

REGULAR COUNCIL MEETING – September 11, 2017

The City Council of the City of La Grange met in Regular Session on Monday, September 11, 2017 in the City Hall Council Chambers at 155 E. Colorado St. with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Councilmember Deborah Bradley, Mayor Pro tem John J. Cernosek, Councilman John Eilert, Councilman Pat Janca, Councilman Ken Taylor, Councilmember Kathy Weishuhn and Councilmember Violet Zbranek. Staff present: City Manager Shawn Raborn, Chief of Police David Gilbreath, and City Secretary Lisa Oltmann. Visitors: Jeff Wick, Jason McBroom, Sharon Kramer, Tex Parker, Pattie Chilek, Chuck Mazac, John W. Wied, and others.

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

It was noted that there was to have been a presentation of a donation to the Good Shepard Fund and to the Rotary Club from Michael Johnson with the Boys and Girls Club of Dane County, Wisconsin during petitions and word was just received that Mr. Johnson was unable to be in attendance. Their organization has made some donations to individual families they had adopted over the past weekend. Apologies were extended to those who were in attendance expecting to receive these donations. Mayor Moerbe noted that this experience, Hurricane Harvey, has been heart breaking with so many losing all their material possessions. But it has been heartwarming to see members of our immediate community along with others from within Texas and outside of Texas coming together in lifting up La Grange. Mayor Moerbe also noted that the city staff is composed of many caring and dedicated individuals. There have been employees working every day since everything began with Hurricane Harvey. There were employees picking up brush from the gutters in the streets and moving whole trees to prevent flooding in town, this was extremely successful until the river itself flooded. There were isolated electrical outages and those on the city side of the river were taken care of very quickly. Assistance was received from Fayette Electric in having power restored when the line crossing the river went down. The city had several water wells which went under water during this event, and Fayette Water Supply assisted the water department in making sure all had water. It was mentioned that all departments, councilmembers, and spouses of employees contributed greatly and helped wherever there was a need during the event. All employees continue to assist and contribute wherever needed in this recovery phase.

The Public Hearing on the proposed tax rate was opened at 6:10 pm. As part of the annual budget process we are required to hold two public hearings on setting the proposed tax rate. This is the second of the two public hearings. Staff is proposing to set

the tax rate at .2093 this is the same as the current rate and it is .0072 above the effective rate of .2021. There being no comments, the public hearing was closed at 6:12 pm.

The next item was to discuss and or consider on first reading of an Ordinance Of The City of La Grange, Texas Authorizing Removal of Debris From Any Publicly or Privately Owned Property Necessitated by Reason of Hurricane Harvey; Providing For A Penalty For Violation; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date. Staff is requesting that council consider this ordinance that will allow us the authority to enter private property to remove debris. This is being done in the event that we have to enter into a private property debris removal (PPDR) program with FEMA. **MOTION** Councilmember Violet Zbranek, **SECOND** Councilmember Kathy Weishuhn to approve this ordinance on first reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca in favor, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 8-0.

The next item was to discuss and or consider waiving building permit and associated construction fees related to reconstructed of flooded structures. Staff is requesting that council consider waiving permit fees associated with the reconstruction of impacted properties. The waiver would expire on November 3rd. **MOION** Mayor Pro tem John Cernosek, **SECOND** Councilmember Weishuhn to approve staff's recommendations. Motion carried.

The next item was a report on Recovery from Hurricane Harvey. City Manager Raborn addressed the council regarding the recovery. It was noted that this is a community effort. Staff has done an excellent job in taking ownership of specific details and completing assigned tasks. Mayor Moerbe has done an outstanding job in leading us thru this, she has become the "face" of the city. This morning there were still thirteen (13) individuals in the shelter, and two (2) of these should have been able to relocate today, the remainder of the individuals are members of two families and it is hoped that they will be able to relocate by Wednesday. The community is in the process of forming a long term recovery organization. Items which would be handled by this organization include long term housing , which is a critical need at this time, to have a structure put in place for raising funding and how that money is given. Initially the Ministerial Alliance was contacted regarding these efforts and they stood up very quickly. Putting this structure in place will allow everyone to think about how this will be handled should the need arise again. Housing opportunities are being looked into by City Manager Raborn and Community/Economic Development Coordinator Scott Byler. They are also looking into non-profit organizations which might be able to assist in housing opportunities. They will take part in a conference call this week with the Housing Assistance Council. Staff is trying to develop a truly affordable housing neighborhood. Affordable housing was a critical need prior to the disaster and is even more so now. Staff met with the

owners of Oaks 1 & 2 and Country Way Parks last week Wednesday and asked them what their plan was, how they anticipate in going forward. As of today no information has been received back from the owners of these Manufactured Housing Parks. Hopefully this information will be received this week. Staff also met with Charlo Wharton, owner of Colorado Landing, his plan in moving forward is to have all sites converted to RV sites. Mr. Wharton has been working towards this over the past few years. A major challenge is with debris, how to deal with debris on private property. Water is off in these parks due to infrastructure issues. The city hopes to have water restored to Mr. Wharton's park at the end of this week. The water lines need to be flushed, and valves to be turned off however, structures need to be moved off of these valves before they can be turned off. Testing will then have to be done and a good Bac-T sample will need to be received prior to the water being able to be turned on. Mayor Moerbe and City Manager Raborn visited with Congressman Michael McCaul's office and Senator John Cornyn's office today and they both offer their support to the community as we move forward in the recovery process. It will be a long recovery process. Both Congressman McCaul & Senator Cornyn offices have said they would help individuals work thru any FEMA issues they may have. The insurance adjustor with TML was here last Friday and went thru the city facilities. We anticipate having a report from him in two (2) weeks. The city has a \$25,000 deductible on the event. There were four (4) water wells impacted from their motors to their electronics. At this time the biggest issue is that the water system is on a manual run. The "gateway" where the wells all "talked" to each other was at Water Well Station C, which had gone under water. The electronic equipment has been ordered to have this problem corrected. We hope that this equipment will be received later this week and that by the end of this week or the following week this problem will be corrected. The sewer plant did not go under water, however the blowers at the sewer plant did and they will all need to be replaced. At Well Station H, which is on Lower Line Street, the hydrostatic tank has been moved by the flooding, and the insurance adjustor will need to come back another day to look at this as he is unsure as to what it will take to have this taken care of. There are currently three (3) wells off-line. Well Station G is off-line due to issues unrelated to the disaster. Multiple lift stations were also damaged as well as the pumps at the pool. The city is continuing to work on debris removal. Private property debris removal- FEMA assistance for this is done on a case by case basis and the assistance is very hard to receive. Last week Friday staff met with the state to be sure that the financial reimbursement process was in order. The primary reimbursement request from FEMA will probably be for debris removal and possibly overtime for staff as an impact of the storm. Other equipment lost were electric meters, there were approximately 150 electric meters lost and these are not covered under insurance. There will be significant impact financially, and this will be a long-term impact which includes the reduction of revenue from utility sales. The Ministerial Alliance, FEMA and the SBA are all continuing to work to assist individuals and businesses which were affected. Mayor Moerbe then inquired if anyone in the audience had any questions regarding this report. Some comments/questions included: Would the city be able to help with the removal of homes

which were in the middle of the streets? Is there a time frame for individuals to retrieve their possessions? It was mentioned that looting is/might be taking place in the manufactured home parks. When asked if this had been reported to the police department it was noted that this had not been done. The police department will increase patrols in the affected area, and staff will work towards having the street lighting in the area improved. The steps on how to rebuild in the floodplain were briefly reviewed. It was once again noted that we are waiting to hear back from some of the owners of the manufactured home parks to see what their intentions are. One individual in the audience mentioned that he is having difficulty in reaching either the owner or the manager of their manufactured home park.

The next item was to discuss and or consider awarding bid for the replacement of the 80,000 gallon water tank located at Well Station D to Mercer Controls the low bidder in the amount of \$89,000. On August 22, 2017 bids were received for improvements at Well Station D. A letter from Mr. Jimmy Dunham, P.E. of Dunham Engineering was received reviewing the bids received. **Attachment #1** Staff concurs with the recommendation of Mr. Dunham to award the bid to Mercer Controls the low bidder in the amount of \$89,000. This project will not start until November of this year. **MOTION** Councilmember Weishuhn, **SECOND** Councilman Pat Janca to approve staff's recommendation. Motion carried.

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, 2017 was \$12,517.40 and the number of uncollectible accounts has decreased from the prior period from 70 to 60. Office staff collected \$8,192,134 out of total sales of \$8,204,652 which is a collection rate of 99.8%. A total of 37,836 bills were prepared and mailed for the period and 37,776 of these were collected and paid in full. Out of an average of 3,145 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. An average of 35 accounts is left unpaid and is dispatched to be disconnected. The office staff works 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 by this report. This has been made possible by 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 along with the council also wish to commend the utility office staff on their 99.8% collection rate.

The next item was the Public Hearing on the 2017-2018 Annual Budget. This public hearing was opened at 6:38pm. Part of the annual budget process requires a public hearing on the adoption of the FY 2017-2018 operating budget for the City of La Grange. The total budget is \$12,401,584 which includes the General Fund of \$3,266,133; the

Utility Fund of \$8,931,362; and the Debt Service Fund of \$204,089. There being no comments the public hearing was closed at 6:40pm.

The next item was to discuss and or consider on First Reading of an Ordinance Making Appropriations For The Support Of The City Of La Grange For The Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018; Appropriating Money To a Sinking Fund To Pay Interest And Principal Due On The City's Indebtedness; And Adopting The Annual Budget Of The City Of La Grange For The 2017-2018 Fiscal Year Which Includes The General Fund, The Utility Enterprise Fund And The La Grange Economic Development Corporation Budget. **MOTION** Councilmember Zbranek, **SECOND** Councilmember Bonnie Busch to approve this ordinance on First Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca in favor, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 8-0.

The next item was to discuss and or consider on First Reading of an Ordinance Levying Ad Valorem Taxes For Use And Support Of The Municipal Government Of The City Of La Grange, Texas For The 2017-2018 Fiscal Year; Providing For Apportioning Each Levy For Specific Purposes; Providing When Taxes Shall Become Due And When Same Shall Become Delinquent If Not Paid; Providing For The Levy And Collection Of Occupation Taxes. Staff is presenting for council consideration an ordinance establishing the tax rate to support the FY 2017-2018 annual budget. A property tax rate of \$.2093 per \$100 valuation is proposed to fund the FY 2017-2018 Budget. Of this rate, \$.1442 will be for maintenance and operations. The balance of \$.0651 is for debt service. **MOTION** Mayor Pro tem Cernosek, **SECOND** Councilman Janca to approve this ordinance on First Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca in favor, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 8-0.

The next item was to discuss and or consider on Second Reading An Ordinance Amending Chapter 11, Taxation, Of The Code Of Ordinances, City Of La Grange, Texas, By Adding A New Article 11.04 Telecommunication Services Tax Relating To Taxation Of Telecommunications Services; Repealing The Application Of The Exemption Provided For In Section 321.210 Of The Texas Tax Code; Providing For Notification To The Comptroller Of The State Of Texas; Providing That No Such Tax Provided For Hereunder Shall Serve As An Offset To Or To Reduce Any Amount Payable By Any Provider Of Telecommunications Services Pursuant To Any Franchise, Street Use Ordinance, Statue Or Any Other Imposition Of The City Of La Grange; Providing For An Effective Date And Other Matters Related Thereto. This is the second reading of the ordinance that will remove the telecommunication services exemption from local sales taxes. According to Section 321.210 of the Texas Tax Code, the governing body of a

municipality may repeal the application of the sales tax exemption for telecommunication services sold within the municipality. Telecommunication services include: landline telephone services, long distance calls within Texas, Voice Over Internet Protocol (VoIP) (i.e. using the internet to make calls), calls that are not itemized (i.e. unlimited long distance service), mobile phone service. To date the City of La Grange has not repealed the local sales tax exemption on telecommunication services. As a result, the City is limited in applying its local sales tax to telecommunication services. Currently, 516 cities have removed the sales tax exemption for telecommunication services. Staff recommends approval of this ordinance. **MOTION** Councilmember Ken Taylor, **SECOND** Councilmember Zbranek to approve this ordinance on Second Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca in favor, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 8-0. **Attachment #2**

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 13.02 Section 13.021.031, 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 \$24.40 to \$25.38 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 \$36.60 compared to \$31.76 in La Grange. We also compare favorably with cities our size with a monthly water consumption of 10,000 gallons, \$55.90 compared to \$42.42 in La Grange. **MOTION** Councilman Janca, **SECOND** Councilmember Weishuhn to approve this ordinance on First Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca in favor, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 8-0.

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 13.03 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. As part of the budget process this year staff is proposing to increase waste water rates by two percent. Staff is proposing to increase the base residential waste water rate from \$11.41 to \$11.65 per month. The volumetric rate for residential wastewater service will also change by two percent or six cents per thousand. The current rate charged our commercial customers for waste water service is a base rate of \$11.95 for the first 3,000 gallons of water usage and a \$1.95 fee per thousand gallons of water in excess of three thousand gallons per month. The proposal is to increase the base rate of \$12.19 and to increase the volumetric rate from the current \$1.95 to \$2.00 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 aver consumption of 5,000 gallons is \$32.24 compared to \$18.49 in La Grange. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Busch to approve this ordinance on First Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca in favor, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 8-0.

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, 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 \$9.50 per month to \$10.50 per month. The rate change is needed to keep pace with inflation and due to the overall cost increases in providing this service. **MOTION** Councilman Janca, **SECOND** Councilmember Weishuhn to approve this ordinance on First Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca in favor, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 8-0.

The next item was to discuss and or consider on First Reading Of 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 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 \$22.39 per month to \$23.06 per month. The senior citizen rate will increase from \$20.39 to \$21.06 per month. The additional cart charge will be increasing from \$6.57 to \$6.77 per month. This is the second increase in the residential rate in three years and the first increase in commercial rate in three 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. **MOTION** Councilmember Weishuhn, **SECOND** Councilman Taylor to approve this ordinance on First Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley in favor, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca in favor, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek in favor. Motion carried 8-0.

The next item was to discuss and or consider approval of August 2017 minutes. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Zbranek to approve the August 2017 minutes. Motion carried.

City Council Committee Reports

The Library Board met last Tuesday, it was noted that this year there was a large increase in participation in the summer reading program. The Library staff is to be commended for a great summer reading program and keeping all of the participants entertained during the various activities.

There was not a Main Street meeting this past month, however Councilmember Weishuhn noted what a great job the Main Street/Visitors Bureau staff had done during the Hurricane Harvey disaster along with all of the city staff. City Manager Raborn also noted that they are now also promoting that they are open for business and are holding some of their regular events such as Farmers Market on Saturday. There were also

several businesses which had been impacted by loss of sales during the event, and we want to be sure to spread the word that these businesses which were not flooded/damaged are open for business.

Chief Of Police Update

During the hurricane the police department staff work approximately 400-500 hours with the assistance of the City of Schulenburg Police Department, City of Smithville Police Department, Texas Department of Public Safety, Constable Billy Roensch, and Constable Roger Wunderlich these organizations and individuals were here every day. The Schulenburg Police Department left this past Thursday, September 7th. These departments and individuals assisted any time they were needed regardless if it was day or night. Assistance was also received from the Fayette County Sheriff's Department, LCRA Rangers and Game Wardens on a limited basis as they were able to assist. It was a community effort. Chief Gilbreath wanted to inform council that while the department will be increasing patrols in the areas as requested, if an individual has an address in that community they are allowed into the area and since the flood waters moved homes from their original location/address the police department has no way of knowing which addresses items such as air conditioners come from. If individuals are requesting to move cars, the department checks titles to the cars prior to allowing them being to be moved. The department will stay on top of this. Chief Gilbreath also expressed his thanks to Edna Palacios, a resident of the effected community who for at least three days put her own family's losses and needs aside and went to the KC Hall and helped/assisted the department and community by assisting the department in providing information to those in the affected area. It was noted that she is still helping with this as of today. Other calls received by the department included Oviedo Motor Vehicle having 20 tires taken. There were also a couple of burglaries of motor vehicles.

City Manager Update

City Manager Raborn wanted to also express his thanks to the other departments and individuals that had assisted the City of La Grange. It was a truly a community effort with everyone working together. The city would reciprocate if they have a similar event.

Tex Parker then addressed the council with various concerns including posting permits, river access, inspectors, sound system in the council chambers and other concerns. Mayor Moerbe asked if Mr. Parker would put his concerns in writing and submit them to city hall.

At 7:04pm 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:

Janet Moerbe, Mayor

REGULAR COUNCIL MEETING – September 25, 2017

The City Council of the City of La Grange met in Regular Session on Monday, September 25, 2017 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 Ken Taylor, and Councilmember Kathy Weishuhn. Councilmember Deborah Bradley, Councilman Pat Janca, and Councilmember Violet Zbranek were absent. Staff present: City Manager Shawn Raborn, Sgt. Steve Pohorelsky, Ptlm. Justin Koehne, Officer Bret Meinardus and City Secretary Lisa Oltmann. Visitors: Pastor Candy O’Meara, Sharon Kramer, Tom Hudson, Paul Parker, Andy Behlen and others.

Mayor Moerbe called the meeting to order. The Pledge of Allegiance to the United States and Texas was recited and Pastor Candy O’Meara of St. Paul Lutheran Church gave the invocation.

Sgt. Steve Pohorelsky introduced Officer Bret Meinardus to the council. Mr. Meinardus was recently hired as an officer with the City of La Grange Police Department.

Under Public Petitions, Paul Parker addressed the council in regards to permits-permitting process.

The first item was to discuss and or consider a request to close streets for Trick or Treat on the Square and Schmeckenfest. The Advisory Board of La Grange Main Street is requesting permission for the closing of the following street sections to accommodate Trick or Treat on the Square (Tuesday, October 31) and Schmeckenfest (Thursday, December 7) for the safety of the public. 1. The entry to North Washington Street at Travis. 2. 100 & 200 blocks of West Colorado Street at Hwy. 77 North to the intersection of North Washington. 3. Travis Street (Highway 71 Business) from Highway 77 West to Brown Street. Traffic will be detoured one block south to West Crockett to South Brown, then back onto Travis. 4. One half of the 200 block of North Washington to the Prosperity Bank parking lot entrance. Street closures would begin at 3:30pm for Trick or Treat on the Square and 4:00pm for Schmeckenfest. **MOTION** Councilmember Kathy Weishuhn, **SECOND** Councilmember Bonnie Busch to approve Advisory Board of La Grange Main Street’s request. Motion carried.

The next item was to discuss and or consider Employee Medical Insurance. Staff is proposing that the city continue to utilize the Consumer Centered Pool Plans (CCPP) offered by the TML as the way to provide health care coverage for our employees. The

intent of the CCPP plans is to allow the City to select a “defined contribution” amount and allow the employee to then select one of the seven plans available in the CCPP. An advantage of the CCPP is that we don’t have to pick a plan (the employee does that), we only need to pick the City Contribution amount. Staff is recommending that we allocate \$600 again this year. The proposed level will allow the employee to select a plan with a \$1,500 deductible. The Consumer Centered Pool Plans do not include an office copay but the office visit payment will count toward the deductible amount and the max out of pocket amount. The use of the telemedicine program which has a \$10 copay can help reduce the impact of no longer having an office copay amount. We will continue to use Fayette Saving as the provider of the Health Saving Accounts if the employee selects that option. City Manager Raborn will continue to work with staff to assist in controlling our insurance cost and the Be Well at IEBP wellness program included as part of the insurance coverage will allow us to expand our wellness program for the benefit of the employees. Staff has also requested what the rates would be if the city went to a traditional plan with all employees participating in the same plan in order to have something to compare the rerates with. TMLIEBP needs to have the city plan choice returned to them by September 30th. **MOTION** Councilman John Eilert, **SECOND** Councilman Ken Taylor to continue with the current healthcare provider and to provide \$600 toward the employee monthly premium, and dependent upon information received in regards to staff’s request, allow the City Manager determine if the city continues with the CCPP plans or go to a traditional plan for all employees. Motion carried.

The next item was to discuss and or consider amending the FY 2016-17 Annual Budget. Staff is requesting council approval to amend the Utility Fund Budget in the amount of \$300,000 to account for the expenses incurred related to Hurricane Harvey. Staff is proposing to transfer \$300,000 from the Capital Improvement Fund to the Utility Fund to pay for the expenses incurred to date. We have established storm related accounts in the utility departments to track all storm related expenses and to date we have incurred \$183,201 in expenses. City Manager Raborn has estimated that there has been an additional \$100,000 in expenses that have been incurred but not yet been billed. Staff Overtime is not included in these expenses. When the city receives FEMA or insurance reimbursement for eligible expenses they will be deposited into the Capital Improvement Fund. The current balance in the Capital Improvement Fund is \$5,380,395. **MOTION** Mayor Pro tem John Cernsoek, **SECOND** Councilman Eilert that staff’s request be approved. Motion carried.

The next item was to discuss and or consider on second reading of an Ordinance Of The City of La Grange, Texas Authorizing Removal of Debris From Any Publicly or Privately Owned Property Necessitated by Reason of Hurricane Harvey; Providing For A Penalty For Violation; Making Various Findings And Provisions Related To The Subject And Providing For An Effective Date. Staff is requesting that council consider this ordinance that will allow us the authority to enter private property to remove debris. This is being done in the event that we have to enter into a private property debris removal

(PPDR) program with FEMA. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Busch to approve this ordinance on second reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley absent, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca absent, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek absent. Motion carried 5-0. **Attachment #1**

The next item was to discuss and or consider on Second Reading of an Ordinance Making Appropriations For The Support Of The City Of La Grange For The Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018; Appropriating Money To a Sinking Fund To Pay Interest And Principal Due On The City's Indebtedness; And Adopting The Annual Budget Of The City Of La Grange For The 2017-2018 Fiscal Year Which Includes The General Fund, The Utility Enterprise Fund And The La Grange Economic Development Corporation Budget. The Total Budget is \$12,401,584. This includes the General Fund of \$3,266,133; the Utility Fund of \$8,931,362; and the Debt Service Fund of \$204,089. **MOTION** Councilmember Weishuhn, **SECOND** Mayor Pro tem Cernosek to approve this ordinance on Second Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley absent, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca absent, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek absent. Motion carried 5-0. **Attachment #2**

The next item was to discuss and or consider on Second Reading of an Ordinance Levying Ad Valorem Taxes For Use And Support Of The Municipal Government Of The City Of La Grange, Texas For The 2017-2018 Fiscal Year; Providing For Apportioning Each Levy For Specific Purposes; Providing When Taxes Shall Become Due And When Same Shall Become Delinquent If Not Paid; Providing For The Levy And Collection Of Occupation Taxes. Staff is presenting for council consideration for second and final reading establishing the tax rate to support the FY 2017-2018 annual budget. A property tax rate of \$.2093 per \$100 valuation is proposed to fund the FY 2017-2018 Budget. Of this rate, \$.1442 will be for maintenance and operations. The balance of \$.0651 is for debt service. **MOTION** Mayor Pro tem Cernosek, **SECOND** Councilman Taylor to approve this ordinance on Second Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley absent, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca absent, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek absent. Motion carried 5-0. **Attachment #3**

The next item was to discuss and or consider on Second Reading 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 13.021.031, 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. This is the second reading of the ordinance making changes to the water ordinance that was passed by council on first reading on September 11th. Staff is proposing to increase the base residential water rate from \$24.40 to \$25.38 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 \$36.60 compared to \$31.76 in La Grange. We also compare favorably with cities our size with a monthly water consumption of 10,000 gallons, \$55.90 compared to \$42.42 in La Grange

The next item was to discuss and or consider on Second Reading 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)(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. This is the second reading of the ordinance making changes to the waste water ordinance that was passed by council on first reading on September 11th. As part of the budget process this year staff is proposing to increase waste water rates by two percent. Staff is proposing to increase the base residential waste water rate from \$11.41 to \$11.65 per month. The volumetric rate for residential wastewater service will also change by two percent or six cents per thousand. The current rate charged our commercial customers for waste water service is a base rate of \$11.95 for the first 3,000 gallons of water usage and a \$1.95 fee per thousand gallons of water in excess of three thousand gallons per month. The proposal is to increase the base rate of \$12.19 and to increase the volumetric rate from the current \$1.95 to \$2.00 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 \$32.24 compared to \$18.49 in La Grange.

The next item was to discuss and or consider on Second 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. This is the second reading of the ordinance making changes to the electric ordinance that was passed by council on first reading on September 11th. The customer charge will increase from \$9.50 per month to \$10.50 per month. The rate change is needed to keep pace with inflation and due to the overall cost increases in providing this service.

The next item was to discuss and or consider on Second Reading Of 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. This is the second reading of the ordinance making changes to the solid waste ordinance that was passed by council on first reading on September 11th. 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 \$22.39 per month to \$23.06 per month. The senior citizen rate will increase from \$20.39 to \$21.06 per month. The additional cart charge will be increasing from \$6.57 to \$6.77 per month. This is the second increase in the residential rate in three years and the first increase in commercial rate in three 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. **MOTION** Councilmember Weishuhn, **SECOND** Councilman Taylor to approve these rate increase ordinances on Second Reading. A roll call vote was taken, Councilmember Busch in favor, Councilmember Bradley absent, Mayor Pro tem Cernosek in favor, Councilman Eilert in favor, Councilman Janca absent, Councilman Taylor in favor, Councilmember Weishuhn in favor, Councilmember Zbranek absent. Motion carried 5-0. **Attachment #4, 5, 6, & 7**

Chief Of Police Update

Sgt. Steve Pohorelsky reported that the individual associated with a recent Aggravated Robbery is in custody. There have recently been a few drug and Class B arrests. A juvenile involved with an Assault on a Public Servant (Teacher) has been referred to the juvenile probation department.

City Manager Update

Work continues to restore utility services to the entire area affected by Hurricane Harvey. Colorado Landing-RV park has service on a limited number of spaces. Work continues on the debris issue with the park owners and the individuals living at the parks. The city will not be able to touch anything titled such as RV's or vehicles. (Mobile Homes are an exception to the titled property.) The city continues to wait to hear back from RV Solutions following their meeting with residents of their park(s). RV Solutions is aware of the requirements of what must be done for individuals to go back into the park(s). The TSA (Transitional Service Agreement) has been extended until October 10, 2017.

The sales tax report was then reviewed.

At 6:42pm a **MOTION** was made by Councilmember Weishuhn, with a **SECOND** by Councilmember Busch that the meeting be adjourned. Motion carried.

Lisa Oltmann, City Secretary

These Minutes Approved by City Council on:

Janet Moerbe, Mayor