

REGULAR COUNCIL MEETING – September 9, 2019

The City Council of the City of La Grange met in Regular Session on Monday, September 9, 2019 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, Councilmember Jan Dockery, Councilman John Eilert, Councilman Pat Janca, Councilman Ken Taylor, and Councilmember Violet Zbranek. Councilmember Kathy Weishuhn was absent. Staff present: City Manager Shawn Raborn, Chief of Police David Gilbreath, City Secretary Lisa Oltmann and Janet Bayer. Visitors: Sarah Mabry, Mike Mabry DVM, Jeannette Faist, Tom Hudson, Neale Rabensburg, Andy Smith, Paula Vogel, Brandon Schielack, and others.

Mayor Moerbe called the meeting to order. Next were pledges to the US and Texas Flags. Pastor Andy Smith of The First United Methodist Church gave the invocation.

Under petitions, Sarah Mabry, Neale Rabensburg, and Brandon Schielack, spoke.

CONSENT AGENDA

Discuss and Or Consider Approval on Second Reading of An Ordinance Amending Chapter 13, Code Of Ordinances, City Of La Grange, Texas, As Recodified On January 8, 2007, By Amending Article 13.02 Section 13.02.031, Subsection (1)(A) Establishing And Fixing The Charges And Fees For Water Service Furnished To Residential Locations Within The City Limits Based On Water Usage And/Or Conservation; By Amending Article 13.02 Section 13.02.031, Subsections (2)(A) And (2)(B) Establishing And Fixing The Charges And Fees For Water Service Furnished To Commercial Locations For Single Businesses And Multi-Business Buildings, Respectively, Within The City Limits Based On Water Usage And/Or Conservation; Authorizing The City To Collect Same; And Providing For An Effective Date. This is the second reading of the ordinance making changes to the water ordinance that was passed by council on first reading on August 26th. Staff is proposing to increase the base residential water rate from \$26.40 to \$27.45 per month. The change is based on a four percent increase to recognize the debt service required to develop additional water supplies. 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 \$40.15 compared to \$34.35 in La Grange. We also compare favorably with cities our size with a monthly water consumption of 10,000 gallons, \$64.35 compared to \$45.85 in La Grange.

Discuss And Or Consider Approval On Second Reading of An Ordinance Amending Chapter 13, Code Of Ordinances, City Of La Grange, Texas, As Recodified On January 8, 2007, By Amending Article 13.03 Section 13.03.001 Subsection (A) Establishing And Fixing The Charges And Fee For The Sewer Service Furnished To Certain Residential Locations; By Amending Chapter 13, Article 13.03, Section 13.03.001 (A)(1)(B) By Amending The Rate For The Use Of Standard Fixtures In A Single Dwelling Within The City Limits; By Amending Chapter 13, Article 13.03, Section 13.03.001 (A)(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 August 26th. Staff is proposing to increase the base residential waste water rate from \$11.98 to \$12.46 per month. The volumetric rate for residential wastewater service will increase 12 cents per thousand. The current rate charged our commercial customers for waste water service is a base rate of \$12.53 for the first 3,000 gallons of water usage and a \$2.06 fee per thousand gallons of water in excess of three thousand gallons per month. The proposal is to increase the

base rate to \$13.03 and to increase the volumetric rate from the current \$2.06 to \$2.14 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 \$33.50 compared to \$19.78 in La Grange.

Discuss and or Consider approval on Second Reading of An Ordinance Amending Chapter 13, Code Of Ordinances, City Of La Grange, Texas, As Recodified On January 8, 2007, By Amending Article 13.04 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 August 26th. The customer charge will increase from \$11.50 per month to \$12.50 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 implementation of Advanced Metering Infrastructure (AMI) as part of the FY 2019-20 Budget.

Discuss and or Consider approval 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 August 26th. The rate change is in accordance with our Republic Services contract that we entered into in 2014. Waste Management bought out this contract in 2018. The base rate for residential service will increase by 3% in accordance with the contract. The base residential rate will increase from \$23.75 per month to \$24.47 per month. The senior citizen rate will increase from \$21.69 to \$22.34 per month. The additional cart charge will be increasing from \$6.97 to \$7.18 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 2014 agreement and will increase by three percent in accordance with the new 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.

Discuss and or Consider approval of August 2019 minutes.

A motion was made by Councilmember Zbrank, second Mayor Pro tem Cernosek to approve the Consent Agenda Items as presented. Motion carried 7-0.

REGULAR AGENDA

Public Hearing on Proposed Tax Rate. 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, which is .0099 above the effective rate of .1994. The Public Hearing was opened at 6:15 pm. There being no one present to comment, the hearing was closed at 6:17 pm.

Discuss and or consider closing the 100 block of South Washington Street between West Travis Street and West Crockett Street on Saturday, October 26th, 2019 from 4pm-8pm for an event. A request was received from Kristen Denham at Bodega to close the 100 block of South Washington Street on Saturday, October 26th from 4:00 pm until 8:00 pm for an event. The event they are hosting is in conjunction with the Main Street Adult Trick or Treat Party on the Square. Motion Mayor Pro tem Cernosek, second Councilmember Busch to approve this request. Motion carried.

Discuss and or consider resolution authorizing signatures on all city accounts. With the retirement of City Secretary Lisa Oltmann, the signature cards will be needed to be updated to include newly appointed City Secretary Janet Bayer. The names included on the signature cards are Janet Moerbe, John Cernosek, Shawn Raborn and Janet Bayer. Motion Councilmember Zbranek, second Mayor Pro tem Cernosek to approve the resolution. Motion carried.

Discuss and or consider approval of a Temporary Special Use Permit at 740 E. Camp Street for Fayette County EMS for an additional 6 months. A request was received from Fayette County EMS asking for their Temporary Special use Permit to be extended for another 6 months to January 31, 2020. They are awaiting the completion of the new EMS Station at 1721 N. Von Minden Street. There were 13 letters sent to property owners within a 200' radius of this address asking if the owners were in favor of or opposed to the extended Temporary Special Use Permit. There were four (4) letters returned which were in favor of the Temporary Special Use Permit, one (1) returned which was not in favor of the Temporary Special Use Permit and eight (8) letters that were not returned. As in the previous Temporary Special Use Permit considered by city council, staff once again recommends that the time period for this request not exceed 6 months. Motion Councilman Janca, second Councilmember Dockery to approve staff's request. Motion carried.

Discuss and or consider final replat request at 241 E. Guadalupe Street owned by Jerry and Rhonda Trousdale. A replat request was received from Jerry & Rhonda Trousdale, owners of 241 E. Guadalupe St. Their neighbors Paul & Jeannette Faist would like to buy the property from the Trousdale's so they could have a bigger back yard. The plan for the property is to square off both back yards and extend the existing wood fence between the two properties. Both properties meet the City Ordinance requirements for lot size. Council gave preliminary approval for this on May 28, 2019. Motion Councilman Eilert, second Councilman Janca to approve this replat. Motion carried.

Discuss and or consider approval of lease of water tower space to New Cingular Wireless PCS, LLC. Staff brought back for formal consideration the lease agreement with New Cingular Wireless PCS, LLC to utilize space on the water tower located on North Jefferson Street. New Cingular Wireless PCS, LLC is managed by AT&T Mobility. The form of the lease agreement is the same as those we have with SCT Broadband and Colorado Valley Communications. The main difference is that the New Cingular Wireless agreement includes a 600 square feet ground site for the equipment room. The only change since the last council meeting was the lease amount per month. The amount included at this time is \$1,500 per month. Motion Mayor Pro tem Cernosek, second Councilman Taylor to approve this item. Motion carried.

Public Hearing on Budget. As part of the annual budget process we are required to hold a public hearing on the adoption of the FY 2019-2020 operating budget for the City of La Grange. The total budget is \$15,071,932. The utility budget is \$9,922,840, general fund is \$4,918,572, and the debit service fund is \$230,520. The Public Hearing was opened at 6:22 pm. Councilmembers speaking during the public hearing included Councilman Taylor. Public participation during the public hearing included Tom Hudson. The Public Hearing was closed at 6:53 pm.

Discuss and or consider on First Reading of an Ordinance making appropriation for the support of the City of La Grange for the fiscal year beginning October 1, 2019 and ending September 30, 2020; 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 2019-2020 fiscal year which includes the General Fund, the Utility Enterprise Fund and the La Grange Economic Development Corporation Budget. Motion Councilmember Zbranek, second Councilman Janca to accept this ordinance as presented on First Reading. A roll call vote was taken: Councilmember Busch for, Mayor Pro tem Cernosek for, Councilmember Dockery for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn absent, Councilmember Zbranek for. Motion carried 7-0.

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 2019-2020 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 2019-2020 annual budget. A property tax rate of \$.2093 per \$100 valuation is proposed to fund the FY 2019-20 Budget. Of this rate, \$.1428 will be for maintenance and operations. The balance of \$.0665 is for debt service. Motion Mayor Pro tem Cernosek, second Councilman Eilert to accept this ordinance as presented on First Reading. A roll call vote was taken: Councilmember Busch for, Mayor Pro tem Cernosek for, Councilmember Dockery for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn absent, Councilmember Zbranek for. Motion carried 7-0.

Active Project Update. City Manager Raborn reviewed the active projects with council. Some items included the administrative approval for the wastewater plant permit renewal. Staff will once again reach out to Goddard Enterprises for a project update on a Siren Warning System. The engineer is reviewing the final submittals for the waste water line replacement on Lower Line Street to the sewer plant. LCRA is in the planning process to repair the damages to White Rock Park by Hurricane Harvey. The repairs will include the canoe launch, pedestrian walkway to the river and possible repair to the fishing pier if it is approved by FEMA. Construction is planned for the Fall of 2019. Staff is working with the Texas Women's League and the Czech Center on developing plans to upgrade the restroom facilities at the Fair Pavilion. The project is in the preliminary stage and staff will bring to council once the project is more clearly defined.

City Manager Update

Electric sales were flat for the month of August while water sales were up. A camping in public ordinance is being looked into along with a nuisance within 5000' of the city limits ordinance. The next Shred It day will be on Saturday, October 19; this is also the date for the next quarterly bulk pickup. The fall brush pick up will be the week of October 14-18.

Chief of Police Update

All of the city officers attended training on September 3rd related to new laws which were enacted this past legislative session. This training was hosted by the Fayette County Sheriff's Department. A new logo design has been created for the new patrol cars. Rod Emmons was hired as a new part-time officer.

At 7:05 PM as pursuant to Section 551.072 Real Property: Discuss lease of property - council went into Closed Executive Session.

At 7:17 PM Council went into Open Session. No action.

At 7:18 PM a motion was made by Councilmember Zbranek, with a second by Councilman Janca 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 23, 2019

The City Council of the City of La Grange met in Regular Session on Monday, September 23, 2019 in the City Hall Council Chambers at 155 E. Colorado St. with the following members present: 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. Mayor Janet Moerbe and Councilmember Bonnie Busch were absent. Staff present: City Manager Shawn Raborn, Chief of Police David Gilbreath, City Secretary Janet Bayer, Director of Community Development Stacey Norris, Manager of Community and Economic Development Kim Newton, and Main Street Assistant Manager Paula Vogel. Visitors: Kristen Denham, George Burton, Janet Rangel, Heather Barthelme, Mike Newton, Sarah Mabry, Mike Mabry DVM, Tom Hudson, Shirley Hudson, Alizabeth Calhoun, Neale Rabensburg, and others.

Mayor Pro tem John J. Cernosek called the meeting to order. Next were pledges to the US and Texas Flags. Councilmember Kathy Weishuhn gave the invocation.

Under petitions, Tom Hudson spoke.

CONSENT AGENDA

REGULAR AGENDA

Discuss Citizen Concerns for our Downtown Square Business District and Historic Districts Ordinance and Guidelines. Councilmember Taylor requested that this item be included for council discussion. Taylor discussed citizen concerns regarding the downtown historic district and the current historic district ordinance and guidelines.

Presentation by La Grange Community Development and Tourism Programs and Activities. Staff with the office of Community Development and Tourism gave a presentation on the programs and services the departments provide to the community. The presentation is part of the City of La Grange's ongoing effort to inform the community of the various programs and activities the city provides the community.

Discuss an ordinance that would prohibit camping in designated places. Staff presented for council discussion on an ordinance that would prohibit camping in designated public places which would include commercial areas, the historic district, parks and streets and public parking lots. The city would still allow camping in city parks if the individual has received prior authorization from the City Manager or his designee. This provision would allow for the continued use of our parks by groups that are traveling the river like the Colorado 100 and other organized groups. This item is for discussion only and will be brought back for formal consideration if needed after council review.

Discuss and or Consider Employee Healthcare Benefits. Staff is proposing that the city continue to

utilize the Consumer Centered Pool Plans (CCPP) offered by the TML Health to provide health care coverage for city 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 five plans available in the CCPP. An advantage of the CCPP is that the city doesn’t have to pick a plan (the employee does that), the city only needs to pick the City Contribution amount. Staff is recommending that the city allocate \$650 towards the cost of insurance, which is the same rate we currently provide. The renewal rate will go in effect on January 1st of 2020. The proposed allocation will allow the employee to select an HSA plan with a \$2500 deductible with no pocket amount expense. The Consumer Centered Pool Plans do not include an office visit 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 not having an office copay amount. The city will continue to use Fayette Savings as the provider of the Health Saving Account, if the employee selects that option. The city continues to provide wellness opportunities for our employees and will be hosting an onsite biometric screening event on December 4th. We are partnering with City of Schulenburg on the event which will be held at the Randolph Recreation Center.

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, 2019 and ending September 30, 2020; 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 2019-2020 fiscal year which includes the General Fund, the Utility Enterprise Fund and the La Grange Economic Development Corporation Budget.

Financial overview of the FY 2019-2020 Operating Budget:

	Budget 2019-2020
Total Budget	\$15,071,932
Utility Budget	\$ 9,922,840
General Fund	\$ 4,918,572
Capital Fund	\$ -0-
Debt Service Fund	\$ 230,520

This is the second and final reading of the ordinance adopting the FY 2019-2020 Annual budget. Motion Councilmember Weishuhn to approve as presented. Motion had no second. Councilman Taylor motioned that we approve the budget with the words “Financial Accounting” added to page 14, objective #10 between the words “City” and “Operations”, seconded by Councilman Janca. A roll call vote was taken: Councilmember Busch absent, Councilmember Dockery for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn for, Councilmember Zbrank for. Motion carried 6-0.

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 2019-2020 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 for the second and final reading establishing the tax rate to support the FY 2019-2020 annual budget. A property tax rate of \$.2093 per \$100 valuation is proposed to fund the FY 2019-20 Budget. Of this rate, \$.1428 will be for maintenance and operations. The balance of \$.0665 is for debt service. Motion Councilman Taylor, second Councilmember Weishuhn. Motion to approve this item as presented. A roll call vote was taken: Councilmember Busch absent, Councilmember Dockery for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn for, Councilmember Zbrank for. Motion carried 6-0.

Discuss and or Consider Allocation of Tourism Funds for Texas Czech Heritage and Cultural Center-Heritage Festival & Muziky, Friends of Monument Hill-Texas Heroes Day, and Colorado Valley Quilt Guild's 23rd Annual Best Little Quilt Show. Motion Councilman Eilert, second Councilmember Zbranek to approve these requests. Motion carried.

Chief of Police Update

The new patrol cars with new logo design are expected to arrive soon. The City of La Grange qualified for Selective Traffic Enforcement Program (S.T.E.P) due to increased accident rate – 12 to 13 in the city this year already with a fatality rate very high county wide. Patrols concern seat belts, cell phones, and other safety issues.

City Manager Update

Fall brush clean-up will be the week of October 14-18. The quarterly bulk pick up of furniture and appliances is Saturday, October 19th, along with the next Shred It day held at the Police Station.

At 7:18 PM as pursuant to Section 551.072 Real Property: Discuss Lease of Property – Pipeline Easement and discuss purchase of property, council went into Closed Executive Session.

At 7:32 PM Council went into Open Session.

Discuss and or consider authorizing staff to execute pipeline easement agreement with AMP Texas Pipelines, LLC to run 6" low pressure pipeline within a 30" easement on city property. Motion to Approve Councilman Eilert, with a second by Councilman Taylor. Motion passed.

At 7:34 PM a motion was made by Councilman Janca, with a second by Councilman Taylor that the meeting be adjourned. Motion carried.

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

John J. Cernosek, Mayor Pro tem