

REGULAR COUNCIL MEETING via teleconference – May 11, 2020

The City Council of the City of La Grange met in Regular Session on Monday, May 11, 2020, via teleconference with the following members present on the call: Mayor Janet Moerbe, Councilmember Bonnie Busch, Mayor Pro tem John J. Cernosek, Councilmember Jan Dockery, 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 Janet Bayer. Visitors that announced they were on the call: Quenten Gonzalez, Andy Behlen, and Tom Hudson.

Mayor Janet Moerbe called the meeting to order. Councilman Ken Taylor gave the invocation.

CONSENT AGENDA

Discuss and or Consider approval of April minutes.

A **Motion** was made by Councilmember Zbranek, **Second** Councilman Janca to approve the Consent Agenda Item as presented. Motion carried 8-0.

REGULAR AGENDA

Discuss and or Consider appointment to the Main Street Advisory Board. The Main Street Advisory Board is requesting that Kendall Baker be appointed to the Main Street Board. Kendall is currently a student at LGISD and involved with the Interact Club and National Honor Society. She would serve as the first Youth Board Member. **Motion** Councilmember Weishuhn, **Second** Councilmember Dockery to appoint Kendall Baker to the Main Street Advisory Board. Motion carried 8-0.

Discuss and or Consider awarding wayfinding fabrication and installation bid. The La Grange Economic Development Corporation (EDC) has approved the selection of Facility Solutions Group to construct and install the initial phase of the wayfinding signage project. The signs are a mix of public and community locations. They are the most frequently asked about and visited locations in the community. The size of the signs was set by TXDOT as well as the number of identified locations per sign and the font size. This is the first phase of the signage project; we will propose the second phase as part of the 2020-2021 EDC Budget. Funding for this project is included in the FY 2019-2020 EDC Budget. Council took no action as the funding was already voted on by the EDC who awarded the bid to Facility Solutions Group to construct and install eleven (11) signs. This firm was recommended based upon past performance, evaluation of references, and submission of best value and qualifications. FSG has a very good track record; they deliver in a timely manner and come recommended for a quality product.

Discuss and or Consider implementation of Locals Love La Grange Challenge, a Utility Rebate for local receipts during the month of June. The City Council approved the implementation of the Locals Love La Grange Challenge – Utility Rebate Program on April 13th. The program ran from April 14th-April 30th. The program was well received by the community with 391 customers participating with \$15,060 in utility rebates and \$45,667 in local purchases. The purchases were made at 71 different small businesses within the city limits of La Grange. After completing the initial round of the program, staff is proposing a few operational modifications in the event council wants to offer the rebate program again. The new program would run from May 29th-June 15th with the deadline to turn in receipts by June 22nd. This would allow for the program to be completed in one month with utility rebates applied to the July La Grange Utilities bill. The June time frame is being proposed because we anticipate that most small businesses will be back in operation by early June. We will also include information about the program on the upcoming June billing

statement which will notify ALL customers of the program. The program is only for La Grange Utilities residential customers. **Motion** Mayor Pro tem Cernosek, **Second** Councilman Eilert to approve the Locals Love La Grange Challenge, Utility Rebate Program for local receipts during the first part of June. Motion carried 8-0.

The Mayor then asked City Manager Raborn to discuss/report on Governor Abbott's earlier call to County Judges and Mayor's in relation to CARES Act funding to local governments. Texas has been allocated \$11.24 billion in assistance. 45% of that figure is being allocated to local governments based on per capita. Fayette County overall has been allocated \$854,260. The City of La Grange has been allocated \$261,305 with 20% of that figure for immediate relief which is \$52,261.00. These funds are specifically for COVID-19 related expenses. Local governments must prove up all the expenses incurred by December 30th this year. Fund requests have to fit the requirements, not a blank check. Some of La Grange EDC's programs could qualify for reimbursement and the city utility programs reimbursed for small businesses adversely affected by COVID-19 could qualify. Law enforcement overtime because of testing for the public and PPE expenses should also qualify. The \$52,261 is available now and the City of La Grange has submitted their requests.

The next agenda item was to discuss the 2020-2021 Budget Schedule. The budget schedule is the same basic schedule as in the past, but major changes have been made regarding terminologies. The term "effective tax rate" is gone and now termed no-new-revenue tax rate. It is also required to publish voter-approval tax rates with any rate over 3.5%. Deadlines might have to be moved up, but over all the numbers are very similar to last year – values are flat.

Report on Reopening of City Facilities. City Manager Raborn went over the various City facilities that are opening in different phases in accordance with the current mandates which are very fluid while continuing to meet the needs of the community. The library facility will open on May 12th with shortened hours of operation. The number of public computers will be limited due to social distancing requirements. All programs have been suspended and meeting rooms are closed. Curbside service will continue. The Casino Hall opened on May 6th with social distancing procedures in place while limiting the number of visitors to 10 at a time. The initial plan is to reopen City Hall facilities on May 18th with social distancing procedures in place. We will continue to encourage customers to utilize the drive thru window as much as possible. Anything involving recreation – the Recreation Center, playscapes, the splashpad, and the swimming pool remain closed at this time. In reviewing the current mandates which are very fluid, we hope to know more by May 18th – with additional direction from the Governor for Phase 2 reopening. We are reviewing ways to reopen and be in accordance with social distancing requirements. Meetings at the Rec Center are still on hold because many of the population who attend are over 65 years of age. We're reducing any unnecessary risks. The City of La Grange Police Station will remain closed at this time. The drive thru is fully operational. We are trying to limit public interaction to ensure the safety of our police officers. City Manager Raborn also spoke about Governor Abbott's announcement today for testing all nursing home patients and workers. He mentioned a press release of this information still today, May 11th, so thinking testing would be immediate. Councilmember Zbranek asked if there were any known COVID cases in our local nursing homes? There were none to anyone's knowledge.

Chief of Police Update

Chief of Police David Gilbreath gave his report for April 2020. There were 326 total calls in April with 7 accidents. This was the lowest number of accidents in quite some time, with the Chief stating the low number was most likely due to people staying in. There were 55 animal control calls and 69 business checks at night. Councilman Taylor and Councilmember Zbranek complimented the Chief on the police presence they have witnessed. The evening patrols have been very noticeable and it is appreciated.

City Manager Update

City Manager Shawn Raborn stated the replacement of breakers at the substation is complete and they are fully operational. They were 40+ years old. We are encouraging the community to get signed up with Warn Central Texas as hurricane season is near. It is a great way to get severe weather information. GLO mitigation funding projects are currently under way. The funds have been allocated to us due to the impact of Hurricane Harvey. Engineering has been procured. An anticipated infrastructure program is being discussed in Washington. It will most likely look similar to the American Recovery Reinvestment Act of 2009. We are working on an internal list of infrastructure related projects that may be able to be funded under this program. Projects need to be “shovel ready” meaning they can be constructed within one (1) year. We hope to access some of these dollars. Sales tax is up slightly from last month, although only \$746.00. These numbers only go into the last two (2) weeks of March. The next few months will be really difficult as related to COVID-19 and its impact on the economy. Both KWH (electric) and water usage are up slightly for the month. This reflects that more people are at home during this pandemic.

At 6:39 PM a **Motion** was made by Councilman Taylor, with a **Second** by Councilman Eilert that the teleconference meeting be adjourned. Motion carried.

Janet Bayer, City Secretary
These Minutes Approved by City Council on:

Janet Moerbe, Mayor

SPECIAL COUNCIL MEETING via teleconference – May 26, 2020

The City Council of the City of La Grange met in Special Session on Tuesday, May 26, 2020, via teleconference with the following members present on the call: Mayor Janet Moerbe, Councilmember Bonnie Busch, Mayor Pro tem John J. Cernosek, Councilmember Jan Dockery, 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 Janet Bayer. Visitors that announced they were on the call: Quenten Gonzalez and Ron Dishman.

Mayor Janet Moerbe called the meeting to order. Councilmember Violet Zbranek gave the invocation.

REGULAR AGENDA

Issue a Proclamation recognizing the service and dedication of John Eilert as City Councilmember declaring May 26, 2020, as John Eilert Day. Mayor Moerbe thanked John Eilert for his 12+ years of service on the City Council of La Grange and his many contributions to the various Boards he served on over the years. He was congratulated on his dedicated service to the residents of La Grange.

Administer Oath of Office to newly elected city officers. Individually and telephonically, Mayor

Moerbe administered the Oath of Office to Kathy Weishuhn - City Councilmember Ward 1; Violet "Patsy" Zbranek - City Councilmember Ward 2; Jan Dockery - City Councilmember Ward 3; and Quenten Gonzalez - City Councilmember Ward 4. Mayor Moerbe looks forward to working with each Councilmember during the next year.

Discuss and or Consider selection of Mayor Pro tem. Following the election, the City Council shall elect from among its members a Mayor Pro tem who shall serve at the pleasure of the City Council. The current Mayor Pro tem for the City of La Grange City Council is John J. Cernosek. In the absence or inability of the Mayor to perform the duties of office, the Mayor Pro tem shall perform the duties of office and in this capacity, shall be vested with all of the powers conferred on the Mayor. **Motion** Councilmember Weishuhn, **Second** Councilman Janca to appoint John J. Cernosek as Mayor Pro tem. Motion carried 8-0.

Discuss and or Consider authorization of modifications to the Utility billing policy adopted on April 13, 2020 in response to COVID-19 for the month of June. In April, the council approved the waiving of the 10% penalty for the payment of utility bills after the 15th of the month. The council also suspended utility disconnections for the months of March, April, May and June. Staff is requesting council authorization to adjust the disconnect policy for the month of June to require that the impacted customers contact the utility office to establish a payment plan or be subject to disconnection of service after June 25th. The majority of our impacted customers are working with staff in meeting their obligations but we have a few that have not made any effort to respond to our requests to establish a payment plan. We have less than 10 customers who are not working with us in establishing a payment plan. The cost to waive the disconnect fee and late fees has resulted in a loss of \$15,167 in utility billing charges since March of 2020. This is in line with our initial estimate of \$20,000 to implement the modifications to utility billing during COVID-19. We are planning to resume normal utility penalty and disconnect policies on July 1st. **Motion** Mayor Pro tem Cernosek, **Second** Councilmember Zbranek to authorize modifications to Utility billing for the month of June. Motion carried 8-0.

Discuss and or Consider Final Replat request for property located at 333 W Northline St. owned by Ron Dishman and Don Dishman. A request was received from Ron Dishman and Don Dishman to subdivide the property into four (4) separate lots located at 333 W Northline Street. The first lot will be measuring approximately 95' wide x 192' deep, the second lot will be measuring 80' wide x 192' deep, the third lot currently has a single-family home on it with the dimensions of the lot being 110' wide x 192' deep, and the fourth lot will be 1-acre and being sold to the adjoining owner and continued to be used for hay production. The three (3) lots will be having driveways exiting on Hanacek Lane. All lots meet the minimum size requirements required by City of La Grange Ordinances. There were twenty (20) letters sent to property owners within a 200' radius of the address asking if the owners are in favor of or opposed to the subdivision request. There were nine (9) letters returned in favor of granting the request, two (2) letters that were opposed to granting this request, and nine (9) letters not returned. **Motion** Councilmember Weishuhn, **Second** Councilmember Busch to approve the Final Replat request at 333 W Northline Street owned by Ron Dishman and Don Dishman. Motion carried 8-0.

Discuss and or Consider authorizing the City Manager to engage the services of the Bojorquez Law Firm to assist in the review of the Home Rule Charter, including related ballot preparation and election issues. At the initial meeting of the General Services Committee on March 10, 2020, to begin the review of the City Charter, it was proposed that we have a legal review of the current charter to see what may need to be modified based on current state statutes. Staff is requesting council authorization to engage the legal services of the Bojorquez Law Firm to assist in the review of the current Home Rule Charter which also include related ballot preparation and election issues. Mr. Bojorquez is currently working on the review of the City of Bryan Charter and the City of Nolanville Charter at this time. The estimated fee for this service is a wide range based on the total hours involved. We estimate that we should be able to accomplish the review for between \$5,000-\$10,000, but this is only an estimate at this time. The General Services

Committee will meet again in June, then monthly after that. Any revisions/changes to the City Charter for the City of La Grange will be up for review by council in October, and again on November 9th and November 23rd. If any changes are made to the City Charter, those changes will go to vote by the public next year. If we do engage the legal services of Bojorquez Law Firm, financial parameters will be set, the estimate can't be unlimited. **Motion** Mayor Pro tem Cernosek, **Second** Councilmember Busch to authorize the City Manager to engage the services of the Bojorquez Law Firm to assist in the review of the Home Rule Charter, including related ballot preparation and election issues. Motion carried 8-0.

Discuss and or Consider extending the Resolution of the City Council of La Grange, Texas, ratifying, reinstating, continuing and renewing the Declaration of Disaster and approved by Council effective March 23, 2020 attached hereto, to continue in effect until the date of a Presidential Declaration of Disaster for the City of La Grange, Texas or the expiration of thirty (30) days from and after May 23, 2020, whichever occurs sooner. Staff is requesting council authorization to extend the council Resolution declaring a Local State of Disaster Due to Public Health Emergency issued on March 23,2020 which is set to expire on May 23rd for an additional 30 days. The purpose of extending the Disaster Declaration is to make sure we will continue to be eligible for current and future COVID-19 funding. In reviewing the Mayoral Declaration of Local State of Disaster, Councilman Taylor referred to Section 6 and the specific number listed for gatherings. Cities cannot be more stringent than what the Governor is putting forward, so the listed number is a moot point. We can either omit section 6 of the original Resolution or add a Section 10 to follow GA-23 of the Governor's Executive Orders because this Resolution is strictly a financial response. **Motion** Councilman Taylor, **Second** Councilmember Weishuhn to extend the Resolution of the City Council of La Grange, Texas, ratifying, reinstating, continuing and renewing the Declaration of Disaster and approved by Council effective March 23, 2020 attached hereto, to continue in effect until the date of a Presidential Declaration of Disaster for the City of La Grange, Texas or the expiration of thirty (30) days from and after May 23, 2020, whichever occurs sooner. Motion carried 8-0.

Report on COVID-19. City Manager Raborn gave a report on the process of reopening city facilities in accordance with the current mandates. The information is current as of Friday, May 22nd. City Hall will reopen its facilities on May 26th with social distancing procedures in place. We will continue to encourage customers to utilize the drive thru window as much as possible. The Recreation Center is preparing for the opening of summer camp on Monday, June 1st. In accordance with CDC guidelines, the playscapes will remain closed until June 1st. We are reviewing ways to reopen and be in accordance with social distancing requirements. We are planning to open the Splashpad facility on June 1st with a limit on the number of visitors in order to maintain social distancing. We are seeking clarification if the Splashpad falls under water parks designated by the Governor of Texas. The goal is to open the city pool on Saturday, June 6th, with COVID-19 protocols in place. On opening weekend, the pool will be in operation from 3:00-7:00 both days. We will be limiting pool capacity for the first few weeks. Beginning on June 10th, the pool will be open from 9:00-noon and then from 3:00-7:00 Wednesday-Saturday and 3:00-7:00 on Sunday. The Municipal Court will reopen on the next scheduled court date which is June 11th. We have completed the required COVID-19 Operating Plan for the Municipal Court; procedures will be in place to ensure the health and safety of everyone associated with the City of La Grange Municipal Court. The City of La Grange Police Station lobby will remain closed at this time. The drive thru is fully operational and we encourage our customers to utilize the drive thru window as much as possible.

Chief of Police Update

Chief of Police David Gilbreath stated the new patrol cars should be arriving soon. Due to COVID-19, automobile production had been halted. Sergeant Anderson will be back to full staff starting May 30th, after his work with Emergency Management in relation to COVID-19.

City Manager Update

City Manager Shawn Raborn stated that the re-opening of City facilities continues to be a fluid process and we are working to keep citizens, staff, and kids safe during the summer. The exercise room and the meeting rooms at the Recreation Center are open at limited capacity to small groups. The various Recreation Center spaces will be hard to maneuver since all will be used to keep summer camp groups separated to follow social distancing protocols. We are currently sending out weed/mow violation letters and working on cleaning up abandoned vehicles. Our next citywide bulk pick-up will be on July 25th.

At 6:35 PM a **Motion** was made by Mayor Pro tem Cernosek, with a **Second** by Councilmember Zbranek that the teleconference meeting be adjourned. Motion carried.

Janet Bayer, City Secretary
These Minutes Approved by City Council on:

Janet Moerbe, Mayor