

**CITY OF SCHULENBURG
SCHULENBURG, TX
September 16, 2013**

The City Council of the City of Schulenburg met in regular session on Monday, September 16, 2013, at 7:00 P.M. in the Council Chambers, 607 Upton Avenue, Schulenburg, Texas. Elected officials present included Mayor Roger Moellenberndt and Aldermen Rodney Gresser, Douglas Behlen, Johnny Fowlkes, Brenda Rehak and Larry Veselka. City Staff present included City Administrator Don Doering, Candace Berger, Julie Cernosek, Tami Walker, Arnold Stoever and Chief of Police, Troy Brenek. Visitors included Andy Behlen of the Sticker, Leon John Langhamer, Lisa Patten, Erin Wotipka, Ona Marak, Ryan Wotipka, John Schindler, Michael Czimskey, Slade Kusy, Dennis Lebeda, Ronald Ryba, Jeff Proske, Ronnie Wick, Jason Strickland, Daniel Kubala, Pete Garcia, Jr., Quinten Riche, Chad Kusy, Brian Lux, Jon Beebe, Mark Shimek, Michael Zweschper, Greg Thomas, Drew Brossmann, Darren Guentert, Frank Wick, III, Randy Wick, Lester Clark, Jerome Sassin, Dustin Machicek and Brian Bagle and Mary Potts.

Mayor Moellenberndt called the meeting to order while Candace Berger led the group in prayer followed by the Mayor leading the pledge.

Alderman Gresser made a motion, seconded by Alderman Behlen to approve the minutes as sent. The motion passed unanimously.

Under **Presentations by Citizens**, the following persons spoke:

Dennis Lebeda, Chief of the Schulenburg Volunteer Fire Department thanked the City Council for their support of facility, tools and equipment. Then he expressed his concerns regarding the newly developed 2013-2014 Fiscal Year Budget and its cuts to the fire department. Of greatest concern, was the training line item that had been cut in half. He wished the City Council would reconsider the training needs of the department and work with them to insure everyone's safety.

Drew Brossmann, President of the Schulenburg Volunteer Fire Department, thanked the City Council for their years of support and its importance to the department and the community. He reminded everyone that an average of 88 firefighters lose their lives each year. Without necessary training, a fire fighter not only endangers his life, but that of his fellow firefighters, citizens of the community and visitors. He stated that techniques have changed drastically over the years and when a firefighter goes to school, they come back and present the skills they learned to the department. He too requested the City Council reconsider the amount approved for training of the department for everyone's safety.

Greg Thomas acknowledged the City Council for the support and informed everyone that the Schulenburg Volunteer Fire Department is the best equipment and trained department in the area. Not only does the department have high standards but each member has goals to attain. Their training is not limited to attending classes at College Station but they train everyday to stay in shape to be able to do their job as a firefighter. Currently, the Schulenburg Fire Department has one of the youngest departments around and most have joined because they want to make a difference – you cannot put a price on a life.

John Schindler, too, thanked the City Council for their support and reminded them that the training they receive is beneficial to everyone – us as a department, you as a Council and individual, all citizens of Schulenburg and surrounding areas and anyone else passing through who fall victim to our need. He encouraged the training budget be revisited.

Ronald Ryba stated that he is fairly new to the department, joining in 2009; however, he has set his goal high and plans on completing several levels of training. He has benefitted from department training as a member and also personally when his wife and children were involved in a fatality accident and when he was involved in a vehicle-motorcycle accident. He believes that “failing to prepare is preparing to fail” and again requested the Council reconsider the training budget.

Jeff Proske is a 25 year member of the fire department has seen many, many changes over the years – changes for the better. Over the years, much training was done locally and shared by area departments, but today, specialized training is needed for equipment, tools and building safety and must be done elsewhere. His biggest concern was that the department was not notified or given the opportunity to discuss the cuts to the department. Communication goes a long way.

Lisa Patten, a member of the Sports Complex Committee, wanted to bring to the attention of the City Council a safety issue at the walking-jogging trail. She stated that there are four poles with old light fixtures on them that do not adequately light the intended area of the newly constructed trail. She would like to see at least two of the light fixtures upgraded for the safety of all walkers. She reminded everyone that the park is not just a baseball park, it is a city park used by many people for many different activities. She also expressed her support for the fire department and the personal integrity of the members which enables them to do an awesome job.

Brian Lux requested the City Council revisit Alderman Veselka's recommendation at the last meeting regarding granting the citizens the right to dump at the limb and leaf site for free since their garbage service was reduced. He supported Alderman Veselka's comments in an interview with the Sticker regarding the presentation of correct figures so that informed decisions can be made. Brian cited his Algebra teacher's quote – "math does not lie" and he hoped things were not being caught in a vacuum of leadership or the result of bad accounting. He closed with his support of the fire department which his grandfather, Edward Lux and uncle Albin Lux proudly served. He understands the department's need for training since he was an eye witness to 911 and a member of the bucket brigade and saw firsthand the expertise needed to operate under certain circumstances.

Mayor Moellenberndt thanked the fire department for the job they do and for attending the meeting. Alderman Behlen stated that perhaps a meeting could be set up between Dennis Lebeda, Drew Brossmann, Don Doering, himself and perhaps Larry Veselka to discuss adjustments to the budget that increase the training amount. Mayor Moellenberndt stated he would like to be included in the meeting. Don was asked to set up the meeting.

The following **department summary reports** were submitted:

WATER DEPARTMENT: Did connects, disconnects and line locates; read meters; made 1" tap and set meter for Holiday Inn for irrigation; took water samples to submit to the State Health Department; assisted cheese plant with water pressure issue; ran 1" copper from main on Wolters to tie in to line feeding alley; flushed 8" main on East Avenue and put in service; regulator on chlorine line malfunctioned at Main Pump House; cleaned manifold and put in clean regulator; had communication problem at Well #13; Mercer Controls came out and found PUK to be the problem and replaced it and it seems to be working fine.

WASTEWATER DEPARTMENT: Pressure washed sewer line in Meadow Creek by Ronnie Brossmann's house; pressure washed and vacuumed sewer line out on Hwy 77 by the new Bob's Towing Service because there was grease in the line; worked with contractor on sewer line replacement project by finding the taps and water lines so they did not hit anything and replaced 1" line with copper tubing across Wolters Avenue by manhole to get rid of plastic line.

STREET DEPARTMENT: Hauled brush to Mr. Fowlkes' pit in order to make room for the upcoming town cleanup; started to set and lay curb and gutter along East Avenue; helped county pave; began to shred around town; and will start to replace curb and gutter along Klesel Street between Herder and Kellett next week.

ELECTRIC DEPARTMENT: Set two street lights on Eilers Street near Meadow Creek; replaced protection equipment on transformer bank feeding Babylon Sewer Plant; trimmed several services out to prevent damage to service drops; replaced service pole on the west end of N Main; and had a meeting with Prime Products on their future expansion and their electrical needs and demand.

PARK DEPARTMENT: Regular maintenance (mowing, weed eating, clean restrooms); picked up animals and placed in dog pound when needed; high school boy's backstop fence is compete with the broken face cinder block; and the oldest cooler went out and a new one has been installed in the concession stand.

ADMINISTRATION: A written summary from the public works departments and building inspector/code enforcement officer is attached; a financial summary for the year to date is attached; attached is an email message from Bob Schmidt, P.E. - a report on the sewer line improvement project; reminder for Contech's 5th Annual Steel Day in Schulenburg on Friday, October, 4, 2013; Holiday Inn Express work continues on the inside of the building and on the parking lot; Once Upon an Antique is planning to open at 523 North main in the near future; Apothecary concrete slab has been poured and finished; 9/6 met with representatives from Blinn College and Thadious Polasek to discuss mutual grant opportunities; 9/9 met with representatives from Dairy Farmers of America to discuss possible sale of city property; 9/9 attended Economic Development Corporation Board meeting; 9/10 met with Don Chovanec from LCRA; 9/11 met with Mayor and Sports Complex Committee; 9/12 met with Mike Zweschper from DFA to discuss possible sale of city property, also discussed the Festival Association and use of the rodeo arena; 9/12 met with Thursten Simonsen, P.E. from McKinstry Company; 9/13 attended I-10 Corridor Association Board Meeting in Austin.

BUILDING INSPECTIONS: Building Final – 523 N Main; Mechanical Final – 523 N Main; Slab – 30 East Avenue; Sewer Line – 714 Kallus and 533 North Street; Roof – 602 West Avenue; Fence – 314 Kallus and Framing – 1009 Paulus Street.

Alderman Behlen thanked all parties involved in getting the light set at the entrance to the City Cemetery.

Alderman Veselka made a motion, seconded by Alderman Gresser to accept the 2013-2014 Schulenburg Economic Development Corporation Board of Directors as follows: President, Alana Wyatt; Vice-President, Sylvia Mendoza; Treasurer, Ed Glass; Secretary, Don Doering; Advisors, Mark Friedrich, Paddy Magliolo and Ona Marak; and Administrator, Tami-Blaschke-Walker. The motion passed unanimously.

Alderman Behlen made a motion, seconded by Alderman Rehak to accept the 2013-2014 Budget for the Schulenburg Economic Development Corporation as presented. The motion passed unanimously.

Ryan Wotipka presented the City Council his development vision for Block 3 of the Wolters Subdivision. Phase I of the development included Lots 1-4 and Phase II included Lots 5-8. He agreed that overhead electric would be best for the development since it matched the electrical service in Block 1. Further discussion will include water service and street development since all lots currently face East Anderson which is a paved street. Alderman Behlen instructed Administrator Doering to secure firm estimates on the sewer options presented with gravity flow being the favorite. Council took no action until further information could be received.

Mark Shimek a property owner on Lyons Avenue addressed the City Council regarding the bolt studs in the newly constructed sidewalks for the businesses to use for signs. He would like to construct sign holders from metal for the buildings he owns and anyone else who would request them. He would use the same idea as the sign in front of the Polka Museum and could have them done in three to four weeks. It was agreed that the main issue is safety and the studs cause a hazard the way they are. Alderman Fowlkes also brought up the request form a local business wanting the yellow paint on the sidewalk area indicating a step for safety reasons. ADA requires the paint on sidewalks with steps of less than 3 1/2" in height. Alderman Fowlkes made a motion, seconded by Alderman Gresser for Administrator Doering work with city crews and Mark to make or purchase plates, install with caps to eliminate these hazards where sign stands are not erected and to paint with caution paint were steps could be hazardous. The motion passed unanimously.

Julie Cernosek presented three 2012-2013 budget amendments where departments were more than 10% over the budgeted amount. They included the cemetery for \$9500.00 – full time employee salary and emergency tree trimming and transferred from

the street department; municipal court for \$6000.00 – equipment to move court to new location and transferred from limestone purchases and fire department – command vehicle purchase and reimbursed by LCRA grant monies. Alderman Behlen made a motion seconded by Alderman Veselka to approve the budget amendments. The motion passed unanimously.

Alderman Fowlkes made a motion, seconded by Alderman Rehak to adopted an ordinance for the Budget for fiscal year beginning October 1, 2013 and ending September 30, 2014. The motion passed with Aldermen Gresser, Behlen, Fowlkes, Rehak and Veselka voting for the motion.

Alderman Behlen made a motion that stated “I move that the property tax rate be increased by the adoption of a tax rate of .1725, which is effectively a .759% increase in the tax rate”. Alderman Gresser seconded the motion. The motion passed with Aldermen Gresser, Behlen, Fowlkes, Rehak and Veselka voting for the motion.

Alderman Behlen made a motion, seconded by Alderman Veselka to adopt an ordinance setting the tax rate at .1725 per \$100.00 valuation for 2013. The motion passed with Aldermen Gresser, Behlen, Fowlkes, Rehak and Veselka voting for the motion.

Alderman Rehak made a motion, seconded by Alderman Behlen and contingent to the approval of the Sports Complex Committee that the donation of playground equipment from the local McDonald’s be accepted by the city and placed at the Sports Complex. McDonald’s is eliminating all playgrounds and will help with transport and set up at our location. The motion passed unanimously.

Alderman Behlen made a motion, seconded by Alderman Rehak to approve the payment of current bills. The motion passed unanimously.

At 8:10 P.M., City Council adjourned into Executive Session in accordance with the Texas Government Code, pursuant to Section 551.071; consultation with attorney concerning pending litigation; or a matter in which the duty of the attorney requires it. (Civil Action No. 12-CV-03293 – Sylvia Gabler v. City of Schulenburg; in the United States District Court for the Southern District of Texas Houston Division); Discussion of the possible sale or exchange, value, and retention of easements on real property for which the City has been approached by a prospective buyer; and Conduct a private consultation with the attorney about settlement of a claim regarding an unpaid and disputed electric utility bill.

City Council entered into open session at 9:36 P.M. with Alderman Veselka making a motion, seconded by Alderman Behlen, to approve the sale of land to DFA as discussed in executive session. The motion passed unanimously.

Alderman Veselka made a motion, seconded by Alderman Gresser to adjourn the meeting at 9:36 P.M. The motion passed unanimously.

Passed and approved this 7 day of October, 2013.

Mayor Roger Moellenberndt

Attest:

City Secretary