

## REGULAR COUNCIL MEETING – May 11, 2015

The City Council of the City of La Grange met in Regular Session on Monday, May 11, 2015 in the City Hall Council Chambers with the following members present: Mayor Janet Moerbe, Councilmember Deborah Bradley, Mayor Pro tem John Cernosek, Councilman John Eilert, Councilman Pat Janca, Councilman Calvin Kuehn, Councilman Arnold Romberg, Councilmember Kathy Weishuhn, and Councilmember Violet Zbranek. Staff present: City Manager Shawn Raborn, Chief of Police Jackie Skelton, and City Secretary Lisa Oltmann. Visitors: Andy Behlen, Bonnie Busch, Jimmy Gambino (CenterPoint Energy), Lance Zandonutti (CenterPoint), Neale Rabensburg, and others.

The Pledge of Allegiance was recited and Councilmember Deborah Bradley gave the invocation.

The first item was a presentation of Proclamation to Mindy Girard a recipient of a “5Kids Who Care” award. Mindy won this award as a result of her many volunteering endeavors. **INSERT #1**

The next item was to discuss and or consider a rate request proposed by CenterPoint Energy Entex. As discussed at the last council meeting, CenterPoint Energy Entex is proposing to increase the current base residential gas rate by \$2.30 per month effective May 30, 2015. Entex is framing the issue as a gas reliability infrastructure program (“GRIP”) adjustment and not as a rate increase. The end result is that the customer bill will increase from the current rate of \$17.89 to \$20.19. Representatives from CenterPoint were in attendance to answer any questions regarding this adjustment.

The next item was to discuss and or consider a Resolution by the City of La Grange, Texas, (“City”) responding to the application of CenterPoint Energy Entex, South Texas Division to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this application for forty-five days determining that the meeting at which the resolution was adopted complied with the Texas Open Meetings Act; madding such other findings and provisions related to the subject; and declaring an effective date. Staff is recommending that council suspend the rate for 45 days in accordance with the rules governing rate adjustments. The new rate would then go in effect on July 15, 2015. **MOTION** Councilman Pat Janca, **SECOND** Councilman Arnold Romberg to approve staff’s recommendation. Motion carried. **INSERT #2**

The next item was to discuss and or consider updated Main Street Board Bylaws. Staff is bringing back for council approval an updated Main Street Advisory Board Bylaws. The Main Street Board met last week and updated the language as it related to a member’s absence. The bylaws outline the role and operation of the Main Street Advisory Board. Staff recommends approval of the Main Street Advisory Board Bylaws.

**MOTION** Councilmember Kathy Weishuhn, **SECOND** Councilmember Deborah Bradley to approve staff's recommendation. Motion carried. **INSERT #3**

The next item was to discuss and or consider tourism funding request – Czech Center. Funds for this request will be used to advertising the Slavnost/May Fest to be held on May 7<sup>th</sup>. The request is in the amount of \$4,000. In 2012 and 2013 the committee allocated \$1,700; in 2013 and 2014 the committee allocated \$1,750. Staff is recommending that we fund \$1,750 this year.

The next item was to discuss and or consider tourism funding request to replace the roof on the MKT Depot. Funds will be used to replace the roof on the MKT Depot. The request is for 50% of the estimated cost of the project. The MKT Depot is operated by the Friends of the Depot under a lease agreement with the City of La Grange. Staff is recommending funding in the amount of \$5,700. These two items are being brought directly to council due to timing issues. **MOTION** Councilman John Eilert, **SECOND** Councilmember Weishuhn to approve these 2 requests as recommended by staff. Motion carried.

The next item was to discuss and or consider authorizing staff to enter into an agreement with Cutright & Allen to design Splash Pad and parking lot adjacent to the Randolph Recreation Center. Staff is requesting council approval to enter into an agreement with Cutright & Allen to design the Splash Pad and parking lot adjacent to the Randolph Recreation Center. We worked with Cutright & Allen on the preliminary design of the project that we submitted as part of the recent Texas Parks and Wildlife small city grant application. The funding for this project will come from the La Grange Economic Development Corporation and the Capital Improvement Fund. The goal is to have the Splash Pad operation al for next summer. The city has utilized the services of Cutright & Allen Architects in the past on the remodel of the Randolph Recreation Center and has been satisfied with the services provided. **MOTION** Councilmember Bradley, **SECOND** Councilman Janca to approve staff's request. Motion carried.

The next item was to discuss and or consider a request to block off the square for La Grange Oktoberfest. The Rotary Club of La Grange would like to host an Oktoberfest on Saturday, October 10, 2015. The event will begin at 3 pm and is expected to end by 8 pm. The Rotary Club of La Grange is requesting permission for the closing of the following locations to accommodate event set-up and for the safety of the public.

1. The inner parking area by the north entrance of the courthouse which will be utilized for the tent set-up and band to perform.
2. The inner parking area by the east entrance of the courthouse which will be utilized as a seating area for participants.

The food and music portion of the event will be under the tent serving along the various craft beer stations. **MOTION** Councilman Calvin Kuehn, **SECOND** Councilmember Weishuhn to approve this request. Motion carried.

The next item was to discuss the 2015 Budget Schedule. As this item was for discussion purposes only, no action was required.

The next item was to discuss and or consider approval of April, 2015 minutes. **MOTION** Councilmember Violet Zbranek, **SECOND** Councilmember Weishuhn to approve the April, 2015 minutes. Motion carried.

#### City Council Committee Reports

The Library board met earlier this month. During April there were 41 children and 26 adults attending the five story times and one craft story time.

Main Street continues to make preparations for their 20<sup>th</sup> Anniversary in 2016. Flag Day celebration will be held on Saturday, July 13, starting at 9am on the courthouse lawn.

The Beautification Committee awarded Yard of the Month to A. Orona at 489 S. Lester St.

#### Chief of Police Report

Recently there have been a number of units that have been broken into at the Weeren Storage Units.

La Grange Spirits had a theft

There have also been a few cases of both juveniles and adults “huffing” computer dust cleaner.

#### City Manager Report

Sales tax was down slightly.

Water consumption was down due to the recent rains.

La Grange Utilities will begin using Tyler Notify as a second reminder to individuals which have outstanding utility bills.

Randolph Recreation Center had registration for their summer camps and the majority of the spaces are filled.

The final item was to present a plaque to outgoing Councilman Calvin Kuehn. Councilman Kuehn has been a Councilman from 1995-2015. Mayor Moerbe on behalf of the council expressed appreciation to Councilman Kuehn and noted that it has been a pleasure and an honor to have him serve on the council.

At 6:40 PM a **MOTION** was made by Councilman Calvin Kuehn, with a **SECOND** by Mayor Pro tem John Cernosek that the meeting be adjourned. Motion carried.

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Lisa Oltmann, City Secretary

These Minutes Approved by City Council on:

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Janet Moerbe, Mayor

### **SPECIAL COUNCIL MEETING – May 19, 2015**

The City Council of the City of La Grange met in Special Session on Tuesday, May 19, 2015 at 11:00 AM in City Hall with the following members present, Mayor Pro tem John J. “Honza” Cernosek and Councilman Pat Janca.

The only item on the agenda was to canvass the City Election held on May 9, 2015. This election was to elect the Mayor for the City of La Grange. There were a total of 172 votes cast with Janet Moerbe receiving 158 and Alfred E. Drescher receiving 14. This canvass is made a part of these minutes. **MOTION** Mayor Pro tem Cernosek; **SECOND** Councilman Janca to approve the canvass. Motion carried unanimously.

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Lisa Oltmann, City Secretary

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John J. “Honza” Cernosek, Mayor Pro tem

### **SPECIAL COUNCIL MEETING – May 26, 2015**

The City Council of the City of La Grange met in Special Session on Tuesday, May 26, 2015 in the City Hall Council Chambers with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Councilmember Deborah Bradley, Mayor Pro tem John Cernosek, Councilman John Eilert, Councilman Pat Janca, Councilman Arnold Romberg, Councilmember Kathy Weishuhn, and Councilmember Violet Zbranek. Staff present: City Manager Shawn Raborn, Chief of Police Jackie Skelton, and City Secretary Lisa Oltmann. Visitors: Jeff Wick, Harvey & Debbie Busch, Larry Jackson, Ken Dernehl, Joan B. Lovell, Douglas Iannelli, Greg Covington, Neale Rabensburg, Mary Linda Benesch, John & Ella Pineda, Randy Albers and others.

Pastor Marcia Keifer of Shared Lutheran Ministries gave the invocation. Under Public Petitions the following individuals spoke in regards to the proposed shared use facility between Bluebonnet Trails, Tejas Healthcare, and La Grange ISD located at 543 N. Jackson Street. Ken Dernehl, Douglas Iannelli, Greg Covington, A. Neale Rabensburg, Mary Linda Benesch, and Andrea Richardson. The first individuals had questions and/or concerns in regards to this venture. Andrea Richardson with Bluebonnet Trails noted that there will be a Public Forum held where some of these questions and/or concerns can be addressed. City Manager Raborn noted that this area is zoned commercial and this is a permitted use for that particular zoning classification.

The first item was to administer the Oath of Office to the newly elected Councilmembers and Mayor. Those individuals take the Oath of Office were Janet Moerbe-Mayor, Arnold Romberg-Councilmember Ward 1, John J. "Honza" Cernosek-Councilmember Ward 2, Bonnie Busch-Councilmember Ward 3, and Par Janca-Councilmember Ward 4.

The next item was a Public Hearing on closeout of CDBG water line project. This Public Hearing was opened at 6:40 PM. This is a required public hearing regarding the closeout of our Community Development Block Grant. The purpose of the public hearing is to give the community a review of the improvements made with the grant funds. The project included the installation of over four thousand linear feet of six and eight inch new water lines and nine fire hydrants. Work was done on Franklin Street from Lower Line Street to Cedar Street, Walnut Street from Franklin Street to Madison Street, and Milam Street from Franklin Street to Jackson Street. This project assisted in improving water service and fire protection in this area of town. There being no comments the Public Hearing was closed at 6:42 PM.

The next item was to discuss and or consider a request from Ms. Joan Lovell for the city to share in the cost to repair damaged sewer line. Ms. Lovell has requested to appear before council regarding a recent claim she filed against the city regarding a sewer line issue and the denial of the claim by our insurance provider. Staff concurs with our insurance provider in that we are not liable for the claim due to the fact that the sewer line problem was not caused by a wrongful act of the city staff. Ms. Lovell then addressed the council and after discussion by council, it was decided that City Manager Raborn should meet with the plumber which Ms. Lovell hired, to determine what percentage of this issue might have been due to the city's action/inaction. This information will then be brought back at the next council meeting for council discussion and/or consideration regarding possibility of sharing the cost of the repair and what percentage might be the responsibility of the city. **INSERT #1**

The next item was a Public Hearing on EDC Allocation of EDC funds to Tejas Health Care. The Public Hearing was opened at 6:54 PM. The La Grange EDC is presenting for council consideration a funding request from Tejas Health Care to make

improvements to the facility at 753 E. Travis. It was noted that this public hearing was being held as the possibility of the EDC spending this amount of funds had not been a budgeted item. The EDC is proposing the investment of \$43,000 to assist with the setup of two (2) mobile building units and the complete renovation of the Administration building into a medical clinic facility. The City Council approved the temporary use of the manufactured homes at this location and they will have to be removed in May of 2017. Given the ongoing discussion between La Grange ISD and Tejas regarding a permanent space solution, staff would recommend that council consider referring the request back to the EDC to look at funding permanent improvements that can assist Tejas over a longer term. Larry Jackson, Vice-President of the Board of Directors for Tejas addressed the council and noted that Tejas has been in operation for 5 years and currently employees over 30 individuals, this expansion would allow them to serve more individuals in the area and to also hire additional providers. The Public Hearing was closed at 7:08 PM.

The next item was to discuss and or consider allocation of EDC funds to Tejas Health Care. **MOTION** Councilman John Eilert, **SECOND** Councilman Arnold Romberg to approve the EDC request and fund this request from Tejas in the amount of \$43,000. **Motion carried. INSERT #2**

The next item was to discuss and or consider a request from Tejas Health Care to waive the sewer tap fee. City Staff had received a request from Tejas Health Care requesting that the city waive the permit fee associated with the installation of a new sewer tap associated with the installation of the new office building at the Tejas Health Care facility. The cost of the sewer tap for this project is \$345. In the past council has waived permit and associated fees for La Grange ISD, Fayette County and Habitat for Humanity. **MOTION** Mayor Pro-tem Cernosek, **SECOND** Councilman Pat Janca to waive the sewer tap fee. Motion carried.

The next item was to discuss and or consider a pole contact agreement with Colorado Valley Communications. Staff is presenting to council for consideration a new agreement with Colorado Valley Communications to contact our utility poles. This is the same basic agreement that we have with Live Air Networks, 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. The purpose of this agreement will be for use of Utility Poles, the term is 10 years, and the consideration is \$10 per attachment per year. Staff recommends agreement. **MOTION** Mayor Pro tem Cernosek, **SECOND** Councilmember Weishuhn to approve staff's recommendation of agreement. Motion carried.

The next item was to discuss and or consider selectin of Mayor Pro tem. At its first meeting after election each year, the City Council shall elect from among its

members a Mayor Pro tem who shall serve at the pleasure of the City Council. 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 Romberg to reappoint John J. “Honza” Cernosek as Mayor Pro tem. Motion carried.

City Council Committee Reports

Main Street will host a Flag Day Celebration on June 13<sup>th</sup> on the County Courthouse lawn. Main Street will also once again host Movies on the Square. The first movie will be shown on June 5<sup>th</sup>.

City Manager Report

As a result of the river rising due to the heavy rains upstream and locally, arrangements have been with Colorado Landing RV sites to use the RV sites at the Fayette County Fairgrounds should they need to evacuate.

There is a link on the city website to obtain information regarding the status of the river.

At 7:14 PM a **MOTION** was made by Councilmember Bonnie Busch, with a **SECOND** by Councilmember Weishuhn that the meeting be adjourned. Motion carried.

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Lisa Oltmann, City Secretary

These Minutes Approved by City Council on:

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Janet Moerbe, Mayor