

THE CITY OF EASTLAND
CITY COMMISSION REGULAR MEETING

November 20, 2023

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	Richard Rossander
Commissioner	James Doyle
Commissioner	Shirley Stuart

PERSONNEL PRESENT:

City Manager	J.J. Oznick
Finance Director	Leslie Zander
City Secretary	Roma Holley
Police Chief	Tim Pitts
Fire Chief	Joe Williamson
Planning Director	Tony Stubblefield

Guests: Julie Elrod, H. V. O'Brien, Tom Bailey, Terry Simmons

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 J.J. Oznick offered the invocation and Commissioner Shirley Stuart led the Pledge of Allegiance and the Texas Pledge.

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

Terry Simmons, representing the Eastland County Museum, spoke to the Commissioners. He invited them to be present at the museum for the Lower Colorado River Authority Grant Presentation on November 20, 2023 at 11:30 A. M.

IV. APPROVE MINUTES OF THE OCTOBER 16, 2023 MEETING

Commissioner Richard Rossander made a motion, seconded by Commissioner James Doyle to approve the minutes of the October 16, 2023 Meeting.

Ayes: Commissioners Doyle, Rossander, Vernon
Nays: None
Abstain: Stuart
Absent:

V. Financial Report

City Manager J.J. Oznick stated the sales tax report for November shows a 4.49% increase for the year.

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 to approve hiring Tom Bailey as Eastland Economic Development Inc., Executive Director.

City Manager J. J. Oznick stated that with the resignation of EEDI Executive Director Ryder Warren, which is effective December 31, 2023, it was necessary to hire another Director as soon as possible. Tom Bailey applied for and was approved by the EEDI Board to begin as Executive Director on January 1, 2024.

Commissioner Richard Rossander made a motion, seconded by Commissioner Shirley Stuart, to approve hiring Tom Bailey as Executive Director of EEDI effective January 1, 2024.

Ayes: Commissioners Doyle, Rossander, Stuart
 Nays: None
 Absent: None

2. Discussion and Consideration to approve the 2023 Contract with Eastland County for Ambulance Services.

City Manager J.J. Oznick explained at the beginning of the budget season, Eastland Memorial Hospital had requested a 52% increase in funding from the City of Eastland for the Ambulance Services. After great deliberation and crunching of numbers, the Ambulance Service will receive a 35% increase in funding.

Commissioner Richard Rossander made a motion, seconded by Commissioner James Doyle, to approve the 2023 Contract with Eastland County for Ambulance Service.

Ayes: Commissioners Doyle, Rossander, Stuart
 Nays: None
 Absent: None

3. Discussion and Consideration to approve second reading of Ordinance No. 23-898

AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS AMENDING CHAPTER 9 “NUISANCES”, ARTICLE III “GARBAGE, WEEDS, JUNK, AND UNSANITARY CONDITIONS”, SECTION 9-25 “NOTICE” OF THE CITY OF EASTLAND CODE OF ORDINANCES; CLARIFYING THAT NOTICE OF VIOLATIONS MAY ISSUED FOR ANY VIOLATION OF ARTICLE III; CORRECTING INCONSISTENT SECTION REFERENCES; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

City Manager J.J. Oznick reminded the Commissioners that this was approved on first reading last month.

Commissioner James Doyle made a motion, seconded by Commissioner Richard Rossander, to approve the second reading of Ordinance 23-898.

Ayes: Commissioners Doyle, Rossander, Stuart
Nays: None
Absent: None

4. Discussion and Consideration to obtain Cemetery Records Management Software.

Cemetery Administrator Roma Holley addressed the Commissioners and stated there are currently 7,983 files in our current database. She stated that she has been looking at Cemetery Record Management software that would improve our records keeping ability as well as securing our data in a cloud-based storage. Mrs. Holley advised the commissioners of the attributes of webCemeteries, a Cloud-based Cemetery Records Management software program.

This software offers access from anywhere as well as unlimited storage capability. It also offers GPS Mapping ability which will allow management and visitors to find a grave using their smart phone.

Also, anyone can search for their loved one through our cemetery website and access their location and online memorial page.

This software connects all facets of cemetery operations.

The initial cost of the software is \$16,474 which includes Software Setup for Management System, Public Tools and Enterprise Sales, Data Import, Lot Level Mapping and Training. Monthly Software License, Hosting and Support is \$199 per month. This includes the app set up and support.

This money will be paid from an account that has been receiving donations for the past three years from the Philip T. Pegues Irrevocable Trust.

Commissioner Richard Rossander made a motion, seconded by Commissioner Shirley Stuart, to authorize entering into a contract with webCemeteries Cemetery Records Management Software for \$16,474 initial cost and \$199 monthly for 3 years.

Ayes: Commissioners Doyle, Rossander, Stuart
Nays: None
Absent: None

5. Discussion and Consideration to update Drought Contingency Plan.

City Manager J.J. Oznick advised the Commissioners that currently our water source is about 9-10 feet below capacity. We enacted Stage 2 of the Drought Contingency Plan on August 25, 2023. Since that time, we have been tracking the top 100 customers who use the most water. Some of these customers are using it correctly, according to our regulations, and some are using it incorrectly. We have begun contacting these citizens to make sure they understand what is happening and why we need to use the water within the guidelines. We have also been checking for leaks and ascertaining whether the water meters are working properly.

We are approaching Stage 3 in the Drought Contingency Plan and we are trying to make all of our citizens aware of what will happen if we do get to that point. The fines and penalties that will be applied to the improper use of the water will be greatly enhanced. We want to avoid this and are making every effort to educate our citizens to conserve water and use it within the guidelines set out in the Drought Contingency Plan.

The requested change in the Drought Contingency Plan is on page 13. There is a surcharge on customers who use over a certain amount of water. That surcharge is \$10 per 1,000 gallons between 2,000 and 8,000 gallons. Then it jumps to \$20 per 1,000 gallons for anything over 8,000 gallons. This is for customers inside the city limits. For customers outside the city limits, the surcharge has been increased to \$11 per 1,000 gallons between 2,000 and 8,000 gallons. Then, \$21 per 1,000 gallons for anything over 8,000 gallons.

Our metering system sends a report every hour that identifies how much water is being run through the meter. This allows us to monitor how much water is being used and at what time and who is using it.

We are keeping a watchful eye on the customers who have been identified as needing encouragement to correct their over usage. They have been notified via U.S. Mail and we have helped several identify problems.

Chairman Larry Vernon stated that we are headed for Stage 3 pretty quickly unless we get some rain. We need to be aware that some customers water bills are going to really be affected because of the surcharges. We need to be prepared to answer the questions as to why and what is happening.

He stated that many years ago, the City of Eastland requested customers water their lawns only 3 days a week. According to our metering system, we have customers who are watering 5 days a week. We are trying to be proactive by contacting these customers and telling them what the consequences are and will be of using their water incorrectly. This is not meant to be punitive in nature but instead we have to take our water conservation very seriously.

Discussion followed regarding how and when these surcharges will be administered.

Chairman Vernon tabled this item until the next meeting.

VII. City Manager Report

City Manager J.J. Oznick began his report by drawing the Commissioners attention to the memo in their packet prepared by our City Attorney, Eileen Hayman. This memo was written to address filling the vacancy left by the death of Commissioner Cecil Funderburgh on October 22, 2023.

Article 7, Section 3 of the City Charter provides as follows:

Vacancies in the office of Commissioner shall be filled by special election for the remainder of the unexpired term, such election to be called by the remaining commissioners for a date not less than fifteen days from the date of the calling thereof....

This dictates that the City Commission cannot simply appoint someone to fill a vacancy on the City Commission; filling the vacancy must go to an election.

Additionally, although the Charter provision described above makes it sound like the City Commission could hold the election at any time, State law allows elections only on a uniform election day.

As such, the City Commission must call a special election to fill the current vacancy on the commission and that election must be held on May 4, 2024. The person elected will serve from May of 2024 to May of 2025 as they will only be filling the remaining term of that office.

At this point, Chairman Vernon asked the other commissioners if they would like to review and possibly update our charter to address the issue of having a vacancy on the board. He

stated we really just need to look at the entire charter, possibly hold a charter election on the next election date.

GLO-CDBG-MIT Project Planning

On November 30, 2023 we will have our first bid opening regarding the channel clearing of the North Fork of the Leon River. We had a pre-bid meeting on the November 16, 2023 and 6 contractors attended, along with the engineer from eHT. They were physically shown what will need to be done to clear everything.

The street designs are almost finished. We are hoping to have bids for the streets in January. The design is going to turn the streets into water plumes. They will be made of concrete and designed to carry water away into drains.

Home buy-outs are still ongoing with details being finalized.

TXDOT Exit 343 Ramp and Signal Light Projects

Construction has started. They are currently working on constructing a turn lane from the north access road all the way to the Old Bankhead Highway.

EASTLAND MUNICIPAL AIRPORT UPDATE

The majority of this project is complete. They have poured the concrete for the fuel farms and are working on a way to move the fuel tanks.

VIII. Code Compliance Report

Planning and Zoning Director Tony Stubblefield reported the Code Compliance Report for October 2023. There were 85 open cases at the beginning of the month, 16 new cases were opened and 26 cases were closed, which ended the month with 75 cases open. 4 Citations were issued, and 3 Annual Notices were issued. Total fines paid/served/dismissed were \$3,696. Total fines assessed was \$3,184. 2 liens were filed by the city for \$349.55

IX. Police Chief Report

Chief Tim Pitts stated there were 250 calls for service in October. 15 cases were filed with the District Attorney. There were 19 offense reports generated. He noted 13 arrests. A total of 360 traffic stops were initiated. This resulted in 206 warning citations and 154 citations issued. He also stated that 641 "business checks" were conducted. Our Animal Control Officer continues to be very active with 101 business calls. 13 animals were impounded and 9 were adopted

Chief Pitts also reported that during the month of October they had ALERRT training for the entire department. They also participated in "Boo in the Garden". They gave away over 800 goody bags. They also attempted to make a warrant arrest on a person who came to this event. This person was also charged with Manufacture/Delivery of a Controlled Substance in a Drug Free Zone (Boo in the Garden) as well as Assault on a Peace Officer.

The Eastland Police Department participated in one vehicle pursuit.

X. Fire Chief Report

Fire Chief Joe Williamson gave the following activity report for the month of October 2023 for the Volunteer and Paid Firefighters. Total call volume: 69 which was an average of 2.2 calls per day. 54 of these were in the City Limits and 14 of them were in the county and they responded to 1 call for mutual aid to other county fire departments. There were 13 incidents between 10 p.m. and 7 a.m. There were 2 structure fires, 1 grass fire and 0 vehicle fires. They responded 33 Medical calls, 13 Motor Vehicle accidents and 8 Public Service assists and 11 false alarms/investigations. Volunteer membership is at 25.

Fire Prevention Week was very successful with a great deal of publicity being done by the members of the fire department. Chief Williamson gave special recognition to Volunteer Fire Department member Rick Wende. He has been an active volunteer for 46 years and he is in charge of Fire Prevention. He has a great team and they have done an outstanding job. This is in addition to his duties as Safety Chief. He deserves recognition.

XI. Adjournment

Commissioner Richard Rossander made a motion, seconded by Commissioner James Doyle, to adjourn at 7:30 p.m. Motion passed unanimously.

APPROVED

Larry Vernon, Chairman
Board of City Commissioners

ATTEST

Roma Holley, City Secretary