

THE CITY OF EASTLAND  
CITY COMMISSION REGULAR MEETING

July 20, 2020

EASTLAND, TEXAS §

EASTLAND, COUNTY §

The City Commission of the City of Eastland, Texas, met in Open Session at Eastland City Hall as scheduled, and notice was posted 72 hours in advance and prior to the meeting.

CITY COMMISSIONERS PRESENT:

Chairman	Larry Vernon
Commissioner	Ben McNabb
Commissioner	Cecil Funderburgh
Commissioner	Zac Darr

CITY COMMISSIONERS ABSENT:

Commissioner	Richard Rossander
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PERSONNEL PRESENT:

City Manager	Ron Duncan
City Secretary	Roma Holley
Chief of Police	David Hullum
Finance Director	Leslie Zander
Code Enforcement Officer	Terry Simmons
Fire Chief	David Branch

Guests: Julie Elrod, Tommy Wells, Jason Cochran, Joe Williamson, Laura Hobbs

I. MEETING CALLED TO ORDER

Chairman Larry Vernon called the meeting to order at 6:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

City Manager Ron Duncan offered the invocation and Commissioner Ben McNabb led the Pledge of Allegiance.

III. PUBLIC COMMENT ON ANY SUBJECT NOT LISTED ON THIS  
AGENDA (Limited to Five Minutes Per Speaker)

There were no comments from the public.

IV. APPROVE MINUTES OF THE June 15, 2020 and July 2, 2020  
MEETINGS

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve the Minutes of the June 15th, 2020 Meeting. Motion prevailed by the following vote:

Ayes:	Commissioners Darr, Funderburgh, McNabb
Nays:	None
Absent:	Rossander

Commissioner Ben McNabb made a motion, seconded by Commissioner Zac Darr, to approve the Minutes of the July 2<sup>nd</sup>, 2020 Meeting. Motion prevailed by the following vote:

Ayes:	Commissioners Darr, Funderburgh, McNabb
Nays:	None
Absent:	Rossander

V. FINANCIAL REPORT

City Manager Ron Duncan stated that the collected sales tax is continuing to increase. It is 5.49% more than last year. Finance Director Leslie said that the Hotel/Motel is \$34,500 less than the months of February – May 2019. This is attributed to the COVID-19 Pandemic. The Hotel/Motel tax is not counted as general revenue but is distributed to activities which promote Eastland by funding events which actively brings people into Eastland. This in turn helps the sales tax.

No action at this time.

VI. THE BOARD OF CITY COMMISSIONERS MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING AGENDA ITEMS:

1. Discussion and Consideration of requests by Eastland Chamber of Commerce by Laura Hobbs

Eastland Chamber of Commerce Director Laura Hobbs passed out notes highlighting what type of efforts will be made to make RipFest 2020 successful IF they have it on October 3, 2020. Cancellation is a possibility because of the COVID-19 Pandemic. They have given September 1, 2020 as their deadline for making the decision. If RipFest does take place, some of the guidelines which will be in place are: All event participants will be encouraged to maintain social distance, wear a face covering and “stay home if sick” language will be in all advertising; the Chamber of Commerce will purchase and provide hand sanitizers at each vendor booth and will also provide additional hand-washing stations throughout the event grounds.

The Chamber of Commerce is requesting permission to host a Wine Festival at the Connellee Rooftop Garden from 1-6 p.m. during RipFest. This is in conjunction with the Eastland Community Foundation and will also include superior art work for sale.

The Chamber of Commerce is requesting to bring in a Carnival in the auxiliary parking lot of the First Baptist Church, behind the Coats Furniture building. The Carnival requests to be there from Thursday – Saturday and out by Saturday night. The City of Eastland Ordinance Sec 8-40 prohibits Carnivals, etc, from being within 1,000 feet of a private business and 500 feet of businesses. The Chamber is asking permission for this ordinance be waived for this one-time event.

The Chamber of Commerce also requests the city put up the Tent in the intersection of Lamar and Olive in order to give event attendees a place to sit and cool off.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to waive City Ordinance Sec. 8-40 on this one-time basis and allow the Carnival to set up in the First Baptist Church auxiliary parking lot. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb  
 Nays: None  
 Absent: Rossander

Commissioner Ben McNabb made a motion, seconded by Commissioner Cecil Funderburgh to approve the request to host a Wine Festival at the Connellee Rooftop Garden during RipFest 2020 and for the city to erect the Tent at the Corner of Lamar and Olive for the festival. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb  
 Nays: None  
 Absent: Rossander

PUBLIC COMMENT: Superintendent’s Update

At 6:20 p.m. Chairman Larry Vernon introduced Eastland Independent School District Superintendent Jason Cochran. Mr. Cochran informed Chairman Vernon earlier that he wanted to speak during the time for Public Comment but was unable to be at the commission meeting by 6 p.m. Mr. Cochran began by thanking the Commission for the support over the past few months while the EISD has been adjusting to the Pandemic conditions. He assured the Commission the safety of the students and staff are his top priority as they strive to construct a feasible plan. He continued by

informing the commission of the tentative schedule for starting school this year. However, all of these plans are contingent on the recommendations and directives of Governor Abbott and the Texas Education Agency (TEA). The school year is tentatively set to begin on August 12, 2020. There will be five phases of COVID-19 protocols in place, each of them will increase restrictions with an escalation in COVID-19 cases. There are multiple weeks built in to the school year to accommodate the times when the school district actually has to close its doors for face-to-face instruction. The school district is implementing very strict cleaning protocols and procedures and striving to be the safest school district in Texas.

Chairman Vernon thanked Mr. Cochran for caring for our children. He thanked him for coming to the Commission meeting and keeping the citizens informed.

2. Discussion and Consideration of the Certificate of Construction Completion of TxCDBG Grant Number 7218121, the Forced Main between the main lift station and the water treatment plant.

City Manager Ron Duncan explained that this is just a formal acknowledgement by the city that the work on this project is complete.

Commissioner Zac Darr made a motion, seconded by Commissioner Cecil Funderburgh to approve the Certificate of Construction Completion. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb  
 Nays: None  
 Absent: Rossander

3. Discussion and Consideration of the City of Eastland extending our Declaration of Local Disaster Due to Public Health Emergency including the COVID-19 Response Implementation Plan from 11:59 P.M., July 20, 2020 until 11:59 P.M, August 17, 2020 which is the next regular meeting

City Manager Ron Duncan stated that our City Attorney Eileen Hayman recommends that we change the wording of the declaration to keep it in effect for so long as the state-wide disaster proclamation is in effect, as ordered by Governor Abbott.

Commissioner Zac Darr questioned why the city needed to have a declaration of disaster in place since the Governor already has it in place for the State of Texas. Mr. Duncan explained that to be eligible for any Federal funds for disaster relief, the Federal Government requires that a local jurisdiction have the Declaration in place.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to extend our Declaration of Local Disaster in accordance with the recommendations of the city attorney, which amends the order to keep it in effect for so long as the state-wide disaster proclamation is in effect, as ordered by Governor Abbott. Motion prevailed by the following vote:

Ayes: Commissioners Funderburgh, McNabb,  
 Nays: Darr  
 Absent: Rossander

4. Discussion and Consideration of Approval of an Easement Agreement with the Richeson Group for Utilities Right of Way for Construction and Maintenance of Water Lines.

Chairman Vernon stated that both item 4 and item 5 parallel each other and will be looked at together but voted on separately.

Mr. Duncan explained that these easements are for the new water line that will replace the line between the ground storage tanks and the intersection of Plummer and Daugherty. The original plan was to lay the new line in front of the LaQuinta Hotel and go west from there. That particular plan was over budget and it was going to put a huge financial strain on the Hotel, which is already feeling the burden of the COVID-19 restrictions. A different route was devised which goes between the Dairy Queen (Richeson Group) / BBQ restaurant and behind the LaQuinta Hotel. This route eases the disruption of the LaQuinta Hotel operations.

Commissioner Zac Darr made a motion, seconded by Commissioner Ben McNabb to approve the Easement agreement with the Richeson Group for Utilities Right of Way for Construction and Maintenance of Water Lines. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb  
Nays: None  
Absent: Rossander

5. Discussion and Consideration of Approval of an Easement Agreement with the LaQuinta Hotel for Utilities Right of Way for Construction and Maintenance of Water Lines.

Commissioner Zac Darr made a motion, seconded by Commissioner Ben McNabb to approve the Easement agreement with the LaQuinta Hotel for Utilities Right of Way for Construction and Maintenance of Water Lines. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb  
Nays: None  
Absent: Rossander

6. Discussion and Consideration appointing Dena Withers as Associate Municipal Court Judge

City Manager Ron Duncan explained the rationale for appointing Mrs. Withers to this position. We have schedule conflicts with our current Associate Judge and our current Judge has been having a lot of health issues which have kept her from being available. Since Mrs. Withers is already a Deputy Clerk, this will make it much easier to keep the court running smoothly.

Commissioner Cecil Funderburgh stated that Dena Withers has many years as a Justice of the Peace Court Clerk before she ever came here and she is a true asset.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb to approve the appointment of Dena Withers as Associate Judge of the Eastland Municipal Court. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb  
Nays: None  
Absent: Rossander

VII. City Manager’s Briefing

2019 Streets: Raydon Construction has begun work on University Drive. It will be asphalt with curb and gutter. The entrance onto the state highway will be concrete.

Lago Vista Boulevard is next in line for repairs and drainage work.

Annual Budget Calendar begins today with our first Workshop. Our next workshop is scheduled for August 5<sup>th</sup> at noon.

Dam Repairs: The Texas Water Development Board is funding a 10% match grant for flood planning and we have submitted an application. We may also be eligible for a Disaster relief grant under a 2017 program. If we are eligible for this grant, the match is only 1%. The grants can be from \$3 to \$10 million dollars. This would be an amazing opportunity to have work done on our flood plain issues.

Rural Health Clinic: is complete and we expect the ribbon cutting ceremony to be scheduled soon. We are waiting on the Certificate of Completion and the State of Texas certifying board to state that the Rural Health Clinic is ready for operation.

The Wastewater Treatment Plant: is 81% complete. We should be able to go out for bids soon for the sewer work on Highway 6 south. We have to wait for approval from the TWDB to use the leftover funds.

#### I-20 WATER PUMP STATION REPAIRS:

Pump # 1 failed on June 8, 2020. We pulled the pump for repair on 6/11. We plan to complete a TxCBDG application to install 2 new pumps and pump controls in FY 2020-2021 budget. This will replace pump #2 and add a fourth pump. We will talk about this in the Budget Workshop.

### VIII. Code Enforcement Report

Code Enforcement Officer Terry Simmons reported the Code Compliance Report for June. There were 22 open cases at the beginning of the month, 21 new cases were opened and 19 cases were closed which ended the month with 24 cases open. Two citations were issued for junk vehicles. One property was reported for back taxes, about \$12,000. Also, three annual notices were issued. Two properties were abated for \$350. One lien of \$326.57 was filed against a property for mowing and cleaning up.

### IX. Police Report

Chief Hullum noted that June was another busy month with 225 calls for service which is just five less than May. Our arrests have increased along with the number of cases filed with the District Attorney. Chief Hullum gave kudos to Investigator Jason Weger for the job he does in keeping up with the Registered Sex Offenders in the city. A case was filed for Failing to Register as a Sex Offender as a direct result of an investigation by Weger. There were also cases filed for Possession of Controlled Substance (methamphetamine), Possession of Marijuana and Evading Arrest. Also, there were two DWI arrests for the month of June. Overall, a fairly busy month, basically due to the high temperature and the stress of the pandemic.

At 7:15 p.m. Chairman Larry Vernon called for a five-minute recess before beginning the Budget Workshop  
Reconvene 7:20 p.m.

### X. Budget Workshop FY 2020-2021

Mr. Duncan opened the workshop by stating that this is the first look at the budget for 2020-2021. We do not know what the Ad Valorem Tax Rate will be yet so these are preliminary numbers. He noted the Budget Workshop Calendar that is included and the next scheduled workshop is August 5, 2020 at 12 noon. The Tax Rate will be available at this time and this will be Budget Workshop #2 with the proposed budget.

The Covid-19 outbreak and the economic slowdown which has accompanied it have added a great deal of uncertainty to developing this year's budget recommendation. Therefore, we developed this year's proposal to meet the following objectives:

- a. Maintain quality services for the residents of Eastland
- b. Avoid raising unnecessary taxes, fees or utility rates to assist the recovery of our businesses and residents.
- c. Meet our financial obligations.

- d. Continue to improve infrastructure to ensure Eastland is primed for economic prosperity.
- e. Maintain our work force.

Assumptions. We built this draft budget with several key assumptions:

- a. 5% decrease in Water Sales due to economic slowdown in business activity
- b. No pay increase for City Employees
- c. Lease/Purchase a used truck with a fifth wheel for hauling the new Roll-off sludge containers for the WWTP (Sewer Dept.)
- d. Keep capital requests to an absolute minimum to absorb budget cuts.
- e. Sales taxes will be 10% lower due to the economic slowdown.
- f. Hotel/Motel Occupancy Taxes will be 15% lower due to the economic slowdown.
- g. Street expenses will be minimal. Fill potholes and emergency repairs.
- h. Hiring freeze in effect. Maintain our Police and Fire Departments at the current level.
- i. Maintain spending restrictions all year.

We have several possible grant projects. Some of the matching funds can be covered by land credits and Cares funds.

Mr. Duncan discussed some of the line items that are in the preliminary budget. The Tax Rate will determine everything.

#### XI. ADJOURNMENT

Commissioner Zac Dar made a motion, seconded by Commissioner Ben McNabb, to adjourn at 8:15 p.m. Motion passed unanimously.

APPROVED

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Larry Vernon, Chairman  
Board of City Commissioners

ATTEST

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Roma Holley, City Secretary