

**CITY OF INGLESIDE MINUTES
REGULAR CITY COUNSEL MEETING MARCH 25, 2020
6:30PM**

1. Call Meeting to Order and Roll Call

The Regular City Council Meeting on March 25, 2020 was called to order at 6:30p.m. with Mayor Ronnie Parker presiding. Council members present: Mayor Ronnie Parker, Council Members Steve Diehl, Kody Fahrenthold, Stewart Wilson, Ben Tucker and Dennis Knippa. Council member John Schack attended via GoToMeeting. Several City Staff members and 3 guests present.

2. Invocation and Pledge of Allegiance

3. Citizen Comments and Announcements

Citizen Comments were made by telephone and text which were read by the City Manager due to COVID-19 precautions.

Brittney Kraus of 2230 Pebble Beach Drive questioned by text: If and when the counties go on a shut down, do jobs like Kiewit/Bechtel/Exxon etc. count as essential? She understood that Chenier produces LNG but Bechtel does not. If they are considered essential, do they have to limit themselves to the social gathering rule? She knew that Bechtel has thousands of people that are currently not following the 6-foot rule and some employees travel every weekend to cities that have been affected by COVID-19. Mayor Ronnie Parker, suggested that County Judge David Krebs, answer these questions and because Bechtel is not in Ingleside City limits. Council Member Diehl, stated that the judge would be making a statement of fact regarding the citizens comments per the statute. The judge stated that as far as closing industry and manufacturing down, they were exempt from shut down. He stated there are so many companies, institutions and businesses that can stay open. Dr. Mobley added they are working with the companies and industries.

Shane Dasher of 2098 First Street questioned by text: Are we under a mandatory lockdown, if so, what is the restriction. City Manager David Huseman responded we are not under a mandatory lockdown at this time.

Jennifer Hubbartt of 2301 Naples Drive questioned by text: Does the stay at home that Corpus has affect Ingleside at all and if so, will the small stores like Stripes and Snappy's be allowed to stay open? Will there be a curfew? City Manager David Huseman responded: Nueces County does not impact or govern San Patricio County or Ingleside. All orders will be coming from the County Judge or City Mayor. Small stores will be exempt under essential services.

Holly Johnson questioned by text: How do I get on the website to listen to the meeting. City Manager David Huseman responded: Staff have been working to get as much information on the website. There is a big banner on the website regarding COVID-19. The website is updated every day, sometimes numerous times a day. Council Member Diehl added the Ingleside City website address: Inglesidetx.gov and suggested that once on the homepage, click on the virus banner it would be helpful to bookmark for easy access.

4. Presentations

Dr. James Mobley, San Patricio County Health Authority gave an overview of the COVID-19/Coronavirus origin and progression. He stated it is spreading throughout the world. The mortality rate should be watched. It is now spreading throughout Texas. Federal, state, county and most cities have initiated emergency orders. These restrictions are good sense. He spoke with H E B and Walmart and they stated they do not have any shortages. San Patricio County has one case. A lady working in Waco got sick and returned home to San Patricio County. There is one other case under investigation.

Mayor Ronnie Parker asked how many people in San Patricio County had been tested to date. Dr. Mobley reported that roughly 20-30 tests had been performed, 29 by private practitioners which report to CPL.

Council Member Diehl asked what the outlook on future testing. Dr. Mobley expected for the testing to greatly expand. He said there was no reason to mass test.

Mayor Ronnie Parker, asked that if mass testing was an option. Dr. Mobley said from a medical standpoint there is not a reason to mass test since there is not a vaccine, it would only tell you how far it

is spread. Mayor Parker, asked if mass testing occurred, could you not quarantine people who tested positive to flatten the line. Dr. Mobley said there isn't enough test material to mass test.

Council Member Diehl, said from what he has read, if a person contracts and moves around, and does not know they have contracted they are exposing people they are in contact with since they are contagious. Dr. Mobley confirmed this but stated when a person is exposed, they do not test positive immediately. From the time a person is inoculated to when they would test positive is approximately 6-7 days. Council Member Diehl then asked Dr. Mobley to stress the importance of social distancing and common-sense factors. Dr. Mobley said we need to protect persons over 70, wash your hands, and if you are sick, stay at home. Council Member Diehl asked how long the virus can live on surfaces. Dr. Mobley said anywhere from 30 minutes to a week, depending on the surface. The virus will spread, until 30% of the people have immunity, then it will start to turn around. Currently our hospitals are fairly empty. He stated that influenza is much more dangerous. Council Member Diehl, stated to get your information from a reliable source instead of social media. Dr. Mobley stated medical treatments are being worked on but enough is not known.

Judge David Krebs, covered what businesses and industries are exempt if the city goes into shelter in place:

Health services, government functions, education and research, infrastructure development, operations and construction, transportation, IT services, food, household staples and retail, necessary services regarding housing, apartments, mobile home parks, news media, financial services, child care, places of worship, funeral services. It is harder to find what is not exempt. You must still abide by CDC services.

Council Member Tucker, asked if you contract the virus, does your body build up immunity, can you catch it again. Dr. Mobley responded you do build immunity. Judge Krebs, gave an example of an elderly woman in Eastland County that voluntarily sheltered in place. She went outside twice and caught the virus. You must wash your hands. Dr. Mobley stated that during Hurricane Harvey, Ingleside was the shining star about informing residents. Judge Krebs said there was limited access to the County Courthouse, please call to set an appointment, no walk-ins are allowed.

5. APPROVAL OF MINUTES

Review and consideration of minutes from the March 11, 2020 regular meeting and from the March 16, 2020 special/emergency meeting.

Council Member Diehl, made a motion, seconded by Council Member Fahrenthold, to approve the minutes from the Regular City Council Meeting on March 11, 2020 and the Special/Emergency Meeting on March 16, 2020. Motion carried unanimously.

6. CONSENT AGENDA

(All of the following items are considered to be self-explanatory by the City Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

a.) Financial Report- February 2020.

Council Member Fahrenthold, made a motion, seconded by Council Member Tucker, to approve the February 2020 Financial Report. Motion carried unanimously.

7. PUBUC HEARINGS

Mayor Ronnie Parker, opened the Public Hearings at 7:03p.m.

a.) To Rezone the M (Multi-Family) and C-2 (General Commercial to M (Multi-Family): 3.55 acres of land located near the intersection of Avenue A & SH 361.

Jed Brown, with the Brownstone Group, a family owned full service Multi-Family development company based out of Houston introduced himself. Their team members consist of architects, accountants, attorneys, project managers, construction managers and support staff. Headquartered in Houston, with offices in Laredo, TX and Monroe, LA. They have planned a 128-unit apartment development consisting of 1, 2 and 3 bedroom dwellings. As of now they are calling the property Ingleside Village, that name could change as they work with City Staff. Their property management company, Brownstone Residential would manage this apartment community to make sure it is managed to their standards.

The multi-family site is 8.28 acres. The majority of the property is already zoned multi-family. What they are asking for is rezoning of 3.55 acres. They are not rezoning the frontage, and are not rezoning the rear of the property. That will remain as is. The frontage is already zoned Commercial, the rear is already zoned multi-family. On February 28, 2020 the civil engineers, Urban Engineering and Mr. Brown met with city staff. They met with the City Manager, the Building Official, the Economic Development Director and the Director of Infrastructure Services. At that time city staff pointed out the 200 feet of depth they were proposing for the commercial may not be well received by Planning and Zoning and city council, so they have reacted to that. They have gone through an evolution and redesigned the site to make it be more of what the city would want. He referred to the map displayed. What started at as 200 feet of depth ended up 330 feet of depth which was considerably more that discussed. What drives commercial development are residential rooftops, you should see commercial development in the not so distant future. This proposal will increase the tax base, provide a dean, safe and affordable living in an area that is already zoned multi-family. This proposal is consistent with the Ingleside Comprehensive Plan. They received unanimous support from Planning and Zoning on March 16, 2020.

The Mayor asked if there were any write in comments. The City Manager replied that the one received was in the Agenda packet. The Mayor ended the Public Hearing at 7:07p.m.

8. RESOLUTIONS, ORDINANCES, AND ACTION ITEMS

a.) Discuss, consider and take action on Ordinance 2020-16, Declaring a local Disaster for Public Health Emergency- COVID-19.

Council member Diehl, asked if the changes, Amendment 1, were posted to the website. The City Manager stated they were not. He asked the City Manager to read the proposed changes. The City Manager read the proposed changes. Council member Diehl pointed out to the citizens regarding the declaration: Are there inconveniences, absolutely. Does it assume the worst case scenario, absolutely. Keep in mind what the ramifications would be if the declaration did not exist and this route was not taken. He stated he supports it.

Mayor Parker commented the disaster declaration are guidelines taken by the Federal Government, State of Texas, County of San Patricio and the City of Ingleside and there will be other cities. He stated we as Americans have had it good for many years. This does not take away your civil liberties. If we abide by the health guidelines: good hygiene, hand washing, social distancing, don't go out unless you really need to. We can flatline this. If we do not abide by the guidelines, this virus will overrun the hospitals, lose a lot of elderly people, and some very young people. Our forefathers suffered much more.

Council Member Kody Farenthold, stated we are not trying to impede on anyone's civil liberties, or stop anyone's freedom with moving forward with their lives. He also stated the city would not be seizing anyone's property. We are just asking the citizens use common sense. Wash your hands, do your best to stay away from people. This isn't anything we cannot get past. We got through Hurricane Harvey, we can get through this.

Council Member Schack comments via GoToMeeting: Referring to page 2; Since there is not an emergency director, he stated that all decisions should be made by the council. On Page 3, item 1; He does not think there should be multiple items, the declaration should just be one complete item. Item number 6; are ~~the~~ city council members qualified to quarantine people? Item 7; We can have 50 people in grocery stores but we can't have parks with 50 people? He would like to expand 50 people being allowed in funeral homes, cemeteries and places of worship. He doesn't think we took enough time to make these decisions regarding restaurants. Page 5, item 11; the city manager's authorization to close and modify the use of city facilities should be left up to the city council. Item 12; the City Manager is given a blank check. Item 15; We should look at these changes every 30 days.

Council Member Farenthold, agreed that reviews should be every 30 days to be more fluid and more updated with current events. Council members should be available for emergency meetings within a short amount of time. Mayor Parker, stated it takes 2/3 of the council to approve the declaration. Some of the council members have jobs that may not allow them to be there for an emergency meeting. Council can cancel any declaration that is extended for 60 days. The communities surrounding us have passed their declarations for 60 days and asks the council to do the same.

Council Member Diehl, stated that with regards to 60 days, this council has the power to withdraw at any time. He believes the council should speak with one voice and maintain consistency with surrounding cities. He agrees with Council Member Schack and Farenthold that we don't want to

dictate terms, these are suggestions. With regards to stores, the language makes it a suggestion. HEB has not taken rights of anyone, they are commended. With regards to the Mayor, the council has not given up power to the Mayor, these are state statutes. These are common sense guidelines. We are practicing what we preach. This council is not giving up power. Three council members can request an emergency meeting. He will support this.

Council Member Schack, stated via GoToMeeting, he still believes this declaration should be for 30 days, not 60 days and should be effective this Saturday, March 28, 2020.

Council Member Diehl, stated we have to have the declaration in by a certain time to possibly be reimbursed for expenses. There cannot be a lapse. let's keep in mind this is uncharted territory, this will be going on for more than 30 days. This can be retracted any time needed. This is for the safety of the community. There is a very qualified person as Emergency Management Coordinator, our Chief of Police. Mayor Parker stated the council does not appoint the Emergency Management Coordinator, the Mayor does. This is a state statute.

Mayor Parker, entertained a motion to this council. Council Member Tucker made a motion, seconded by Council Member Knippa to approve Ordinance 2020-16, Declaring a local Disaster for Public Health Emergency- COVID-19.

Council Member Schack, stated again no one on the council has the expertise to make this decision, so why do we want one person to make it. These are decisions that should be made as a group. He stated he will vote no to the 60 days and he will vote no that we are allowing the Mayor to make the decision.

The Mayor asked for Roll Call. The Motion was carried 6-1with Council Member Schack voting no.

b.) Discuss, consider and take action on **Ordinance 2020-17**, To Rezone the M {Multi-Family} and C-2 {General Commercial} to M {Multi-Family}: 3.55 acres of land out of lots 14-16, Blk 6, Burton & Danforth Subdivision fronting FM 361, Ingleside TX (First Reading).

Council Member Diehl, asked the City Manager if he and his staff are in support of, and if it is in accordance the land use maps, ordinances. The City manager stated he was in support of this and it would protect the Commercial Use frontage property.

Council Member Tucker, asked if the convenience store on the frontage would stay. Mr. Brown stated the lot is vacant. Council Member Knippa, stated the sewer plant was about to maximum capacity. He also stated that there were other apartments to be built before this. Council Member Knippa, asked if this was a potential land buy. Mr. Brown stated yes, it is owned by a couple. He also stated they did not want to develop the commercial frontage because they are only in apartment development, not commercial development and it was the wishes of the city. Council Member Knippa reminded the Council that the sewer plant was inching to capacity. He stated that the city is short on R-1homes.

Council Member Diehl asked about the impact fee. City Manager stated when they submit their application, they will pay impact fees that are on the books at that time, and this development is not included in the Impact Plan Area, there are no improvements needed that could use or should use impact fee dollars. Infrastructure is currently in place. The City Manager stated again, this is not included in the impact study plan. No impact fees are planned to be used. It was clarified again that the frontage had been expanded from 200 feet to 332 feet.

Council Member Diehl, made a motion to move this to a second reading, Council Member Tucker seconded the motion. Mayor Parker asked for Roll Call. The motion was carried 6-1with Council Member Knippa voting no.

c.) Discuss, consider and take action on Resolution 2020-21, A Resolution to postpone the General Election from May 2, 2020 to November 3, 2020.

Council Member Diehl made a motion, seconded by Council Member Wilson to approve Resolution 2020-21. The City Manager asked to keep politics out of this and think of what is in the best interest of the citizens. Council Member Diehl, reported people will not vote if they are afraid to go out and vote for health reasons. He asked who is the City Election Official, City Manager stated the City Election Official is the City Secretary. Council Member Fahrenthold reported Council Member Schack agreed that the health and welfare of the citizens is most important. Council Member Fahrenthold said if the election was held in May, the results could be contested. He stated the sanctity of the election must be protected and postponing the election was in the best interest of the community. He stated that via

text, Council Member Schack stated he would like to push this decision to next week, but yes for safety concerns. Mayor Parker stated that is not possible since the state must have all information by April, 2020.

Mayor Parker asked for Roll Call. The resolution passed unanimously.

9. EXECUTIVE SESSION

a.) None scheduled.

All items on the agenda are for possible discussion and/or action. The Ingleside City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorneys); 551.072 (Deliberations about Real Property); 551.073 (Deliberations about gifts and donations); 551.074 (Personnel Matters); 551.076 (Deliberations about security devices); and 551.087 (Deliberations regarding economic development negotiations).

10. STAFF UPDATES

a.) Finance expenditures over \$3,000 dollars.

No questions were asked. Council Member Diehl stated that at the last meeting they spoke about the fund balance, truly unencumbered. He referred to Linnette Barker, Finance Director. She stated she started to prepare a document that lists projects that are ongoing but not necessarily be funded in this fiscal budget. For example, Highway 200, there is money in that budget earmarked for State Highway 200 but the expense portion is not there. She is preparing a sheet listing here is what the project should cost, and what is budgeted. It is a work in progress. Council Member Diehl applauded what the Finance Director is doing.

11. COUNCIL REQUESTS

Council Member Fahrenthold, inquired if during the process of the disaster declaration could we have a reverse 911 call at the end of the week to update citizens for those that don't have access to the internet or participate on social media. Mayor Parker stated that was a great idea.

Council Member Diehl, reported he spoke with a lot of businesses. He commended the Chief of Police for how many hours the Chief has put in regarding the disaster declaration. He stated she was a true asset to this city, a shining light. He also stated to the local businesses, like Whataburger, Dairy Queen, he understands the financial impact to these businesses. They are keeping their employees on the payroll. Let's support our local businesses, this time is a drain on them. He also said thank you to the citizens that are going through this with understanding.

Mayor Parker, agreed with Council Member Diehl, on applauding the Chief of Police, stating she had gone above and beyond the call of duty.

Council Member Knippa, inquired on the status of the railroad property. The City Manager stated the documents are being drawn up to complete the sale of the property. Council Member Knippa asked why the landowners of the property near the intersection of Avenue A and Highway 361 did not ask for the rezoning instead of the potential buyer/developer, Brownstone Group. The City Manager said we could certainly recommend that the owners talk to the City Council in the future. Council Member Knippa, asked why Brownstone Group was at the meeting instead of Urban Engineering. Mayor Parker commented that Urban Engineering was under self-quarantine. Council Member Diehl, asked the City Manager to comment on citizen services. The City Manager stated the City was trying to not curtail any services. There might be small changes but at this time all services are being done.

12. Adjourn

The Regular City Council Meeting held on March 25, 2020 was adjourned at 7:59 p.m.

ATTEST:


Sarah Wardinsky, City Secretary

APPROVED:


Mayor Ronnie Parker