**CITY OF IVANHOE**

**REGULAR MONTHLY MEETING MINUTES**

**MARCH 16, 2023**

**6:00 PM**

Meeting was called to order by Mayor Blackstone at 6:00 pm. Quorum was established with all council members present. Invocation was given by Brad Elrod and followed by The Pledge of Allegiance. This meeting is being lived streamed on YouTube.

Mayor Blackstone asked if there are any questions or comments from the audience. There being no comments the mayor proceeded to the consent agenda items.

**Consent Agenda Items**

Mayor Blackstone asked if there were any objections to the Consent Agenda Item(s). There being no objections, the following were approved as presented.

* Minutes of Regular Meeting of February 16, 2023
* Minutes of Special Meeting of January 4, 2023

**Agenda Item #1 - Mayor’s Report**

* Updated information regarding ETJ that impacts Hwy. 69/287 to the relocation of speed limit signs.
* Updated information from Langford, LJA and grant manager provided to City Council.
	+ CDBG-MIT $11.4M Flood & Drainage Grant on Ivanhoe, Tristan & Camelot Dams: All properties have been identified for city purchase. The City already owns the property on Saxon Dr. Proceeding with property appraisals in mid-April 2023. The city will have to purchase comparable wetlands to equal the amount of acreage required for the additional dam width of Camelot Dam. Estimated cost is $20,000 which will have to be paid by the city. Sam Houston Electric Co-op will relocate power utility lines from below the dam to the upper end of the lake.
	+ CDBG-MIT-SUPP $7.9M Streets, Flood & Drainage Improvements Grant for Various Project Sites: GLO is expected to release funds in late March 2023 so the projects can move into construction.
	+ CDBG-MIT-MOD $1.9M Roadway & Drainage Improvements Grant: These are 4 separate projects, 2 on Ivanhoe Dr. & 2 on Lakewood Dr. Projects 1 and 2 are covered by the grant that Commissioner Joe Blackshear acquired for Ivanhoe Dr. from the entrance to Candy Cane Park. Projects 3 and 4 are on Lakewood Dr. A Request for Information (RFI) has been submitted to GLO by LJA Engineering regarding the change to the Scope of Work.
	+ GLO-RCP $300K 2021 Contract Community Development Grant for 22nd St.: Project has been contracted and environmental information is being compiled.
	+ 2023/2024 $500K Community Development Grant: Surveys and application are currently under review.

This agenda item was for information only, no action taken.

**Agenda Item #2 - Supervisor of Dam Report for February 2023 (Rusty Harrison)**

* Lake Camelot is at normal level.
* Lake Galahad is 1” over weir.
* Weeds are having to be removed from Lake Tristan grates about once a week.

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

**Agenda Item #3 –Quote from Chance Construction on re-caulk work**

Mr. Harrison explained the city is waiting on Chance Construction to schedule recaulking on Lake Charmaine dam spillway, however the quote for the work is $23,096. This is $8,000 more than the previous recaulking work. Due to the amount Council will need to authorize the work. Councilman Morris made the motion to approve Chance Construction for re-caulking work in the amount of $23,096. Councilman Warren made the second and the motion passed unanimously. Mr. Harrison said the work will commence when the weather cooperates and the contractor has employees available.

**Agenda Item #3 (mis-number) – Municipal Court Activity Report for February 2023**

Class C Warranty Amnesty program is in effect from March 16, 2023 through May 16, 2023.

Total Fines & Court Costs Collected $ 150.00

Total Fines Collected by City $ 63.19

Total Fines Sent to State $ 86.81

Fiscal Year to Date Fines Collected $ 2,511.10

Previous Year to Date Fines Collected $ 5,532.00

Ordinance Hearings Scheduled: 3

Ordinance Hearings Held: 2

This agenda item was for information only, no action taken.

**Agenda Item #4 – City Marshal Activity Report for February 2023**

Judge Rader was unavailable, report provided by Court Clerk Jacque Black:

 Total of Activity Calls to Marshal’s Office 15 Total Calls Received from Tyler County Sheriff’s Office 19

 Steve Drumm – 16; Bob Crossman – 18

 Arrest: 1 – Warrant Executed: 1 – Reports Taken: 5

* Tyler County Emergency Management is dispensing Narcan to all law enforcement officers
* Trucks are being outfitted with equipment and will be ready in about two weeks. “New” radars are coming from other agencies.

This agenda item was for information only, no action taken.

**Agenda Item #5 – Code Enforcement Activity Report for February 2023**

* Closed Cases: 8 - Abandoned/Substandard: 1, Building Construction/Fence: 1; RV Sticker: 2; Lot Maintenance: 1; Pool w/o Fence: 2; Junk Vehicle: 1
* Open Cases Currently Working with Residents: 12

Jacque Black requested discussing duties in Executive Session.

This agenda item was for information only, no action taken.

**Agenda Item #6 – Public Works Report for February 2023**

* Written report has been submitted to City Council.
* General maintenance work only due to excessive rain during the month of February. March is much better allowing fly ash mix to be placed and culvert work has resumed. Councilmember Gregory asked if the rain impacts the raw material in laydown yard. Mr. Marshall stated that there is a delay waiting for the material to dry out.
* Open Work Orders Pending/In Progress - 15. Delays due to weather.
* 152 tons of mix has been places and 4 culverts installed.

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

**Agenda Item #7 – Discuss/Action Planning & Zoning Commission Recommendations**

* Change Code Officer to Code Enforcement Official
* Amend fencing ordinance.
* Amend open burning ordinance.
* Amend livestock regulation to include FFA/4-H animals.

**Agenda Item #8 – Discuss/Action Ordinance #2023-2 Amending Codified Ordinance Section 90.18 Replace the Wording “Code Enforcement Officer” with “Code Enforcement Official” (2nd Reading)**

* Councilmember Herrington made the motion to adopt Ordinance #2023-2 to change the wording from “Code Enforcement Officer” to “Code Enforcement Official”. The motion was seconded by Councilmember Williams and the motion passed unanimously. In discussion Councilman Warren asked about the liability of the city for entering or being on private property to clear a violation. City Attorney Brad Elrod noted that portion of the ordinance remains unchanged.

**Agenda Item #9 - Discuss/Action Ordinance #2023-3 Amending Codified Ordinance Section 154.136 Fencing, Adding Gate Information (2nd Reading)**

* Councilmember Morris made the motion to change the fencing height requirement to 8 foot maximum and gate height to 8 foot maximum. The motion was seconded by Councilmember Williams. In discussion Councilmember Warren asked about acceptable material and more clarification is needed. He requested that this item be postponed and rewritten to include acceptable fencing and gate material. Councilmember Morris retracted his motion and Councilmember Williams retracted her second. Item is postponed.

**Agenda Item #10 - Discuss/Action Ordinance #2023-3 Amending Codified Ordinance Section 90.16 Open Burning**

* Councilmember Morris made the motion to add wording that open burning must be a minimum of 5 feet from property line. The motion was seconded by Councilmember Williams. Councilmember Herrington requested that this item be postponed and rewritten to include defining readily available water source. Councilmember Morris retracted his motion and Councilmember Williams retracted her second. Item is postponed.

**Agenda Item #11 – Discuss/Action Ordinance #2023-5 Amending Ordinance Section 92.05 Livestock Regulation**

* Councilmember Williams made the motion to include allowing FFA/4-H animal projects in the Livestock Regulation portion of the codified ordinance as long as the animals and care of the animals meet the FFA/4-H requirements and are monitored by the sponsoring organization. The motion was seconded by Councilmember Gregory and the motion passed unanimously.

**Agenda Item #12 – Discuss/Action Ordinance #2023-6 Amending Ordinance #2015-6 Replacing City Marshal with Police Department**

* Mayor Blackstone presented information transitioning from a Marshal’s Department to a Police Department. The Marshal’s Department was originally established by Ordinance #2015-6 in November 2015 to mainly serve in the municipal court capacity. More grants are available to police departments than marshal departments. Chief Drumm summarized Ordinance #2023-6. Mayor Blackstone noted that Sheriff Weatherford is fully supportive of changing to a police department. Chief Drumm stated that TCOLE will waive the cost of establishing the police department since the city already has a law enforcement agency. The Marshall Department will remain in effect until the police department is in place and functional. Councilmember Gregory made the motion to adopt Ordinance #2023-6 changing from a Marshal Department to a Police Department. The motion was seconded by Councilmember Williams and the motion passed unanimously. In subsequent discussion Councilman Morris asked if there would be additional cost. Minimal. Councilman Warren asked about transition timeframe. ASAP.

**Agenda Item #13 Discuss/Action Adopting the Texas Opioid Abatement Fund Council & Settlement Allocation Term Sheet & authorize Mayor to Sign All Documents Pertaining to the Settlements**

* Councilmember Gregory made the motion to adopt the Texas Opioid Abatement Fund Council & Settlement Allocation Term Sheet and authorize the mayor to sign all documents pertaining to the settlements. The motion was seconded by Councilmember Williams and the motion passed unanimously.

**Agenda Item #14 Discuss/Action on Recommendation from Review Committee for Grant Writing/Administration for Resilient Communities Comprehensive Plan Grant**

* The Review Committee of Tommy Morris, Kevin Faircloth, and John Craven recommended Langford Community Management Services be the grant writer. The only other proposal received was from Grant Works (the firm that had developed the existing Comprehensive Plan). Mayor Blackstone explained this is to submit application for a $300,000 grant for a comprehensive plan focusing on hazard mitigation activities for future development. Councilmember Morris made the motion to approve the Review Committee’s recommendation. The motion was seconded by Councilmember Herrington and the motion was passed unanimously.

**Agenda Item #15 Discuss/Action Soliciting Proposals for Grant Writer/Administrator for Broadband Infrastructure Project(s) Through the Texas Broadband Development Office of the Texas Comptroller**

* Councilmember Morris made the motion to proceed with soliciting proposals for a grant writer/administrator for the broadband infrastructure project(s) through the Texas Broadband Office of the Texas Comptroller. Councilmember Gregory seconded the motion and the motion was passed unanimously. In discussion Mayor Blackstone stated that he spoke with Sam Houston Electric and SHECO is raising poles for Spectrum to run fiber optic cable for required spacing between lines.

**Agenda Item #16 – Discuss/Action February 2023 Financial Report**

City Treasurer C. D. Woodrome reported the financial documents including bank and TX CLASS statements were sent to Council earlier in the month. The accountant financial reports and reconciliation details for each account were emailed to Council as soon as they arrived. The other items to report for the month:

The State Comptroller direct deposited $6,521 on 3/13/23 for sales & use taxes that were collected in December and reported to the comptroller in January. Last month sales tax deposit was $8,895. Year to date ending February 28 total sales tax is $42,178. Compared to last year same month: $41,385.

Ad-valorem taxes were received Feb. 15 totaling $318,189.21: with $255,239.79 going to Maintenance & Operations, and $62,949.42 for the Interest & Sinking fund.

Pledged securities at Citizens State Bank had to be increased by $100,000 in order to protect the public funds when the ad-valorem payment was deposited. Combined with $250,000 FDIC insurance the funds at CSB are protected. Tomorrow Mayor Blackstone will transfer $300,000 from the CSB general fund account to our TX CLASS general fund reserve in order to get the much better interest at TX CLASS.

The deed for the property on Lake Ivanhoe at the end of Saxon Lane cul-d-sac was received 3/7. This is the lot that will allow the city to access the Lake property as the work to rebuild the dam takes place.

Included in the financial packet I sent to Council was an article in Governing e-zine regarding preparing for what Congress does/does not do on the federal debt ceiling. Since the city has funds in TxCLASS which is a local government pool, I will be having regular discussions with our rep at TxCLASS regarding the federal government T-bonds and T-bills and protecting the public funds of the city. The FDIC insurance coverage on funds at Citizens State Bank could also be compromised since that is based on the good faith and credit worthiness of the federal government.

The software program the city uses for on-line permit applications (iWorq) submitted billing for 2023. It includes the $500 annual fee for credit card payment processing. Our 1099 from Payroc Payment Systems (the company that actually processes credit payments to the city for permits) indicates from June 2022 thru the end of December the city has received $1,567.60 in credit card payments for permits.

The TML audit has completed for FY-2022 on Workmans Comp. Since our payroll exceeded what we anticipated during the year we will be seeing a bill for $1,381 to cover the shortfall from what TML had previously billed. As a result I am requesting an adjustment to the payroll contribution for Workmans Comp from $293,329 to $368,902 based on the FY-2023 budget for all departments. The details of the TML audit are in the Council packet.

In the odds-n-ends category:

**No More Analog Jobs:** A new report from the National Skills Coalition of 43 million online job postings proves that **digital skills are essential** to more than 90 percent of today’s jobs. An interesting term surfaced in the research: **digital resilience,** a nod to the fact that [today’s worker should expect to continuously learn new digital skills on the job](https://content.erepublic.com/e3t/Ctc/UB%2B113/d2qthN04/VVwWYT8zPnN3W7yJGx11rSng4W3LfLlX4WWn9mN3Gk36_5nCTJV3Zsc37CgD6zW3Qlh9Z1L6HJyW6C8T_143mjqzW7W0yqq2hPH-XW4ZDB5k1vLQXGW8034dj1kjHcQVt8vnc6p0hS5W887LtG6PRG4WVwfTd33w9pYXW2hkzWq7HF5-HW2nZKjx7zHv7CW12m0cs70f496W33pCDz8rxQY9W4fN8Ll3z3W1PN8f-TftXHNZFW5k4_zt4vCf72W2SMtb91HyvjZW1ZFhN02cgkvSW1n5Mxw35yDM6W1hndB04WZb52W9fw6R_49HsPlN8fWhQ6RX5cVVkJ41m8ScjKwW8f2ZXv7gxFwvW7w059p2SWq0kW4n4LDZ6HWCZVW6Y9GzZ9bzFWNV3SmqV6880rvW5QFK147j4t2BW19bqJl7Mp66JVCQn3g3V0rmzW692WCy2JYpWyW2Fx5R315Fq9r3d721). The findings underscore the importance of investments in digital skills training across the board.

The pandemic-induced Federal emergency order will end on May 11 and will trigger a variety of changes, including people will likely have to pay more out of pocket for COVID-19 care.

Council took no action on the February financial report.

**Agenda Item #17 – Discuss/Action Appointment of Zoning Code Non-Conformance Board**

* Mayor Blackstone suggested that an appointment of a zoning code non-conformance board was needed to review ordinance non-conformance issues. Councilmember Morris stated that he thought this was the responsibility of the Planning & Zoning Commission to review ordinances and is not sure if another committee is needed. Councilmember Gregory asked Attorney Elrod is the P&Z Commission has the authority to establish a committee. Attorney Elrod stated that P&Z Commission has to follow the Open Meetings Act. The mayor stated that this would be additional oversight on non-conformance violations. Councilmember Morris requested that this item be postponed. Councilmember Herrington asked if additional personnel are needed to review ordinances and suggest changes. Councilmember Warren recommended that non-conformance issues be channeled through Councilmember Williams and then to P&Z Commission. Item is postponed.

**Agenda Item #18 – Recess to Executive Session**

* Recessed at 7:39 pm. Reconvened at 8:56 pm.

**Agenda Item #19 – Communications from Audience – Other Items**

* Comments from Phillip Artiest regarding receiving a letter from the city about property clean up. Councilmember Gregory suggested a meeting with Mayor Blackstone and Jacque Black.

**Agenda Item #21 – Council Comments** (None)

**Agenda Item #15 – Adjourn Meeting**

Councilmember Herrington made the motion to adjourn the meeting. The motion was seconded by Councilman Warren and the motion passed unanimously. Meeting adjourned 9:00 pm.

Respectfully submitted,

C. D. Woodrome, City Secretary

Approved by Council April 20, 2023

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Skip Blackstone, Mayor