

REGULAR COUNCIL MEETING – August 13, 2018

The City Council of the City of La Grange met in Regular Session on Monday, August 13, 2018 in the City Hall Council Chambers at 155 E. Colorado St. with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Mayor Pro tem John J. Cernosek, Councilman John Eilert, Councilman Pat Janca, Councilman Ken Taylor, Councilmember Violet Zbranek, and Councilmember Kathy Weishuhn. Councilmember Deborah Bradley was absent. Staff present: City Manager Shawn Raborn, Chief David Gilbreath, and City Secretary Lisa Oltmann. Visitors: Agnes Hannes, Sarah Mabry, Mike Mabry, Cleo Wenske, Barbara Brauner, Evelyn Burgess, Shirley Thrasher, Connie Welker, Pat Null, Harvey E. Busch, Shirley Hudson, Mary Ann Powell, Roger Bippert, Ken Dernehl, Rita Dernehl, Wendy Jenke, Jimmy Gambino, Neale Rabensburg, Katy Michalke, Tom Hudson, J. Paul Bruhn, Kenny Couch, and others.

Mayor Moerbe called the meeting to order. J. Paul Bruhn of First United Methodist Church gave the invocation.

Under petitions, Ken Dernehl addressed the council regarding Open Records.

The first item was a grant presentation by CenterPoint Energy to La Grange Police Department. Lance Zandonatti with CenterPoint Energy and presented a \$2,500 grant to the La Grange Police Department to assist in the purchase of the mobile radar speed message display. Wendy Jenke and Jimmy Gambino with CenterPoint Energy were also present for the presentation. Mayor Moerbe, on behalf of the city, expressed her thanks for the support from CenterPoint. Mr. Zandonatti expressed his appreciation for the City of La Grange.

The next item was to discuss and or consider a final replat request from Hazel Kimble, the owner of 809 E Fannin St. to subdivide the lot into two separate lots. Ms. Kimble submitted a request to subdivide 809 E. Fannin Street into two (2) separate lots and preliminary approval was granted on April 9, 2018 by the City Council. Lot 1A being 82.86' wide X 161.32' in depth, with a total of 13,851 square feet. Lot 2A being 82.87' wide X 107.32' in depth, with a total of 8,893 square feet with both lots meeting the minimum lot sizes approval by the City of La Grange Ordinance. The final replat has the structures belonging to Peaceful Rest Baptist Church being completely on their property including a setback in the rear and sides of the church. **MOTION** Councilman John Eilert, **SECOND** Councilman Pat Janca to approve the replat request. Motion carried.

The next item was to discuss the proposed Hope Hill Subdivision and its tax exemption status for land trust. Mr. Neale Rabensburg has requested to address council regarding the proposed Hope Hill Subdivision and its tax exempt status, if it is created as

a land trust. The city has not received a request from the La Grange Area Disaster Recovery Team owner of the property in question, which is located in the 800 block of Horton Street to be annexed or to consider a plat of the property. The majority of the property is located in the Extraterritorial Jurisdiction of the City and is subject to city regulations regarding platting. The City and Fayette County entered into an Interlocal Agreement in 2002 regarding platting authority in the ETJ. The creation of a community land trust is a private development issue and would not require City Council approval but staff wanted council to be informed of the issue. The approval of the tax exempt status of the property, if it is developed in that manner would be by application to the Fayette County Tax Appraisal District. Mr. Rabensburg addressed the council regarding a community land trust and taxing concerns. Sarah Mabry and Agnes Hannes addressed the council regarding various concerns regarding Hope Hill. Mrs. Mabry also thanked those city councilmembers and city staff which were in attendance at the La Grange Citizens' Alliance Public Meeting which was recently held. Tom Hudson addressed the council inquiring information about the housing authority.

The next item was to discuss and or consider a pole contact agreement with South Central Tower Company, LLC dba SCT Broadband. Staff presented to council for consideration a new agreement with South Central Tower Company to contact with our utility poles. SCT Broadband is the firm that purchased the assets of LiveAir Networks out of bankruptcy. This is the same basic agreement that we have with New Wave Communications, Fayette Electric, Fayette County, Alpheus Communications, L.P., La Grange ISD and the LCRA for fiber contacts. The agreement is for contacts at various locations in town that will support the build out of a fiber network to serve customers in La Grange. Key provisions include that the purpose is for the use of Utility Poles, the term is for 5 years and there is consideration of \$10.00 per attachment per year. Staff recommends agreement. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Zbranek to approve staff's recommendation. Motion carried.

The next item was to discuss and or consider approval of July 2018 minutes. **MOTION** Councilmember Zbranek, **SECOND** Councilmember Busch to approve the July 2018 minutes. Motion carried.

Chief of Police Update

Sgt. Steve Pohorelsky will be the new School Resource Officer. There are three new employees hired in the police department, Mitchel Maxwell, John Wostarek and James Ulbig. There were three officers which attended a Rapid Response Training last week which was held at the La Grange ISD. Those attending from the La Grange Police Department were Justin Koehne, Kevin Currington, and Brett Meinardus. Chief Gilbreath also expressed his thanks to CenterPoint Energy and the Citizens on Patrol for their contributions toward the radar sign.

The next item was to discuss and or consider proposed property tax rate and schedule public hearings. The staff is pleased to present the City of La Grange, Annual Operating Budget for Fiscal Year of 2018-2019. 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 2018-2019 Fiscal Year is service driven and balanced. The proposed budget is .42 percent higher than the 2017-18 adopted city budget. Staff is proposing to set the tax rate at .2093, which is the current tax rate. The average home value in La Grange according to the Fayette County Tax Appraisal District is \$169,801. The annual taxes on the average homestead based on the current tax rate is \$284.31 per year, \$23.69 per month or .78 cents per day for city provided general fund services. The proposed budget does make a four percent adjustment to the base water rate, a 2.8 percent CPI increase in waste water rates and the pass through of the three percent residential sanitation rate increase from Republic Services. Financial overview of the FY 2018-2019 Operating Budget:

	Budget 2017-2018	Budget 2018-2019
Total Budget	\$12,401,584	\$12,453,288
Utility Budget	\$ 8,931,362	\$ 8,935,000
General Fund	\$ 3,266,133	\$ 3,311,164
Debt Service Fund	\$ 204,089	\$ 207,123

City Manager Raborn reviewed the proposed budget with City Council. The La Grange Economic Development Corporation will be meeting on August 20th to consider the FY 2018-2019 EDC operating budget. Thanks was extended to City Manager Raborn and staff for all that they do for the city, especially this past year with all of the extra work as a result of the storm.

The next item was to discuss and or consider proposed property tax rate and schedule Public Hearings. As included in the budget presentation, staff is proposing to set the tax rate at \$0.2093 per \$100 valuation. Of this rate \$0.1438 is for maintenance and operations and the balance of \$0.0655 is for debt service. The Fayette County Appraisal District has certified taxable values of \$318,233,854 for the 2018 Tax Year. This represents a 1.41% increase in total taxable of \$4,635,511 over the 2017 values. The total new construction value in 2018 is \$3,089,450. Public Hearing Schedule: First Hearing: August 27, 2018 at 6 pm at La Grange City Hall, 155 E. Colorado, La Grange, TX. Second Hearing: September 10, 2018 at 6:00 pm at La Grange City Hall, 155 E. Colorado, La Grange, TX. **MOTION** Councilman Janca, **SECOND** Councilman Taylor to approve the proposed Property Tax Rate of \$0.2093 and schedule the first public hearing on August 27, 2018 at 6:00 pm at La Grange City Hall, 155 E. Colorado, La

Grange TX 78945, and the second public hearing on September 10, 2018 at 6:00 pm at La Grange City Hall, 155 E Colorado, La Grange, TX 78945. The members of the governing body voted on the proposal to consider the tax rate as follows: For: Councilmembers Busch, Taylor, Janca, Zbranek, Weishuhn, Cernosek, and Eilert. Against: None. Present and not voting: None. Absent: Councilmember Bradley. Motion carried.

City Manager Update

The water usage is being monitored. At this time there are no water restrictions in place. Crews are getting ready for the start of school. Utility customers are now able to set up Auto Pay with a Credit Card. Gymnastics and the after school program at the Recreation Center will begin next week.

At 7:44 pm a **MOTION** was made by Councilman 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:

Janet Moerbe, Mayor

REGULAR COUNCIL MEETING – August 27, 2018

The City Council of the City of La Grange met in Regular Session on Monday, August 27, 2018 in the City Hall Council Chambers at 155 E. Colorado St. with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Mayor Pro tem John J. Cernosek, Councilman John Eilert, Councilman Pat Janca, Councilman Ken Taylor, Councilmember Violet Zbranek, and Councilmember Kathy Weishuhn. Councilmember Deborah Bradley was absent. Staff present: City Manager Shawn Raborn, Chief David Gilbreath, and City Secretary Lisa Oltmann. Visitors: Tami Sladek, Tom Hudson, Mike Mabry, Arnold Romberg, Sarah Mabry, London Gaskins, Jason McBroom, Ken Dernehl, Scott Givan, Shirley Hudson, Clovis Vaughns, Patricia Hull, Shirley Thrasher, Connie Welker, Neale Rabensburg, Mary Ann Butler, Joy Cameron, Cleo Wenske, Larry Jackson, Harvey E. Busch, Billy T. and others.

Mayor Moerbe called the meeting to order. Father Eric Hungerford of St. James Episcopal Church gave the invocation.

Under petitions, Shirley Hudson addressed the council regarding water; London Gaskins addressed the council about quality of water, Ken Dernehl spoke about Country Way Village, Sarah Mabry spoke about Community Land Trusts and communications related

to Citizens Alliance; Joy Cameron spoke on an update with the Disaster Recovery Team; Neale Rabensburg spoke on Hope Hill & Community Land Trust Exemption.

The first item was a Public Hearing on Proposed Tax Rate. Mayor Moerbe opened the Public Hearing at 6:37 PM. As part of the annual budget process this is the first of two public hearings on setting the proposed tax rate. Staff is proposing to set the tax rate at .2093, which is the current tax rate. Tom Hudson inquired as to actual dollars collected by the city. There being no other comments the Public Hearing was closed at 6:40 PM.

The next item was to discuss and or consider appointments to the La Grange Housing Authority Board. The terms for La Grange Housing Authority board members Brenda Gilmore and Jan Dockery have expired. The Housing Authority recommends that both Brenda Gilmore and Jan Dockery be reappointed to the board for an additional 2 years. The other members of their board are Joy Robinson, Jackie Daniels and Wm. Bill Asbill. **MOTION** Councilman John Eilert, **SECOND** Councilman Pat Janca to approve the appointments. Motion carried.

The next item was to discuss and or consider a request from Mr. Nick Deters to connect to the city sanitary sewer system. The City has received a letter requesting that the city allow for the connection of waste water service for a customer located outside the city limits. Mr. Deters has purchased property located at 2001 State Highway 159 and as part of this proposed development of the tract the current sewer system is not adequate to meet the needs of the development. The proposed development will be mixed use of office space and housing. Staff is currently working with Mr. Deters on the proposed layout and plat requirements for the project. Mr. Deters understands that he will be responsible for all costs associated with the line extension. Mr. Deters is working with a local contractor on the line installation and it will be designed to city standards so in the event the property is annexed into the city limits in the future it will be to city standards. The extension of sewer service outside the city limits requires formal council approval. Staff presented this item for general discussion at this time and will bring back for formal consideration at the next council meeting.

The next item was staff review of the 2018-2019 Annual Budget. Staff reviewed the Annual Operating Budget for the Fiscal Year of 2018-2019. This 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. The total budget is \$12,453,288 with a General Fund of \$3,311,164, a Utility Fund of \$8,935,000, and a Debt Service Fund of \$207,123. Updated pages as relates to the Economic Department Corporation were provided to council. The EDC met following the last council meeting and their budget has been updated. The EDC also agreed to partner with the city on the trunk sewer line project and as a result the Capital Improvement Budget was also changed by \$500,000 to match the EDC funds as this project is approximately \$1,000,000. Mr. Hudson inquired if dollar amounts could be broken down farther than included in council packet. City Manager Raborn noted the information is listed by departments. Compensation for the mayor and council was provided.

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, Subsection (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 \$25.38 to \$26.40 per month. The change is based on a four percent increase to recognize the debt service required to develop additional water. 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 \$38.96 compared to \$33.03 in La Grange. We also compare favorably with cities our size with a monthly water consumption of 10,000 gallons, \$60.55 compared to \$44.08 in La Grange. **MOTION** Councilmember Kathy Weishuhn, **SECOND** Councilmember Violet Zbranek to approve this ordinance on First Reading. A roll call vote was taken: Councilmember Busch for, Councilmember Bradley absent, Mayor Pro tem Cernosek for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn for, Councilmember Zbranek for. Motion carried 7-0.

The next item was to discuss and or consider First Reading of An Ordinance Amending Chapter 13, CODE OF ORDINANCES, CITY OF LAGRANGE, 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)(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. Staff is proposing to increase waste water rates by 2.8 percent. Staff is proposing to increase the base residential waste water rate from \$11.65 to \$11.98 per month. The volumetric rate for residential waste water service will also change by 2.8 percent or nine cents per thousand. The current rate charged our commercial customers for waste water service is a base rate of \$12.19 for the first 3,000 gallons of water usage and a \$2.00 fee per thousand gallons of water in excess of three thousand gallons per month. The proposal is to increase the base rate to \$12.53 and to increase the volumetric rate from the current \$2.00 to \$2.06 per thousand gallons in excess of the 3,000 minimum. With the proposed rate modifications La Grange is 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 \$29.71 compared to \$19.02 in La Grange. **MOTION** Councilmember Zbranek, **SECOND** Councilmember Eilert to approve this ordinance on First Reading. A roll call vote was taken: Councilmember Busch for, Councilmember Bradley absent, Mayor Pro tem Cernosek for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn for, Councilmember Zbranek for. Motion carried 7-0.

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, Subsection 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 \$10.50 per month to \$11.50 per month. The rate change is needed to keep pace with inflation and due to the overall cost increases in providing this service. Staff is also reviewing the implementation of Advanced Metering Infrastructure (AMI) as part of the FY 2018-19 Budget. **MOTION** Councilmember Weishuhn, **SECOND** Councilman Janca to approve this ordinance on First Reading. A roll call vote was taken: Councilmember Busch for, Councilmember Bradley absent, Mayor Pro tem Cernosek for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn for, Councilmember Zbranek for. Motion carried 7-0.

The next item was to 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, By Amending Chapter 13, Section 13.05.014 By Increasing The Rates For Premises Other Than Residences Utilizing Containers Of A Capacity Of 96 Gallons As Set Forth In Subsection (2); And Providing For An Effective Date. Staff presented for council consideration a solid waste utility rate change that would 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 \$23.06 per month to \$23.75 per month. The senior citizen rate will increase from \$21.06 to \$21.69 per month. The additional cart charge will be increasing from \$6.77 to \$6.97 per month. This is the third increase in the residential rate in four years and the second increase in commercial rate in four years. Commercial rates were reduced as part of the new agreement and will increase by three percent in accordance with the contract. The current contract will expire in December of 2021. 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. City staff is in discussions with Republic Services regarding the current challenges faced by the recycling industry and possible changes that will have to be made to the rate and or commodities collected. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Eilert to approve this ordinance on First Reading. A roll call vote was taken: Councilmember Busch for, Councilmember Bradley absent, Mayor Pro tem Cernosek for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn for, Councilmember Zbranek for. Motion carried 7-0.

The next item was the Active Project Update. City Manager Raborn reviewed the active projects with council. Items included the water line upgrade project on Madison & Monroe Street to Camp Street. It is anticipated that they will mobilize this week. Staff is beginning work on the 2019 CDBG project, information will be brought to council in September on this CDBG project. Last week there was a presentation related to the final Downtown Master Plan. The Splash Pad Project at the Randolph Recreation Center continues. It is hoped that this project will be complete in October. Information will be submitted to qualifying homeowners about the FEMA Hazard Mitigation Plan, homeowners who are interested in this program must return a letter by September 12th. There are three FEMA projects which need to be closed out. The debris removal was paid 90% by FEMA and 10% by the state; there was no direct cost on debris removal. Staff has met with the long term recovery team, with the Engineer representative regarding the layout of the planned development on Horton Street.

Chief Of Police Update

Justin Koehne has been promoted to Sgt. He has been with the department for nine years. The Police department and the Fayette County Narcotics Unit served a search warrant and rocks of crack cocaine and marijuana were recovered. Chief Gilbreath noted that the Narcotics Unit provides a very valuable service to the community. School Resource Officer Brian Adams trained 5 school employees to be crossing guards. Officers Wostarek and Ulbig are attending Crisis Intervention Training which is a required training for new hires, and we are fortunate that this training is being offered in La Grange. As per the Sandra Bland Act all officers are now required to take additional training, one of the trainings that city officers will be taking is the Citizen Interaction Training. National Night Out is October 2nd and this year the department is looking into the possibility of one larger event to be held at a city park instead of multiple smaller events.

City Manager Update

There will be no change in the garbage schedule due to the holiday next week. Thanks was extended to the La Grange Fire Department and the Rotary Club for hosting the Community Meal on Sunday commemorating the one year anniversary of Hurricane Harvey. Second Chance held a blessing on Sunday for their new location. Staff hopes to receive an update on their former location on Hwy 71 very soon. The Hazard Mitigation Program is for real property owners as listed on the tax appraisal roll.

At 7:25 pm a **MOTION** was made by Councilman 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:

Janet Moerbe, Mayor