



**Agenda
City Council
Council Chambers/City Hall
125 E. South Main, Flatonia, Texas**

**April 13, 2021
City of Flatonia
Regular Meeting
6:00 p.m.**

Notice of City Council Meeting

In accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, Notice is hereby given that a Regular Meeting of the City Council of the City of Flatonia will be held on Tuesday, April 13, 2021 beginning at 6:00 p.m. in the City Hall Council Chambers located at 125 E. South Main St., Flatonia, Texas, for the purpose of considering the following agenda items:

The meeting agenda is posted online at:

http://www.flatoniatx.gov/page/Council_Agendas_Minutes

Members of the public who wish to submit their written questions or comments on a listed agenda item must submit these by sending an email to City Manager Sarah Novo at manager@ci.flatonia.tx.us. Questions or comments must be received no later than 12:00 noon on Tuesday, April 13, 2021.

Opening Agenda

Call to Order
Invocation & Pledge
Pledges to the Texas and American flags
Citizens' Participation

Reports

Police Department Activity Report March 2021
Utility Department Activity Report March 2021
City Manager Report March 2021

Financial Report for 2Q FY2020-2021

Consent Agenda

The following agenda items may be acted upon in one motion. A Council Member or citizen may request items be removed from the Consent Agenda for individual consideration.

Approve the appointment of Sharon Cosson to serve on the Flatonia Housing Authority Board of Commissioners to serve an unexpired term vacated by Annie Pustejovsky, commencing on the appointment date, and ending on February 9, 2023 and recommend

that Mayor Milson complete required Certificate of Appointment forms.

Approve Hotel/Motel (HOT) Tax funding reports from the Flatonia Chamber of Commerce, Special Projects (Railpark), and Arnim Museum.

Approve minutes of the March 9, 2021 Regular City Council Meeting.

Proclamations

Earth Day, Thursday April 22, 2021
April as Child Abuse Prevention Month
April as Fair Housing Month

Presentations

Parks Board presentation of recommended parks projects by Brad Cosson.

Workshop

WS4.1-2021.1 Workshop related to possible amendments to the City of Flatonia Park policies and fee schedule.

Public Hearing

PH4.1-2021.1 Conduct a Public Hearing to consider amending the zoning map of the City of Flatonia, Texas by changing the zoning classification of PID 50611, real property addressed with FCAD as 714 N. Walnut Street, southeast corner of Walnut Street and Collins Street, City of Flatonia, from High Density Residential (R-3) to Medium Density Residential (R-2) as recommended by the Planning and Zoning Committee.

Deliberation Agenda

DA4.1-2021.1 Consider and take appropriate action on Ordinance 2021.4.1 amending the zoning map of the City of Flatonia, Texas by changing the zoning classification of PID 50611, real property addressed with FCAD as 714 N. Walnut Street, southeast corner of Walnut Street and Collins Street, City of Flatonia, from High Density Residential (R-3) to Medium Density Residential (R-2) as recommended by the Planning and Zoning Committee and providing for an effective date.

DA4.1-2021.2 Consider and take appropriate action on Ordinance 2021.4.2 of the City of Flatonia, amending Chapter 2, Sections 2.02.005 License Fee and 2.02.006 Issuance and Wearing of License Tag, and Provisions of the Flatonia Fee Schedule, Appendix A, Section A3.001 Dog License, of the Flatonia City Code, establishing the requirement that dog licenses will run concurrently with the animal's rabies vaccine for the City of Flatonia, as amended and providing for an effective date.

DA4.1-2021.3 Consider and take appropriate action on Resolution 2021.4.1 of the City Council of the City of Flatonia, Texas, authorizing the submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture Office of Rural Affairs for the Community Development Fund; and authorizing the Mayor and/or the City Manager to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program.

DA4.1-2021.4 Consider and take appropriate action on Ordinance 2021.4.3 of the City of Flatonia amending Section A1.000 General Provisions of the Flatonia Fee Schedule, Appendix A, Flatonia City Code, establishing pool entry and season pool pass fees for the City of Flatonia, as amended and providing for an effective date.

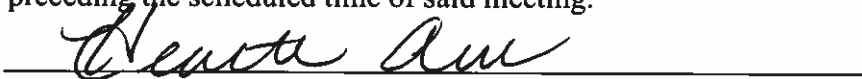
Executive Session

As authorized by Texas Government Code 551.071:

- ES4.1-2021.1 551.071 Consultations with Attorney
Flatonia RV Park
- ES4.1-2021.2 551.086 Certain Public Power Utilities: Competitive Matters
- ES4.1-2021.3 551.074 Deliberation regarding personnel matters:
City Manager annual evaluation

Adjournment

I, the undersigned authority hereby certify that the Notice of Meeting was posted on the bulletin board outside the front door of the City Hall of the City of Flatonia, Texas, a place convenient and readily accessible to the public at all times and said Notice was posted on the following date and time **Friday, April 9, 2021 by 6:00 p.m.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.


Heather Ambrose, City Secretary, City of Flatonia

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The Flatonia City Hall is wheelchair accessible. Access to the building is available at the primary entrance facing Main Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print are requested to contact the City Manager's Office at 361-865-3548 or by FAX 361-865-2817 at least two working days prior to the meeting so that appropriate arrangements can be made.

EXECUTIVE SESSION STATEMENT

The 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 the Texas Government Code, Section 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations Regarding Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations Regarding Security Devices or Security Audits), 551.086 (Certain Public Power Utilities: Competitive Matters) and 551.087 (Deliberation Regarding Economic Development Negotiations).



FLATONIA POLICE DEPARTMENT

205 E. South Main St. Flatonia, TX 78941 Office: 361-865-3337 Fax: 361-865-3039

March Monthly Report

To: Flatonia City Council
From: Flatonia Police Department
Subject: March Monthly Report

Calls for Service:

There were 179 calls for service for this month.

Offense / Incident Report Activity:

03/01/2021 Officer Llanes received a phone call from a male subject, about a dog that ingested something that was potentially harmful to his health. The officer was able to provide the man some phone numbers to veterinarians in the area.

03/05/2021 Officer Kucera was dispatched to a call at the 700 block of N. La Grange St. regarding a minor accident involving two vehicles. No injuries were reported.

03/08/2021 Chief Dick assisted Fayette County Emergency Medical Services (EMS) with a call involving a male subject that had fallen and was reported to have a major injury. Chief Dick assisted the medics with the patient and the landing of the AirEvac helicopter. The patient was transported by AirEvac to the hospital, Chief Dick resumed normal patrol duties.

03/11/2021 Flatonia Officers were dispatched to a local business about a male subject attempting to make a transaction with counterfeit bills. The male subject left immediately after the bills were noted to be fake. Officers arrived shortly after. The investigation is ongoing.

03/15/2021 Sgt. Pritchard was dispatched to the scene of a two-vehicle accident at the mile marker 661 Interstate 10 off ramp and State Highway 95. No injuries were reported Normal patrol duties resumed.

03/15/2021 Officer Stansberry and Sgt. Pritchard were dispatched to the 600 block of N. La Grange St. regarding an elderly male in distress. The officers were able to contact the elderly male and Fayette County Emergency Medical Services (EMS) was called out to have him assessed. The male refused emergency medical services and a family member was notified. The family member was able to take him into his custody without further incident.

03/15/2021 Lieutenant Pritchard and Officer Kucera were dispatched to the 300 block of Interstate 10 Frontage Rd. regarding a possible suicidal subject not answering her door. Officers contacted the subject's family members on the scene, who advised that was not the case. The officers were also able to speak to the subject who stated she was doing just fine. The lady also said she was unsure who would call and make such allegations. After the investigation was completed normal patrol duties resumed.

03/18/2021 Chief Dick responded to a radio call to Fayette County Emergency Medical Services (EMS) at the 500 block of N. Market St. regarding a female having an allergic reaction. Chief Dick arrived on scene as EMS was in route from Schulenburg. Chief Dick notified the medics of the patient status, medics arrived shortly after and transported the patient to a local hospital.

03/19/2021 Chief Dick assisted a Department of Public Safety State Trooper, at mile marker 664 with a major two-vehicle accident, 18-wheeler fire on the opposite side of the Interstate, and grass fire on both sides of the Interstate. Chief Dick assessed the injured driver of one vehicle, updated the responding EMS crew of status and that AirEvac could be cancelled, and assisted EMS with patient care and packaging. The patient was transported to Austin by Fayette County EMS.

03/20/2021 Officer Stansberry was dispatched to the 200 Block of N. La Grange regarding a welfare concern about some people standing by the road. The officer spoke to a female subject that stated she had been in a verbal argument with another subject. She stated she was okay and was just walking to her family member's house. The officer made sure the subject made it to her family member's house. He resumed normal patrol duties.

03/22/2021 Officer George was dispatched to the 600 block of N. Converse regarding an elderly male subject that approached an employee at the local nursing home asking for help. Officer George spoke to the man and he stated he was having chest pains. Fayette County Emergency Medical Services were called to the location and the male subject was transported to a hospital for further assessment.

03/24/2021 Flatonia Officers received a complaint about vehicles traveling at high rates of speed on State Highway 95 South. Flatonia Officers have been running traffic in the area regularly to remind drivers to slow down in residential areas.

03/24/2021 Officer Stansberry was dispatched to Interstate 10 to assist with a vehicle pursuit initiated by Department of Public Safety State Troopers. The State Troopers were able to get the vehicle stopped at mile marker 659, the driver of the vehicle was taken into custody as the Flatonia Officer provided backup.

03/25/2021 Flatonia Officers were dispatched to a business at the 200 block of E. South Main St. for a missing person. A Harris County Sheriff's Office Deputy called the police department to advise officers that an individual that was missing from their county was believed to be within the city limits of Flatonia. Flatonia Officers were able to speak to the man, who stated he was fine and was just trying to get to Shiner. As the investigation continued and assistance from several agencies, including Shiner Police Department and Fayette County Sherriff's Office, the male subject was picked up several hours later by his caregivers.

03/30/2021 The Family Crisis Center out of Bastrop conducted a meeting with Lieutenant Pritchard about the month of April being Sexual Assault awareness month. The Police Department was given Teal Magnets by the Family Crisis Center for Sexual Assault Awareness Month, an annual campaign to raise public awareness about sexual assault and educate communities and individuals on how to prevent sexual violence.

NO FURTHER DETAILED INFORMATION IS PUBLISHED DUE TO ON GOING INVESTIGATION OF CASES.

Arrests and Pending Charges

Due to Covid-19 restrictions put in place at the state and local levels, arrests for minor violations are being handled in different manners such as citations and promises to appear.

No arrests for the month of March.

Code Enforcement

Flatonia Officers were dispatched to several calls regarding several animal complaints within the city.

Flatonia Officers received a code compliance complaint at a residence located at the 300 block of W. 6th St. Officers contacted the residents at the home and they advised the officers they would try to get the complaints taken care of as soon as possible.

Flatonia Officers contacted the owners of a property at the 500 block of S. Market St. about a code compliance complaint that was received. The owners of the property said that they were in the process of finding someone to help them clean up the property.

Traffic Contacts:

20

In-Service Training:

119 Hours

Animal Complaints - 5	Noise Complaints-	Accidents - 5
Scam Calls - 1	Disturbances - 1	Transient Calls - 1
Close Patrol - 87	Open Door - 4	Funeral Escorts - 1
Alarm Calls - 1	Suspicious Activity/Person - 9	Agency Assists - 12
Citizen assist - 21	Suspicious Vehicle- 4	Civil Matters - 1
Ministerial Vouchers - 0	Motorist assist - 1	Welfare Check - 4
Inquest – 0	Traffic Hazards - 2	Follow Ups - 1

March 2021

3/2

- New water tap on 5 Mile Creek Rd
- New water tap at the school
- Hook up new electric service on S Penn
- Hook up new electric service on S Faires
- Cut ditch and repair culverts on Old Hallettsville Rd @ Penn St.

3/4

- Change park lighting in front to LED

3/5

- Patching

3/8

- Repair water leak in the alley behind the Funeral Home
- Start on the water line replacement on 7th St. @ Penn

3/9

- Finished running 2" pipe on 7th St. Line in disinfection process

3/10

- Run new laterals to water meters on 7th St., flush main and take sample to lab

3/12

- Cross over customers from old 1" water line to new 2" water line on 7th St.

3/13

- Call out to suspected water leak, issue on customer side

3/14

- Call out for sewer blockage near Market & 10th

3/15

- Power outage Market & 8th, squirrel
- Turned on splash pad for the season
- Sewer blockage on 90 near Elm

3/22

- Saw out Hwy 90 in preparation to change out sewer line
- Fix electrical problem at apartments on Converse Street

3/23

- Pick up and install rebuilt aerator motor in aeration basin at sewer plant
- Take bucket truck to Schulenburg for service

3/25

- Replace bad pole on 3rd by Catholic Church
- Cover and shape north side of 7th St between Hudson & Penn

3/26

- Prep for Independence Run

3/29

- Water leak at Amigos
- Tear out fence on west side of Grifaldo property

3/30

- Replace sewer line in Hwy 90 @ Mesquite

3/31

- Repair electric line on Old Waelder Rd

CITY MANAGER'S REPORT
Prepared by Sarah Novo
City Council Meeting of April 13, 2021

1. Economic Development

- The EDC meeting will be held April 15th at 6:00 P.M.
- Local business developments:
 - a. Lyric Theatre hosted a ribbon cutting on March 26th at 10:30. Ice cream shop is now open!
 - b. The Donut Shop is now open!
 - c. El Toro Viejo is now open! Ribbon cutting is scheduled for April 21st at 10:30.
 - d. Olle Hotel is on the market
 - e. Subway building has sold
 - f. Old Dollar General has sold
 - g. Arnim building sold
 - h. Stein building under contract
 - i. The truck wash project is progressing.
 - j. Moeller's is on the market
 - k. Old pharmacy has sold
- Several area businesses have utilized the Façade Improvement Grant program which assists commercial business owners with a grant to improve the exterior appeal of their business. The grant covers up to 80% of the costs for façade work with a maximum cap of \$2,000. An application for the Façade Improvement Grant Program can be found at: http://www.flatoniatx.gov/page/facade_improvement_program



Lyric Theatre receiving their first delivery of Blue Bell Ice Cream

2. Public Services

- Spring clean-up dates are scheduled:
 - Limb Chipping 4/12-16 at 7PM and;
 - Bulk/Solid Waste collections on Saturday 4/17 (8-5) and 4/19-23 (4-6).
- Staff spent considerable time in event preparation, roadway repairs, and electrical repairs to a power pole that required replacement.
- Bulldog monument at Fisd placed by staff.
- Work on the street project list will begin April 8th.
- Repairs to broken lines under Highway 90 are complete.
- Staff submitted a request to Union Pacific requesting to paint the helicopter landing pad which is part of a lease agreement, and to potentially add a ramp to the location for ease of patient loading and transport in the event this pad needs to be available for air transport in the future.
- CDBG MIT grants were submitted on November 30, 2020 for (24M) completion of citywide drainage upgrades as well as for the (17M) construction of a mechanical wastewater treatment facility. No updates have been received to date in response to this submission.

- Administration has been selected for another CDBG 2021 infrastructure grant in the amount of 350k. Project selection and engineering assessments are underway.

3. Police

- Thursday, March 25th, the Fayette County Dispatch was notified by the Colorado County Sheriff's Office of a vehicle pursuit on I-10 traveling W/B towards Fayette County and that the pursuit started in Harris County where the driver of the vehicle had fired several shots at Harris County Constable's that were in pursuit. Flatonia Police Officers, along with several allied agencies responded to the pursuit. Law Enforcement was advised the vehicle's tires were spiked in Colorado County and the driver continued driving on rims. The vehicle entered Fayette County on I-10 W/B and came to a stop at the 671 MM about a mile past Schulenburg in the lane of traffic. The driver continued displaying a handgun as Law Enforcement had I-10 shut down east and westbound for the safety of traveling motorists. Flatonia Police officer Stansberry was dispatched to block mile marker 664 to keep civilians out of the line of fire. He parked his vehicle at that location with the lights on to block traffic and was away from his car when it was subsequently hit by a passing motorist. The patrol vehicle is out of commission and a claim has been filed.



Damaged Flatonia Police Patrol Vehicle

Meanwhile, Fayette County activated the Austin-Fayette County SRT team who responded to the scene to assist in the original pursuit. After a long standoff and attempted negotiations with the driver, CS gas was deployed by the SRT team to end the standoff as the driver fired his weapon suffering a self-inflicted gunshot wound around 08:50 am.

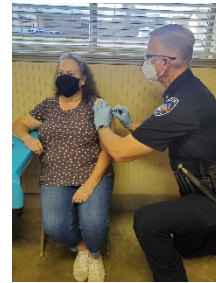
Due to traffic being shut down on I-10 in both directions, traffic was diverted onto US90 through Flatonia. The police department was spread thin due to being down a patrol vehicle and working an active scene, and the SRO was pulled from the school to assist. Around this time we experienced a silver alert in town requiring additional resources, and traffic was continuing to build up in town. The City Manager requested assistance from the Utility crew to help with traffic control which ultimately cleared around 11:00 am as I-10 was reopened.

- Prior to the recent loss of one of our police patrol vehicles, the Police department applied for a CAPCOG JAG grant in the amount of \$69,391.44 to fund the purchase of a police vehicle to replace aging patrol vehicles. On April 8th staff were advised that the City was successful in their application and will be awarded the requested amount for the purchase of a new patrol vehicle.
- Police Chief Dick and Sergeant Pritchard are TCOLE instructors and have been certified as contract training providers for the Flatonia Police Department. They will be hosting area police organizations for training with the first class being held the week of 4/12-4/16 and second is 4/19-23 at the Fire Station.
- Close patrol has been requested for traffic enforcement on 95 in response to recent concerns of speeding.

- The Police Department will be advertising to fill a vacant patrol officer position.

4. Covid-19

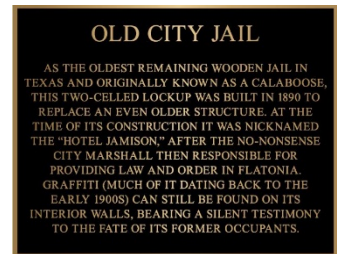
- The City of Flatonia in partnership with Fayette County and the National Guard hosted a COVID-19 Vaccine clinic on March 26th at the Civic Center with priority given to Flatonia residents. 100 vaccines were administered to those who signed up ahead of time.
- Fayette County EMS has also been out and about in Flatonia and Schulenburg providing vaccines to homebound residents and their families/caretakers. Teams provide home visits to residents who are unable to leave their home in order to administer the vaccine.
- Your Hometown Pharmacy (formerly called Main Street Pharmacy) is receiving Moderna and Johnson and Johnson vaccines. They hosted a large vaccination event April 8th, at their store.



Pictured: City Secretary Heather Ambrose and Police Chief Lee Dick (who holds an active Paramedic license)

5. Parks

- Parks Committee meeting will be held on Wednesday, April 28 at 6:00 P.M.
- The splash pad at Mc Whirter Park opened for the season on March 15th.
- The newly acquired 1-acre addition to McWhirter park has been mowed and cleared of dead trees and fencing. Staff will be disconnecting utilities to the property.
- Rotary will be assisting in the replacement of a roof on the equipment room at the City pool. The City is very grateful for their contribution.
- Sign acknowledging the history of the City Jail located in Flatonia Rail Park has been ordered and will be placed to provide visitors with the description of the buildings past.
- Staff are taking steps to open the pool this year. As the pool was closed last year due to Covid, the City has coordinated an insurance inspection this year to be better certain about the safety of the pool. Lifeguard applications have been received and a trainer is on stand-by until the inspection has been completed. Opening date TBD.
- Park rental and special event policies, procedures and proposed ordinances were presented to the Parks Commission on March 24th and approved for recommendation to Council.



Sign to be placed in front of Old City Jail in the Flatonia Rail Park.

6. Administration

- Staff are working to prepare personnel policies, job descriptions and salary schedules for City employees.
- Audit preparation is underway and staff is working closely with the Notz group to provide documents as requested by the audit team for their review.

7. Budget

- As the City prepares for the FY 21/22 budget cycle, executive staff and committees have begun discussion of potential Capital Improvement Projects for each department, project costs, potential funding sources and priorities. These will be guiding documents as we continue budget discussions and engage Council on future City planning and/or budgeting. Stay tuned for more information as we begin budget discussions.

8. Communications

- The City's Facebook page <https://www.facebook.com/FlatoniaTX> is growing and updated frequently.
- The City Manager provided presentations to the Rotary on March 4th and Lions club on March 23 regarding city-wide updates.
- A quarterly newsletter and spring clean-up inserts were mailed to all Flatonia utility customers in the latest billing cycle. Flyers were mailed in both English and Spanish.
- The City continues to make updates to the website including updating the city-wide event and meeting calendar. City meetings are posted on the website with a link to the agenda, and a reminder is also posted on the City's social media accounts. Please visit flatoniatrix.gov to look at our progress. Please reach out to the City anytime if you have any ideas on how we can improve.

9. Code Enforcement

- The next Code Enforcement Committee meeting will be held on Thursday, April 22nd at 6:00 PM.

10. Election

- Early voting will be held from April 19th – 27th and take place in the City Council Chambers. Election day is May 1, 2021. The City will hold a joint election with Flatonia ISD.

11. Upcoming Events

Crawfest – April 17th from 6-11 PM

El Toro Viejo ribbon cutting – April 21st at 10:30

Wine Walk – May 7th 6-9PM

Muffins and Mufflers – May 15th

Rotary Golf Tournament – May 15th



Flatonia City Council

Staff Report
April 13, 2021 Council Meeting

CONSENT

Agenda Item: Financial Report for the 2nd Quarter of FY 2020/21

City of Flatonia Quarterly Financial Report - Q2 2020/21 Through March 31, 2021

Sales Tax

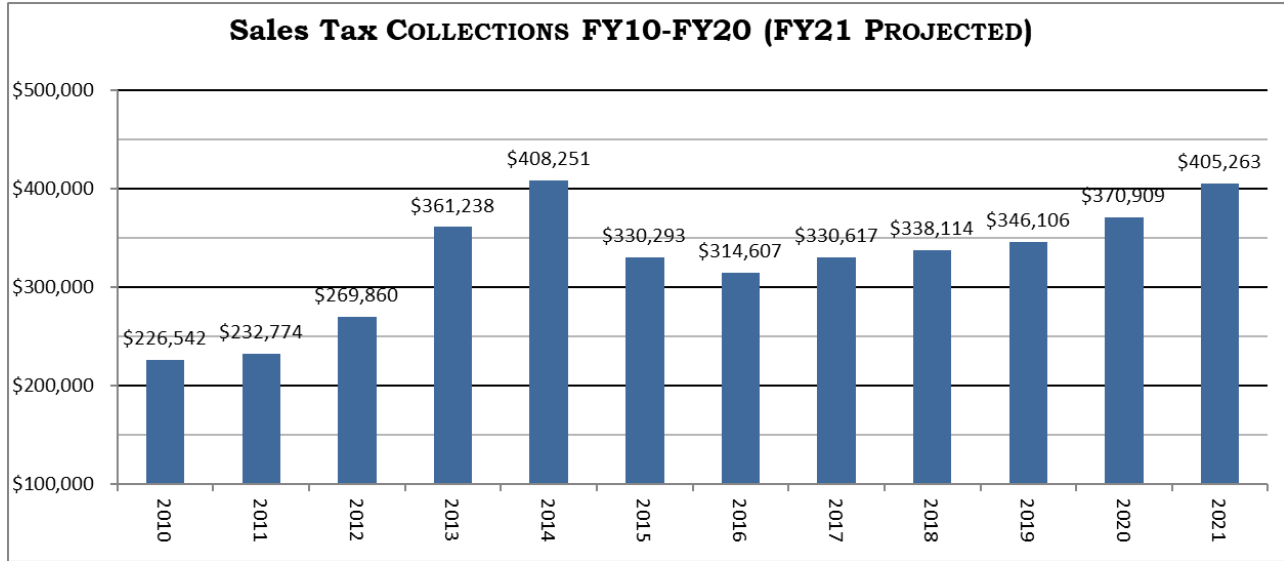


Table 1: Monthly City Sales Tax Collected (City & EDC)

FY	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2005	\$16,092	\$13,538	\$20,816	\$14,015	\$12,184	\$18,833	\$14,852	\$15,417	\$20,269	\$17,109	\$17,624	\$30,917	\$211,666
2006	\$15,984	\$18,905	\$29,292	\$15,314	\$13,666	\$17,522	\$14,947	\$16,069	\$18,773	\$17,482	\$15,530	\$17,103	\$210,588
2007	\$15,884	\$16,467	\$21,845	\$16,458	\$13,293	\$18,272	\$14,725	\$14,653	\$20,914	\$17,110	\$16,570	\$18,213	\$204,404
2008	\$15,408	\$15,353	\$20,588	\$14,256	\$14,081	\$18,754	\$15,908	\$15,581	\$20,186	\$20,270	\$17,394	\$21,439	\$209,219
2009	\$15,887	\$16,651	\$23,181	\$15,415	\$14,331	\$19,755	\$17,008	\$17,638	\$20,605	\$18,011	\$18,845	\$18,124	\$215,449
2010	\$16,328	\$18,954	\$20,729	\$15,164	\$19,771	\$19,423	\$13,527	\$19,070	\$24,517	\$19,356	\$15,308	\$24,396	\$226,542
2011	\$18,857	\$18,807	\$21,850	\$16,989	\$14,246	\$23,735	\$18,242	\$15,423	\$24,877	\$15,322	\$23,671	\$20,757	\$232,774
2012	\$16,424	\$21,174	\$24,862	\$18,582	\$18,704	\$29,274	\$16,942	\$24,848	\$25,806	\$22,436	\$28,019	\$22,790	\$269,860
2013	\$29,570	\$27,700	\$32,700	\$34,698	\$35,955	\$54,354	\$11,498	\$27,940	\$24,694	\$31,017	\$27,719	\$23,394	\$361,238
2014	\$29,595	\$28,802	\$34,140	\$39,940	\$24,734	\$36,487	\$38,547	\$38,425	\$24,466	\$45,171	\$30,913	\$37,031	\$408,251
2015	\$36,917	\$23,937	\$25,580	\$23,158	\$23,627	\$23,229	\$28,547	\$24,333	\$33,942	\$34,177	\$26,729	\$26,117	\$330,293
2016	\$26,022	\$25,388	\$37,405	\$20,823	\$36,249	\$24,603	\$14,156	\$32,057	\$21,173	\$22,404	\$31,502	\$22,825	\$314,607
2017	\$31,934	\$25,623	\$23,610	\$28,368	\$38,099	\$24,927	\$21,546	\$26,393	\$21,830	\$27,240	\$28,304	\$32,743	\$330,617
2018	\$27,874	\$26,655	\$28,291	\$30,222	\$28,469	\$25,403	\$26,234	\$27,225	\$31,115	\$29,412	\$28,117	\$29,096	\$338,114
2019	\$27,189	\$27,954	\$28,243	\$28,294	\$30,644	\$26,488	\$26,368	\$30,749	\$29,552	\$31,634	\$31,962	\$27,029	\$346,106
2020	\$33,658	\$27,057	\$39,009	\$26,557	\$26,309	\$30,475	\$26,253	\$31,465	\$34,018	\$30,306	\$34,053	\$31,748	\$370,909
2021	\$29,296	\$42,919	\$29,100	\$33,772	\$33,772	\$33,772	\$33,772	\$33,772	\$33,772	\$33,772	\$33,772	\$33,772	\$405,263

Table 2: Monthly City Sales Tax Collected (City Only)

FY	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2018	\$27,874	\$26,655	\$19,861	\$20,148	\$18,979	\$16,935	\$17,489	\$18,150	\$20,743	\$19,608	\$18,809	\$20,204	\$245,456
2019	\$18,616	\$17,785	\$17,147	\$20,339	\$22,192	\$15,910	\$16,904	\$21,156	\$18,927	\$21,215	\$21,301	\$18,013	\$229,505
2020	\$22,416	\$18,020	\$25,980	\$17,687	\$17,522	\$20,296	\$17,484	\$20,956	\$22,656	\$20,184	\$22,702	\$21,165	\$247,069
2021	\$19,530	\$28,613	\$19,400	\$22,514	\$22,514	\$22,514	\$22,514	\$22,514	\$22,514	\$22,514	\$22,514	\$22,514	\$270,169

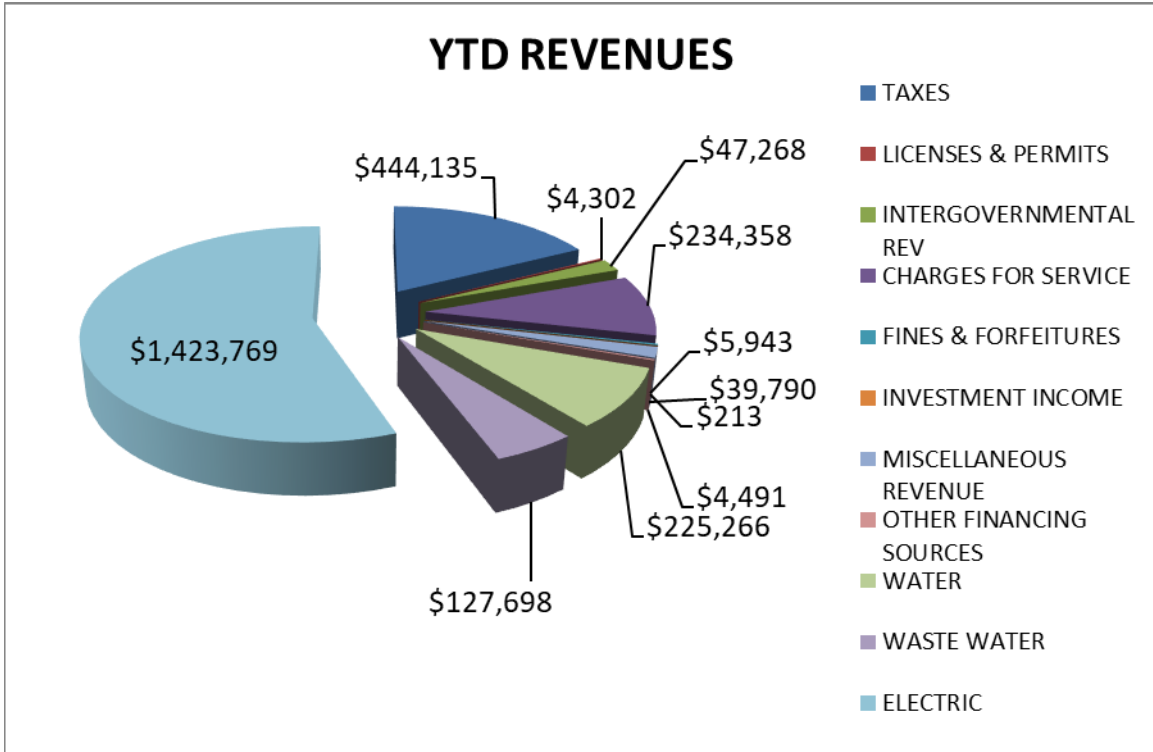
Table 3: Monthly City Sales Tax Collected (EDC Only)

FY	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2018	\$0	\$0	\$8,430	\$10,074	\$9,490	\$8,468	\$8,745	\$9,075	\$10,372	\$9,804	\$9,308	\$8,892	\$92,658
2019	\$8,573	\$10,169	\$11,096	\$7,955	\$8,452	\$10,578	\$9,464	\$9,593	\$10,625	\$10,418	\$10,661	\$9,016	\$116,601
2020	\$11,219	\$9,019	\$13,003	\$8,852	\$8,968	\$10,158	\$8,751	\$10,488	\$11,328	\$10,092	\$11,351	\$10,583	\$123,813
2021	\$9,765	\$14,306	\$9,700	\$11,257	\$11,257	\$11,257	\$11,257	\$11,257	\$11,257	\$11,257	\$11,257	\$11,257	\$135,085

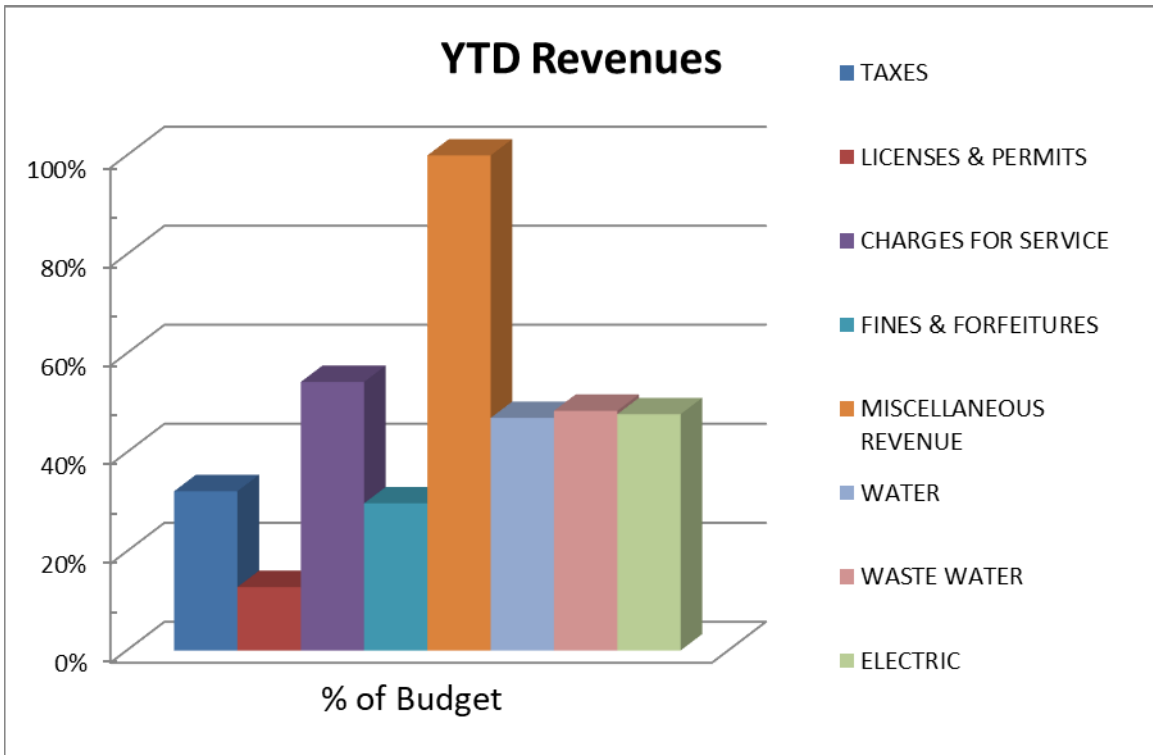
* Numbers in red include average from FY collected projected for the remainder of the FY

* Numbers in green reflect projected increase in sales tax revenue for this FY based upon projections

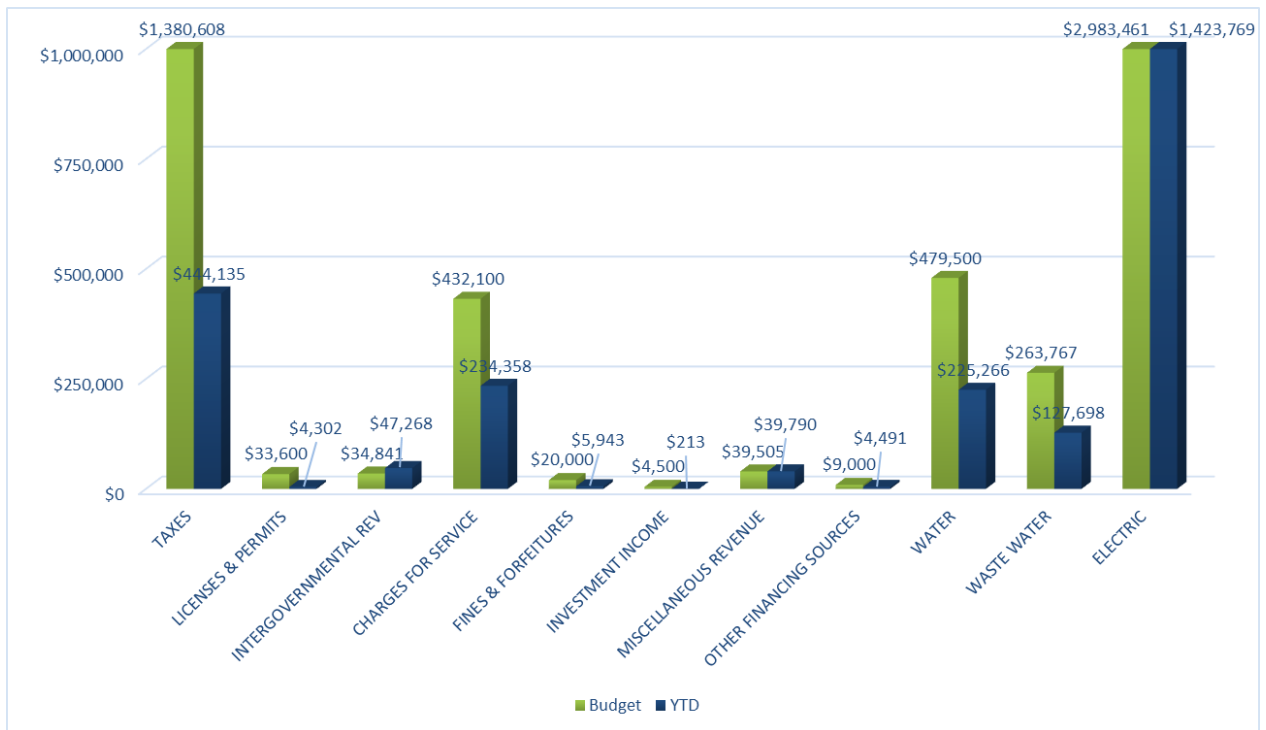
Revenues



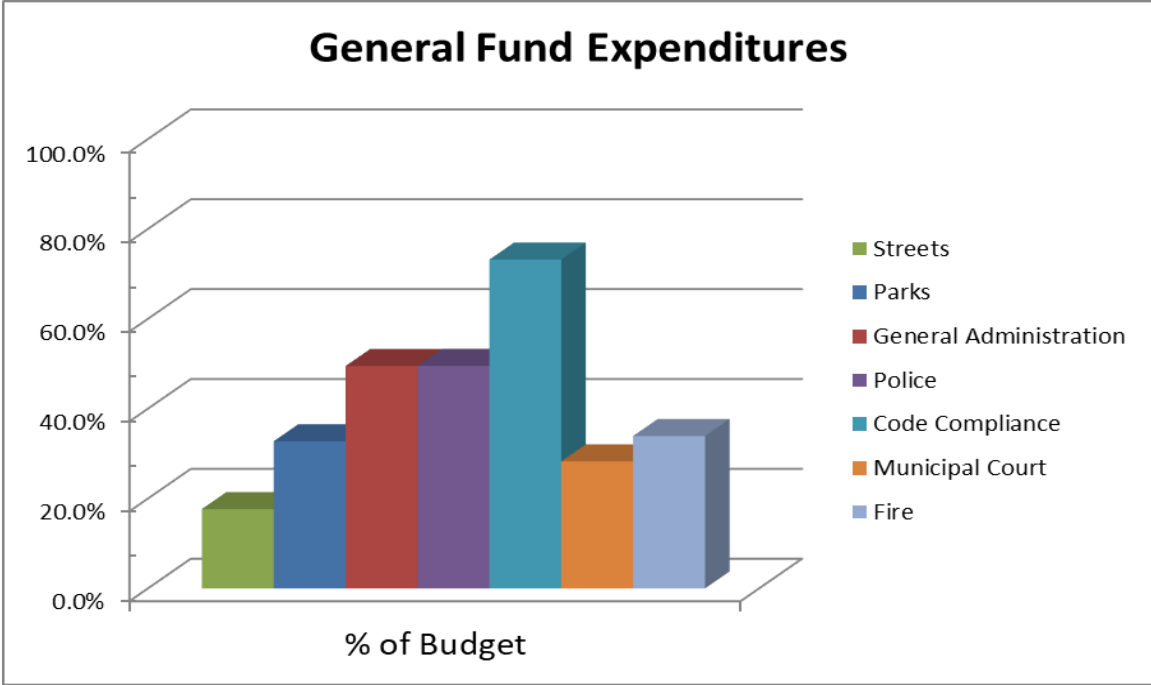
Revenue Source	Budget	YTD	% Budget	Budget Balance
TAXES	\$1,380,608	\$444,135	32%	\$936,473
LICENSES & PERMITS	\$33,600	\$4,302	13%	\$29,298
INTERGOVERNMENTAL REV	\$34,841	\$47,268	136%	-\$12,427
CHARGES FOR SERVICE	\$432,100	\$234,358	54%	\$197,742
FINES & FORFEITURES	\$20,000	\$5,943	30%	\$14,057
INVESTMENT INCOME	\$4,500	\$213	5%	\$4,287
MISCELLANEOUS REVENUE	\$39,505	\$39,790	101%	-\$285
OTHER FINANCING SOURCES	\$9,000	\$4,491	50%	\$4,509
WATER	\$479,500	\$225,266	47%	\$254,234
WASTE WATER	\$263,767	\$127,698	48%	\$136,069
ELECTRIC	\$2,983,461	\$1,423,769	48%	\$1,559,692
TOTAL REVENUE (All Funds)	\$5,680,882	\$2,557,233	45%	\$3,123,649



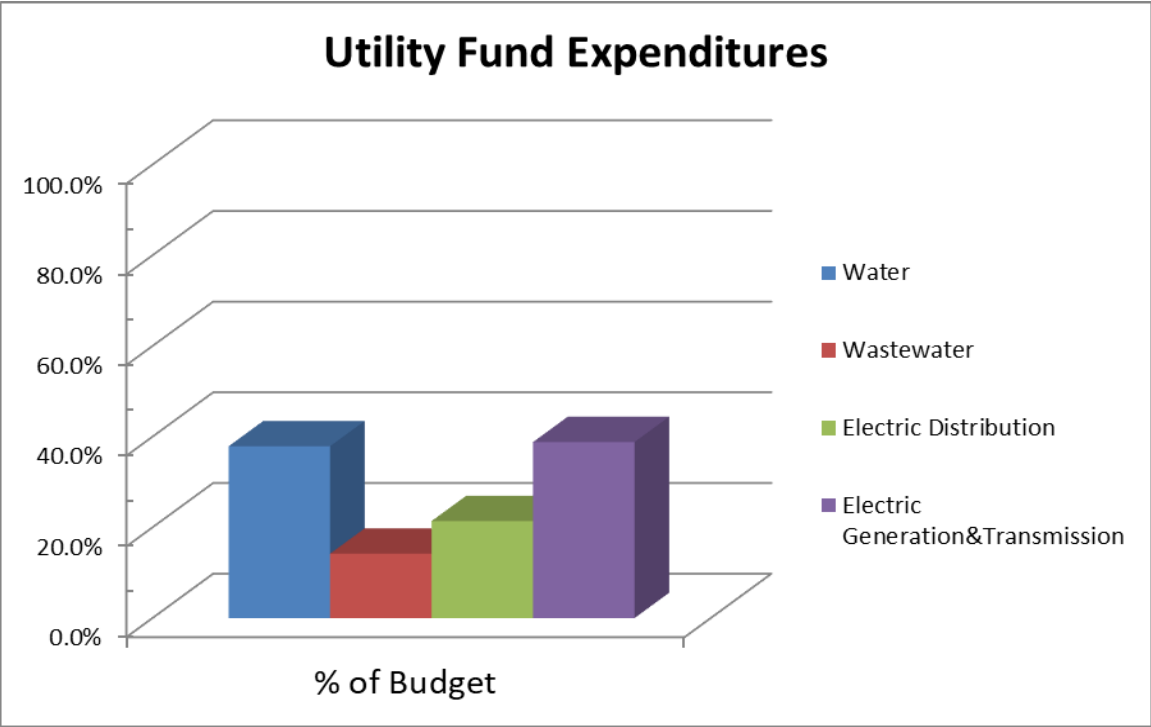
- Miscellaneous revenue increase was largely caused by insurance payout in the amount of 49,000 for the damaged fire truck. This fire truck is insured by the City but currently owned by the Flatonia Fire and Rescue non-profit.



Expenditures



- Code Compliance fund increase includes Bureau Veritas contract in addition to departmental retiree health insurance obligations.



Q1 2020/21 BUDGETED vs. YEAR-to-DATE			
General Fund Expenditures	Budget	YTD	% of Budget
Streets	\$112,318	\$19,852	17.7%
Parks	\$142,475	\$46,680	32.8%
General Administration	\$667,955	\$330,692	49.5%
Police	\$873,370	\$432,743	49.5%
Code Compliance	\$15,500	\$11,344	73.2%
Municipal Court	\$34,780	\$9,837	28.3%
Fire	\$197,910	\$67,171	33.9%
Total Expenditures General Fund	\$2,028,808	\$543,480	26.8%
Utility Fund Expenditures	Budget	YTD	% of Budget
Water	\$458,451	\$173,685	37.9%
Wastewater	\$230,080	\$32,675	14.2%
Electric Distribution	\$1,295,111	\$277,077	21.4%
Electric Generation&Transmission	\$1,768,715	\$686,589	38.8%
Total Expenditures Utility Fund	\$3,607,358	\$744,920	20.7%
* All numbers are current through March 31, 2021			

Hotel Occupancy Tax

Date	Check #	Transaction Detail	Deposits	Withdrawals	Balance
10/1/2020		Balance forward			\$27,066.39
10/1/2020	1092	Sign Ad invoice 254679		\$ 620.00	\$26,446.39
10/13/2020		Olle Hotel - 3Q 2020	\$ 633.61		\$27,080.00
10/14/2020		Town Cottages - 3Q 2020	\$ 76.16		\$27,156.16
10/20/2020	1093	Sign Ad invoice 255160		\$ 415.00	\$26,741.16
10/26/2020		Flatonia Hospitality, LLC - 3Q 2020	\$18,919.87		\$45,661.03
10/26/2020	1094	Flatonia Special Projects		\$ 3,750.00	\$41,911.03
10/26/2020	1095	E.A. Arnim Museum		\$ 6,563.00	\$35,348.03
10/26/2020	1096	Chamber of Commerce		\$ 8,438.00	\$26,910.03
10/26/2020	1097	Fayette Co. Tourism		\$ 2,500.00	\$24,410.03
11/3/2020		Carefree Inn - 3Q 2020	\$ 3,255.72		\$27,665.75
11/3/2020	1098	Sign Ad invoice 255632		\$ 620.00	\$27,045.75
11/12/2020		Sunset Inn - 3Q 2020	\$ 1,250.27		\$28,296.02
11/17/2020	1099	Sign Ad		\$ 415.00	\$27,881.02
12/3/2020	1100	Sign Ad		\$ 620.00	\$27,261.02
12/16/2020	1101	Sign Ad 257064		\$ 415.00	\$26,846.02
12/30/2020		Olle Hotel - 4Q 2020	\$ 1,278.82		\$28,124.84
1/4/2021		Harland (ordering 100 checks for account)		\$ 81.08	\$28,043.76
1/5/2021		Sunset Inn - 4Q 2020	\$ 1,080.17		\$29,123.93
1/5/2021	1102	Sign Ad 257561		\$ 415.00	\$28,708.93
1/19/2021	1103	Sign Ad 258013		\$ 640.00	\$28,068.93
1/28/2021		Best Western - 4Q 2020	\$19,085.67		\$47,154.60
1/28/2021	1104	Chamber of Commerce - 4Q 2020		\$ 8,438.00	\$38,716.60
1/28/2021	1105	Flatonia Special Projects - 4Q 2020		\$ 3,750.00	\$34,966.60
1/28/2021	1106	E.A. Arnim Museum - 4Q 2020		\$ 6,563.00	\$28,403.60
2/1/2021		Town Cottages - 4Q 2020	\$ 236.81		\$28,640.41
2/4/2021	1107	Sign Ad 258491		\$ 415.00	\$28,225.41
2/22/2021	1108	Sign Ad 258937		\$ 640.00	\$27,585.41
2/22/2021		Carefree Inn - 4Q 2020	\$ 2,781.01		\$30,366.42
3/1/2021	1109	Sign Ad 259374		\$ 415.00	\$29,951.42
3/18/2021	1110	Sign Ad 259891		\$ 640.00	\$29,311.42
3/29/2021		Efile 1099 and W2 Invoice 251757		\$ 20.29	\$29,291.13

As of report date, 1Q 2021 payments due April 30 and were not available for reporting.

4Q 2020	Payment Received by City				Checks paid to Chamber, Museum and Special Projects			
	Name of Payee	Amount of payment	Date paid	quarter payment is for	Date Paid	Paid to	Amount	
	Team Housing	0		December	Due Jan 31		% of collected	Max 75k cap
	Grumpy's Motor	\$ 1,080.17		December		Chamber	\$ 11,008.12	\$ 8,438.00
	Olle Hotel	\$ 1,278.82		December		Museum	\$ 8,561.87	\$ 6,563.00
	Town Cottages	\$ 236.81		December		Spec Proj	\$ 4,892.50	\$ 3,750.00
	Carefree Inn	\$ 2,781.01		December		City Retains		\$ 5,711.48
	Best Western	\$ 19,085.67		December			\$ 24,462.48	\$ 18,751.00
		\$ 24,462.48						



Flatonia City Council

Staff Report

April 13, 2021 Council Meeting

CONSENT

Agenda Item: Approve the appointment of Sharon Cosson to serve on the Flatonia Housing Authority Board of Commissioners to serve an unexpired term vacated by Annie Pustejovsky, commencing on the appointment date, and ending on February 9, 2023 and recommend that Mayor Milson complete required Certificate of Appointment forms.

Recommended Motion: I move to appoint Sharon Cosson to serve on the Flatonia Housing Authority Board of Commissioners to serve an unexpired term vacated by Annie Pustejovsky, commencing on the appointment date, and ending on February 9, 2023 and recommend that Mayor Milson complete required Certificate of Appointment forms.

Attachment: Letter and Certificate of Appointment from Executive Director of the Housing Authority of the City of Flatonia requesting the authorization of appointment of Sharon Cosson to serve on the Flatonia Housing Authority Board of Commissioners.

**FLATONIA HOUSING AUTHORITY
701 EAST MULBERRY/P.O. BOX 152
FLATONIA, TEXAS 78941
(361) 865-2534
(361) 865-2599-FAX**

March 29, 2021

Mayor Bryan Milson
City of Flatonia
P.O. Box 329
Flatonia, Texas 78941

Dear Mayor Milson:

Please appoint at the next scheduled city council meeting, Sharon Cosson to serve on the Board of Commissioners of the Housing Authority of the City of Flatonia. Sharon will be serving the unexpired term of Annie Pustejovsky, who desired to step down after reappointment.

Sharon's term shall be for one year and ten months, commencing with appointment date and ending on February 9, 2023. Please execute the Certificate of Appointment form for this appointment and return to the Authority.

This prospective commissioner has been in contact with the Housing Authority and has agreed to serve in this capacity.

Thank you for your time and consideration. Please call or come by my office, in the event you have any questions or concerns.

Sincerely,



Nancy Jasek
Executive Director

Certificate of Appointment

Under the authority invested in the undersigned and in conformance with
Subchapter C of Local Government Code Chapter 392

Sharon Cosson

is appointed

Commissioner

for the

Housing Authority of the City of Flatonia
City of Flatonia
Municipality

Presiding Officer

Date of Appointment April 13, 2021 Date of Expiration of Term Feb. 9, 2023



Flatonia City Council

Staff Report

April 13, 2021 Council Meeting

CONSENT

Agenda Item: Approve 1st Quarter FY 2020-2021 Hotel/Motel (HOT) Tax funding reports from the Flatonia Chamber of Commerce, Special Projects (Railpark), and Arnim Museum.

Recommended Motion: I move to approve 4th Quarter 2020 Hotel Occupancy Tax Expenditure Reports from the Flatonia Chamber of Commerce, Flatonia Special Projects and EA Arnim Archives and Museum.

Attachments: 1st Quarter FY 2020-2021 Hotel Occupancy Tax quarterly reports from the Flatonia Chamber of Commerce, Flatonia Special Projects (Railpark) and EA Arnim Archives and Museum.

E. A. Arnim Archives & Museum

Prepared by Judy Pate

Highlights of 1st Quarter 2021 Activities:

Visitors:

- Visitors starting to come in more steadily since the beginning of the year.
- We had a group of 40 scheduled to come from Houston on Thursday, February 18, but they had to cancel due to the extreme weather Texas was experiencing that week.

Conservation:

- We acquired two aerial photographs—one of Flatonia and one of Praha and environs—taken by military reconnaissance planes in about 1941. They are of particular interest as the one of Praha shows the exact location of Praha Lake, while the one of Flatonia shows Flatonia Fair Park with its buildings all still in place (five years after the last Flatonia Fair was held in 1936).
- We are in the process of planning for the conservation of a number of items that the museum will be acquiring from the Arnim & Lane building prior to its changing hands, as specified in the sales contract by the seller. The greatest conservation challenge will be a massive amount of commercial records in the form of ledgers, invoices and correspondence dating back to the 1880s.

Other:

- Board meeting for the first quarter held on March 23rd.

E. A. Arnim Archives & Museum of Flatonia

1st Quarter 2021 HOT Tax Income/Expense Report

Balance Forward		\$ 3,519.70
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HOT TAX INCOME IN 1st QUARTER

City of Flatonia		\$ 6,563.00
Interest Income		\$ 1.61
TOTAL INCOME		\$ 6,564.61

HOT TAX EXPENSES IN 1st QUARTER

Utilities		
Electric & Water	1,035.75	
Telephone & Internet	<u>261.67</u>	
TOTAL Utilities		1,297.42
Wages		1,422.19
Payroll Tax		373.32
Security		137.94
Office Expenses		124.13
Conservation		425.47
Advertising and Promotion		<u>895.00</u>
TOTAL EXPENSES		\$4,675.47

Balance Forward:		\$5,408.84
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FLATONIA CHAMBER OF COMMERCE
1st QTR HOT FUNDS REPORT FOR 2021
January, February, March 2021

DATE 2021	CHECK #	PAYABLE TO	EXPLANATION	AMOUNT
1-4	3286	Beverly Z. Ponder	Payroll 12-21-2020 to 1-1-2021	886.97
1-5	3287	Flatonia Argus	Christmas in Flatonia Ad	37.80
1-18	3288	Beverly Z. Ponder	Payroll 1-4 to 1-15-2021	886.97
1-19	3289	Hengst Printing	2021 Member Decals 150	95.00
1-19	3290	Trophy Tech	2021 Member Date Plates 150	450.00
1-26	3291	Amigos Country Corner	Jan/Feb Billboard Lease	500.00
2-16	3292	Beverly Z. Ponder	Payroll 2-1 to 2-12-2021	886.97
2-16	3293	Flatonia Rotary Club	Golf Hole Sponsor Reimbursed	100.00
2-16	3294	Hengst Printing	Chamber Personalized Envelopes	89.90
2-16	3295	Trophy Tech	5 Chamber Membership Plaques	92.00
3-1	3296	Beverly Z. Ponder	Payroll 2-15 to 2-26-2021	886.97
3-15	3297	Beverly Z. Ponder	Payroll 3-1 to 3-12-21	886.97
3-15	3298	Fayette County Record	Spring/Summer Visitors Guide Ad	100.00
3-15	3299	Flatonia Argus	Sig Ad Spring Sports	10.00
3-29	3300	Beverly Z. Ponder	Payroll 3-15 to 3-26-2021	886.97
3-29	3301	Amigos Country Corner	March/April Billboard Lease	500.00
3-29	3302	Hengst Printing	Case of Copy Paper for Flyers	49.95
3-29	3303	Trophy Tech	6 Chamber Membership Plaques	90.00
TOTAL				\$7,436.47

**Flatonia Special Projects
P. O. Box 14
Flatonia, Texas 79841**

4/6/2021

Mark Eversole, President

		Beginning Balance	
		4,923.45	
Re: First Quarter		Income	
	HOT Funds	3,750.00	
Total Income		3,750.00	
Expenses	Description		
	Rubin Cedillos	Mowing/Cleaning	-35.00
	Mary Jo Guynos, LLC	1099 Preparation	-60.00
	City of Flatonia	Utilities/ December	-213.33
		January	-305.45
		February	-317.25
	Dennis Olsovsky	Contract Labor	-960.00
	Flatonia Chamber of Commerce	Yearly Membership	-50.00
	Kate Horn	Supplies for Wine Walk	-70.09
	Speedy Buttons	Buttons for Visitors to museum	-119.81
Total Expenses			-2,130.93
Endng Balance			6,542.52



Flatonia City Council

Staff Report

April 13, 2021 Council Meeting

CONSENT

Agenda Item:

Approve minutes of the March 9, 2021 Regular City Council meeting.

Background:

Section 551.021 of the Government Code provides as follows:

(a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.

(b) The minutes must:

1. State the subject of each deliberation; and
2. Indicate the vote, order, decision, or other action taken.

Recommended Motion:

I move to approve the minutes of the March 9, 2021 Regular City Council meeting.

**Minutes
Flatonia City Council
Regular Meeting
March 9, 2021**

Present:

Mayor	Bryan Milson
Councilpersons	Catherine Steinhauser Mark Eversole Dennis Geesaman Ginny Sears Allen Kocian
City Staff	Sarah Novo – City Manager Angela Beck – City Attorney Jack Pavlas, Utilities Director Lee Dick, Police Chief Heather Ambrose – City Secretary

OPENING AGENDA

Call to Order:

Mayor Milson called the Regular meeting to order at 6:00 p.m.

Invocation and Pledge:

The invocation was led by Council and Mayor Bryan Milson led the pledges to the American and Texas flags.

Citizen’s Participation:

Citizen Susan Ivey spoke related to the topic of streetlights. Ms. Ivey explained that when she comes home after dark it is difficult to see the area, including where to turn. Ms. Ivey added that she thinks there has been some increase in crime in the area and she requests that the City consider lighting improvements to help with the problem.

REPORTS

Police Department Activity Report *February 2021*

Chief Lee Dick was in attendance. Nothing new was added.

Utility Department Activity Report *February 2021*

Utility Director Jack Pavlas was in attendance. Nothing new was added.

City Manager’s Report *February 2021*

City Manager Sarah Novo was in attendance. City Manager Novo added that she appreciated the team effort in gathering information related to the streetlights. Next month Ms. Novo hopes to have the online utility payment system up and running.

CONSENT AGENDA

Approve minutes of the February 9, 2021 Regular City Council Meeting.

Approve the reappointment of Shawn Bruns, Ginny Sears, Kate Horn, and David Zapalac to serve on the Flatonia Parks Board Commission for a term commencing on the appointment date and ending on April, 2023.

Catherine Steinhauser made a motion to approve the consent agenda. Allen Kocian seconded the motion. None opposed. Motion carried.

PROCLAMATIONS

National Vietnam War Veteran's Day on March 29th

Mayor Bryan Milson read a Proclamation naming March 29, 2021 as National Vietnam Veteran's Day. The Proclamation was presented to citizen and Vietnam Veteran, Ervan Zouzalik.

PRESENTATIONS

Presentation of the 2020-21 Street Improvements list by Utility Director Jack Pavlas.

Jack gave a slide presentation of the upcoming street improvements related to location and scope of the project. No action.

DELIBERATION AGENDA

3.1.2021.1 City Council to consider and take appropriate action on approving a contract with the Fayette County Elections Administrator to conduct the May 1, 2021 General Election for the City of Flatonia in substantially the same form as set forth in Exhibit A.

Ginny Sears made a motion to approve a contract with the Fayette County Elections Administrator to conduct the May 1, 2021 General Election for the City of Flatonia in substantially the same form as set forth in Exhibit A. Allen Kocian seconded the motion. Motion carried 4-0 with Catherine Steinhauser abstaining.

3.1.2021.2 City Council to consider and take appropriate action on approving a contract with the Flatonia Independent School District to hold a joint election with the City of Flatonia at the May 1, 2021 General Election in substantially the same form as set forth in Exhibit A.

Catherine Steinhauser made the motion to approve a contract with the Flatonia Independent School District to hold a joint election with the City of Flatonia at the May 1, 2021 General Election in substantially the same form as set forth in Exhibit A. Allen Kocian seconded the motion. None opposed. Motion carried.

3.1.2021.3 City Council to consider and take appropriate action on Resolution 2021.3.1 of the City of Flatonia, Texas, approving a corrected order of a General City Election to be held on the 1st day of May 2021, for the purpose of electing three (3) Council Members, for two-year terms each; providing for election officers; designating the place and manner of

holding said election; providing for notice of said election and the conduct thereof; approving a joint election with Flatonia ISD; and providing an effective date.

Dennis Geesaman made the motion to approve Resolution 2021.3.1. Catherine Steinhauser seconded the motion. None opposed. Motion carried.

3.1.2021.4 Consider and take appropriate action on ordinance repealing Article 1.15, Boards, Committees and Commissions, Sections 1.15.031 through Section 1.15.046, inclusive of Division 2, entitled Economic Development Commission, Chapter 1, General Provisions, of the City of Flatonia Code of Ordinances, as no longer necessary or advisable inasmuch as the citizens of the City of Flatonia did, on May 6, 2017, by special election, establish a 4B Economic Development Corporation, and establishing an effective date.

Dennis Geesaman made the motion to approve ordinance 2021.3.1 repealing Article 1.15, Boards, Committees and Commissions, Sections 1.15.031 through Section 1.15.046, inclusive of Division 2, entitled Economic Development Commission, Chapter 1, General Provisions, of the City of Flatonia Code of Ordinances, as no longer necessary or advisable inasmuch as the citizens of the City of Flatonia did, on May 6, 2017, by special election, establish a 4B Economic Development Corporation. Ginny Sears seconded the motion. None opposed. Motion carried.

3.1.2021.5 Consideration, discussion and possible action concerning award of the engineering services contract for the preparation of the City's 2021-2022 Texas Community Development Block Grant (TxCDBG) application and subsequent engineering contract if funded to BEFCO Engineering, Inc.

The planned project is for improved infrastructure under city streets. Catherine Steinhauser made the motion to award the engineering services contract for the preparation of the City's 2021-2022 Texas Community Development Block Grant (TxCDBG) application and subsequent engineering contract if funded to BEFCO Engineering, Inc. Seconded by Allan Kocian. None opposed. Motion carried.

3.1.2021.6 Council to discuss, consider, and possibly take appropriate action on the City streetlight system to include possible evaluation of the system to determine what, if any plans might result from that evaluation, and, if necessary, provide City Manager with direction on future planning.

City staff, including members of the Police Department, did a study of the streetlights throughout town and made some recommendations as to which areas would be improved by new or replaced lighting. Councilmember Dennis Geesaman recommended a policy be developed related to where and why streetlights are replaced or added as opposed to a list. City Manager Novo will work on such a policy.

Catherine Steinhauser made the motion instructing the City Manager and staff to begin a study of the City streetlight system and identify and forecast the necessary materials and manpower to implement such a system and that the information be provided by the June 2021 meeting before a budget workshop is held. Seconded by Dennis Geesaman. None opposed. Motion carried.

The meeting was adjourned at 7:00 P.M.

Signed

Approved this 13th day of April 2021.

Bryan Milson
Mayor

Attest

Heather Ambrose
City Secretary

PROCLAMATION

WHEREAS: As we all continue to deal with the ongoing COVID-19 (Coronavirus) pandemic, we are reminded of the importance of maintaining a clean and healthy environment. The global community faces extraordinary challenges such as global health issues, food and water shortages, and economic struggles. All people, regardless of race, gender, income, or geography have a right to a healthy, sustainable environment as well as economic growth and opportunities; and

WHEREAS: Enhancing and improving our green economy will require cooperation across all sectors of society. We are all caretakers of our planet and have an obligation to combat climate change and environmental degradation to preserve the Earth's beauty as well as its resources; and

WHEREAS: This obligation extends not only to today's caretakers but also to future generations who will inherit our planet. Today marks the Anniversary of Earth Day and the City of Flatonia is committed to building on the successes we have achieved so far and look to support this issue of environmental protection through local activism and raising local awareness; and

WHEREAS: The citizens, businesses, and City of Flatonia staff and City Council place a high priority on maintaining the beauty and health of the Flatonia environment.

NOW, THEREFORE I, Bryan Milson, Mayor of Flatonia, Texas do hereby proclaim Thursday, April 22, 2021 as EARTH DAY and encourage all citizens to join with me in acknowledging this event and participate suitably in its observance.

Earth Day, 2021

IN WITNESS WHEREOF, I have hereunto set me hand
and seal of the City of Flatonia, Texas
this 13th day of April 2021

Bryan Milson, Mayor, City of Flatonia, TX

PROCLAMATION

WHEREAS: Nearly 200,000 children in Texas are reported as abused or neglected every year; and

WHEREAS: Child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and

WHEREAS: Communities must make every effort to promote programs that benefit children and their families; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships among agencies, schools, religious organizations, law enforcement agencies, and the business community; and

WHEREAS: Everyone in the community should become more aware of child abuse prevention and consider helping parents raise their children in a safe, nurturing environment;

NOW, THEREFORE I, Bryan Milson), Mayor of Flatonia, Texas do hereby proclaim the month of April 2021 to be Child Abuse Prevention Month in Flatonia, Texas and urge all citizens to do what they can to help reduce child abuse and neglect significantly in the years to come.

Child Abuse Prevention Month

IN WITNESS WHEREOF, I have hereunto set me hand
and seal of the City of Flatonia, Texas
this 13th day of April 2021

Bryan Milson, Mayor, City of Flatonia, TX



FOR IMMEDIATE RELEASE

April 1, 2021

Contact: Rita Coduto
512.409.0771
ritafloyd@casabastrop.com

CASA of Bastrop, Fayette & Lee Counties Focuses on Supporting Families during National Child Abuse Prevention Month

BASTROP, TEXAS – April is National Child Abuse Prevention Month, and CASA of Bastrop, Fayette & Lee Counties is raising awareness of the need for more dedicated members of the community to step up and become CASA volunteers, and help end child abuse and neglect, through supporting children and their families.

CASA volunteers, or Court Appointed Special Advocates, are everyday people from all walks of life who are recruited and specially trained to advocate for children in foster care and provide a consistent, reliable adult presence for them during a difficult time in their life.

“Our volunteers’ first priority is to keep families together whenever safe and possible,” said Kristi Glasper, executive director of CASA of Bastrop, Fayette & Lee Counties. “Foster care is only a temporary solution to the problems at hand. We need to create long term support networks that work to care for families, make reunification a possibility, and help break the cycle for the next generation.”

CASA volunteers are assigned to one child or sibling group to advocate for their best interest in court, in school and in other settings. They get to know the child and everyone involved in their life, such as their parents and other family members, foster parents, therapists, caseworkers and teachers, in order to develop a realistic picture of the child’s unique situation. They engage those important to the child and family in order to build a network of support around them, so that the family has access to support and resources after the case ends. They make recommendations to the judge overseeing the child’s case, with the goal of ensuring that the child is safe and the family has the resources, support and healthy relationships needed to heal.

Locally, CASA of Bastrop, Fayette & Lee Counties served 347 children in the foster care system in Bastrop, Fayette & Lee Counties, which means there are still 81 children who need someone to advocate for them. This April, consider stepping up to make a difference by becoming a CASA volunteer.

“There is always a need for more CASA volunteers,” said Glasper. “By becoming a volunteer, you can take your efforts *beyond* just awareness, and do your part to help support children and families in crisis right here in our community.”

When reunification is not a possibility for the children they serve, CASA volunteers work to find others that can provide a positive, healthy and loving environment. These can include relatives, friends or other adults that are important in the child’s life—keeping a child connected to their home community.

“We at CASA of Bastrop, Fayette & Lee Counties always hope for the day when CASA, foster care and a national month dedicated to child abuse prevention are no longer needed because all children are growing up safe, secure and supported with their families,” said Glasper. “Until then, we will continue to seek more members of the community to join our growing movement so that we can provide a CASA volunteer for every child who needs one.”

April is National Child Abuse Prevention Month. If you see abuse, report it to 1 (800) 252-5400 or go to www.txabusehotline.org. If a child’s life is in danger, call 911. For more information on CASA, visit www.BecomeaCASA.org or www.casabfl.org. The next CASA Volunteer Training is scheduled for May 2021. Please call 512.409.0771 to learn more.

XXX

PROCLAMATION

WHEREAS: The Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS: The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS: The City of Flatonia is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS: Our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS: More than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS: Acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness.

NOW, THEREFORE I, Bryan Milson, Mayor of Flatonia, Texas do hereby proclaim the month of April 2021 to be Fair Housing Month in Flatonia, Texas and urge all members of our community to be committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of Flatonia.

Fair Housing Month

IN WITNESS WHEREOF, I have hereunto set me hand
and seal of the City of Flatonia, Texas
this 13th day of April 2021

Bryan Milson, Mayor, City of Flatonia, TX



Flatonia City Council

Staff Report
April 13, 2021 Council Meeting

PRESENTATIONS

Agenda Item: Parks Board presentation of recommended parks projects by Brad Cosson.

Recommended Motion: None, discussion only.

Attachments: Parks Projects presentation

Flatonia Parks

Presentation to Flatonia City Council

April 13,2021

A presentation from Flatonia Parks Committee to Flatonia City Council with recommended planning and budgeting for park improvements as well as repairs/maintenance for the next three fiscal years.

City of Flatonia and Parks

- The latest Comprehensive Plan for the City of Flatonia (2020-2040) was used as a guide for long-range planning.
- Section “H” of the Comprehensive Plan discusses the need for small park sites for children away from busy highways. The Flatonia City Council has already started this process with the dedication of land for Flato Park.

Improvements

Other Park recommendations in the Comprehensive Plan includes adding outdoor exercise equipment, more basketball courts, improved lighting, and additional baseball fields.

How is this accomplished?

Section “I” of the Comprehensive Plan addresses the Capital Improvements Program. The program’s purpose is to identify needed public improvements by topics, urgency of need, and multi-year scheduling with construction dates.

Scheduling of the Capital Improvements will depend on the availability of fiscal resources from City Council Budgeting as well as any grants available/attainable.

Our Parks

- The following parks are part of the Flatonia Park System:
- Central Memorial Park
- Flatonia Rail Park
- Flato Park
- 7 Acre Park
- McWhirter Park
- Garbade Park

Flato Park

- This is the newest park and is undeveloped land at this time. Full planning and development is required.
- Estimated Cost for playground equipment \$20,000
- Benches, tables, trashcans \$ 4,500

- Recommended for Fiscal Year 2023/24

7 Acre Park

- Currently this park has a soccer field, skate park, disc golf, walking trail, ample parking, tables, benches, bbq grills, and trash cans.
- Future wants and needs: Outdoor exercise equipment \$ 18,500
- Trail lighting \$20,000

Recommend for FY 2022/23. Priority 1 exercise equipment
Priority Code 2 for trail lights.

See next slide for an example of a cluster of equipment.

Example of Cluster-Exercise Equipment



Central Memorial Park

- This park is near full development and we have no expansion recommendations nor do we see long range funding required for this park.

Flatonia Rail Park

- In Flatonia Rail Park, we have a Caboose, Tower #3, the Old City Jail, walking trails and picnic tables.
- Recommendation for this park involves a repair/reconstruction of the bridge that allows the approach from South Main Street to the Old Jail.

Parks Committee recommends an amount of \$3,500.00 and that this be in the Fiscal Year 2021/22 budget.

Priority Code # 5

McWhirter Park

- This park contains the recently developed Splashpad, playground, basketball court, swimming pool, walking trails, volleyball, gazebo as well as baseball and softball fields. A new Little League field is in the planning stages.
- This park has an extensive list of wants and needs:

Swimming Pool improvement/repairs:		Priority
• Roof replacement and extension over restrooms	\$25,000	1
• Basketball court (epoxy)	\$ 2,500	2

McWhirter (continuation)

		Priority
• Fence repair/replace to outfield at softball field	\$6,400	4
• Roof repair/replace concession stand	\$4,100	3
Parks recommendation is for these items to be included in Fiscal Year 2021/22 budget.		
Splashpad Pavilion	\$4,600	3
Parks recommendation is FY 2022/23		

Garbade Park

- Concession stand roof repair/replacement \$4,100
- Parks recommendation is funding in Fiscal Year 2021/22.
- Priority Code # 3

Summary of Recommendations

- Fiscal Year 2021/22

1. Roof over Pool	\$25,000
2. Basketball Court Paint	2,500
3. Roof concession stands	8,200
4. Softball Outfield Fence	6,400
5. Bridge at Rail Park	3,500

Continued Summary

Fiscal Year 2022/23

1. Exercise Pod	\$18,500
2. Trail Lights	20,000
3. Splashpad Pavilion	4,600

Continued Summary

Fiscal Year 2023/24

1. Flato Park Equipment \$24,500



Flatonia City Council

Staff Report

April 13, 2021 Council Meeting

WORKSHOP

Agenda Item: Workshop related to possible amendments to the City of Flatonia Park policies and fee schedule.

Background: The attached draft policy was taken to the Parks & Recreation Committee meeting on March 24, 2021. The Committee was not prepared to make a recommendation that evening. However, due to the need for policies to be in place, the Council is requested to review the draft to determine what changes they would recommend and possibly place for an agenda item soon.

The draft before you this evening is the same that was provided to the Parks Committee. Notes have been added in the margins as explanation of why staff included specific sections.

There are no parks policies or rules in place at this time aside from the restriction to no drilling and mining.

Recommended Motion: None, discussion only.

Attachments: DRAFT parks policies for ordinance

Chapter 1.13 – PARKS AND RECREATION

- **Purpose and findings.**

A. This chapter sets forth standards for park utilization and maintenance to maintain and protect the city's parks and recreation facilities and to ensure their availability as a shared resource to all members of the public.

B. A city may charge for use or services provided in city parks so long as the charges do not exceed the cost of service. By resolution or ordinance duly adopted, as applicable, the city may charge fees for park use and use of various facilities or services at one or more of the city parks or recreation facilities, and add to, subtract from, increase or decrease such charges in amounts reasonably necessary to recover the cost of operating the parks and providing the various services and facilities therein.

- **Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

"Alcoholic beverages" means alcohol, spirits, liquor, beer, wine, or other liquid which contains one-half of one percent or more of alcohol by volume.

"Authorized official" means an employee of the City of Flatonia to whom authority to administer and enforce the provisions of this policy have been granted by the City Manager.

"Commercial activity" means selling, offering for sale, or vending any goods, wares, merchandise, service, performance, or other thing of value, for immediate or future delivery, or requesting monetary donations, pledges, or other things of value for a charitable, religious, cultural, or any other cause.

"Department" means the city department directed by the City Manager to oversee parks and recreation facilities in the city.

"Designated area" means an area specially equipped or posted with appropriate signs for camping, picnicking, parking of motor vehicles or other authorized activity.

"Director" means the Utility Director or his or her authorized representative of the department which oversees parks and recreation facilities in the city.

"Facility" or "park facility" means any body of water, land, campsite, recreation area, building, structure, system, equipment, machinery, or other appurtenance owned, managed, controlled, or operated by the City of Flatonia.

"Overnight" means the one hour after sunset and sunrise of the following day.

"Peace officer" means a person elected, employed, or appointed as a peace officer by law.

"Permit" means written authorization to make use of any park, recreation area or portion thereof, and includes any conditions set forth herein.

"Picnicking" means the consumption of food or beverages.

Commented [HA1]: Commercial activity should be considered in the big picture. While some commercial activities may be acceptable, or even advantageous, to the public others may not. For example, if there is no permitting or provision for oversight by the City any commercial activity would be allowed regardless of its unpopularity, inappropriateness etc. In addition, the City's pool could be rented in the evenings at its very inexpensive rate for someone's commercial use therefore denying the use to private citizens.

"Recreation area" means all parks, places, greenbelts, gardens, and any other property owned by the city, including structures thereon, used, operated, or maintained for recreational purposes, whether active or passive. The term "owned" shall mean any property interest under which the city operates, maintains, or controls such property. The term shall also include any property owned and maintained as open space.

"Trash" means garbage, solid waste, refuse, litter, paper, animal and vegetable matter, and rubbish.

"Vehicle" means a device by which any person or property may be propelled, moved, or drawn, including bicycles.

- **Permit required; application contents.**

Whenever a permit is required by provisions in this chapter, an application shall be filed with the city manager or designee stating (as applicable):

- A. The name and address of the applicant;
- B. The name and address of the person, group, organization, or corporation sponsoring the activity;
- C. The nature of the proposed activity;
- D. The dates, hours, and city facility for which the permit is desired;
- E. An estimate of attendance; and
- F. Any other information which the manager or designee, regarding public health, safety, and welfare, finds reasonably necessary to a fair determination as to whether a permit should be issued.
- G. Map or diagram of the event location including proposed set up, ingress and egress, utilities needed, and/or parking.
- H. Before final permit approval, a copy of liability insurance naming City as additional insured will be required.

- **Insurance.**

The individual or entity involved in a commercial use of the park or other City property shall provide proof of insurance to the city in the amount of \$1,000,000 which names the city, and its officers, employees, volunteers and officials as additionally insured. Proof of insurance must be received by the City of Flatonia prior to the issuance of a special use permit.

- (A) Due to special risks associated with the use of the items listed below, an application requesting a special permit to allow the use of said items and proof of insurance in the amount of \$1,000,000 which names the city, and its officers, employees, volunteers, and officials as additionally insured, must be submitted to the parks department a minimum of three (3) business days (excluding holidays) prior to an event: (I) moonwalks, bouncy castles, or other inflatable play areas; (II) Climbing walls; and (III) Any other item which, at the discretion of the parks department and/or the City Manager, poses a unique safety concern.
- (B) To avoid the potential removal of an item from the park during an event, it is advisable to notify the City of any specialty item a patron wishes to have at an event to confirm

Commented [HA2]: Requiring a permit is one way of ensuring the City is aware of the "who, what, when, where" of an event, sale or service. It helps to better protect the citizens and the City as an entity. Having a permit doesn't mean it will be difficult to receive one or that one will be denied, but only that it will be regulated, monitored and approved.

Commented [HA3]: For some commercial uses, a lower amount may be more reasonable and might be considered depending on the purpose and event/use. For example, someone doing yoga classes will have far less risk than a group hosting a carnival, for example.

if insurance will be necessary. The City will not be held liable for items left in the City parks.

- **Permit—Standards for issuance.**

The Manager or designee may issue a permit hereunder when he or she finds:

- A. That the proposed activity or use of City property will not unreasonably interfere with or detract from public enjoyment;
- B. That the proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation;
- C. That all conditions including, where applicable, any further approvals by regulatory agencies or the City Council, the payment of fees, and insurance coverage are met;
- D. That the proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct;
- E. That the proposed activity or use will not entail unusual, extraordinary, or burdensome expense, resources, or security operation by the City; and
- F. That the facilities desired have not been reserved for other use.

- **Failure to obtain required permit.**

No person shall use, occupy, or otherwise remain in any City facility or portion thereof for which a permit is required without first having obtained such permit.

Park space is available on a first come, first served basis. Users shall first obtain a permit to ensure availability.

Tables in city-owned parks may not be reserved and are available on a first come, first served basis unless included as part of a permit application.

- **Priority of use.**

Any person using a park or City facility or portion thereof which may be reserved by obtaining a permit, but who has not obtained such a permit, shall vacate said area when holders of a valid permit present themselves.

- **Exhibiting permit.**

No person shall fail to produce and exhibit a permit he claims to have upon request of any City employee or any peace officer who desires to inspect said permit for the purpose of enforcing compliance with any regulations in this chapter.

- **Recreation programs.**

The fees charged for recreation classes, special events, and sports leagues shall be set by the Utility Director subject to the approval of the City Manager and City Council, by ordinance.

- **Refundable deposits.**

Commented [HA4]: Because of the first come, first served basis, we use a permit to allow people to have some certainty an amenity will be available. There is an option for reserving the pavilion on the City's website (at McWhirter Park) for \$75 fee/\$100 deposit already but it was simply never in the Code. While the Parks Board didn't commit to a recommendation for rental of spaces such as the pavilion and gazebos, City staff feel it is important for citizens to have this option.

A refundable deposit shall be charged for the use of facilities and equipment in addition to user fees. All deposits shall be returned if the users do not damage equipment or facilities, leave the facility in a litter-free condition, and return equipment.

- **Waiving of fees.**

The city manager or designee may waive all or a portion of a fee when appropriate.

- **Park improvement and acquisition account.**

- (a) Establishment of account. A Parks Improvement and Acquisition Account is hereby established.
- (b) Funds to be deposited. Contributions and donations from any source which are earmarked by the donor for use by the Parks Department shall be deposited in the Parks Improvement and Acquisition Account.
- (c) Payments from developers and subdividers. Payments of cash in lieu of land from developers and subdividers shall be deposited in the park improvement and acquisition account.
- (d) Use of funds. Expenditures from the Parks Improvement and Acquisition Account shall be used exclusively for improvement of existing and future parks and for the acquisition of land for future parks.

- **Restrictions in all recreation areas.**

It shall be unlawful and a violation of this chapter for any person, entity, or organization to (without prior authorization and permit):

- A. Enter or remain on the premises after the established closing hours.
- B. Operate or park a vehicle in other than designated areas or over established roads.
- C. Operate a vehicle more than fifteen (15) miles per hour on roads designated as park roads.
- D. Park or allow any vehicle to remain more than eight (8) consecutive hours.
- E. Start or maintain fire(s) in parks, except for barbecuing food, using established barbecue facilities or personal portable barbecues within designated picnic areas. No person shall fail to fully extinguish live coals, embers, or fires before leaving the barbecue facilities or picnic area. No live coals, embers, or fires shall be disposed of in the park trash can receptacles. Fires of any kind may be prohibited during County mandated burn bans or for other reasons as determined by the City Manager.
- F. Allow or permit any person under the age of six (6) under their custody, jurisdiction or control, to enter or remain without providing adequate supervision.
- G. Leave, drop, place, or deposit any trash in any other location except receptacles provided for trash. Pet waste should be picked up and placed in a bag, closed, and disposed of in the trash receptacle.
- H. Conduct or carry on an assembly of more than twenty-five people in a park, which assembly is intended or can reasonably be expected to last more than thirty minutes or which does in fact last more than thirty minutes, without first obtaining a permit from the city manager or designee. Youth sports groups and other similar groups with a valid Agreement on file are exempt from this restriction unless the purpose of the assembly is outside the scope of the current Agreement.

Commented [HA5]: The purpose of this account is to offset the expenses associated with the number of parks and amenities therein. Equipment, structures and grounds must be maintained to ensure safety and aesthetics. The City works with a tight budget and the addition of and planning for more new properties and equipment, as well as those that need to be replaced, needs to be considered. This additional need places a strain on an already tight budget. An account would help set aside funds specifically for that use.

- **Prohibited activities.**

Horses and farm animals are strictly prohibited in city parks, unless permitted pursuant to a special event permit or approved by the parks department and the city council, as applicable, in advance of the use. Other prohibited activities and items include inflatable, plastic, or other types of portable pools and slip-n-slides (exceptions may be made for individual "family" size slides, on approval in advance by the city's parks department). Sprinklers (hoses may be used for cleaning purposes only) are also prohibited.

Commented [HA6]: These activities are recommended to be prohibited unless specifically approved by permission or permit. There are several reasons for this restriction including possible damage to park property, liability, inability to regulate usage from other parties, and waste of City resources (water, electricity etc.).

- **Prohibited hours.**

A. Except as provided in subsection B, and subsection C of this section regarding neighborhood parks, no person or persons shall remain in any City park from one hour after sunset to sunrise of the following day without having received a permit to do so from the City Manager or his/her authorized representative.

B. The permit requirement established in subsection A above shall not apply to:

1. Any person or persons going to, attending, or participating in any activity or event which is regularly scheduled and coordinated by the City of Flatonia or any activity or event conducted under an Agreement, Lease or permit from the city; or
2. Any person or persons exiting the park immediately after the conclusion of such an activity or event; or
3. Any police officer or employee of the City while engaged in the performance of his or her duties.

C. No person or persons shall remain in any City playground, neighborhood, community, City or regional park between one hour after sunset and sunrise of the following day. For purposes of this subsection C, parks shall be as defined in the recreation and open space element of the Flatonia Comprehensive plan.

D. For all park facilities, the City Manager or designee shall determine the established and emergency hours, when needed, of operation of Flatonia park and recreation facilities based on the following criteria:

1. Weather conditions;
2. Seasonal recreation activities scheduled or expected to occur at the park facilities;
3. Nature or extent of public use of the park facilities;
4. Cost effectiveness of operation of the park facilities.

- **Regulations authorized.**

The City Manager or designee may establish and post regulations governing the use of park facilities which are not inconsistent with regulations contained in this chapter and which promote public health and safety and the preservation of property. A violation of the posted rules or regulations may be charged as an infraction.

Commented [HA7]: Basic rules should be posted at the park entrances. Additional language directing visitors to a telephone number, website, possibly a QR code etc. should also be included as well as any penalty for not following the rules. Any actions resulting in a fine will need to be advertised in the paper.

- **Regulation of commercial activity.**

A. No person shall engage in any commercial activity in any City park unless the commercial activity is authorized under the terms of a lease, operating agreement, or permit issued by the City Manager or designee.

B. The City Manager or designee may authorize commercial activities within any City park in connection with special programs or events sponsored or co-sponsored by the City, if he or she determines that the commercial activity complements and enhances the special program or event and does not detract from the use of the City park for ordinary park purposes.

C. In determining the type and extent of commercial activities to be authorized, the City Manager or designee shall consider their potential impact on the City park and surrounding neighborhood. The City Manager or designee shall establish guidelines for selection of authorized commercial activities. The selection decisions made by the City Manager or his/her designee shall be final.

D. The provisions of this section shall not be deemed to apply to the sale or distribution of newspapers, books, pamphlets, or other activity constituting protected speech under the First Amendment of the United States Constitution or comparable protections.

- **Enforcement.**

The City's Police Department is charged with the responsibility of supervising and maintaining law and order in city parks. To carry out this provision, officers of the police department shall have the authority to make any arrests or issue citations for violation of any state law or city ordinance. In addition thereto, it is declared that a person commits an offense if he/she enters or remains in a city park, recreation area, or other designated park area, during hours other than those set out hereinabove, without written approval of the City Manager or the City Council, and the person:

- (A) Had notice that the entry was forbidden; or
- (B) Received notice to depart but failed to do so.

For purposes of this article, streets and parking in city parks shall be treated the same as any other city streets and shall be supervised and regulated by the police department in the same manner as all city streets. An individual sitting inside his/her vehicle shall be treated the same as any other individual in the park regardless of whether the vehicle is parked or is being driven.

Real property—Use; appropriation or encumbrance.

Sec. 1.13.001 Drilling and mining prohibited in parks

It shall be unlawful for any person, firm, or corporation, including the City, to engage in, permit, or cause any surface drilling or mining in or on any City park. This provision applies to any park owned by the City regardless if within or outside the city limits. (2001 Code, art. 8.600)

Proposed addition

No person shall:

A. Deposit any earth, sand, rock, stone, mineral, oil or other substance within any park facility, dig or remove any such material from within any park facility. Nor shall he erect or attempt to erect any building, wharf, or structure of any kind by driving or setting up posts or piles, or in any manner appropriate or

Commented [HA8]: At the moment, the City police department is extremely limited in what it can enforce because there is no ordinance other than a prohibition on drilling/mining and pool rules. They can also enforce rules that are mandated by state etc. (such as legal drinking age). However, other activities that may be undesirable are essentially unenforceable.

encumber any portion of the real property owned, operated, controlled, or managed by the City, without a permit from the City Manager or designee;

B. Dig up, pick, remove, mutilate, injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower, artifact, or archeological site, or any portion thereof;

C. Cut, break, injure, deface, or disturb any building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof; or

D. Without a permit from the City Manager or designee, make or place on any tree, plant, shrub, bloom, flower, building, sign, fence, bench, structure, apparatus, equipment, or property, or on any portion thereof, any rope, wire, mark, writing, printing, sign, card, display, or similar inscription or device.

- **Glass containers prohibited.**

No person shall possess any cup, tumbler, bottle, jar or other container made of glass and used for carrying or containing any liquid for drinking purposes within any park or park facility, except in locations where such containers are permitted under the terms of a lease, operating agreement or permit.

- **Fireworks.**

No person shall possess or ignite in any manner any firecracker or fireworks, including any article for the making of a pyrotechnic display. Nothing contained in this section, however, shall prohibit any discharge or display of fireworks at any public gathering or patriotic celebration provided a permit for such discharge or display has been obtained from the City Manager or designee. Firework displays may be subject to additional insurance requirements.

- **Firearms, air guns, and other weapons.**

A. Except as provided in subsection B, no person or persons shall use, maintain, possess, fire, or discharge any firearm, air gun, spring gun, paintball gun, bow and arrow, slingshot, or any other weapon potentially dangerous to wildlife or human safety, in any park facility. A violation of the provisions of this section is a misdemeanor.

B. Subsection A shall not apply to:

1. A duly appointed peace officer as defined in (Cite Penal Code here)
2. A retired police officer with authorization to carry concealed weapons (Similar citation)
3. A full-time paid peace officer of another state or the federal government who is carrying out official duties while in Texas; or
4. A person holding a valid license to carry the firearm pursuant to (Cite code); or
5. A person who has permission to possess that weapon granted in writing by the City Manager or the Chief of Police specifying the area, times and conditions designated for such use.

- **Locks and keys.**

Commented [HA9]: Current Code allows for fireworks with a permit costing \$5.00 issued by the city fire marshal. Due to the burn bans and other issues related to use of fireworks within the City, the City will need/want to address this provision in the Code and ensure it is still appropriate as well as that it follows requirements of the State. By State law, a municipality may limit or restrict the sale and use of fireworks within its boundaries.

No person other than one acting under the direction of the City Manager or designee shall duplicate or cause to be duplicated a key used by the department for a padlock or door lock of any type or description, nor shall any person divulge the combination of any lock so equipped to any unauthorized person.

- **Consumption of alcoholic beverages.**

A. No person shall possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which has been partially removed, within any park or park facility which has been posted with signs prohibiting such possession. The City may, by resolution, designate, or authorize the Director to designate, the park or park facilities to be posted.

B. It shall be unlawful for any person under twenty-one (21) years of age to be in possession of an alcoholic beverage while such person is in or upon any park facility unless in the presence of a parent or guardian, including spouse. Notwithstanding any other provision of this code to the contrary, violation of the provisions of this section shall constitute an infraction and shall be punishable pursuant to the provisions of (insert code here).

Sec. 1.13.002 Rules for City swimming pool

(a) *The following rules are adopted for the City swimming pool:*

(1) *Children under the age of 10 must be accompanied by a responsible person. Responsible person is defined as a person sixteen (16) years of age or older who is capable of caring for a child. A parent may appoint a person younger than sixteen (16) as the responsible person if a signed permission slip is presented to the pool staff. Parent or guardian must be present at signing. A form will be available at the pool.*

(2) *Children under the age of five (5) must have a parent or guardian, age seventeen (17) or older, in the pool and attending to the child's safety at all times.*

(3) *All swimmers must shower before entering the pool.*

(4) *All swimmers must wear appropriate swimwear. No t-shirts, tank tops, thongs, undergarments (i.e. bras/underwear), "cut-offs" or other frayed clothing is allowed in the pool.*

(5) *Children who are not potty-trained must wear a swim diaper. Swim diapers are available for purchase in the pool office.*

(6) *No glass containers are allowed inside the pool area.*

(7) *No food or drinks are allowed in the pool.*

(8) *No diving.*

(9) *No running on the pool deck.*

(10) *No "chicken fights" or dangerous horseplay.*

(11) *No profanity.*

(12) *No smoking in the pool area.*

(13) Only properly fitting, Coast Guard approved personal floatation devices with a positive lock are allowed in the pool for children who cannot swim.

(a) The Pool Manager and the on-duty lifeguards are required and empowered to enforce the rules as stated in this division. Additionally, they may, if, in their judgment, words, actions or apparel interfere with the safe use of the swimming pool, tell persons involved to leave the pool area. Not complying with the instructions of the lifeguards may result in temporary or permanent suspension of use of the swimming pool or City facilities. (PC602)

(Ordinance 417 adopted 4/10/07)

- **Appeals.**

The denial or revocation of a permit by the Director (or City Manager) may be appealed by the applicant or permit holder as set forth in Chapter of this title.

DRAFT



Flatonía City Council

Staff Report

April 13, 2021 Council Meeting

PUBLIC HEARING AGENDA

PH4.1-2021.1

Agenda Item:

Conduct a Public Hearing to consider amending the zoning map of the City of Flatonía, Texas by changing the zoning classification of PID 50611, real property addressed with FCAD as 714 N. Walnut Street, southeast corner of Walnut Street and Collins Street, City of Flatonía, from High Density Residential (R-3) to Medium Density Residential (R-2) as recommended by the Planning and Zoning Committee.

Background:

A Public Hearing was previously held by the Planning and Zoning Commission of the City of Flatonía, Texas on Monday, August 3, 2020. Emilio Romero requested a rezone of PID 50611 addressed with FCAD as 714 N. Walnut St., southeast corner of Walnut St. & Collins St. The property was zoned High Density Residential (R-3) and the request was for the property to be rezoned to Medium Density Residential (R-2) to allow for the installation of a single manufactured home. The Planning and Zoning Commission recommended approval. On Tuesday, August 11, 2020, the Flatonía City Council approved the zoning change. However, due to an oversight, a public hearing was not held at that time. Although the City Council approved the rezoning, they did not consider an ordinance approving such rezoning. Tonight's public hearing and approval of the rezoning ordinance is a formality. A notification was published in the Flatonía Argus on March 25, 2021.

The properties immediately adjoining the rezoned area and extending two hundred (200) feet are still owned by the same residents that were notified previously with no protests.

Attachments:

Documentation from August 3, 2020 City Council packet

Flatonia City Council

August 11th, 2020 Council Meeting

DELIBERATION

8.1-2020.4

Agenda Item:

Consider and take appropriate action on request from Emilio Romero to rezone PID 50611 addressed with FCAD as 714 N. Walnut St., southeast corner of Walnut St. & Collins St. from R-3 to R-2 based upon recommendation of the City of Flatonia Planning and Zoning Commission.

Background:

PID# 50611

Request for Zoning Change from R-3 to R-2

This property was originally zoned as R-1. In 2011, the property owner at the time came before the Planning and Zoning Commission with a request to change the zoning of this property from R-1 to R-3 with the reason being an anticipated sale of the property to adjoining property owners who were zoned R-3 and operating manufactured home parks. At the time the rezone made sense if the property was intended for purchase and continued use as an extension of the existing parks, however the sale to adjacent landowners fell through after the request for rezone had been granted. The lot size of this property on its own is not large enough to accommodate a manufactured home park to be developed on site in accordance with current zoning.

The current property owner is Emilio Romero. Mr. Romero recently came to city hall to inquire about placing a single manufactured home on the lot as a home for his family. With the current R-3 zoning, this property allows a manufactured home park to be developed however lot size restricts this development. Current zoning does not allow the placement of a double-wide manufactured home by itself. The applicant is requesting the property be rezoned as R-2, which would allow the placement of a manufactured home. This request was appropriately noticed with a publication in the Flatonia Argus and notices mailed to surrounding property owners with an opportunity to respond. One comment was received and is attached. A public hearing was held on August 3rd, 2020 and subsequent consideration by the Planning and Zoning Commission who voted in unanimous approval to recommend this

project for Council consideration. This rezone would not constitute a “spot zone” as the property to the west of N Walnut is already zoned as R-2.

Recommended Motion:

I move to approve the request from Emilio Romero to rezone PID 50611 addressed with FCAD as 714 N. Walnut St., southeast corner of Walnut St. & Collins St. from High Density Residential (R-3) to Medium Density Residential (R-2) to allow for the installation of a single manufactured home which is consistent with surrounding uses and zoning.

Exhibits:

- A. City of Flatonia Zoning Review Request Form
- B. Notice of Public Hearing
- C. Notice to Landowners
- D. Map of Noticing
- E. Landowner Notice Addressing
- F. Response from Landowners
- G. Site photos
- H. Code of Ordinances

EXHIBIT A

City of Flatonia
Zoning Review Request Form

- Request for Zoning Change (\$100.00 Application fee)
- Request for Variance (\$100.00 Application fee)
- Request for Conditional Use Permit (\$100.00 Application fee)
- Other - explain below (Application fee \$ _____)

Date 6-15-20 Receipt # FEE WAIVED

Name of Property Owner EMILIO ROMERO

Physical address of property affected 714 WALNUT

Appraisal District Property ID# 50611 Zone R-3

Requested change CHANGE TO R-2 TO ALLOW
PLACEMENT OF A SINGLE "DOUBLE-WIDE"
MANUFACTURED HOME.

Mailing address of property owner P.O. Box 338
Flatonia, Tx 78941

Contact phone number of property owner (979) 249-6364

Email address _____

Check all of the items for documentation you are providing for your hearing:

- Map(s)
- Survey
- Photograph(s)
- Plans/blueprint
- PowerPoint presentation
- Other

Additional information may be necessary.

Emilio M. Romero
Signature of Property Owner

FOR CITY USE ONLY:

REQUEST IS APPROVED **DENIED**

I. Date of notification to City	II. Deadline for publication in paper	III. Deadline to notify property owners by mail
<u>6-15-20</u>	<u>7-13-20</u>	<u>7-17-20</u>

P & Z Meeting date: AUG. 3 2020 City Council Meeting date: AUG. 11, 2020

NOTES: _____

EXHIBIT B
PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Planning and Zoning Commission of the City of Flatonia, Texas, at the Flatonia City Hall, 125 East South Main, Flatonia, Texas, at a meeting to be held at 6:00 p.m. on Monday, August 3rd, 2020 on the matter described below. The Flatonia City Council will also hold a public hearing on the same matter at a meeting to be held at 6:00 p.m. on Tuesday, August 11th, 2020.

Emilio Romero is requesting a rezone of PID 50611 addressed with FCAD as 714 N. Walnut St., southeast corner of Walnut St. & Collins St. The property is currently zoned High Density Residential (R-3). The request is for the property to be rezoned as Medium Density Residential (R-2) to allow for the installation of a single manufactured home.

The Flatonia Planning and Zoning Commission will make a recommendation to the Flatonia City Council regarding the request. The City Council will act on the recommendation from the Planning and Zoning Commission at its meeting on Tuesday, August 11, 2020, at 6:00 p.m.

All interested citizens are invited to attend said meetings.

Anyone having questions regarding this rezone request are encouraged to contact the City Manager, Sarah Novo, at manager@ci.flatonia.tx.us, or (361) 865-3548.



July 17, 2020

**Notice to Landowners
Zoning Change Application**

An application has been filed with the City of Flatonia requesting a zoning change for a property located in the area of property you own in the City of Flatonia.

In accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, Notice is hereby given that a Regular Meeting of the Planning and Zoning Commission of the City of Flatonia will be held on Monday, August 3, 2020 beginning at 6:00 p.m. in the City Hall Council Chambers located at 125 E. South Main St., Flatonia, Texas, for the purpose of considering the following agenda items:

Emilio Romero has submitted a request to the City of Flatonia requesting that the zoning designation of property he owns located at 714 Walnut Street (PID 50611) be changed. The property is currently in the zoning classification of High Density Residential (R-3). He is requesting the zoning classification for this property be changed to Medium Density Residential (R-2) to allow for the installation of a single manufactured home.

A public hearing will be held by the Planning and Zoning Commission of the City of Flatonia, Texas, at the Flatonia City Hall, 125 East South Main, Flatonia, Texas, at a meeting to be held at 6:00 p.m. on Monday, August 3, 2020 on the matter described above. The Flatonia Planning and Zoning Commission will make a recommendation to the Flatonia City Council regarding the request. The Flatonia City Council will also hold a public hearing and may act on the recommendation from the Planning and Zoning Commission on the same matter at a meeting to be held at 6:00 p.m. on Tuesday, August 11, 2020.

A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The meeting agenda is posted online at:

http://www.flatoniatx.gov/page/Council_Agendas_Minutes

To attend the meeting remotely, via the Zoom meeting app, use the link

<https://zoom.us/j/95636675573?pwd=UEtUS2VnYWJkcmN4UmJkRVc0Z0gxUT09>

Meeting ID: 956 3667 5573

EXHIBIT D MAP OF NOTICING

Fayette County 911 Addressing
(379)968-6469



Properties that are within the city limits of Flatonia and within 200' of PID: 50611



The information on this map has been provided by Fayette County staff from a variety of sources and is subject to change without notice. Fayette County makes no claim, guarantee, or promise about the accuracy or completeness of the data and hereby disclaims any liability for any errors or omissions. Resurveyed boundaries are approximate and should not be used for exact measurement or legal documentation.

2018 Pictometry
City Limits

1 inch = 150 feet



EXHIBIT E LANDOWNER NOTICE ADDRESSING

PROP_ID	first name	last name	situs_num	situs_stre	situs_st_1	addr_line1	addr_line2	city	state	zip
25417	JUANA & JUAN	VALDEZ		WALNUT	ST		P O BOX 1008	FLATONIA	TX	78941
25509	FREDDIE LEE	WILLIAMS		WALNUT	ST (EASEMENT)		BOX 274	FLATONIA	TX	78941
27970	TONYA	GUYTON	714		WALNUT ST		714 WALNUT	FLATONIA	TX	78941
28022	GRADY MANUEL	EST	800 N		WALNUT ST	% KAILA BROWN	19010 BUFFALO RIVER WAY	HOUSTON	TX	77084
28102	JOHNNIE	WILLIS		WALNUT	ST		P O BOX 738	FLATONIA	TX	78941
28109	AJNDJ	LLC	709 N		WALNUT ST		P O BOX 828	LA GRANGE	TX	78945
28112	COMA	WILLIAMS		WALNUT OR	HACKBERRY ST	% RAYMOND WILLIAMS	15167 CHUPAROSA ST	VICTORVILLE	CA	92394
50611	EMILIO	ROMERO	714		WALNUT ST		P O BOX 338	FLATONIA	TX	78941
51032	JUANA	MENDEZ	811		WALNUT ST		P O BOX 1008	FLATONIA	TX	78941
51390	ALEX	METCALF	705		COLLINS ST		PO Box 329	WAELEDER	TX	78959
58695	GERALDO MORALES EST	& FLORES PATRICA EST	640		WALNUT ST		P O BOX 502	FLATONIA	TX	78941

EXHIBIT F
RESPONSE FROM LANDOWNERS

Password: 085027

To attend by phone only, dial (888) 788-0099 or (346) 248-7799

The public hearing is open to any interested person. The reply form on the back of this letter can be used if you would like to submit written comments. All written comments submitted before the public hearing will be read at the public hearing.

Notice of the public hearing has already been published in the Flatonia Argus. If you have any questions regarding this notice or the Zoning Change Application, please contact City Manager, Sarah Novo at manager@ci.flatonia.tx.us or 361-865-3548.

Reply Form

In order to be on record, this form may be filled out and mailed to:

City of Flatonia
Planning & Zoning Dept.
P.O. Box 329
Flatonia, TX 78941



REPLY

Name: AJNDI LLC (Jay)
Address: P O Box 828
La Grange, Tx 76445
Phone: 1-(512) 825-1770

- In Favor
 Opposed

Reasons and/or Comments:

Good luck and better for his life
so he can have his own house

- I do plan to speak at the public hearing on August 3, 2020.
 I do not plan to speak at the public hearing on August 3, 2020.

Signature: J. M. Tajal (Jay)

EXHIBIT G
SITE PHOTOS







CONFIDENTIAL

EXHIBIT H
 CITY OF FLATONIA CODE OF ORDINANCES
 ARTICLE III
 ZONING DISTRICT USE REGULATIONS

SECTION 3. TABLE OF PERMITTED USES - RESIDENTIAL DISTRICTS

PERMITTED USES	ZONING DISTRICTS		
	R-1	R-2	R-3
RURAL AND RELATED USES			
Agriculture	X		
Plant Nursery	CC		
RESIDENTIAL AND RELATED USES			
Home occupation (business within a dwelling unit)	X	X	X
Dwelling, Single-Family Attached (DSFA)(1)(2)(3)	X (1)	X (2)	X (3)
Dwelling, Single-Family Detached (DSFD)(4)(5)(6)	X (4)	X (5)	X (6)
Dwelling, Multifamily (DMF)			X
Dwelling, Two-Family (DTF)(7)	X(7)	X	X
Bed and Breakfast	CC	X	X
Rooming or Boarding House			X
Garage Apartment	CC	X	X
Manufactured Home		X	
Manufactured Home Park			X



Flatonia City Council

Staff Report

April 13, 2021 Council Meeting

DELIBERATION AGENDA

DA4.1-2021.1

Agenda Item:

Consider and take appropriate action on Ordinance 2021.4.1 amending the zoning map of the City of Flatonia, Texas by changing the zoning classification of PID 50611, real property addressed with FCAD as 714 N. Walnut Street, southeast corner of Walnut Street and Collins Street, City of Flatonia, from High Density Residential (R-3) to Medium Density Residential (R-2) as recommended by the Planning and Zoning Committee and providing for an effective date.

Background:

A Public Hearing was previously held by the Planning and Zoning Commission of the City of Flatonia, Texas on Monday, August 3, 2020. Emilio Romero requested a rezone of PID 50611 addressed with FCAD as 714 N. Walnut St., southeast corner of Walnut St. & Collins St. The property was zoned High Density Residential (R-3) and the request was for the property to be rezoned to Medium Density Residential (R-2) to allow for the installation of a single manufactured home. The Planning and Zoning Commission recommended approval. On Tuesday, August 11, 2020, the Flatonia City Council approved the zoning change. However, due to an oversight, a public hearing was not held at that time. Although the City Council approved the rezoning, they did not consider an ordinance approving such rezoning. Tonight's public hearing and approval of the rezoning ordinance is a formality. A notification was published in the Flatonia Argus on March 25, 2021.

The properties immediately adjoining the rezoned area and extending two hundred (200) feet are still owned by the same residents that were notified previously with no protests.

A Public Hearing was held earlier this evening to allow any public comment.

Attachments:

Ordinance 2021.4.

Memo

To: Flatonia Argus
From: Heather Ambrose, City Secretary
Date: March 9, 2021
Subject: Public Notice in Argus

Please run the following notice in the March 25th edition of the Argus. Please put the notice in the legal section of the paper.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City Council of the City of Flatonia, Texas at Flatonia City Hall, 125 E. South Main, Flatonia, Texas, at a meeting to be held at 6:00 p.m. on Tuesday, April 13, 2021 on the matter described below.

A public hearing was previously held by the Planning and Zoning Commission of the City of Flatonia, Texas on Monday, August 3, 2020. Emilio Romero requested a rezone of PID 50611 addressed with FCAD as 714 N. Walnut St., southeast corner of Walnut St. & Collins St. The property was zoned High Density Residential (R-3) and the request was for the property to be rezoned to Medium Density Residential (R-2) to allow for the installation of a single manufactured home. The Planning and Zoning Commission recommended approval. On Tuesday, August 11, 2020, the Flatonia City Council approved the zoning change. However, due to an oversight, a public hearing was not held at that time although the City Council approved the rezoning they did not consider an ordinance approving such rezoning. The public hearing and approval of the rezoning ordinance scheduled for Tuesday, April 13, 2021 is a formality. All interested citizens are invited to attend.

The properties immediately adjoining the rezoned area and extending two hundred (200) feet are still owned by the same residents that were notified previously with no protests.

Anyone having questions regarding this rezone request are encouraged to contact the City Manager, Sarah Novo, at manager@ci.flatonia.tx.us, or (361) 865-3548.

Ordinance #2021.4.1

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLATONIA, TEXAS BY CHANGING THE ZONING CLASSIFICATION OF PID 50611, REAL PROPERTY ADDRESSED WITH FCAD AS 714 N. WALNUT STREET, SOUTHEAST CORNER OF WALNUT STREET AND COLLINS STREET, CITY OF FLATONIA, FROM HIGH DENSITY REDIDENTIAL (R-3) TO MEDIUM DENSITY RESIDENTIAL (R-2) AS RECOMMENDED BY THE PLANNING AND ZONING COMMITTEE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Flatonia, Texas has been made aware that the zoning classification for PID 50611, real property situated within the corporate limits of the City of Flatonia, Texas at 714 N. Walnut Street, being the southeast corner of Walnut Street and Collins Street is not consistent with its use and the zoning classification should be changed from High Density Residential (R-3) to Medium Density Residential (R-2); and

WHEREAS, a public hearing relating to said application to rezone said property from High Density Residential (R-3) to Medium Density Residential (R-2) was held by the City Council of the City of Flatonia, Texas on April 13, 2021 as required by law; and

WHEREAS, the re-zoning of this property requires the amendment of the City of Flatonia Zoning Map

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS:

Section 1. That the following property's zoning classification be changed from High Density Residential (R-3) to Medium Density Residential (R-2): PID 50611, real property situated within the corporate limits of the City of Flatonia, Texas at 714 N. Walnut Street, being the southeast corner of Walnut Street and Collins Street.

Section 2. That that the City of Flatonia zoning map should be, and is hereby, amended to reflect this change for this property.

Section 3. The Zoning Map of the City of Flatonia, Texas, shall, except as amended herein, remain in full force and effect.

Section 4. This ordinance shall be effective upon the publication of the caption hereof in accordance with law.

PASSED AND APPROVED on this 13th day of April, 2021.

CITY OF FLATONIA, TEXAS

Bryan Milson
Mayor

ATTEST:

Heather Ambrose
City Secretary

APPROVED AS TO FORM:

Maria Angela Flores Beck
City Attorney



Flatonia City Council

Staff Report

April 13, 2021 Council Meeting

DELIBERATION AGENDA

DA4.1-2021.2

Agenda Item:

Consider and take appropriate action on Ordinance 2021.4.2 of the City of Flatonia, amending Chapter 2, Sections 2.02.005 License Fee and 2.02.006 Issuance and Wearing of License Tag, and Provisions of the Flatonia Fee Schedule, Appendix A, Section A3.001 Dog License, of the Flatonia City Code, establishing the requirement that dog licenses will run concurrently with the animal's rabies vaccine for the City of Flatonia, as amended and providing for an effective date.

Background:

The current dog license tag ordinance was passed in 2001. It provided for an annual license and fee of \$2.00 for all dogs in the city limits that are four (4) months of age and older. The ordinance specifies that the license will run from April 1st to April 1st of each year.

The recent newsletter that was sent out in the utility billing brought many people in to renew their dog's tags. This brought to light that while the ordinance says the tags run April to April, staff have been allowing the tags to run for 12 months from the day of purchase. Having all licenses renew in a specific month made no sense considering dogs, and puppies, may need to be licensed throughout the year and not just in April.

Most cities provide that their dog licenses run concurrent with the animal's rabies vaccine. Proof of rabies vaccination is a requirement of licensing. To ensure that dogs are immunized for the full year of City licensing, the change to the ordinance provides for the license to expire once the rabies vaccination expires. And, since many animals receive 3-year vaccines, this will allow for a longer period of licensing for the owner.

Recommended Motion: I move to approve Ordinance 2021.4.2 of the City of Flatonia, amending Chapter 2, Sections 2.02.005 License Fee and 2.02.006 Issuance and Wearing of License Tag, and Provisions of the Flatonia Fee Schedule, Appendix A, Section A3.001 Dog License, of the Flatonia City Code, establishing the requirement

that dog licenses will run concurrently with the animal's rabies vaccine for the City of Flatonia.

Attachments:

Ordinance 2021.4.2

Ordinance # 2021.4.2

AN ORDINANCE OF THE CITY OF FLATONIA, TEXAS AMENDING CHAPTER 2, SECTIONS 2.02.005 LICENSE FEE AND 2.02.006 ISSUANCE AND WEARING OF LICENSE TAG, CITY OF FLATONIA CODE OF ORDINANCES, AND AMENDING PROVISIONS OF THE FLATONIA FEE SCHEDULE, APPENDIX A, ARTICLE A3.000, ANIMAL CONTROL RELATED FEES, SECTION A3.001 DOG LICENSE, OF THE CITY OF FLATONIA CODE OF ORDINANCES, ESTABLISHING THE REQUIREMENT THAT DOG LICENSES WILL RUN CONCURRENTLY WITH THE ANIMAL'S RABIES VACCINE FOR THE CITY OF FLATONIA, AS AMENDED AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Flatonia desires to protect the public health and safety by regulating the care and keeping of animals within the city limits; and

WHEREAS, the City of Flatonia requires licensing with tags for all dogs more than four (4) months of age that are kept in the City; and

WHEREAS, the language in the current Ordinance 193 specifies the dog license shall run from April 1 of each year to April 1 of the succeeding year;

WHEREAS, Ordinance 193 does not require that dog licenses run concurrently with the dog's rabies vaccination; and

WHEREAS, the City of Flatonia wishes to ensure that dogs are properly vaccinated for the full period of the licensing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS:

Section 1. That Chapter 2, Sections 2.02.005 License Fees General and 2.02.006 Issuance and Wearing of License Tags of the Flatonia City Code is hereby amended to read as follows:

2.02.005 License Fee

There is hereby fixed and assessed as a police regulation for the protection of the public health a license fee as provided for in the fee schedule found in [appendix A](#) of this code against the owner or keeper of each and every dog more than four (4) months of age kept in the city. The license shall run concurrently with the animal's rabies vaccination.

2.02.006 ISSUANCE AND WEARING OF LICENSE TAG

It shall be the duty of the city secretary to provide suitable metal tags for said dogs, with a number thereon beginning at one (1) and running consecutively, which tags shall

evidence the payment of the license fees and the registration of the dogs, and each person owning or keeping a dog within the limits of the city shall apply to the city secretary for a tag, and upon payment of said license fee and presentation of a certificate by a practicing veterinarian showing that said dog has a current rabies vaccination when making application for a license, the city secretary shall supply to each such applicant therefor a tag suitable to be placed upon a collar around the dog's neck, and shall in a well-bound book kept for such purpose register the number of said tag, the name of the owner and his or her address, and a description of said [dog], and no such license shall be issued unless the application is accompanied by such certificate (The license shall run concurrently with the animal's rabies vaccination.). It shall be the duty of the owner of each dog to apply to said officer for such license, pay the fee for same, and obtain a tag therefor, and to have and to keep said tag at all times during the year securely fastened around the neck of said dog, and the failure of the owner in this respect shall have the same effect as if no license had been paid upon said dog, and it shall be unlawful for any person to issue any counterfeit license tag upon said dog except the tag adopted and issued by the city.

Section 2. That the provisions of the Flatonia Fee Schedule, Appendix A, Article A3.000, Animal Control Related Fees, Section A3.001 Dog License, of the Flatonia City Code of Ordinances is hereby amended to read as follows:

Sec. A3.001 Dog license

There is hereby fixed and assessed a license fee of two dollars (\$2.00) against the owner or keeper of each and every dog more than six (6) months of age kept in the city. The licensing period shall run concurrently with the animal's rabies vaccination. The license fee will not be prorated for a partial period.

Section 3. This ordinance shall be cumulative of all other ordinances of the City of Flatonia, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Flatonia except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 4. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. This Ordinance shall be effective immediately from and after its final passage and any publication in accordance with the requirements of the City of Flatonia and the laws of the State of Texas.

PASSED AND APPROVED by the City Council of the City of Flatonia, Texas, on this the 13th day of April, 2021.

CITY OF FLATONIA, TEXAS

By: _____
Bryan Milson
Mayor

ATTEST:

Heather Ambrose
City Secretary

APPROVED AS TO FORM AND LEGALITY:

Maria Angela Flores Beck
City Attorney



Flatonia City Council

Staff Report

April 13, 2021 Council Meeting

DELIBERATION AGENDA

DA4.1-2021.3

Agenda Item:

Consider and take appropriate action on Resolution 2021.4.1 of the City Council of the City of Flatonia, Texas, authorizing the submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture Office of Rural Affairs for the Community Development Fund; and authorizing the Mayor and/or the City Manager to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program.

Background:

With limited funds, many cities take advantage of applying for the Texas Community Development Block Grant through the Texas Department of Agriculture. With a relatively nominal contribution, the cities hope to be awarded a portion of the funding for their project. The City of Flatonia is requesting a \$350,000 grant for infrastructure improvements that will benefit the community. The cash contribution from the City will be \$17,500.

Recommended Motion: I move to approve Resolution 2021.4.1 of the City Council of the City of Flatonia, Texas, authorizing the submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture Office of Rural Affairs for the Community Development Fund; and authorizing the Mayor and/or the City Manager to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program.

Attachments:

Resolution 2021.4.1

RESOLUTION NO. 2021.4.1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE OFFICE OF RURAL AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR AND/OR THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the City of Flatonia desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of the City of Flatonia to apply for funding under the Texas Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS:

SECTION 1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.

SECTION 2. That the City's application be placed in competition for funding under the Community Development Fund.

SECTION 3. That the application be for \$350,000.00 of grant funds to carry out infrastructure improvements.

SECTION 4. That the City Council directs and designates the following to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program:

- The Mayor and/or City Manager shall serve as the City's Chief Executive Officer and Authorized Representative to execute this application and any subsequent contractual documents;
- The Mayor, Mayor Pro-Tem, and City Manager are authorized to execute environmental review documents between the Texas Department of Agriculture and the City; and
- If this application is funded, the Mayor, Mayor Pro-Tem, City Manager, City Secretary, and City Council Member(s) are authorized to execute the Request for Payment Form documents and/or other forms required for requesting funds to reimburse project costs.

SECTION 5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review,

labor standards, real property acquisition, and civil rights requirements.

SECTION 6. That it further be stated that the City of Flatonia is committing \$17,500.00 from its Utility Fund as a cash contribution toward the activities of this infrastructure improvements project.

PASSED AND APPROVED by the City Council of the City of Flatonia, Texas, on this the 13th day of April, 2021.

CITY OF FLATONIA, TEXAS

By: _____
Bryan Milson
Mayor

ATTEST:

Heather Ambrose
City Secretary

APPROVED AS TO FORM AND LEGALITY:

Maria Angela Flores Beck
City Attorney



Flatonia City Council

Staff Report

March 9, 2021 Council Meeting

DELIBERATION AGENDA

DA4.1-2021.4

Agenda Item:

Consider and take appropriate action on Ordinance 2021.4.3 of the City of Flatonia amending Section A1.000 General Provisions of the Flatonia Fee Schedule, Appendix A, Flatonia City Code, establishing pool entry and season pool pass fees for the City of Flatonia, as amended and providing for an effective date.

Background:

The City of Flatonia community pool has been in use for many years giving residents and visitors a welcome respite from Texas summer heat. A pool entry fee or a season pass is required to be paid to use the pool. However, these fees, despite being nominal and expected, have never been codified. In addition, people have been allowed to rent the pool after closing hours for a specified rate and a certain number of lifeguards. The ordinance makes these fees official by adding them to the fee schedule in the City's Code.

At the March 24, 2021 Parks & Recreation Committee meeting, the Committee was provided with recommendations for pool entry and rental fees and season passes. After reviewing pool entry fees charged by other cities, staff recommended a small change. First, it was recommended that all students, seniors, and adults pay the same entry fee and increase that fee from: \$1.00 for students/seniors and \$1.50 for adults, to \$2.00 for all (except children under three (3)). Having the same rate across the board and a small increase helps in several ways:

- The small increase brings in a little more revenue to help with the expenses of maintaining and staffing the pool. The City pays about \$17,500 for lifeguard staff. In addition to the staff, there are the costs associated with maintaining the pool in a safe and sanitary conditions. While the pool only receives entry fees for about two months during the year, maintenance costs continue throughout the year.
- Having one price avoids the awkward scenario when pool staff may have to question a citizen about their age, possibly offending someone.

- Having one price makes calculating fees easier as all those entering are the same price.

In addition to the small, recommended increase in individual entry fee option, staff recommended a small increase to the Family Pass (three or more in same family) rate. The recommendation by the Parks Committee was Individual Season Passes at a cost of \$25.00 and Family Passes at \$65.00 for the season. That is a small increase in only the Family Pass from \$50.00 to \$65.00.

Finally, staff recommended an increase in rental fees for private parties. The amount that had been charged was \$15.00 per hour (\$45.00 for three hours total) and a \$100.00 refundable deposit. Lifeguards' pay is not included and is an additional charge at \$15.00 per hour. Staff recommended an increase in fee to \$100.00 for 3 hours with the same \$100.00 deposit. A rate of \$15.00 an hour to rent the entire pool for 3 hours is extremely inexpensive. However, the Committee felt the increase was too great for the community and recommended \$50.00 for three hours instead.

Staff also offered the option of having a resident and non-resident rate for entry fees, season passes, and rental fees. The rationale behind the two rates is that City residents support the pool through the taxes and utility fees they pay. Non-residents have the benefit of using the amenity but do not contribute to the maintenance and staffing. In addition, because there are so few municipal pools in the area, someone (whether resident or non-resident) could choose to rent the pool in the evening on multiple occasions because the cost is so low. The possibility of the same thing occurring for commercial uses is there as well. This may limit the ability of citizens to enjoy one of the amenities that makes Flatonia special.

Attachments:

Ordinance 2021.4.3

Ordinance # 2021.4.3

AN ORDINANCE OF THE CITY OF FLATONIA, AMENDING SECTION A2.000, MISCELLANEOUS FEES, OF THE CITY OF FLATONIA FEE SCHEDULE, APPENDIX A, CITY OF FLATONIA CODE OF ORDINANCES, AS AMENDED. BY ADDING A NEW SECTION. SECTION 2.006, POOL FEES, ESTABLISHING POOL ENTRY AND SEASON POOL PASS FEES FOR THE CITY OF FLATONIA, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Flatonia operates a municipal swimming pool for the benefit of its citizens; and

WHEREAS, the City has not adopted official entry and usage fees related to the municipal swimming pool; and

WHEREAS, the costs associated with the upkeep of the pool, including supplies, maintenance, operations, and staffing, continue to increase; and

WHEREAS, adopting set entry and usage fees would offset the cost of some of the expenses associated with the pool operation; and

WHEREAS, at the March 24, 2021 Parks and Recreation Committee meeting, the Committee made their recommendations for pool entry fees.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS:

Section 1. That Section A2.000, Miscellaneous Fees, of the City of Flatonia Fee Schedule, Appendix A, City of Flatonia Code of Ordinances is hereby amended by adding a new section, Section A2.006, Pool Fees, to read as follows:

Section A2.006 Pool Fees

(a) Pool Fees (per entry)

Three (3) Years of Age and Under	Free
Senior Citizens (55 years of age and older)	\$1.00
All Others	\$2.00

(b) Season Pool Pass (Must be renewed each summer season; will not be prorated.)

Individual Pass (all ages)	\$25.00 for season
Family Pass (3 or more in immediate family)	\$65.00

(c) Pool Rental (for Private Parties)

Facility Rental Fee* \$50.00 for 3 hours (7:00 PM – 10:00 PM)
\$100.00 deposit, refundable if left clean

*City Lifeguard pay is not included in rental price. One (1) Lifeguard must be hired for every ten (10) persons entering the pool.

Section 2. This ordinance shall be cumulative of all other ordinances of the City of Flatonia, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Flatonia except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 3. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 5. This Ordinance shall be effective immediately from and after its final passage and any publication in accordance with the requirements of the City of Flatonia and the laws of the State of Texas.

PASSED AND APPROVED by the City Council of the City of Flatonia, Texas, on this the 13th day of April, 2021.

CITY OF FLATONIA, TEXAS

By: _____
Bryan Milson
Mayor

ATTEST:

Heather Ambrose
City Secretary

APPROVED AS TO FORM AND LEGALITY:

Maria Angela Flores Beck
City Attorney



Flatonia City Council

April 13, 2021 Council Meeting

EXECUTIVE

ES 4.1-2021.1

Executive Session – Open

- ES4.1-2021.1 551.071 Consultations with Attorney
 Flatonia RV Park

- ES4.1-2021.2 551.086 Certain Public Power Utilities: Competitive Matters

- ES4.1-2021.3 551.074 Deliberation regarding personnel matters:
 City Manager annual evaluation

Executive Session - Closed