delivery Service Provider(s) to Complete Project Implementation for the American Rescue Plan Act (ARP Act) Funding Administered by the US Department of the Treasury, or other Federal or State Agency

Councilman Warren made the motion to adopt Resolution #2021-18R with a second by Councilman Morris. In discussion, Councilman Morris stated that the Evaluation Committee, comprised of Mayor Bennett, Councilmen Morris and Warren, met on August 18, 2021 to review 4 submitted bid packages. The committee individually scored each bid and decided to recommend to council Langford based on the deciding factor they had Ivanhoe's best interest, along with the best experience. Councilman Warren commented that previous competitive grant applications stood a chance of not being funded, but that Langford stepped up and took a chance where others did not. Documentation is intense and needs professional management. Grant is \$355,820 with half being release now and the other half being released next year. Motion passed unanimously.

Agenda Item #16 – Discuss/Action Declaring Motorola Astra 2-Way Radios as Junk

Councilman Herrington made the motion to declare the radios as junk with a second provided by Councilman Warren. Motion passed unanimously.

Agenda Item #17 – Discuss/Action Set Date for Budget Workshop on FY-2022 Budget & Possible Tax Exemptions

Mayor Bennett polled the Council for best available time to work on the budget and review tax rate options. She then set the Workshop date for August 31, 2021 at 6:00 pm. She noted the last day to approve the FY-2022 budget and set a tax rate is September 29, 2021.

Agenda Item #18 – Discuss/Action Set Date for Public Hearing on FY-2022 Proposed Budget & Tax Rate

Mayor Bennett set the Public Hearing date on the FY-2022 budget and the tax rate needed to cover the budget for September 28, 2021 at 6:00 pm.

Agenda Item #19 – Discuss/Action Financial Report for July 2021

- Currently Secretary Woodrome is spending 80% of his day reviewing and responding to emails to the city. The other 20% is general in-house work, council, code enforcement and janitorial.
- Ad-Valorem Taxes Received 08/10/21: Ivanhoe North - \$251.50 (sizeable collection on 2010 delinquencies)
- 2021 Collection Rate – 89.54% (not including Ivanhoe North Ad-Valorem collection)
- Starting balance for ad-valorem tax income was \$648,970.05. City has received \$592,007. Adjustments of \$13,272.97 (tax sales, refunds, change in tax status, e.g., homestead and other exemptions) leaving a calculated balance as of July 31, 2021 of \$69, 235.85 for 2021.
- Total receivables on uncollected ad-valorem tax from 2010 to now is \$263,504.95.
- Sales & Use Tax received 08/13/21: \$7,357.10. Total sales tax collected/reimbursed to the city by the state comptroller for 2021 is \$74,784.
- Interest & Sinking payment of \$104,987.50 is due September 1, 2021 and will bring the city's total payment for the year to \$134,975. Funds deposited from the July 2021 ad-valorem brings the I&S account balance to \$9,648.77. Which is a good start toward the \$131,975 that will be due in 2022.
- Current Balance of Bond Fund Account: \$1,145,980.33. LJA will be paid \$17,420.93 from this account for the design work on the projects authorized for bond construction work. Legal notice for contractor bids for

that work will be published in the next two editions of the Tyler County Booster. Bids are due September 10, 2021 and council will have the engineer's recommendation of contractor at next month's council meeting.

- The city is expecting the first year's disbursement for the American Recovery Act funds to show up by the end of August 2021. The amount will be \$177,910. Next year's disbursement will be the same amount for a total of \$355,820 for the program.

Agenda Item #20 – Ontiveroz Lawsuit

City Attorney Brad Elrod informed Council that currently there is nothing to report.

Agenda Item #21 – Discussion of Employee Salaries

Recessed to Executive Session at 7:31pm to discuss.

Agenda Item #22 – Executive session

Reconvened at 8:01 pm. No action taken on Agenda #21.

Agenda Item #23 – Communications from Audience

No comments or questions from the audience or from YouTube viewers.

Agenda Item #24 – Council Comments

None.

Agenda Item #16 – Adjourn Meeting

Councilman Herrington made the motion to adjourn the meeting, Councilman Craven made the second and the motion passed unanimously. Meeting adjourned at 8:01 pm.

Respectfully submitted,
C. D. Woodrome, City Secretary

Approved by Council September 16, 2021

Cathy Bennett, Mayor