

CITY OF IVANHOE
REGULAR MONTHLY MEETING MINUTES
October 21, 2021
6:00 PM

Meeting was called to order by Mayor Bennett at 6:00 pm. Quorum was established with all Council members present. City Attorney Brad Elrod was present, along with Victoria Dia and Dawn Pilcher (via Zoom) from LJA Engineering. Community Center attendance was 24. Chuck Vonderlin provided the invocation and Mayor Bennett led the Pledge of Allegiance. Council meetings are lived streamed on YouTube. Mayor Bennett recognized the recent passing of office assistant Malissie Taylor and other Ivanhoe residents. The mayor 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. September 2021 Dam Reports are not available at this time. Mayor Bennett then asked if there were any objections to adoption of the remaining items on the Consent Agenda. There being no objection, Mayor Bennett declared the Consent Agenda Items, (with the exception of September 2021 Dam Reports), be approved including the September 16, 2021 Regular Meeting Minutes, September 21, 2021 Stoneman Variance Hearing Minutes, September 28, 2021 Budget Hearing Minutes, September 28, 2021 Tax Rate Hearing Minutes, September 29, 2021 Special Meeting Minutes, and the Morris Variance Hearing Minutes, September 14, 2021.

Agenda Item #1 – Update from LJA Engineering on Scheduled Bond Construction Projects, TX General Land Office Grant Projects & TX Water Development Board Project

The floor was turned over to Dawn Pilcher with LJA Engineering to review the TX Water Development Board project and other construction projects scheduled for work. She addressed the TX Water Development Board project erosion control and options to stabilize the steep sides of the roadway. Ms. Pilcher provided the engineers recommendation from several options with an estimated total of \$19,530. The Mayor reminded council that up to \$90,000 of city funds had already been approved to supplement the TWDB funding. Based on the estimate, it will require approximate \$2,400 additional funding. Councilman Blackstone made the motion to move forward with LJA's recommendation. Motion was seconded by Councilman Herrington and the motion passed unanimously.

Agenda Item #2 – Discuss/Action Variance Permit for Robert Stoneman

The item was moved to be address in executive session. Following the executive session discussion Councilman Herrington made the motion to deny the variance permit for Robert Stoneman. Councilman Morris seconded the motion and the motion was passed with Councilman Warren abstaining.

Agenda Item #3– Discuss/Action Variance Permit for Daryl Morris

This item was moved to be addressed in executive session. Following the executive session discussion Councilman Craven made the motion to deny the variance permit for Daryl Morris. Councilman Morris seconded the motion and was motion was passed with Councilman Warren abstaining.

Agenda Item #4 – Discuss/Action for Change Order #2 on TX Water Development Board project

Addressed under Agenda Item #1.

Agenda Item #5 – Mayor’s Report

- State sales tax collected from online purchases, e.g. Amazon and other online retailers, is currently established by Point of Destination and not Point of Sale. Several Texas cities with major distribution centers of those companies are suing to change law to Point of Sale to protect their major source of income.
- Mayor and City Secretary attended Public Officials Training for Emergency Management in Lufkin (the day after tornadoes damaged parts of Orange and Newton counties.)
- Mayor will be attending the Texas Forest Country Partnership economic development summit next week.
- Mayor Bennett attended the Annual TML Conference in Houston. A great deal of information was available in the breakout sessions, and from vendors exhibits on material, equipment and software.

Agenda Item #6 - Supervisor of Dam Report by Rusty Harrison

There is nothing to report. September 2021 reports have not been completed. Void inspection on Charmaine Dam has been completed and Chance Constriction has finished the re-caulking project of the seams on Charmaine Dam.

Agenda Item #7 – Municipal Court Activity Report

Municipal Court Report for September 2021:

Total Fines & Court Costs Collected:	\$1,955.30
Total Fines Retained by the City:	\$1,111.95
Total Court Costs Sent to State:	\$659.31
Total Other Fees;	\$184.04

Magistrate Activity:

Class C Misdemeanor Warning by Judge Haney	6
Class A & B Warnings by Judge Haney	2
Class A Warrant by Judge Haney	1
Search Warrant by Judge Haney	1

Agenda Item #8 – City Marshal Activity Report

Total Calls/Activity w/CopSync Received by City Marshall Office for September 2021	233
Total Calls Received from Tyler County Sheriff’s Office	23
Code Enforcement Activity Call	0
Search Warrant with ATF	1
Traffic Citations	19
Code Enforcement Citations	<u>9</u>
Total Citations/Violations Written	28
Warrants & Capias Cleared	9
Other Calls	5

Agenda Item #9 – Public Works Report by David Marshall

- The Public Works crew is trying to catch up on general maintenance, and street and repair, culverts and ditch work since Ivanhoe Dr. has been reopened. They are also preparing the detour route for traffic when the contractor begins work at the end of Galahad Dam, Sherwood Forest and Sherwood Forest West.
- New material lay-down yard; donated lot located on Prince Valiant: the property owner next to the lay-down yard is requesting a wood fence be installed between the laydown property and hers for privacy and appearance. An estimate from S&S Fence for \$4,100 has been received for 120 LF of 8 foot tall fence using 6'x6' posts. Utilizing the city's crew would save approximately \$900, but would put the crew further behind on road work.

Agenda Item #10 – Code Enforcement Activity Report

No official report is available at this time. Jacque Black, the city's new administrative assistant and full-time employee, is currently reviewing every open case file for status. 15 Administrative Search Warrants Affidavits have been turned over to the Municipal Court Judge for review and 7 non-conforming cases are on file. Septic cases are being coordinated with the TCEQ's Designated Representative, Angela Caraway. The city has 113 cases closed for 2020 and 7 cases closed for 2021. Prospective employees for the part-time position office assistance will be interview next week.

Agenda Item #11 – Discuss/Action Planning & Zoning Commission Recommendations

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

Agenda Item #12 – Discuss/Action Resolution #2022-1R Operating Hours of City Hall

Mayor Bennett asked for a motion to establish new city office hours to accommodate time for staff to work on in-house projects. The suggested hours are Tuesday through Friday, 10:00 am to 3:00 pm and Saturday, 8:00 am 12:00 pm for public access, while keeping the staff hours the same. Councilman Morris made the motion to adopt Resolution 2022-1R to change the public access hours to Tuesday through Friday, 10:00 am to 3:00 pm and Saturday, 8:00 am 12:00 pm for public access. Councilman Warren seconded the motion and the motion passed unanimously.

Agenda Item #13 – Discuss/Action Resolution #2022-2R Establish Procurement Threshold Requirements

Councilman Morris summarized and then made the motion to adopt Resolution 2022-2R establishing procurement threshold requirements for purchases of labor, materials and/or equipment of less than \$10,000 can be approved by the Mayor or Mayor Pro-tem; greater than \$10,000, but less than \$50,000 requires approval by city council; and over \$50,000 requires going out for bids. Councilman Craven seconded the motion and motion passed unanimously.

Agenda Item #14 – Discuss/Action Resolution Approving TX General Land Office Contract Documents & Authorizing Mayor as Signatore on GLO Grant Documents

Mayor Bennett informed council that the GLO documents have not been received at this time, but will be transmitted through DocuSign (electronic signature). Signatures are required for both the \$8 million and \$11 million grants. Councilman Herrington made the motion to authorize Mayor Bennett to sign GLO grant contracts when they arrive. Councilman Morris seconded the motion and the motion passed unanimously.

Agenda Item #15 – Discuss/Action Proposals from Contractors for Street & Road Maintenance Projects for FY-2022

Only one bid from Ocean Breeze was received for mowing street right-of-ways. No bids were received for grading or other maintenance work. Councilman Blackstone made the motion to approve Ocean Breeze as contractor for mowing on an as-needed basis for FY-2022. Councilman Herrington seconded the motion and the motion passed unanimously.

Agenda Item #16 – Discuss/Action Bids on Materials & Supplies for Street & Road Maintenance Projects for FY-2022

Two bids have been received for Street and Road Maintenance materials. Both bids are relatively comparable in total price. David Marshall asked that both vendors, East Texas Asphalt and Gulf Coast, be approved based on cost and availability of specific materials at different times. Councilman Herrington made the motion to approve both vendors to purchase materials for FY-2022. Councilman Craven seconded the motion and the motion passed unanimously.

Agenda Item #17 – Discuss/Action Financial Report for September 2021

Postponed at the request of CD Woodrome. Councilman Warren made the motion to postpone the financial report for September 2021 until November 18, 2021 Regular Council Meeting. Councilman Herrington seconded the motion and motion was passed unanimously.

Agenda Item #18 – Discuss/Action Update Relating to Ontiveroz Legal Proceeding

This item moved to after executive session. City Attorney provided update in Executive Session. No action required.

Agenda Item #19 – Discuss/Action Council Update/Training on Board of Adjustment Function & Responsibility

This item moved to after executive session. Information provided by the City Attorney in Executive Session. No action required.

Agenda Item #20 – Executive Session

Recessed to Executive Session for Items 18 and 19 at 7:23 pm. Reconvened again at 8:21 pm.

Agenda Item #21 – Communications from Audience

No comments or questions from the audience.

Agenda Item #22 – Council Comments

No comments or questions from council.

Agenda Item #23 – Adjourn Meeting

Councilman Blackstone made the motion to adjourn the meeting, Councilman Warren made the second and the motion passed unanimously. Meeting adjourned at 8:25 pm.

Respectfully submitted,
C. D. Woodrome, City Secretary

Approved by Council December 16, 2021

Cathy Bennett, Mayor