

**REGULAR CALLED MEETING**  
**City Council**  
**April 14, 2020**

Due to the COVID-19 pandemic, the City Council of the City of Brownwood, Texas, met via videoconference hosted on ZOOM. The meeting was open to the public by either computer or phone. The following members present:

<b>Stephen E. Haynes</b>	:	<b>Mayor</b>
<b>HD Jones</b>	:	<b>Councilman – Ward 1</b>
<b>Ed McMillian</b>	:	<b>Councilman – Ward 2</b>
<b>Larry Mathis</b>	:	<b>Councilman – Ward 3</b>
<b>Walker Willey</b>	:	<b>Councilman – Ward 5</b>
<b>Emily Crawford</b>	:	<b>City Manager</b>
<b>Pat Chesser</b>	:	<b>City Attorney</b>
<b>Christi Wynn</b>	:	<b>City Secretary</b>

with Councilman Draco Miller absent, constituting a quorum of the City Council.

<b>CALL TO ORDER:</b>	Mayor Haynes called the meeting to order.
<b>PLEDGE OF ALLEGIANCE:</b>	Pledge of Allegiance was led by Councilman Willey.
<b>INVOCATION:</b>	Invocation was given by Pastor Todd King of High Mesa Cowboy Church.
<b>ITEMS TO BE WITHDRAWN:</b>	None

**INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:**  
City Manager Crawford recognized the Health Department Staff for their hard work and dedication during the COVID-19 Pandemic.

**CITIZENS PRESENTATIONS:**  
Raul Garcia spoke about the importance of the 2020 US Census and asked for continued participation and support.

**APPROVAL OF MINUTES:**  
A motion was made by Willey, seconded by Mathis, to approve the minutes of the Regular Called Meeting on March 24, 2020, as presented. Upon vote, motion carried unanimously.

**CLAIMS AND ACCOUNTS:**  
Assistant Finance Director, Melanie Larose, was present (by videoconference) for questions regarding the checklist. A motion was made by McMillian, seconded by Jones, that the Claims and Accounts dated through April 9, 2020, be approved for payment as submitted. Upon vote, motion carried unanimously.

**ORDINANCES AND RESOLUTIONS:****Consider on first reading changing Ordinance Section 50-68(a) of the City's Code of Ordinances to prohibit dogs in the Bert V. Massey, II Sports Complex while league sanctioned baseball games, softball games, and tournaments are being played.**

Mayor Haynes asked if we had already addressed this item. Mrs. Crawford stated that the Soccer Complex had been addressed but not the Massey Sports Complex. The Parks and Recreation Board took this item up a few months ago and recommends approval.

Mayor Haynes asked the City Secretary to read the ordinance. After the reading of the ordinance, a motion was made by Mathis, seconded by McMillian, to approve the ordinance on first reading. Upon vote, motion carried unanimously.

**ORDINANCE NO. 20-**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BROWNWOOD, TEXAS, BY AMENDING SECTION 50-68 TO PROHIBIT DOGS IN THE BERT V. MASSEY, II SPORTS COMPLEX WHILE LEAGUE SANCTIONED BASEBALL GAMES, SOFTBALL GAMES AND TOURNAMENTS ARE BEING PLAYED; PROVIDING A PENALTY CLAUSE; PROVIDING A NO WAIVER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**REQUESTS AND PRESENTATIONS:****Staff presentation on COVID-19 related city operations and response.**

City Manager Crawford reviewed changes that have been made operationally. All changes that have been made are sufficiently fulfilling services and maintaining staffing while allowing separation of space between employees. The Fire, Police, and Public Works departments have created shifts or crews that never interact with each other. A dramatic shift was made in the Fire Department to only allow two dedicated EMT responders for the entire shift. Some administrative staff are working from home if able, a few days a week. On Monday, the Utility Billing drive-through window was closed. All forms are online, and business can be done digitally or via phone or email. Cash payments are taken through a secured dropbox.

Councilman McMillian expressed concern regarding closing the drive-through window. Banks, pharmacies, and restaurants continue to operate through their drive-through windows.

Health Administrator, Lisa Dick, gave the current numbers regarding COVID-19 testing. 157 tested, of those, there are 11 positives, 5 fully recovered, 1 death, and 5 in the recovery process, 132 negative tests, and 14 pending. Mayor Haynes asked how we were on testing supplies, and what is the demand for the testing supplies over the last few days. Mrs. Dick stated that they are holding well on supplies. It appears testing requests have decreased, but they are still working with nursing facilities. Mayor Haynes explained that if a person tests positive for COVID-19, and does not make a full recovery, it is coded as a COVID-19 related death.

City Manager Crawford addressed Councilman McMillian's concern regarding the drive-through window being closed. She stated that there was concern from the staff regarding all the items that were being passed back and forth through the window and trying to keep everything sanitized. Councilman McMillian suggested wearing gloves. Assistant Finance Director, Melanie Larose, stated that not only was it a concern passing items back and forth, but the drive-through was backing up around the street and causing traffic issues due to only having one-line option rather than multiple lines like banks have. Finance Director, Walter Middleton, stated that this is an opportunity to encourage our customers to use the automatic draft or credit card payment option. The bill is e-mailed ten days in advance of the payment being taken from the account to give the customer time to question anything on their bill before the removal of funds.

**Consider a budget amendment for up to \$20,000 for costs associated with the COVID-19 Public Health Emergency.**

City Manager Crawford stated that we have set up a COVID-19 expense account under Emergency Management, which should be reimbursed by FEMA. The budget amendment is a budget neutral, as it will amend the revenue and expense. Funds will be spent on cleaning supplies and disinfectants for city facilities, personal protective equipment, and other related costs associated with COVID-19 that are not eligible for Health Department grants. She stated that \$4,000 has been spent under this line item at this time. Mayor Haynes asked if we had a guarantee of those funds. Mrs. Crawford stated that we will apply for the funds and we are following all the guidelines and keeping up with receipts, but it is not a guarantee all the funds will be reimbursed. Fire Chief Hicks stated that we cannot apply for the funds until the incident is declared over. Mayor Haynes asked about the current demand for supplies and if \$15,000 would be enough to take care of those needs. Mrs. Crawford stated that we have been in this for two months now. Some of the supplies have been charged to other grants that allowed funding for supplies. The requested funds will help with any additional cleaning supplies for city-wide operations, staffing, overtime and other related expenses that cannot be distributed to another grant. Councilman Willey asked if the \$4,000 has been used to build up a supply or is it already gone. Mrs. Crawford stated both. We are trying to buy through local vendors that are willing to help obtain supplies. Mrs. Larose stated that we are keeping a close eye on the level of cleaning supplies each department has. Councilman Mathis asked if there are new test kits available to avoid traveling. Mrs. Dick stated that she is working with area physicians to obtain a test they feel comfortable with. Some of the tests are not as accurate as others. Travel to the lab is included in the grant request. Mayor Haynes stated that he spoke to a local physician and was told that the rapid tests had to be verified through the lab so we would still have to send someone with those tests to the lab.

A motion was made by Willey, seconded by McMillian, to approve a budget amendment for up to \$20,000 for costs associated with the COVID-19 Public Health Emergency. Upon vote, motion carried unanimously.

**Finance Director report on the current and projected financial position and billing policy of the City in light of COVID-19.**

Finance Director Middleton went over four areas as follows:

Sales Tax – with the closures of restaurants and the shortage of certain supplies, it is likely that our sales tax revenue will suffer. It takes two months after the end of any given month to receive our allocation. Most of the crisis closures and shortages began in March. We will not know the impact until May 10. As of the March 10 allocation, we had collected 50.4% of our sales tax budget of \$5,707,300. The budget for the remaining five months (May-September) is \$2,435,617. If we assume that we may lose 25% of that amount, our shortfall would be \$609,000. If we lose 50%, the shortfall would be \$1,218,000. Water revenue – our revenue from water base fees and consumption through six-months has exceeded projections. We are currently \$522,180 ahead of last year's revenue through March and \$174,324 over budget projections. With spring coming, it is likely that demand will pick up unless the current crisis impacts water usage significantly. Budget revenue – Budget review – a) Capital projects – we have put a hold on major capital projects such as street resurfacing and water line replacements for the time being. We will do the required maintenance as needed. b) Payroll – we have put a hold on hiring seasonal/temporary employees and are filling full-time vacancies on a case by case basis after management review. c) Capital purchases – most of the discretionary capital budget for this fiscal year has already been committed. The only significant items still outstanding are the Water and WWC – pipe shed \$40,000; and Water-AMR hardware and software \$20,000. There are some minor discretionary capital items outstanding as well as other items related to safety or other commitments that should not be delayed. d) Maintenance and operations – 1) non-discretionary costs such as electricity, insurance, fuel, communications, capital lease payments, and certain services will be paid. 2) discretionary costs such as office supplies, expendable items, and other supplies are being delayed or eliminated as possible. All training and travel have been put on hold except as required and only as available on a remote online or phone basis. 3) costs that are discretionary but necessary such as routine maintenance are being reviewed on a case by case basis to be performed as needed. Cash position – we are in an excellent position in our investment reserves. As of March 31, 2020, our operating reserves were at \$8,152,987. This represents 82 days of operations or over three months. It is also \$1,759,000 higher than our position at this point last year. The purpose of these reserves is to provide a buffer during difficult times, and we are very well situated in that regard. Mr. Middleton stated that we are well situated to weather the storm for the current year. His concern at this point was what we will be faced with in putting together a budget for FY 20/21.

A ten-minute break was taken at this time.

Mayor Haynes asked if there would be any funding coming from the Government for budget shortfalls. Mrs. Crawford stated that she was unaware of any such funding, but we are using funding through the Emergency FMLA. It will pay 2/3 of payroll costs for those that were out for COVID-19 reasons.

Mr. Middleton stated that a public service announcement will be given to inform the public that the City will work with people on their utility bill during this crisis. Customers are still responsible for making payments in a timely manner. The City will reassess collection activities periodically based on the pandemic status. Customers that have made arrangements for their bill will not have their water cut-off. However, cut-off notices will still be mailed. If a customer does not make arrangements, water will be cut-off. We are one of the most liberal cities in Texas by allowing a two-month water bill before the cut-off. Nearly all cities only allow one-month before the cut-off. No action was required for this item.

**Consider accepting the donation of a wheelchair swing.**

Parks and Recreation Director, David Withers stated that Mr. Schoen of GreenGo Feeders at 3100 Stephen F. Austin Drive built a heavy-duty “Wheelchair Swing.” Some of the features of the “wheelchair swing” include: all-steel construction, will fit any size wheelchair (child or adult), no pinch points, 600-pound capacity, and, it is portable, so it may be moved to different parks. Mr. Withers was able to see the wheelchair swing in person. It is very well built with several safety factors, such as lock-down straps for the wheelchair, folding ramp for easy access, and safety stops so the swing does not swing too far either direction. He recommends placing the swing at Allcorn Park.

A motion was made by McMillian, seconded by Willey, to accept the donation of the wheelchair swing. Upon vote, motion carried unanimously.

**AGREEMENTS AND CONTRACTS:**

**Consider authorizing the City Manager’s signature on an agreement and any subsequent addendums, amendments, and acceptance of additional funds during the term of the existing grant contract on behalf of Brownwood Brown County Health Department with Texas Department of State Health Services to provide COVID-19 response.**

Health Department Administrator, Lisa Dick stated that the Texas Department of State Health Services through the Centers for Disease Control and Prevention (CDC) is providing a \$123,206 grant for a response to the COVID-19 Pandemic. Funds from this grant can provide surveillance, laboratory testing and reporting, and community intervention. Funds may include pre-awarded costs incurred on or after January 20, 2020, and continued expenses through March 15, 2021. The City Manager signed the grant contract on April 6, as an emergency action in order to have immediate access to the funds. Additional funding of \$126,000 may be available. Mayor Haynes asked what would happen to the funds if we do not expend them all. Mrs. Dick stated that they would go back to the State.

A motion was made by Mathis, seconded by McMillian, to authorize the City Manager’s signature on an agreement and any subsequent addendums, amendments, and acceptance of additional funds during the term of the existing grant contract on behalf of Brownwood Brown County Health Department with Texas Department of State Health Services to provide COVID-19 response. Upon vote, motion carried unanimously.

**Consider allowing the termination of the Fabis Park agriculture lease.**

Parks and Recreation Director, David Wither stated that the Fabis Agriculture Lease is a five-year lease that started April 1, 2018. Gerald Parrish has paid for the Fabis Lease for the past two-years but is requesting to be released from this agreement for the remaining three-years. The fence on the backside of the property is in poor condition and has deteriorated beyond repair. According to the agreement, the lessee is responsible for fence maintenance. Mr. Parrish has tried to repair it numerous times, but his cattle continued to get out. Mr. Parrish has not had any cattle on the Fabis Lease since August 2019, because of the fence problems. He is not requesting a refund on the amount that he has paid in the last two years, he just wants to terminate the contract. Staff agrees that the fence is in poor condition and would take a large investment to rebuild. Council discussed not going back out for bid yet to allow time to decide what to do with the fence or whether to continue leasing. Mayor Haynes asked what the property leased for. Mr. Withers stated that at this time it is \$2,350 per year. Councilman McMillian stated that we may need to check to see if the neighbor will split the cost of fence replacement. He also suggested using the property for an equine riding trail.

A motion was made by Willey, seconded by McMillian, to terminate the Fabis Park agriculture lease. Upon vote, motion carried unanimously.

**APPOINTMENTS:**

**Consider a Mayoral appointment to the Corinne T. Smith Animal Shelter Board.**

Mayor Haynes stated that we had two suggested nominations at the last meeting. One of those was Paul Coghlan, which has a conflict as he is the Health Inspector and inspects the property. Someone has recommended Minessa Mesic who is on the accounting staff of a local CPA. Mayor Haynes recommended the appointment of Ms. Mesic.

A motion was made by McMillian, seconded by Willey, to confirm the appointment of the Corinne T. Smith Animal Shelter Board. Upon vote, motion carried unanimously.

**REPORTS:**

**Police Department Report**

Chief of Police, Ed Kading, stated that Class C misdemeanor crimes rose from 2018. Not only in the City of Brownwood but all over the State as well. He reported that some burglaries were solved, and property returned to citizens. The number of cases that were cleared for 2019 was up by 86 from 2018. In Animal Control, the number of bites, and a total number of calls were down from the prior year. He contributes that to the time spent educating the public and the shift change to allow for seven-days a week coverage. Chief Kading went over numbers for the Narcotics department and stated that they were able to recently hire an additional person that will affect the numbers for next year. Accomplishments for the Police Department included: Initiated Problem-Oriented Policing/Action Plans; Comprehensive training manual for all dispatchers; New Corporal position; and \$27,047 in grant-funded equipment and training for Brown County SWAT.

**Municipal Court Report**

City Secretary, Christi Wynn, stated that the number of citations and warnings entered by the Court employees were out of their control as they rely on the Police Department for those numbers. They do continue to handle the day to day operations regarding those citations. Accomplishments for the department are that they gave out over 150 car seats/booster seats to local daycares and citizens in need from the Child Safety Seat Fund. The Court just went through a software upgrade, and as of yesterday, could accept partial payments online.

**Fire Department Report**

Fire Chief, Eric Hicks, stated that in 2019, they responded to 2,160 calls for emergency service which is a 5% decrease from 2018. Brownwood is consistent with other cities in Texas where EMS calls are up and fire calls are down. There were 1,424 EMS calls and 209 structure fire calls in 2019. Station 1 responded to 1,339 calls and Station 2 responded to 670. There was an 18% drop to responses in the County. Accomplishments included: Administrative changes; Air Packs were placed into service; numerous training completed. The Fire Marshal completed 25 County and 34 City fire investigations. The Fire Marshal now has a part-time person helping and together they completed 568 inspections, 14 plan reviews, and 2,412 Fire prevention contacts. The Fire Marshal had 96 hours of training and the Arson dog Nika had 780 hours.

**Development Services Report**

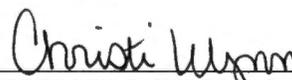
Development Services Director, Tim Murray, stated that in 2019 there were 1,649 permits written and \$82,257.84 collected permit fees. There were 50 sub-standard house cases opened, up 11 from 2018. There were 17 resolved by Administrative Enforcement Orders, and 33 resolved by voluntary contract with owners. There were 1,926 code violations opened with 1,262 cases resolved. The Facility Maintenance crew has nearly finished remodeling City Hall. Property Maintenance and ROW / Drainage Maintenance – there were 391 City rights-of-way and drainage areas mowed and 413 property maintenance requests turned in to mow. Accomplishments include: Hiring 3 new Building Officials, 2 new Code Enforcement Officers, 1 new Light Equipment Operator. Two employees retired, two left for a better opportunity, and one passed away. They completed 32 demolitions completed.

**ADJOURNMENT:**

There being no further business to come before the Council at this time, Mayor Haynes declared the meeting adjourned.

  
STEPHEN E. HAYNES, Mayor

**ATTEST:**

  
CHRISTI WYNN, City Secretary