

REGULAR COUNCIL MEETING – February 10, 2014

The City Council of the City of La Grange met in Regular Session on Monday, February 10, 2014 in the City Hall Council Chambers with the following members present: Mayor Janet Moerbe, Councilman Harvey Busch, 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: Jeff Wick w/*Fayette County Record* and Doug Kristoff.

The Pledge of Allegiance was recited and Rev. David Hoster of St. James Episcopal Church gave the invocation.

The first item was a presentation of a plaque to Doug Kristoff. Mr. Kristoff was employed with the City of La Grange from 1986-2014. At the time of his retirement in January, he was the water/wastewater foreman for the City of La Grange. Mayor Moerbe on behalf of the City Council thanked Mr. Kristoff for all he did as an employee of the City of La Grange.

The next item was a report on the 2014 Street Paving Program. This is being presented for discussion purposes and will be presented to council at a future meeting for approval. The total investment this year in street repair and maintenance is estimated to be \$300,000. The funding for these projects were included in the FY 2013-14 Capital Improvement Fund Budget. **INSERT #1**

The next item was to discuss and or consider blocking off the square for La Grange Uncorked in March. La Grange Uncorked will be held on Saturday, March 15, 2014. The event begins at 4 P.M. and is expected to end by 8 P.M. La Grange Main Street is requesting permission for the closing of the following locations to accommodate the performers 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 chefs from the Chambers Men Who Cook portion of the event will be under the tent serving food to the participants. The various wineries will be placed inside the merchant shops. **MOTION** Councilmember Kathy Weishuhn, **SECOND** Councilmember Violet Zbranek to approve this request. Motion carried.

The next item was to discuss and or consider a contract for assessment and collection services with the Fayette County Appraisal District. The contract with the Fayette County Appraisal District expired on December 31, 2013. Staff recommends that the city renew the contract for assessment and collection services for 2014 and 2015. **MOTION** Councilmember Zbranek, **SECOND** Councilman Pat Janca to approve staff's recommendation. Motion carried. **INSERT #2**

The next item was to discuss and or consider modification to the Live Air Networks pole contact agreement to include limited right of way usage. Staff is presenting to council for discussion the expansion of the current pole contact agreement with Live Air Networks to include limited right of way usage. As part of the build out of the fiber to the home network, Live Air is requesting to place fiber connection cabinets at six locations around town in the public right of way. The six cabinet locations that are being proposed are as follows:

1. Across from 1045 N. Franklin
2. 641 N. Jackson
3. 200 Block North Franklin-City Hall
4. Corner of E. Crockett and S. Madison
5. 259 N. Main
6. Corner of S. Main and W. Crockett
7. Across from 631 S. Main.

City Manager reviewed the issue with council. Council would like to have limits listed so that cabinets are less intrusive, have a lower profile, and do not interfere with being able to see oncoming traffic at intersections.

The next item was to discuss and or consider on Second and Final Reading, An Ordinance amending Chapter 13, Garbage and Trash, CODE OF ORDINANCES, CITY OF LA GRANGE, TEXAS, as Recodified on January 8, 2007 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; and establishing in said subsection (1) a reduced rate for residences utilizing garbage containers of a capacity of 96 gallons and occupied by at least one (1) person sixty-five (65) years of age or older and an application procedure for qualifying for such rate; 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); by amending Section 13.05.014 by increasing the rates for residences and premises other than residences for the collection, pick up and hauling of tree limbs, brush, and cuttings as set forth in subsection (5) of Section 13.05.014; and by amending Chapter 13, Sections 13.05.015, 13.05.016 and 13.05.017 by repealing same; and providing for an effective date. Staff is presenting for council consideration on first reading the solid waste utility rate change that will go into effect with the Mach 1st bill. The rate change is in accordance with our Allied Waste contract that we entered into in 2007. The base rate for residential and commercial service will increase by 2.5% in accordance with the contract. The base

residential rate will increase from \$21.21 per month to \$21.47 per month. The senior citizen rate will increase from \$19.21 to \$19.74 per month. The additional cart charge will be increasing 14 cents per month from \$5.73 to \$5.87 per month. We are entering year seven of the seven year agreement we entered into with Allied Waste in 2007. The rate includes solid waste collection once a week, curbside recycling once a week, two free brush collections a year and three 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. The current contract with Allied Waste will expire in December of this year and staff continues to work future solid waste collection options. **MOTION** Councilmember Zbranek, **SECOND** Councilman John Eilert to approve this ordinance on second reading. A roll call vote was taken with the following results: Councilman Busch in favor; Mayor Pro tem Cernosek in favor; Councilman Eilert in favor; Councilman Janca in favor; Councilman Kuehn in favor; Councilman Romberg in favor; Councilmember Weishuhn in favor; and Councilmember Zbranek in favor. The motion carried by a vote of 8-0. **INSERT #3**

The next item was to discuss and or consider approval of minutes for January 2014. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Zbranek to approve the minutes. Motion carried.

City Council Committee Reports

The Beautification Committee awarded Yard of the Month to Jim & Earline Trlicek at 930 N. Monroe.

Main Street will host La Grange Uncorked on March 15.

Chief of Police Update

A car was burglarized on Sarah Jo with a purse being stolen. Chief Skelton reminds everyone to be sure to remove all valuable from their car.

City Manager Update

We have been notified of a scam in which individuals and/or businesses are being called on the phone and told their utility bill is past due and a payment must be made immediately with the individual. The City of La Grange does not notify customers in this matter.

La Grange Main Street was once again recognized as a National Main Street City.

Councilman Kuehn expressed this thanks to the City Cemetery Department. They are very diligent in their work and upkeep of the various city cemeteries.

At 6:30 PM a **MOTION** was made by Councilman Kuehn, 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 – February 24, 2014

The City Council of the City of La Grange met in Regular Session on Monday, February 24, 2014 in the City Hall Council Chambers with the following members present: Mayor Janet Moerbe, Councilman Harvey Busch, 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: Jeff Wick w/*Fayette County Record* and a representative with Fayette Water Supply Corporation.

The Pledge of Allegiance was recited and Rev. Marcia Kifer of Shared Lutheran Ministry gave the invocation.

The first item was to discuss and or consider a request from Mr. Roger Roitsch to extend water service to property outside the city limits. In order for the City to provide water service outside of the corporate limits, formal approval from the city council is required. Staff has received a letter from Mr. Roitsch requesting he be allowed to connect to city water service with the understanding that he will be responsible for all costs associated with connecting to the city facilities. The city's ability to serve Mr. Roitsch will require the approval of Fayette Water Supply to allow us to serve this request due to the property being in their service area. Mr. Roitsch is requesting council consideration prior to approaching Fayette Water Supply on this issue. After discussion **MOTION** Councilmember Kathy Weishuhn, **SECOND** Councilmember Violet Zbranek that council take no action at this time. Motion carried.

The next item was to discuss and or consider a request from the American Legion to encroach into the public right-of-way. A request was received from the American Legion to approve of the encroachment of the building located at 385 N. Main into the

public right of way, The American Legion building was constructed approximately 9 inches into the Fannin Street right-of-way. The American Legion is in the process of selling the property. Staff recommends approval of the consent to encroachment into the public right-of-way. **MOTION** Councilmember Weishuhn, **SECOND** Councilmember Zbranek to approve staff's recommendation. Motion carried 7-0 with Councilman Calvin Kuehn abstaining.

The next item was to discuss and or consider a request from Brasher-Gunn to encroach into the public right-of-way. A request was received from Brasher-Gunn Chevrolet to encroach into the public right-of-way for the purpose of installing a new entrance façade on the sidewalk in the front of the existing building located at 108 W. Colorado. Staff has been working with Brasher-Gunn on renovations to the façade of the dealership for the past two years and they are now ready to proceed with the improvements. The Main Street Design Committee has been involved in the process and will be taking one final review before they are ready to recommend the proposed changes to council. Staff wanted to preview the issue with council so that any questions could be reviewed with the Main Street Design Committee and Brasher-Gunn prior to formal consideration at the next council meeting. No action is required at this time as the item is for discussion purposes only.

The next item was to discuss and or consider a pole contact agreement with Alpheus Communications, L. P. Staff presented to council for consideration an agreement with Alpheus Communications, L.P. to contact our utility poles. This is the same basic agreement that the city has with Live Air Networks, New Wave Communications, Fayette Electric, Fayette County, Colorado Valley Telephone, La Grange ISD and the LCRA for fiber contacts. The agreement is for contacts to 48 utility poles located along the 71 frontage road from SH159 to Von Minden Street. Key Provisions of the agreement are for the use of utility poles, it is for a term of 5 years, and the amount is \$10 per attachment per year. Staff recommends approval to the proposed Joint Use Agreement. **MOTION** Councilman Romberg, **SECOND** Councilman John Eilert to approve staff's recommendation. Motion carried. **Attachment #1**

The next item was to discuss and or consider a request from Spirits Ghost Tours of Texas, LLC to tour and investigate the Old City Cemetery from 7:00 PM till 1:00 AM on March 29, 2014. Jeff Krueger with Spirits Ghost Tours of Texas, LLC has submitted a request to tour and investigate the Old City Cemetery of La Grange, Texas on March 29, 2014. This would be a guided walking historical tour of the cemetery in 2 teams, Bill Pappin would lead one team of 10 members through the cemetery beginning at 7:00 PM and the tour will last approximately 2 to 3 hours. Then a new team will swap out at approximately 10:30 PM with Mr. Krueger guiding the 2nd team through their tour which would conclude at 1:00 AM. No one would be allowed to leave the group nor would they be allowed to sit/stand or lean on any of the headstones or ornaments in the cemetery. All participants must sign a Release of Liability and Hold Harmless Agreement. The

group is fully insured against liability. If requested, the City of La Grange can be added as an additional insured, insurance provided. This group is also asking the county for permission to tour the “Old Jail” building at simultaneously. **MOTION** Councilman Arnold Romberg, **SECOND** Councilman Calvin Kuehn to approve this request. Motion carried.

City Council Committee Reports

Main Street will host Uncorked on March 15th. There will be 600 tickets for the event, 300 of these have been sold at this time.

The Airport Board met last week. One of the main items discussed at the meeting was the grant program from TxDOT which could assist in paying for a high fence to keep the deer and other wildlife off of the runway. The Airport Board is recommending to the Fayette County Commissioners Court that the county apply for the grant to assist with paying for the required fencing.

City Manager Report

Live Air Network is reworking their network design and might be able to reduce the number of fiber connection cabinet locations in the city limits from 6 to 4.

The Sidewalk project in front of City Hall began last week. It is anticipated that they will finish this area within the next 1-2 weeks.

The Randolph Recreation Center has hosted a number of various trainings and workshops. Some of these have been for up to 200 attendees, and all has gone well.

The City received a letter from Union Pacific Railroad regarding the proposed Quiet Zone. The access to La Fayette Street might present concerns for this project as per the letter. The information from Union Pacific is being reviewed.

The Visitor Center has been very busy the past month.

The bid for the Casino Hall restoration project is due on March 11th along with the bid for the electrical project which includes Horton Street as well as several additional locations.

At 6:40 PM a **MOTION** was made by Councilman Kuehn, 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