

**CITY OF SCHULENBURG
SCHULENBURG, TX
FEBRUARY 20, 2017**

The City Council of the City of Schulenburg met in regular session on Monday, February 20, 2017, at 7:00 P.M. at the Council Chambers located at 607 Upton Avenue, Schulenburg, Texas, 78956. Elected officials present included Mayor Roger Moellenberndt and Aldermen Rodney Gresser, Brenda Rehak, Arnold Stoever, Harvey Hercik and Larry Veselka. City Staff included City Administrator, Tami Walker, Candace Berger, Officer Cody Weiser, David Osina, Code Enforcement Officer Richard Schneider, and City Prosecutor Zac Evans. Guests present were Andy Behlen, Edward Driscoll, Frank Wick III, Billy Beiersdorfer, Lisa Mederos, Donald Berger, Philip and Margaret Leaman, James Brossmann, Otto Kocian, Cheryl Adams, Kieryn Adams, Keaton Walker, Bennett Barber and Tamara Otto – SISD Elementary Student Council members; Amber Barber Elementary Student Council Advisor, Erica Otto, Kaz McBride and Thomas Medina – SISD Jr. High Student Council Representatives Deana Fink – SISD Jr. High Student Council Sponsor, Katelyn Sassin, Emily Rodriguez and Kacee Fink – SISD High School Student Council Representatives and Shannon Fink – SISD High School Student Council Sponsor.

At 6:00 P.M. Mayor Mollenberndt called a Public Hearing to order to consider evidence and act upon an order for the repair, securing, removal or demolition of each and every structure located at and described as 119 E. Summit, Schulenburg, Texas, 78956, also described at 100 x 105 ft., being also known as 10,500 sq ft. in the City of Schulenburg, in the Ignacio Almansur League, A-120, situated in Fayette County, Texas. At this public hearing, the owner(s), lien holder(s) and mortgager(s) will be required to submit proof of the scope of any work that may be required to bring the buildings and structures into compliance with the ordinances of the City and the amount of time that will be required. City Council will accept and consider evidence as to the conditions of the properties and consider declaring the properties a nuisance and order the abatement of the nuisance through repair, removal and/or demolition within 30 days of the hearing, as well as, consider levying an administrative penalty for violations thereon.

Mayor Moellenberndt and Aldermen Gresser, Stoever, Hercik and Veselka were present for the substandard building hearing for 119 E Summit owned by Edward Driscoll Et. Al. Code Enforcement Officer, Richard Schneider presented a video of the structure and detached garage, inspection reports from Bureau Veritas and a structural engineer report from Dunham Engineering of College Station. Attorney Evans also informed the City Council that there was a tax lien on the property. Alderman Hercik questioned the Dunham Engineering report where comments like “tree too close to house” was their finding – the report would have failed many of the houses in Schulenburg according to

these standards. Alderman Hercik also compared the condition of this residence to the previously sold property located at 915 Bohlmann who has been given time to clean up and repair. When questioned, Mr. Driscoll stated that he graduates from the half-way house program on March 8th. The home was built in the 1940s but at this time, he does not have a job upon graduation and does not have the money to renovate the house. He has lived there more than 20 years and his mom died in the house. Frank Wick III stated that they never had any problems with the Driscoll family, but he did report others who have lived there and to this date, people are going in at night and stealing. When the structural engineer fee was questioned, Tami Walker stated that she authorized the \$1000.00 fee associated with it as requested by the City Attorney as back up for the process. Alderman Hercik questioned Mr. Driscoll regarding the thought of selling the property – he did entertain that idea. Alderman Hercik made a motion, seconded by Alderman Veselka to give Mr. Driscoll 30 days to decide to demo or sell the property. The motion passed with Aldermen Gresser, Stoever, Hercik and Veselka voting for the motion and Alderman Rehak was absent from the vote.

City Staffer Candace Berger asked to clarify the motion regarding the demo or repair or sale of property. Alderman Hercik made a motion, seconded by Alderman Gresser to withdraw the previous made motion. The motion passed with Aldermen Gresser, Stoever, Hercik and Veselka voting for the motion and Alderman Rehak was absent from the vote.

Alderman Hercik then made a motion, seconded by Alderman Gresser to give Mr. Driscoll 30 days to report back to City Council on his decision to either repair the property or place it up for sale. The motion passed with Aldermen Gresser, Stoever, Hercik and Veselka voting for the motion and Alderman Rehak was absent from the vote.

At 6:30, Mayor Moellenberndt called the second Public Hearing to order to consider evidence, and act upon, an order for the repair, securing, removal or demolition of each and every structure located at and described as 1104 Pierce, Schulenburg, Texas 78956, also described as 52 x 162 ft., being Lot 11 in the Chas. Matula Subdivision of the Pierces New Addition to the City of Schulenburg, situated in Fayette County, Texas. At this Public Hearing, the owner(s), lien holder(s) and mortgager(s) will be required to submit proof of the scope of any work that may be required to bring the buildings and structures into compliance with the ordinances of the City and the amount of time that will be required. The City Council will accept and consider evidence as to the conditions of the properties and consider declaring the properties a nuisance and order the abatement of the nuisance through repair, removal and /or demolition within 30 days of the hearing, as well as, consider levying an administrative penalty for violations thereon.

Code Enforcement Officer, Richard Schneider presented the City Council with a video of the property and house and a timeline of activities leading to this demolition that started in 2015. Taxes are current on this property; however, Mr. Manuel Thomas did not respond to the recent notices sent or make an appearance at this Public Hearing. Mr. Schneider also presented inspections of the property that stated the structure was not safe to enter to complete the inspection. Next door neighbor, Susan Houston, addressed the City Council regarding the rodents she has to deal with that are an overflow from the unkempt lot. She has also made personal contact with Mr. Thomas and all she got was talk of promises and no action. Alderman Veselka made a motion, seconded by Alderman Stoever, to give Mr. Thomas 30 days to repair or demo the property or the City will enter the property and demo the residence and take another lien on the property. Aldermen Gresser, Stoever, Hercik and Veselka voted for the motion and Alderman Rehak was absent from the hearing.

Mayor Moellenberndt closed the public hearings at 6:51 P.M.

At 7:00 P.M., the Mayor called the regular meeting of the City Council of the City of Schulenburg into session. Candace Berger led the group in prayer while Mayor Moellenberndt led the Pledge of Allegiance.

Under Presentations by Citizens, Alderman Hercik informed the City Council of some comments made at a Chamber of Commerce meeting that were reflected in the organization's minutes regarding a Car Show Mr. Hercik put on in October. It was stated that Marcia Hrcir, Jennifer Gilliam and Debbie Hall all received pay for working the car show; yet, they are advertising for volunteers to work the upcoming Sausage Fest. Mr. Hercik confronted Ms. Hrcir and asked if it was true that they paid themselves for selling raffle tickets at the Car Show. She confirmed. He then questioned her if she and her staff were going to pay themselves for working this year's Sausage Fest. She confirmed. Alderman Hercik reminded everyone that this project is subsidized with city HOT funds and so are their regular jobs.

Items (a) through (b) are Consent Agenda items with no separate discussion unless a Councilmember requests further information.

- (a) The minutes from the regular meeting held on February 6, 2017
- (b) Current bills were presented for approval.

Alderman Veselka made a motion, seconded by Alderman Rehak to accept the Consent Agenda items (a) through (b). The motion passed unanimously.

Alderman Hercik made a motion, seconded by Alderman Gresser to accept the joint election agreement between the Schulenburg ISD and the City of Schulenburg; thus, if

there is a school board election, all early voting will be held at City Hall. The motion passed unanimously.

A resolution to celebrate Texas Public Schools Week was read by the Mayor and then a picture was taken with Student Council Representatives and Sponsors from the Schulenburg ISD Elementary, Jr. High and High School.

Reports from Officers included the following:

Water Department activities included:

- Line locates, connects and disconnects. Meter change outs.
- Read meters.
- Ran three new copper water services on Pierce Street for Street Reconstruction Project
- Dug up and repaired 6" water main break at Highway 77 and South Street
- Flushed sand trap
- J & S Well Service notified us that bacteriological samples all passed on Well #10
- Well put back on line
- Began pumping out pool and tests RPZ at swimming pool.

Wastewater Department activities included:

- Hauling 5 loads of sludge from Babylon Plant and 1 load from Kallus Plant
- Ran 6 sewer services on Pierce Street to complete the project
- Repaired pump at Dollar General Lift Station
- Mowed grass at both plants
- Cleaned up and restocked parts from Pierce Street Project.

Street and Garbage Department activities included:

- Picking up brush when citizens pay the \$25 for removal
- Hauled containers to Creedmoor and Altair
- Drove and road on garbage truck
- Replaced bushings on big loader
- Patched potholes
- Finished Keuper Street curbing
- Took new freightliner to Austin to get checked out

Electric Department activities included:

- Connects and disconnects, meter change outs, read meters
- Fixed street lights
- Cut tree limbs that fell on the main line in Moravia area
- Hung wire, wired up meter loop and transformers for Mike Demel by Contech
- Installed capacitor bank on James Avenue for the Mobil feeder
- Trimmed trees around town

- Worked in the new shop at Kallus Sewer Plant

Park Department activities included:

- Regular maintenance (mowing, weed eating, clean restrooms);
- Picked up animals and placed in dog pound when needed;
- Set new bases, hooked up speakers and replaced gates on Field #2.

The Administration Report included accepting filings for City Council until the deadline of February 17, 2017 @ 5:00 P.M.; deadline for candidate to withdraw – Friday, February 24, 2017 @ 5:00 P.M.; BEFCO contacted to begin field work for water/wastewater line replacement at 500-600 block of Black Street; staking to be complete by O'Malley Strand to begin the street work at Pierce Street; sold 3 vehicles on govdeals – Grand Marques, Patch truck and Sewer truck.

Alderman Hercik also informed Administrator Walker that the workers at the City Cemetery did a great job; however, there are some latches missing on a gate at the cemetery and some mounds of dirt to be raked down. While the new fence was being installed at the City Cemetery, Mrs. Walker announced that the company was also asked to fix a short stretch of fence and a gate at the Community Cemetery.

There being no further business, Alderman Veselka made a motion, seconded by Alderman Stoeber, to adjourn the meeting at 7:20 P.M. The motion passed unanimously.