

REGULAR COUNCIL MEETING – August 10, 2015

The City Council of the City of La Grange met in Regular Session on Monday, August 10, 2015 in the City Hall Council Chambers with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Councilmember Deborah Bradley, Mayor Pro tem John Cernosek, Councilman John Eilert, Councilman Pat Janca, Councilmember Kathy Weishuhn and Councilmember Violet Zbranek. Councilman Arnold Romberg was absent. Staff present: City Manager Shawn Raborn, Chief of Police Jackie Skelton, and City Secretary Lisa Oltmann. Visitors: A Neale Rabensburg, Dale Speck, and 3 others.

The Pledge of Allegiance was recited and Dr. Jerry Hurst of the First Presbyterian Church gave the invocation. Dr. Hurst then invited all to attend the free concert which will be held on Saturday, August 15th @ 6:30 at the Fellowship Hall of the First Presbyterian Church.

Under Public Petitions, A Neale Rabensburg spoke regarding the Board of Adjustment Meeting which was held recently. Dale Speck spoke regarding the water rate structure for apartments.

The first item was to discuss and or consider the preliminary replat for Donald & Darla Brandt at 1050 E. Salm St. A request was received from Donald & Darla Brandt to sub-divide 1050 E. Salm Street into 2 separate lots. The corner lot would be approximately 78.4'X124.9'. The interior lot would be approximately 80.7'X125.3'. The corner lot, while exceeding the required square footage requirement, would be approximately 1.5' shy of the 80' lot width for a corner lot. All property owners within a 200' radius of this location were asked if they were in favor of or opposed to granting this request. There were 10 letters returned in favor of granting this request, and there were 7 letters which were not returned. **MOTION** Councilmember Violet Zbranek, **SECOND** Councilman Pat Janca to approve the preliminary replat request for Donald & Darla Brandt at 1050 E. Salm St. Motion carried.

The next item was to discuss and or consider appointments to the Housing Authority Board of the City of La Grange. The Housing Authority is requesting that the following individuals be appointed to their Board:

Joy Robinson	Term expires 6/2017
Jerrial Brown	Term expires 6/2017
William Bill Asbill	Term expires 6/2017
Brenda Gilmore	Term expires 6/2016
Nicole Ramirez	Term expires 6/2016

MOTION Mayor Pro tem John Cernosek, **SECOND** Councilmember Kathy Weishuhn to approve the request of the Housing Authority on board appointments. Motion carried.

The next item was to discuss and or consider authorizing staff to proceed with drilling of a water well to replace Water Well Station B. The city has been working with Weisinger Water Well Drilling for the past several weeks to repair Well Station B due to a decrease in gallons pumped. Well Station B is located at the intersection of North Main and Hanacek Lane. As part of the process, the well screens were cleaned and jetted. During the final production testing, the well began to produce a large amount of sand from the top set of screens. With the large amount of sand being produced the well is not able to be used at this time. After exploring a number of options it is the recommendation of Weisinger Water Well Drilling and Bob Schmidt with Strand Engineering (formerly O'Malley Engineering) to drill a new well at the same well site. Well Station B was initially put into production in 1967 and reworked in 1989; our water wells are also serviced on a 7 year rotation schedule. Last year Water Well Station B produced over 18 million gallons of water which was approximately 8% of our total production of 232 million gallons. The estimated cost of the new well is \$800,000 and will take 90 to 120 days to complete. Funds to complete the well will come from the 2011 CO Bond proceeds. The current balance in the bond account is \$5,435,888. Staff is requesting council authorization to proceed with the steps necessary to drill the new water well to replace Well Station B at the site of the existing Well Station. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Zbranek to approve staff's request. Motion carried.

The next item was to discuss and or consider approval of July 2015 minutes. **MOTION** Councilmember Deborah Bradley, **SECOND** Councilmember Weishuhn to approve the minutes as presented. Motion carried.

City Council Committee Reports

Main Street is planning the Patriots Day Celebration which will be held on Saturday, September 12.

The Beautification Committee awarded Yard of the Month to Bob & Carolyn Fritsch at 735 N Rosenberg.

Chief of Police Report

There was an officer involved in an auto accident on August 6th. He received minor injuries. The wreck was worked by DPS.

City Manager Report

The Parks Master Plan has been approved.

The sign up for the after school program at the Randolph Rec Center was held recently and all spots are filled. There is now a waiting list.

This week is the final week of the summer rec program. The Swimming Pool was closed for the season on Sunday, August 9th.

Phase I of the drought contingency plan will become effective August 11th. This is due to Water Well B being down.

The next item on the agenda was staff review of the 2015-2016 FY Budget with City Council. City Manager Raborn reviewed the proposed budget. The budget reflects the ongoing mission of the La Grange City Council to maintain cost effective programs while continually focusing on preserving and enhancing the quality of life that is enjoyed by all La Grange Citizens. The proposed budget for the 2015-2016 Fiscal Year is service driven and balanced. The proposed budget is 1.79% higher than the 2014-2015 adopted city budget. Staff is proposing to set the tax rate at .2157, which is the current tax rate. The proposed budget does make a 2% Consumer Price Index adjustment to the current waste water and a 4% increase in the base water rate. Financial overview of the FY 2015-2016 Operating Budget:

	Budget 2014-2015	Budget 2018-2016
Total budget	\$12,196,766	\$12,415,699
Utility Budget	\$ 9,080,260	\$ 9,120,500
General Fund	\$ 2,946,426	\$ 3,115,671
Debt Service Fund	\$ 170,080	\$ 179,528

The next item was to discuss and or consider the Proposed Tax Rate and schedule public hearings. Staff is proposing to set the tax rate at \$0.2157 per \$100 valuation. Of this rate \$0.1509 is for maintenance and operations and the balance of \$0.0648 is for debt service. The Fayette County Appraisal District has certified taxable values of \$276,833,217 for the 2015 Tax Year. This represents a 4.57% increase in total taxable of \$12,116,094 over the 2014 values. Staff is proposing the following Public Hearing Schedule: First Hearing August 24, 2015 at 6:00 pm at La Grange City Hall, 155 E. Colorado, La Grange, Texas. Second Public Hearing September 14, 2015 at 6:00 pm at La Grange City Hall, 155 E. Colorado, La Grange, Texas. **MOTION** Councilman John Eilert, **SECOND** Councilmember Weishuhn to approve staff's proposals for the tax rate and the Public Hearing Schedule. Motion carried.

At 7:00 PM a **MOTION** was made by Councilman Eilert, with a **SECOND** by Councilmember Weishuhn that the meeting be adjourned. Motion carried.

Lisa Oltmann, City Secretary

These Minutes Approved by City Council on:

Janet Moerbe, Mayor

REGULAR COUNCIL MEETING – August 24, 2015

The City Council of the City of La Grange met in Regular Session on Monday, August 24, 2015 in the City Hall Council Chambers with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Councilmember Deborah Bradley, Mayor Pro tem John Cernosek, Councilman John Eilert, Councilman Pat Janca, Councilman Arnold Romberg, Councilmember Kathy Weishuhn and Councilmember Violet Zbranek. Staff present: City Manager Shawn Raborn and City Secretary Lisa Oltmann. Visitors: Jeff Wick, and A Neale Rabensburg.

The Pledge of Allegiance was recited and Pastor Williams of the Gospel Lighthouse Church gave the invocation.

Under Public Petitions A Neale Rabensburg addressed the council regarding zoning concerns.

The first item was a Public Hearing on the Proposed Tax Rate. The Public Hearing was opened at 6:12 PM. It was noted that this is the first of two required public hearings on setting the proposed tax rate. Staff is proposing that council adopt the current tax rate of .2157. There being no one present to comment, the Public Hearing was closed at 6:13 PM.

The next item was to discuss and or consider a request from Mr. Joe Marshall for the city to share in the cost to repair due to sewer backup. Mr. Joe Marshall has requested to appear before council regarding a recent claim he filed against the city regarding a sewer line issue and the denial of the claim by our insurance provider. Mr. Marshall estimates that he has expenses of approximately \$10,000 related to the sewer backup. Mr. Marshall has also indicated that his insurance carrier has also denied his claim. Mr. Marshall had sewer backup into his home on two occasions at the end of May as a result of the heavy rains. A claim was filed and denied by our insurance carrier. Texas Municipal League, the liability insurance carrier for the city strictly applies Tort Law, which essentially absolved the City from liability except in cases of negligence, such as operating motorized equipment at the time of the sewer backup. Since the time of the incidents we have installed a back flow preventer on the service line for Mr. Marshall that will prevent the sewer from backing up into his home and are working with BEFCO Engineering to identify the root cause of the problem and to develop a plan to rectify the issue. Staff concurs with our insurance provider in that we are not liable for the claim due to the fact that the sewer line problem was not caused by a wrongful act of city staff. Staff does understand the plight of the homeowner in this situation and council may want to consider a good will payment to the homeowner that would be accompanied with a release of liability. Staff would request that council delay any action on this request until this issue has been reviewed in detail with the City Attorney. Council

reviewed this item and delayed action until additional information could be gathered and the item reviewed in detail with the city attorney.

The next item was to discuss and or consider a Resolution authorizing the temporary lane modifications to the 1500-2300 block of North Jefferson Street (US Highway 77 North) on September 5th from 10 a.m. until 3 a.m. September 6th in association with the Fayette County Fair. Staff is requesting council authorization to work with TXDOT and the Fayette County Fair Association to modify the traffic lane on N Jefferson on September 5th to allow for the creation of a bus lane, the bus lane will be the same lane that is utilized for the MS 150. The resolution is required by TXDOT as part of the traffic control plan. **MOTION** Councilmember Kathy Weishuhn, **SECOND** Councilman John Eilert to approve staff's request. Motion carried. **INSERT #1**

The next item was to discuss and or consider a preliminary replat request regarding 1403 Carroll Ln owned by Bernice Weishuhn Estate and the adjacent lot owned by Leroy Baca ETAL to sub-divide these two (2) lots into three (3) lots. The City of La Grange received a request from Leroy C Baca representing the owners of adjoining properties owned by the Bernice Weishuhn Estate at 1403 Carroll Ln, and the adjacent property facing Carrol Ln owned by Leroy Baca ET AL to sub-divide these two (2) lots into three (3) lots. Lot 1 would be approximately 69.93'X 237.49', Lot 2 would be approximately 69.93'X 251.68', and Lot 3 would be approximately 70.81'X 139.62'. Lots 1 and 2 face Carroll Ln and have homes on them. Lot 3 would face Smith Street. The City of La Grange asked all property owners within a 200' radius of this location if they were in favor of or opposed to granting this request. There were twelve (12) letters returned in favor of granting this request and there were five (5) letters which were not returned. **MOTION** Councilman Arnold Romberg, **SECOND** Councilman Pat Janca to approve this preliminary replat request. Motion carried.

The next item was to discuss and or consider a replat request from Donald & Darla Brandt to subdivide 1050 E. Salm into tow (2) lots. A request was received from Donald & Darla Brandt to subdivide 1050 E Salm Street into 2 separate lots. Council gave preliminary approval of this request at the August 10, 2015 meeting. There are no changes in the replat from the one which received preliminary approval. **MOTION** Mayor Pro tem John J Cernosek, **SECOND** Councilmember Weishuhn to approve this replat request. Motion carried.

The next item was to discuss and consider charge off of delinquent utility accounts. The charge off dollar amount for the period ending July 31, 2015 is \$14,621.87 and the number of uncollectible accounts has decreased from the prior period from 62 to 59. Office staff collected \$9,387,307 out of total sales of \$9,401,923 which is a collection rate of 99.8%. A total of 37,354 bills were prepared and mailed for the period and 37,295 of these were collected and paid in full. Out of an average of 3,113 bills per month, there is an average of 375 which remain unpaid after the 15th of the month. On

the 26th day of the month the Utilities office staff prepares a list of accounts which remain unpaid. Averages of 45 accounts are left unpaid and are dispatched to be disconnected. The office staff worked diligently to collect all unpaid bills. They maintained an excellent and outstanding record by collecting 99.8% of all bills mailed for the twelve month period covered in this report. This has been made possible by their adhering to our established disconnect policy. Enforcement of this policy is not always a pleasant job and therefore the office staff and disconnect servicemen are to be highly commended for their hard work and dedication. Mayor Moerbe thanked the utility office staff for the outstanding job they do in their collection of utility billing. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Deborah Bradley to approve the charge off of delinquent utility accounts. Motion carried. **INSERT #2**

The next item was a staff review of the 2015-2016 Annual Budget. The proposed total budget for fiscal year 2015-2016 is \$12,415,699. The General Fund is \$3,115,671, Utility Fund is \$9,120,500 and the debt service fund is \$179,258. City Manager Raborn did note that work has begun on the Lynnwood drainage ditch. Work is also being done to acquire easements as related to the Water Well B project.

The next item was to discuss and or consider First Reading of An Ordinance Amending Chapter 13, CODE OF ORDINANCES, CITY OF LA GRANGE, TEXAS, As Recodified on January 8, 2007, By Amending Article 13.02 Section 13.02.031 Subsection (1)(A) Establishing and Fixing The Charges and Fees For Water Service Furnished To Residential Locations Within The City Limits Based On Water Usage And/Or Conservation; By Amending Article 13.02 Section 13.02.031, Subsections (2)(A) And (2)(B) Establishing And Fixing The Charges And Fees For Water Service Furnished To Commercial Locations For Single Businesses And Multi-Business Buildings, Respectively, Within the City Limits Based On Water Usage And/Or Conservation; Authorizing The City To Collect Same; And Providing For An Effective Date. Staff is proposing to increase the base residential water rate from \$22.56 to \$23.46 per month. The change is based on a four percent increase to recognize the debt service required to develop the new water field development project. The volumetric rate for residential water service will increase seven cents per thousand gallons based on the volume of water used. With the proposed rate modification we are still below the average rates for cities our size in the State of Texas according to the annual TML water survey. The average bill for cities our size with a monthly consumption of 5,000 gallons is \$33.94 compared to \$29.37 in La Grange. We also compare favorably with cities our size with a monthly water consumption of 10,000 gallons, \$53.13 compared to \$29.33 in La Grange.

The next item was to discuss and or consider First Reading of An Ordinance Amending Chapter 13, CODE OF ORDINANCES, CITY OF LA GRANGE, TEXAS, As Recodified On January 8, 2007 By Amending Article 13.03 Section 13.03.001 Subsection (a) Establishing And Fixing The Charges And Fee For The Sewer Service Furnished To Certain Residential Locations; By Amending Chapter 13, Article 13.03,

Section 13.03.001 (a)(1)(B) By Amending The Rate For The Use Of Standard Fixtures In A Single Dwelling Within The City Limits; By Amending Chapter 13, Article 13.03, Section 13.03.001 (1)(2)(B) By Amending The Rate For The Use Of Standard Fixtures In A Single Dwelling Outside the City Limits; And By Amending Chapter 13, Article 13.03, Section 13.03.001 (a)(3)(B), By Amending The Rate For The Use Of Water In Excess Of 3,000 Gallons To Commercial Locations; And Authorizing The City To Collect Same; And Providing For An Effective Date. As part of the budget process this year staff is proposing to increase waste water rates by 2 percent. Staff is proposing to increase the base residential waste water rate from \$10.76 to \$10.97 per month. The volumetric rate for residential wastewater service will also change by 2 percent or six cents per thousand. The current rate charged our commercial customers for waste water service is a base rate of \$11.26 for the first 3,000 gallons of water used and a \$1.81 fee per thousand gallons of water in excess of three thousand gallons per month. The proposal is to increase the base rate to \$11.49 and to increase the volumetric rate from the current \$1.81 to \$1.85 per thousand gallons in excess of the 3,000 minimum. With the proposed rate modification we are still below the average rates for cities our size in the State of Texas according to the annual TML waste water survey. The average bill for cities our size with an average consumption of 5,000 gallons is \$26.95 compared to \$17.41 in La Grange.

The next item was to discuss and or consider on First Reading An Ordinance Amending Chapter 13, CODE OF ORDINANCES, CITY OF LA GRANGE, TEXAS, As Recodified On January 8, 2007, By Amending Article 13.04 Section 13.04.031, Subsection (1)(B) and (2)(B) Establishing And Fixing The Charges And Fees For Electric Service Furnished To Residential And Master Meter Dwelling Units; By Amending Article 13.04 Section 13.04.031, Subsections 3(C) Establishing And Fixing The Charges And Fees For Electric Service Furnished To Commercial Locations, Based On Electric Usage; Authorizing The City To Collect Same; And Providing For An Effective Date. As part of the budget process this year, staff is proposing to modify the electric customer charge. The customer charge will increase from \$8.00 per month to \$8.50 per month. This is the sixth change in the electric customer charge in the last twenty-three years. The rate change is needed to keep pace with inflation and due to the overall cost increases in providing this service. **MOTION** Councilman Romberg, **SECOND** Councilmember Zbrank to approve these three ordinances on first reading. A roll call vote taken: Councilmember Bonnie Busch in favor, Councilmember Bradley in favor; Mayor Pro tem Cernosek in favor; Councilman Eilert in favor; Councilman Janca in favor; Councilman Romberg in favor; Councilmember Weishuhn in favor; and Councilmember Zbrank in favor. The motion carried by a vote of 8-0.

City Manager Update

Sales tax was up for the month.

The seismic crew will begin working in La Grange within the next 30 days. At this time, they anticipate starting up at the Fayette County Fair Grounds area.

At 6:33 PM a **MOTION** was made by Councilmember Weishuhn , with a **SECOND** by Mayor Pro tem Cernosek that the meeting be adjourned. Motion carried.

Lisa Oltmann, City Secretary

These Minutes Approved by City Council on:

Janet Moerbe, Mayor