

**MINUTES OF SPECIAL EMERGENCY MEETING**

**March 23, 2020**

**MONTGOMERY CITY COUNCIL**

**CALL TO ORDER**

Mayor Sara Countryman declared a quorum was present and called the meeting to order at 4:01 p.m.

Present: Sara Countryman Mayor  
John Champagne, Jr. City Council Place # 2  
T.J. Wilkerson City Council Place # 3

Attended via Teleconference:

Rebecca Huss City Council Place # 4  
Tom Cronin City Council Place # 5

Absent: Vacant City Council Place # 1

Also Present: Richard Tramm City Administrator  
Susan Hensley City Secretary

**THIS EMERGENCY MEETING WAS CALLED FOR THE PURPOSE OF RESPONDING TO THE CONTINUING THREAT TO PUBLIC HEALTH AND SAFETY ARISING OUT OF THE IMPACT OF THE COVID-19 CRISIS IN THE CITY OF MONTGOMERY, TEXAS.**

PURSUANT TO TEXAS GOVERNMENT CODE SECTION 418.1102 THE MEETING MAY BE CONVENED BY LESS THAN A QUORUM OF THE CITY COUNCIL IF A MAJORITY OF THE MEMBERS ARE UNABLE TO ATTEND BECAUSE OF THE DISASTER.

**INVOCATION**

John Champagne gave the Invocation.

**PLEDGE OF ALLEGIANCE TO FLAGS**

Mayor Countryman announced, for the record, there are less than ten (10) people in the Council Chambers due to COVID-19, we are adhering to all orders countywide, statewide and nationwide.

1. Consideration and possible action to adopt the following Resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS  
CONTINUING THE DISASTER DECLARATION ISSUED BY MAYORAL  
PROCLAMATION ON MARCH 19, 2020 IN RESPONSE TO THE COVID-19 PUBLIC  
HEALTH EMERGENCY.

Tom Cronin asked what is going to be accomplished by adopting this Resolution. Tom Cronin said they already have an order by the County Judge, and said he gets real concerned with local governments and he gets kind of nervous. Tom Cronin stated that by adopting the Resolution he thinks they are giving the Mayor more authority than she needs or deserves because there is a lot of small businesses in town that are trying to survive and he did not understand why we are adopting a local Resolution and what that would do for the City of Montgomery.

Mr. Tramm advised that two of the primary things the Resolution does is allows the City to put its Emergency Plan into action, which requires action by the Mayor and/or City Council. Mr. Tramm said the Mayor's Proclamation is good only for seven (7) days and then it must be continued by City Council to run for a longer period. Mr. Tramm said the other thing it does, should state and/or federal disaster reimbursement funds become available, if we do not have a Disaster Declaration the City may not be eligible for reimbursement for those funds. Mr. Tramm said if there is any extra expense the City must go to; we will need a Disaster Declaration on this level for City expenditures to be reimbursed.

Tom Cronin asked to confirm that this was for the City and not for businesses and that we are more concerned about the City getting reimbursed for something as opposed to the potential businesses they have after bankrupting itself. Mr. Tramm said this is for the City to be reimbursed. Mr. Tramm said one of the things that he has tasked a staff member with is tracking all federal items so they can work with local businesses and so those funds would be reimbursable too. Mr. Tramm said he did not think they could take the role that the City is directly reimbursing businesses, but we do have latitude to work with the businesses and try to help them out.

John Champagne said he read through the Resolution and he did not see where it specifically prohibits any business from opening, and we still have a latitude on a municipal level to allow

businesses to operate as they see fit. Mr. Tramm said they did if it does not conflict with the County Judge's regulations. Mayor Countryman said that regulation is ten (10) people. Mayor Countryman said this Resolution is necessary for proper paperwork should there be funds available for reimbursement, and for businesses she was not sure if they must be in a declared City or territory to get funds. John Champagne asked if the City would be in noncompliance with the County Ordinances, which supersedes municipal if they did not comply with the ten (10) person rule and other things they have listed. Mr. Tramm said regardless the City must follow those guidelines, and that was one reason why about a week ago he received a call from the County Judge's office related to the Mud Bug Festival because while the City didn't have a specific item in place at that point, the County informed the City they were required to be moving that date. Mr. Tramm said, fortunately, they moved the date of the Festival on their own before there was any communication.

John Champagne advised Tom Cronin that he was with him, he just did not see any latitude in the City getting out of doing this. Tom Cronin said he just wanted to make sure that no extraordinary measures can be taken locally. John Champagne said he did not think this would open them up to that. Mayor Countryman said she was confident we are doing what is supposed to happen or should happen to protect everyone.

Rebecca Huss said she would also like to point out that we are lacking in a Department of Public Health and other agencies, like Emergency Management, that would give us the knowledge and ability to project authority in those areas, we are essentially under the guidance of the County, who is either better than or worse than, but taking guidance from the state authority, who is better or worse than the federal government who supersedes the state, who supersedes the county. Rebecca Huss said they don't have the departments, so they really have nothing to add to the layer of government. Mayor Countryman said they are not adding anything they are just going along with them and not stepping outside of any boundaries. Rebecca Huss said there is nothing in the document that says they intend to do anything they are just laying out the facts and stating the Disaster Declaration that was laid out by the Mayor is being continued by City Council. Mr. Tramm said the City does have tools that it could put additional items in the document, but City Council is not choosing to do that, they are going along with the County by the adoption of this Resolution.

John Champagne moved to adopt the Resolution as read. T.J. Wilkerson seconded the motion, the motion carried unanimously. (4-0)

2. Consideration and possible action regarding adoption of the following Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, ORDERING THAT THE GENERAL ELECTION AND SPECIAL ELECTION SCHEDULED TO BE HELD ON SATURDAY, MAY 2, 2020, BE POSTPONED TO TUESDAY, NOVEMBER 3, 2020; AUTHORIZING ELECTION SERVICES AGREEMENT AND JOINT ELECTION AGREEMENT FOR THE NOVEMBER 3, 2020 ELECTIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Tramm said this is an item that came out from the Governor's office to be able to move these elections to a time frame that would allow people to get out without a climate of fear or without having to be under the gun of catching some infectious disease. Mr. Tramm said while they don't have any confirmation from Montgomery County, who we contract with, one way or the other that they would or would not have this, he believes they are hoping that everyone will move their elections and they don't have to make that decision. Mr. Tramm said the projections that he is looking at indicate this situation is going to get worse before it gets better and it will take us into the early voting period if not through the election.

Rebecca Huss asked if there would be an election in November anyway. Mr. Tramm said yes, this will put the City in the November 3, 2020, General Election date that has the other elections, and it means more elections will be held on the same general date and it should cost the City less money because there will be a lot more entities combining their elections. John Champagne said that is the only reason that he would not vote against this.

T.J. Wilkerson moved to adopt an Ordinance that the General Election and Special Election scheduled to be held on Saturday, May 2, 2020, be postponed to Tuesday, November 3, 2020, and authorizing elections services agreement and joint election agreement for November 3, 2020; authorizing elections services agreement and joint election agreement for the November 3, 2020 elections; providing a repealing clause; providing a severability clause; and providing an effective date. John Champagne seconded the motion. The motion carried with a vote of 3-Ayes and 1-Nay- Tom Cronin. (3-1)

**EXECUTIVE SESSION:**

The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding real

property), 551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas. (No items at this time.)

No executive session was conducted.

**COUNCIL INQUIRY:**

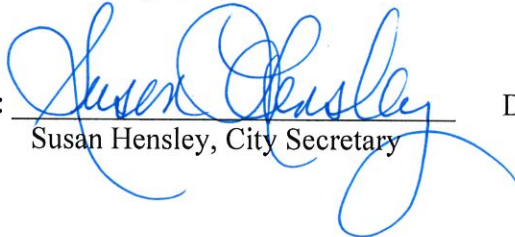
Pursuant to Texas Government Code Sect. 551.042 the Mayor and Council Members may inquire about a subject not specifically listed on this Agenda. Responses are limited to recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place on the agenda of a future meeting.

There were no comments from the public and no public attended the meeting.

**ADJOURNMENT**

Rebecca Huss moved to adjourn the meeting at 4:14 p.m. John Champagne seconded the motion, the motion carried unanimously. (4-0)

Submitted by:

  
Susan Hensley, City Secretary

Date Approved:



  
Mayor Sara Countryman

