

REGULAR COUNCIL MEETING – August 8, 2016

The City Council of the City of La Grange met in Regular Session on Monday, August 8, 2016 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, Chief Jackie Skelton, and City Secretary Lisa Oltmann. Visitors: Virginia Yancey, Cleo Schneider, Tom Hudson, and Bob Schmidt.

Mayor Janet Moerbe called the meeting to order. The Pledge of Allegiance to the United States and Texas was recited and Pastor Marcia Keifer, Pastor of Shared Lutheran Ministries gave the invocation.

The first item council considered was agenda item 4, to discuss and or consider a preliminary replat from the Jack S. Mitchell Estate to subdivide property located at 351 E Camp & 713 N Monroe into 2 tracts. A request was received from the Jack Mitchell Estate to subdivide the property which includes 713 N Monroe Street and 351 E Camp Street. There is currently a home at both of these addresses. This property is currently one tract of land and it is the desire of the Estate to sell 351 E Camp Street. To be able to do this, the property must be subdivided. The original proposed subdivision had the 351 E Camp Street lot being 66.46' X 91.00' and the 713 N Monroe Street lot being 91' X 110.97'. After speaking with Ms. Yancey, she state that the Estate had no objections to adjusting the property division line so 351 E Camp Street would be 70.00' X 91.00' and 713 N Monroe be 91' X 107.43'. The Board of Adjustments then met on Wednesday, July 27 and reviewed the variance request for the lot depth at 351 E Camp Street which would be required pending council approval of subdivision. There were 19 letters sent to property owners within a 200' radius of this address asking if the owners are in favor of or opposed to granting both the variance and the subdivision request. There were twelve (12) letters returned in favor of granting these requests, no letters were returned opposed to granting these requests, and seven (7) letters were not returned. **MOTION** Mayor Pro tem John Cernosek, **SECOND** Councilman John Eilert to approve the preliminary replat request. Motion carried.

The next item council considered was agenda item 2, to discuss and or consider a preliminary replat request from Mr. Cleo Schneider to subdivide property located at 1428 W State Highway 71 into 2 tracts. A request was received to subdivide the property located at 1428 W St. Hwy 71. Lot 1 would be approximately 188.29' X 298.93'. Lot 2 would be approximately 103.0' X 298.00'. There were ten (10) letters sent to property owners within a 200' radius of this address asking if the owners are in favor of or opposed to the subdivision request. There were six (6) letters returned in favor of granting this request, no letters were returned opposed to granting this request and four

(4) letters were not returned. **MOTION** Councilmember Kathy Weishuhn, **SECOND** Councilman Arnold Romberg to approve the preliminary replat request. Motion carried.

The next item council considered was agenda item 1, a report of methods to reduce TTHM in the water system. Staff has been working with O'Malley Strand Associates to evaluate options to reduce the TTHM levels in the water supply. Trihalomethanes are a group of four chemicals – chloroform, bromodichloromethane, dibromochloromethane, and bromoform which are formed, along with other disinfection by-products, when chlorine or other disinfectants are used to control microbial contaminants in drinking water react with naturally occurring organic and inorganic matter in water. Mr. Bob Schmidt with O'Malley Strand then gave a report on possible methods to reduce the TTHM levels in the water system. Possible options to reduce the TTHM levels include Chlorine Dioxide, Chloramination, or Tank Aeration. Mr. Schmidt noted that the information provided in the letter dated August 3rd, **ATTACHMENT 1**, was based upon the test site in the northern part of town. Since the letter was prepared, it was noted that the level from the test site on Eblin Street will also need to be addressed. This will require additional work to be done than what had been originally anticipated to reduce the TTHM levels in the water supply and this will also increase the costs. Mr. Schmidt noted that this is only the first level of due diligence and more due diligence is necessary. Work will continue on this matter.

The next item council considered was agenda item 3, to discuss and or consider a final replat request from Bill & Lisa Roitsch to subdivide the Clarence & Leona Roitsch Estate at 777 Roitsch Lane into 3 separate tracts. The City of La Grange had received a request from Bill & Lisa Roitsch to divide the Clarence & Leona Roitsch Estate at 777 Roitsch Lane into 3 separate lots. Preliminary approval for this had been granted by council on January 12, 2015. This replat request is now being brought back for final discussion and or consideration and or approval. Tract 1 will be approximately 0.774 acres and will face Roitsch Lane. Tract 2 will be approximately 0.941 acres and will have a 30' access strip from Roitsch Lane. Tract 3 will be approximately 2.628 acres. 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 4 individuals in favor of granting the request as long as certain conditions were met. The conditions requested are that the property would remain single family residential lots, not business property, no duplexes or trailer homes. Another owner stated that they didn't like the thought of seeing major changes, but believed the property owners should choose what is most suitable for their situation. There were seven (7) other individuals in favor of the request. There was one opposed and one individual did not reply if they were in favor of or opposed to the request. **MOTION** Councilmember Weishuhn, **SECOND** Councilman Pat Janca to approve the final replat request. Motion carried.

The next item council considered was agenda item 5, to discuss and or consider appointments to the Housing Authority of the City of La Grange. The terms for the La

Grange Housing Authority board members Brenda Gilmore and Nicole Ramirez have expired. Ms. Ramirez has declined reappointment to the board. The Housing Authority is seeking an individual to fill this vacancy. The Housing Authority recommends that Brenda Gilmore be reappointed to the board for an additional 2 years. **MOTION** Councilman Romberg, **SECOND** Councilmember Violet Zbranek to approve the reappointment of Brenda Gilmore to the La Grange Housing Authority Board. Motion carried.

The next item council considered was agenda item 6, to discuss and or consider awarding the bid for the replacement of the 80,000 gallon water tank located at Well Station C to Blastco Texas the low bidder in the amount of \$119,500. Bids were received on July 26, 2016 for improvements at Well Station C. It is the recommendation of Mr. Jimmy Dunham, P. E. of Dunham Engineering to award the bid to Blastco Texas of Channelview the low bidder in the amount of \$119,500. **Attachment 2** Staff concurs with the recommendation of Mr. Dunham. This project is anticipated to start in November of this year. **MOTION** Mayor Pro tem Cernosek, **SECOND** Councilmember Zbranek to award the bid to Blastco. Motion carried.

The next item council considered was agenda item 9, to discuss and or consider approval of July 2016 minutes. **MOTION** Councilman Janca, **SECOND** Councilman Romberg to approve the July 2016 minutes. Motion carried.

City Council Committee Reports were then given. Councilmember Bradley noted that the Beautification Committee awarded August Yard of the Month to Ann & Gerald Campbell at 285 W. Pecan. Councilmember Bradley also noted that the next event at the Historic Casino Hall will be a comedy/musical on Bonnie & Clyde which will be held on October 15th.

Chief of Police

There have recently been numerous thefts at businesses which have included AT&T, Kleiber Tractor, NAPA, and Wal-Mart. Warrants have been issued for individuals regarding most of these thefts.

City Manager

Summer camp at the Randolph Recreation Center was extended for one week. Sign up for the after school programs at the recreation center will be this week. As of now, the LGISD will not have a bus stop at the recreation center as had been done in previous years. Staff has been in contact with individuals of the LGISD to see if something could be done which might allow a bus stop to continue to be at the recreation center.

The next items council considered was agenda item 7, a staff review of 2016-2017 FY Budget with City Council. City Manager Raborn presented the proposed budget to

council. This 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 2016-2017 Fiscal Year is service driven and balanced. The proposed budget is 3.79 percent higher than the 2015-2016 adopted city budget. The increase in the overall budget is related to the use of bond proceeds to complete the drilling of the water well on North Main Street. Staff is proposing to set the tax rate at .2093, which is three percent below the current tax rate. The proposed budget does make a four percent adjustment to the base waste water and water rate and the pass through of the 3 percent residential sanitation rate increase from Republic Services. Overview of the FY 2016-2017 Operating Budget:

	Budget 2015-2016	Budget 2016-2017
Total Budget	\$12,415,699	\$12,886,344
Utility Budget	\$ 9,120,500	\$ 9,437,000
General Fund	\$ 3,115,671	\$ 3,257,192
Debt Service Fund	\$ 179,528	\$ 192,212

The next item council considered was agenda item 8, to discuss and or consider proposed tax rate and schedule public hearings. Staff is proposing to set the tax rate at \$0.2093 per \$100 valuation. The Fayette County Appraisal District has certified taxable value of \$288,726,720 for the 2016 Certified Taxable Value and \$8,735,869 for the 2016 value pending ARB approval for a total of \$297,462,589. Staff is proposing the following Public Hearing Schedule: First Hearing August 22, 2016 at 6:00 pm at La Grange City Hall, 155 E. Colorado, La Grange, Texas. Second Public Hearing September 12, 2016 at 6:00 pm at La Grange City Hall, 155 E. Colorado, La Grange, Texas. **MOTION** Councilman Janca, **SECOND** Councilmember Zbranek to approve staff's proposals for the tax rate and the Public Hearing Schedule. Motion carried.

At 7:35 PM as pursuant to Section 551.074 Personnel Matters, council went into closed executive session to discuss the Chief of Police selection and hiring process.

At 7:48 PM Council went into Open Session. There was no action required.

At 7:49 PM a **MOTION** was made by Councilmember Weishuhn, with a **SECOND** by Councilmember Bradley 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 22, 2016

The City Council of the City of La Grange met in Regular Session on Monday, August 22, 2016 in the City Hall Council Chambers with the following members present: 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. Mayor Janet Moerbe was absent. Staff present: City Manager Shawn Raborn, Chief Jackie Skelton, and City Secretary Lisa Oltmann. Visitors: Virginia Yancey, Cleo Schneider, Tom Hudson, Jan Dockery, Patricia Garrett, and Jeff Wick.

Mayor Pro tem John J. Cernosek called the meeting to order. The Pledge of Allegiance to the United States and Texas was recited and Councilmember Kathy Weishuhn gave the invocation.

The first item was a Public Hearing on the proposed tax rate. The Public Hearing was opened at 6:03PM. Mayor Pro tem Cernosek asked if there were any comments from those in attendance. City Manager Raborn stated that the proposed tax rate is .2093 which is below the current tax rate of .2157. The Public Hearing was closed at 6:04PM.

The next item was to discuss and or consider final replat request from Mr. Cleo Schneider to subdivide property located at 1428 W. State Highway 71 into 2 tracts. Mr. Cleo Schneider submitted a request to subdivide his property at 1428 W. State Highway 71 into two tracts. Lot 1 would be approximately 188.29' X 298.93'. Lot 2 would be approximately 103.0' X 298.0'. Council granted preliminary approval of this request at the August 8, 2016 City Council Meeting. **MOTION** Councilman John Eilert, **SECOND** Councilmember Kathy Weishuhn to approve this final replat request. Motion carried.

The next item was to discuss and or consider final replat request from Jack S. Mitchell Estate to subdivide property located at 351 E. Camp & 713 N. Monroe into 2 tracts. The Jack S. Mitchell Estate submitted a request to subdivide the property located at 351 E. Camp & 713 N. Monroe into 2 tracts. Council granted preliminary approval of this request at the August 8, 2016 City Council Meeting. **MOTION** Councilman Pat Janca, **SECOND** Councilman Arnold Romberg to approve this final replat request. Motion carried.

The next item was to discuss and or consider a Resolution authorizing the purchase of real property located on Mode Lane. Staff is requesting council approval of a resolution that will allow the city to complete the acquisition of the Grimes property located on Mode Lane. Closing should be able to be done by September 15th. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Bonnie Busch to approve the Resolution. Motion carried. **Attachment #1.**

The next item was to discuss and or consider a Resolution authorizing the purchase of real property located at 500 Veterans Memorial Drive. Staff is requesting council approval of a resolution that will allow the city to complete the acquisition of the property located at 500 Veterans Memorial Drive. **MOTION** Councilman John Eilert, **SECOND** Councilmember Violet Zbranek to approve the Resolution. Motion carried. **Attachment #2.**

The next item was to discuss and or consider charge off of delinquent Utility Accounts. The charge off dollar amount for the period ending July 31, 2016 is \$15,860.36 and the number of uncollectible accounts has increased from the prior period from 59 to 70. Office staff collected \$8,572,580 out of a total sales of \$8,588,440 which is a collection rate of 99.8%. A total of 37,567 bills were prepared and mailed for the period and 37,497 of these were collected and paid in full. Out of an average of 3,130 bills per month, there is an average of 350 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. On average 40 accounts are left unpaid and are dispatched to be disconnected. The office staff works diligently to collect all unpaid bills. They have maintained an excellent and outstanding record by collecting 99.8% of all bills mailed for the twelve month period covered by this report. This collection rate has been made possible by adhering to the established disconnect policy. Enforcement of the 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. City Manager Raborn noted that these accounts are moved to bad debt and that if individuals move back to La Grange they would pay the outstanding amounts in addition to what is required to have new services turned on. He also commended the office staff on the job that they do in collecting and achieving such a high collection rate. Councilmember Zbranek also noted the outstanding job the office staff does. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Zbranek to approve this item. Motion carried. **Attachment #3**

The next item was staff review of 2016-2017 Annual Budget. City Manager Raborn reviewed with council the Annual Operating Budget for Fiscal Year 2016-2017. The budget reflects the ongoing mission of the La Grange City Council to maintain cost effective programs and services at current levels, while continually focusing on preserving and enhancing the quality of life that is enjoyed by all La Grange Citizens. A financial overview of the FY 2016-2017 budget: Total Budget is \$12,886,344 with

General Fund being \$3,257,192; the Utility Fund being \$9,437,000; the Debt Service Fund being \$192,212. City Manager Raborn noted that TxDOT is working on making temporary repairs to the parking lot at the boat ramp which was damaged the last time the river flooded.

The next 4 items are as follows: 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 \$23.46 to \$24.40 per month. The change is based on a four percent increase to recognize the debt service required to develop additional water supplies and recognize the 1 percent change in the Consumer Price Index for the previous 12 months. The volumetric rate for residential water service will increase eight 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 \$35.38 compared to \$30.52 in La Grange. We also compare favorably with cities our size with a monthly water consumption of 10,000 gallons, \$56.05 compared to \$40.75 in La Grange.

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 (a)(3)(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 4 percent. Staff is proposing to increase the base residential waste water rate from \$10.97 to \$11.41 per month. The volumetric rate for residential wastewater service will also change by 4 percent or twelve cents per thousand. The current rate charged our commercial customers for waste water service is a base rate of \$11.49 for the first 3,000 gallons of water usage and \$1.85 fee per thousand gallons of water in excess of three

thousand gallons per month. The proposal is to increase the base rate to \$11.95 and to increase the volumetric rate from the current \$1.85 to \$1.95 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 \$27.42 compared to \$18.11 in La Grange.

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 \$8.50 per month to \$9.50 per month. The rate change is needed to keep pace with inflation and due to the overall cost increases in providing this service.

Discuss And Or Consider On First Reading An Ordinance Amending Chapter 13, Garbage And Trash, Code Of Ordinances, City Of La Grange, Texas, By Amending Chapter 13, Section 13.05.014, By Increasing The Rates For Residences Utilizing Garbage Containers Of A Capacity Of 96 Gallons As Set Forth In Subsection (1) Of Section 13.05.014, And Providing For An Effective Date. Staff is presenting for council consideration a solid waste utility rate change that will go into effect with the November 1st bill. The rate change is in accordance with our Republic Services contract that we entered into in 2014. The base rate for residential service will increase by 3% in accordance with the contract. The base residential rate will increase from \$21.74 per month to \$22.39 per month. The senior citizen rate will increase from \$19.74 to \$20.39 per month. The additional cart charge will be increasing from \$6.38 to \$6.57 per month. This is the first increase in the residential rate in two years and the commercial rate was reduced as part of the new agreement and will remain the same this year. The rate includes solid waste collection once a week, curbside recycling every other week, quarterly bulk curbside waste collection, two free brush collections a year and two additional cleanup opportunities a year. In addition after a holiday three extra bags, boxes or bundles that are outside the cart are collected at no additional charge. Holidays include New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas.

MOTION Councilmember Weishuhn, **SECOND** Councilman Romberg to approve the first reading of these 4 ordinances. A roll call vote was taken: Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek abstained due to him conducting the meeting, Councilman Eilert in favor,

Councilman Janca in favor, Councilman Romberg in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 7-0.

City Manager Report

The play scape at White Rock Park has been removed to prepare for new play scape to be installed.

The river is anticipated to crest at 22.6' which is below the flood level at 26'.

The transportation concerns between the La Grange ISD and the City of La Grange regarding the transportation of individuals from La Grange ISD to the Randolph Recreation Center for the City of La Grange after school program has been resolved. The LGISD will bill the city in June 2017 for this service at the rate of \$18.62 per school day.

At 6:26 PM as pursuant to Section 551.074 Personnel Matters, council went into closed executive session to discuss the Chief of Police selection and hiring process.

At 6:45 PM Council went into Open Session. There was no action required.

The next item in open session was to discuss and or consider appointment of the Police Chief Technical Review Committee. **MOTION** Councilman Eilert, **SECOND** Councilmember Busch to approve the following to the committee, Kathy Weishuhn, City Councilmember; Peggy Supak, District Attorney; Angela Beck, City Attorney; Shawn Raborn, City Manager; Jan Dockery, Community Representative; Ken Taylor, Community Representative; Calvin Mersiovksy, Community Representative. Motion Carried.

At 6:47 PM a **MOTION** was made by Councilmember Weishuhn, with a **SECOND** by Councilmember Zbranek that the meeting be adjourned. Motion carried.

Lisa Oltmann, City Secretary

These Minutes Approved by City Council on:

John J. Cernosek, Mayor Pro tem