MINUTES
of the
KEENE CITY COUNCIL

THURSDAY, MARCH 28, 2019

PRESENT: Mayor Gary Heinrich, James Belz, Lisa Parrish, Robert Cooper, Cheryl Schram, and Gwen Beeson.

ABSENT: Rob Foster

CALLED TO ORDER: Called the Regular meeting to order at 6:00 p.m.

Invocation & Pledge of Allegiance & Texas Pledge – Mayor Gary Heinrich

1. Public Comments.

No public comments.

2. Mayor’s Comments.

Lisa Parrish announced a new shop called Shop 1108 across from Pinnacle Bank.

Cheryl Schram announced the Louis Vuitton job fair, the Shady Oak Ribbon Cutting and the Child Safety Event at Keene Police Department.

3. Discussion and possible action on the minutes dated February 14, 2019 and February 21, 2019.

Robert Cooper made a motion to approve the minutes dated February 14, 2019. Seconded by Gwen Beeson. The motion carried unanimously, 5-0-0.

Cheryl Schram made a motion to approve the minutes dated February 21, 2019. Seconded by Robert Cooper. The motion carried unanimously, 5-0-0.

4. Executive Session:
   a) Section 551.071 of the Texas Government Code (Consultation with City Attorney): Discussion of the dispute with Bonnie Allen
regarding the building located at 307 Highway 67 East and related fire code and building inspection issues.

b) Section 551.071 of the Texas Government Code (Consultation with City Attorney): Discussion of pending litigation – Shelton, et al. v. the City of Keene, et al.; Cause No. DC-C201800139; 249th District Court, Johnson County.

Council entered into Executive Session at 6:07 PM.

5. Reconvene into Open Session for possible action resulting from any items posted and discussed in Executive Session.

Council reconvened into Open Session at 8:35 PM. No action was taken.

6. Discussion and possible action regarding entering into a professional service agreement with Jacob & Martin for design, bid and construction inspection services for Phase One (1) of the Hyline Sewer Extension project.

Mayor Heinrich reminded Council that the total amount for Phase 1 is $277,000.

Lisa Parrish asked if the cost is coming out of the $775,000 or from the Engineering Services fund.

Brian LaBorde stated that it will come from the $775,000.

**Gwen Beeson made a motion to approved entering into a professional service agreement with Jacob & Martin for design, bid and construction inspection services for Phase One (1) of the Hyline Sewer Extension Project in the amount of $277,000. Seconded by James Belz. The motion carried unanimously, 5-0-0.**

7. Discussion and possible action regarding an appointment to the Type B Business Development Board.

**Robert Cooper made a motion to re-appoint Cheryl Schram and appoint Russ Ziegler and Nick Chesney to the Type B Business Development Board. Seconded by Lisa Parrish. The motion carried unanimously, 5-0-0.**
8. Discussion and possible action regarding the Water Ordinance.

Lavern Quear came forward. Ms. Quear is concerned about the procedures for water billing and the disconnect fee. Another item of concern is the drop box. People place their checks in there but there is no record kept. Ms. Quear brought up social security checks and people not being able to pay their bill. The 7th day due date is not fair for everyone. It should be moved to the 20th.

Mayor Heinrich disagrees.

Gwen Beeson stated that there are organizations that can assist people in need.

Mayor Heinrich stated that he believes that the wording needs to be changed for the billing and in the ordinance that makes it clearer.

Cheryl Estes stated that we had 198 late this month, last month was 137 and the month before was 99. It usually runs between 120 and 150.

Lisa Parrish read aloud the current policy that recently went into effect. “If you don’t pay your water bill prior to 8:00 AM on the 21st of March, then you will be charged a $50.00 re-connection fee and your name will be added to a cutoff list and your water will be shut off.” This is what happened this month. This means based on an explanation from Brian LaBorde and Cheryl Estes...you can no longer rush down to City Hall to pay the bill before the Public Works employee makes it to their house or business. After all the cutoffs have been processed then the Public Works staff returns to City Hall to find out who has paid that day and return to those houses that have paid and turn them back on. So, what this can do is customers can be without water for several hours and up to a day during this process even if they have already come in to pay. The City Manager has already said that we need a policy that is fair and consistent. The policy, this month was not fair and wasn’t consistent with the standard that we have been doing over the last several months. The ordinance does say they have to pay by the 20th but we have not been enforcing that. I have a bill in front of me, a termination notice dated February 25th, so that same individual that got one last month also got one for March. She thought she had until the 25th to pay again, thinking the date would be close. She came in on the 21st to pay...
her bill and then she found out she had to pay an automatic charge of $50.00 that she had never had to pay before automatically. It was not automatically put on her bill. She went home and went about her day and then had Public Works show up at her house and cut her water off. She had already paid. This same individual said she was supposed to get turned back on. She said that she paid her bill about 9:30 AM on the 21st. She cried in our corridors in City Hall. Molly Martin came out to comfort her. This is one of our residents that we let this happen to. She cried when she found out she had to pay the $50.00. She wasn’t just coming in to pay her account but her son’s too. She didn’t get paid until the 20th, the day before at 5:00 PM and she didn’t get her check from her work. She thought she still had time. She looked at the termination notice and thought the notice states the 21st so she thought she still had time. Then she came in and found out she had to pay an extra $100.00. She broke down in tears. Besides that, she went home and had her water turned off and her son’s water got turned off. He has a family, he has children, they were trying to cook, they had no water, they couldn’t flush toilets, they were inconvenienced for several hours. She didn’t get her water turned back on until 8:30 PM at night. She said that she got missed. She saw that Public Works had ended for the day, found the emergency contact number and got someone to verify her receipt and came back out and turned her water back on. Otherwise she wouldn’t have had it for a whole night after she had already paid.

The problem that I am having with this, not Cheryl, not that we don’t have a policy, we need a policy.

Cheryl Estes stated that the policy says, it is the 1st Wednesday after the 19th is when cutoff is. That is why the date always changes every month.

Lisa Parrish stated that she knows the dates change every month. I am just saying that I think we bumped it a little too early on this one. We did an automatic charge which had not been done before. We did it on the day of the termination, and then people came in to pay and still got their water turned off. We should have policy that says if they came in to pay we just contact Public Works and take their names off the list, don’t go to their house.

Cheryl Estes explained what staff had been doing up until this time. We have the chronic people that are always on the cutoff list. They somehow find out that the guys are out turning off the water. They run
up to City Hall and they pay. So, every time they come up to pay, the girls up front have to stop, there is always a line, text the gentlemen in the field to not cut off the water of that address. Then they take the next payment and again text the gentlemen in the field. It is the same people every month and it creates chaos in the lobby. We had one person doing cutoffs and it would sometimes take him all day. Last month, was the first month we did it, we gave cutoffs to Andy Wolfe and gave the list to six staff members. The list was divided up by streets. They cut off the water in an hour and a half. Everybody’s water got cut. People were unable to run in and pay the bill. We couldn’t text because we didn’t know who had what street. We gave them an extra day this month. The statement even stated, “pay before the 21st”. We went out to the drop box at 8:00 AM and processed all online payments that were made before 8:00 AM. Only then did we process the cutoff list. Once that list got to Public Works, it was out of our hands.

Lisa Parrish stated again I’m going back to the policy and the ordinance. What you did violated the ordinance in two ways. It violated the ordinance because you charge customers for a service that had not been done yet. We are calling this a re-connection fee. The ordinance clearly states on page 3, “The fee to have service reconnected after having been disconnected for non-payment or for other violation of the City’s policies is $50.00.” You cut the water off after they paid, and it wasn’t being re-connected. It hadn’t been disconnected yet. The solution to this would be for the customer to pay the $50.00 fee after their service has been disconnected to get it turned back on. We just need to change the date. You cut if off too early. You didn’t give them enough time to come in and pay it and keep them off the list. You should have printed the list on the 22nd. That is the day you should have had Public Works turn off the water. They thought that they could pay that day because that is what the letter said. Violation number two, charging customers again on the termination day. On page 9 of the ordinance, “Payment must be received by 8:00 AM on the morning of the business day following the termination date.” The letter has the termination date as 3/21/2019. You cut them off on 3/21/2019. The ordinance stated the following date, not this date. They should have been cutoff on the 22nd. Many of the people who contacted me over this past week and a half told me that. They thought they had one day. They didn’t think they were going to get charged $50.00. They didn’t think they were going to get cutoff. They thought they had an extra day
to do it. Since the City Hall opens at 8:00 AM, there is no way the customers can come in prior to 8:00 AM and pay. They can’t get a receipt. A lot of them don’t want to put it in the drop box. LaVern is right. I have already had two people say that they have put checks in the drop box and they got lost and never made it inside City Hall. There is a problem with getting everything reported in time to make sure they are not cutting off people that have already paid. The wording on the termination notice is vague and is poorly written. It is confusing. On the termination notice I have in front of me it says, “In order to ensure continued service at the above address, full payment in the amount of... must be received in our office before 3/21/2019.” You are making people do a mental calculation. I’m told this use to say, “on or before”. We took off “on” and “or” and now you have before. At the top, you have the disconnection date. It doesn’t say before at the top, but it does at the bottom. Then it says, “If your services are disconnected, you may be required to pay another Service Deposit to have service reconnected.” That is not true either. If services are disconnected, we want to say you will be required to pay a $50.00 re-connection fee. We are not talking about a service deposit. That is also confusing. That is something separate. A service deposit and a re-connection fee are two separate charges. We make them pay an extra deposit when we want to hold more money in our account for when they don’t pay. That’s an insurance for last month’s bill. Then what we need to add, when customer’s service has been disconnected more than once, in a 12-month period is a requirement to pay another service deposit. That is where you want to get the words service deposit in. You’ve got it in the wrong spot. It’s confusing. It needs to be on the termination notice so that it is clear. The people do not know this ordinance.

Mayor Heinrich stated that where the wording is works too. We can increase the service deposit if they are a chronic payer.

Lisa Parrish added that the water contracts need to be updated. The City doesn’t have one for me. Maybe we can have these chronic late payers update their water contract. Have the terms spelled out and make them re-sign it. Make sure they have a deposit on file. That is supposed to cover them too. That way you don’t have to be so quick to grab that $50.00. We don’t have to be a Nazi about this and say that we’re going to take this before we cut you off.
Gwen Beeson asked on the late fees, if we track how many repeat offenders we have. Ballpark, what is the percentage?

Cheryl Estes stated yes. I did a spreadsheet. Over 60% of the people that were on the March cutoff list were on the January and February list.

Gwen Beeson stated that basically, it doesn’t matter what time of the month you give them for cutoff, or to pay their bill, as a rule, you are going to have those that pay late.

Cheryl Estes stated that they wait to come in when we are cutting off the water.

Lisa Parrish stated that she did a little research and she has the City of Cleburne’s water policy so that we can compare them to our own policy to make sure we are being fair. Lisa Parrish read aloud an email with the City of Cleburne. “What is the due date for water bills?” They have five cycles for due dates as follows; the 4th of the month, 11th of the month, 18th, 25th and 27th of the month. I’m not necessarily recommending that we do that. That is just what Cleburne is doing. I don’t know if that is based on their social security check or what.

Mayor Heinrich stated that it is based on their meter route.

Lisa Parrish continued. “What is the amount charged to customers after their monthly due date?” They have the same as us, 10% late fee. “On what set date does payment have to be made before the City of Cleburne puts customers on a cutoff list and turn their water off?” “After the due date, penalty is accessed, notice is mailed out granting 7 days to pay. After the 7 days, the service is scheduled for disconnection.” “What amount is charged to customers to have their water turned back on, a re-connection fee?” “There is a $25.00 service fee. If we receive payment before 3:00 PM and after 3:00 PM an additional service charge of $50.00.” We may want to see if that is something that we want to do. “What are the procedures that staff follows when a customer pays his water bill on the date of cutoff but prior to the water being physically turned off? In other words, does the water still get turned off if the customer can show the public works employee that the bill has been paid to keep the water on?” “If a customer has a receipt, their name should not be on the list. We post
the payment from the night drop box and after 10:00 AM, we send out the cuts. Anyone that paid wouldn’t be on the list. However, if someone got overlooked, the water would not be cut off. The service man would call customer service and we would check to see if there was some error that put their name on the list.” Then asked, “How many utility rate customers does the City of Cleburne have?” They have 11,800 active accounts compared to our 2,300. “How many utility customers pay their bill late?” They mail out about 2,400 late notices. That is about 20%. “How many utility customers get on that monthly cutoff list and their water physically turned off?” They stated about 150 per month. Which is 1.3%. This month we turned off 11%. I’m just saying in this case, I’m not about we don’t need a policy, or we don’t want people to pay their bills. I’m all about paying bills and fiscal responsibility. I want people to pay their bills. I want us to be responsible with the way we pay our bills. I ask all the finance questions. I ask how much things cost and where is the money coming from. So, I want people to pay their bills. I think we want them to pay them on time. I think we do need a policy, but I think we need a policy that is fair. This month was not. That is my point. This month we did it a day too early. We did it in violation of our own ordinances. I think that every customer that paid their bill on this date, 3/21/2019 should get their $50.00 back. I think we should refund their money in good faith and say that we made a mistake, we’re going to fix it, and then from this point forward we are going to redo our disconnection notice and policy. Make sure everyone knows what the policy is before we start enforcing it. I don’t think there will be any question from that point moving forward.

Cheryl Estes stated that whatever Council decides on, please stand behind it. The problem that staff is having is the abuse, the verbal and emotional abuse that the girls and myself take.

Cheryl Schram stated that she believes a police officer should be in the lobby during cutoffs. There are words spoken that shouldn’t be spoken.

Cheryl Estes stated that some of these customers verbally abuse those girls and say things that are derogatory and unnecessary. Then to have a council member call staff and tell us to give them what they want, I’m afraid I’m going to lose more employees. It is very degrading to them and very emotional. All they are trying to do is their job and enforce the ordinance that they were told to enforce. If you call me up and ask me
to give back your friend’s money, I will give back everybody’s money.

Cheryl Schram asked if staff works with people who have extenuating circumstances.

Cheryl Estes stated that there is a section in the ordinance that if you get social security, all you have to do is fill out the form. We push a button and those customers do not get a late fee and they don’t get cut off. They pay their bill when their check comes in.

Cheryl Schram stated that this is the third time this ordinance has come up since I have been on Council for the last 10 years. It seems to be that when Brian first came we reworked this. I haven’t researched when the last time we worked on this. We’ve made it less specific to try to give people more room to work. It seems that this has worked against us. Now we need to go back to the way we had it. If that 20th was on Saturday, you must take care of it on Friday. If the 20th was on Sunday, you take care of it on Monday. It sounds like you’re trying to honor the checks in the drop box by 8:00 AM, but the problem was the day. The idea of having all the cutoffs done within an hour is a great idea. It seems efficient and fair. People have gotten accustomed to it taking all day. People have run out on us and we have been stuck with great big bills. We would have people that we work with month to month and then one day just leave and we would be stuck with a $500 water bill. Some of the changes to the ordinance has eliminated that. What I have learned is that we will always be tweaking the water ordinance. It was very shocking to a lot of people and I don’t know how we are going to go about refunding their money. We made it $50.00 to deter people from waiting too late. It is more trouble for us to send someone out to turn the water off and back on. It’s not fun for those guys either. People are mean and hateful to them too.

Lisa Parrish would like to see them get their money back. In this instance we made a mistake. We owe it them, at least this one time to give them the $50.00 back, apologize, whatever we need to do and give it back to them and start fresh from this point forward. I think the wording of the disconnect notice was not clear and it has not been consistent which makes it not fair and we didn’t follow our own ordinances on the dates of when we said when we were going to cut it off. We said we were going to cut it off following the termination date. The termination date
says 3/21 and we should have cut it off on 3/22 and we cut it off on 3/21. We violated our own ordinance and policy. I think we need to stand by our ordinances. It was already in effect. It was done by previous Council. We should own it right now and then let us change it if we don’t agree with it. Make some changes to the terms. Make sure we tell people to pay by 5:00 PM or 8:00 AM. Give them a clear date. Don’t say before another date. Just give them a clear date of when they need to pay by. We need to have City Hall open, maybe a little bit later to 6:00 PM or 7:00 PM or maybe come in early on the day of termination. We can open at 7:00 AM. They have an hour to rush in here before they end up on the cutoff list. Come up with some plan like that. We need to sit down and work on this. I don’t know if we need to form a committee or what or if it’s something staff can handle on their own. A committee can really look at the wording and then bring it back later with a presentation. I think in this case we owe it to them to give them back their $50.00. We normally don’t cut off 198 people. That is excessive. I’ve been told that we haven’t been cutting them off. I know she is giving high numbers, but I saw some figures from 2 or 3 months ago, she said it was 40-60 cutoffs. It wasn’t 121 and it wasn’t 198. I think a lot of those people are coming in to pay that day then they found out that they couldn’t. They already found out they had already been charged. They were upset. I don’t want the girls to get badgered. If I was a finance director and I saw that my city clerks were out here, and they were getting yelled at by people, that is not right. They should call me and tell me that they have a question. These people are really upset over this $50.00 charge. Then I would come out and I would talk to that person and I would tell that homeowner whatever, this is the policy, this is what we’re doing, we are enforcing it. Take the pressure off the city clerks.

Cheryl Estes stated that we get this every month.

Lisa Parrish stated to not let them get abused. Come out and talk to them yourself or have someone else come out and talk to them or have a police officer here. The police officer will be a little bit of a deterrent. We don’t want the clerks or the public works guys to be abused. We don’t want them quitting. I wouldn’t work a job where I got yelled at once a month.

Gwen Beeson stated that the disconnect notice says here, disconnect
date 3/21. I don’t know how much clearer you can be.

Cheryl Estes added that it states the date in five different places.

Lisa Parrish stated that to her that is the last day to pay.

Gwen Beeson pointed out that it says disconnect date.

Lisa Parrish stated that she saw one last month that was February 25 and I saw one in December for the 26th.

Cheryl Estes stated that those were the disconnect dates.

Lisa Parrish stated that they were later in the month and its confusing to people. This one was a little bit on the early side. They barely had 10 days’ notice. The 7th was on a Thursday. The notices went on on the 8th. People could not have received them before Monday. They barely had 10 days and then they were charged $50.00 and we cut their water off after they came in and paid. It sounds cruel and mean.

Mayor Heinrich asked if the PUC or is there any state agency that controls our water billing or procedures.

Brian LaBorde stated no. We are the provider.

Lisa Parrish stated that they barely had 10 days.

Mayor Heinrich stated that 10 days is plenty of time.

Lisa Parrish stated that is if the late notices got mailed out on the 8th. We have no proof of that.

Mayor Heinrich stated that 2 days is plenty of time. If not, it is still plenty of time to make payment arrangements. Mayor Heinrich verified that this disconnect notice goes out every month after the 7th with a disconnect date on it. At Christmas, they were given a little latitude.

Cheryl Estes stated that we don’t do cutoffs in December.

Mayor Heinrich asked if the disconnect notice in December says the
26th, I shouldn’t expect that the next month, the date will be the same.

Cheryl Estes explained that when the date changes, it upsets the customers. If it was a set date every month it would be less confusing to them because they know that day will be the same every month. The problem with that, is sometimes that day falls on weekends. I think the same day every month will be less confusing instead of the first Wednesday after the 19th. They did that because it gave us time to do the cutoffs and the guys can go out and get them done before 5:00 PM because we do not do cutoffs on Friday.

Mayor Heinrich made suggestions based on his notes. It should say something like “if your bill is not paid on the 20th by 5 PM.” Mayor Heinrich continued that Lisa suggested we keep the office open a little bit longer on that day so people who work have a chance to come by either to pay the bill or make arrangements.

Cheryl Estes stated that we can up the budget for overtime.

Lisa Parrish stated that they can get off an hour early on the next Friday.

Mayor Heinrich continued that it says, “A $50.00 reconnect fee will be charged on whatever that date is.” If something in the ordinance needs to be tweaked, then we do it.

Cheryl Estes stated that the current Ordinance was adopted in the summer of 2017 and when it was adopted, staff started enforcing it, that is when customer service started going downhill. All we have done is try and enforce what Council asked us to do. If you want to change this, we are more than happy to do what Council wants. We just ask that whatever you adopt, you also enforce.

Mayor Heinrich explained that he doesn’t want staff to be abused. Regarding the fee that was charged, Council will need to act on that.

Lisa Parrish believes that they need to be refunded or credited. If they are a chronic late payer this will help them.

Mayor Heinrich stated that he has a problem with just doing this across the board.
Lisa Parrish stated that she would do it for everyone that paid that day. If they thought that they had one more day, they should get a credit for $50.00. She should be able to track who paid that day. If they paid the 22nd, that's too late. We didn't follow our ordinances.

Cheryl Estes stated that it is $9,500 if we give back to everybody. If you give it back to the people who had the ability to come in when they saw the guys out cutting off water, then how about the people who didn't have that ability because they were at work, that's not fair. If you give it back, it needs to go to everybody.

Lisa Parrish stated that we didn't have the right to collect it to begin with. It's not our money. I've seen your budget, you have $24,000 budgeted for the reconnection fee that you said we would collect this year.

Cheryl Estes stated that we have surpassed that already.

Lisa Parrish stated then it won't hurt our budget.

Mayor Heinrich told Lisa to make a motion.

Gwen Beeson stated that we are setting a precedent.

Cheryl Schram stated that by paying it all back to everyone is a windfall who paid late but not as late as these people. How do you separate that out?

Mayor Heinrich stated that Lisa needs to make a motion. It needs to be specific as to whom gets a refund and then it needs to be voted on.

**Lisa Parrish made a motion to give the reconnection fee of $50.00 back to the utility account customers that paid their utility bill in full on the 21st of March 2019.**

Cheryl Estes stated that no one paid in full. They only paid the amount that was past due.

Lisa Parrish questioned if they were paying their whole bill.
Cheryl Estes stated no.

Lisa Parrish made an amended motion to give $50.00 credit to those utility account customers that paid their utility bill on the 21st of March 2019.

Cheryl Estes added at midnight. Give me a time. They pay online all day long.

Lisa Parrish made a 2nd amendment to the motion adding that if they paid their utility bill on the 21st of March 2019 by midnight. They should get their money back of the $50.00 reconnection fee.

Mayor Heinrich asked for clarification on customers not paying their bill in full.

Cheryl Estes stated that when bills are due on the 7th and we do late bills on the 8th. We do another billing cycle on the 20th. It goes out before we do the cutoffs. So, when these people come in, we only make them pay the past due amount.

Mayor Heinrich stated that it is being paid in full for the previous month. An amended motion needs to be made.

Lisa Parrish made a 3rd amendment to the motion to give a $50.00 credit to the utility accounts of customers who paid their utility bill in full for the previous month on the 21st of March 2019 regardless of what time they paid on that date.

Lisa Parrish made a 4th amendment to the motion changing regardless of what time they paid to midnight. Seconded by Cheryl Schram for discussion purposes.

Lisa Parrish requested that Council look at the ordinance. She didn’t follow the ordinance this month. The ordinance says, if your services are disconnected you may be required to pay a service deposit. We didn’t follow our ordinance.

Mayor Heinrich stated that the service deposit is different.
Gwen Beeson stated that we have all reviewed the ordinance and we know what the ordinance says.

Lisa Parrish stated that the ordinance on page 3 says, “The fee to have service reconnected after having been disconnected for non-payment or for other violation of the City’s policies is $50.00.” We charged it before, we messed up. They were charged too early. We shouldn’t charge them unless we turn it off.

Cheryl Estes stated that we can’t process the disconnect list until we push the button that adds the $50.00 and then it prints the list out. We hand it out and they go out and turn them off.

Mayor Heinrich stated that Lisa is saying they we went out and cut them off after they had paid.

Cheryl Estes stated that we added the $50.00 then gave the list to the guys and they went out and started cutoffs. People then started coming in and paying then running back out and waiting in the yard for the guys to show up. They would then show them their receipt that they had already paid in hopes they wouldn’t get turned off.

Lisa Parrish stated that you instructed them to turn it off anyway.

Cheryl Schram stated that we have two kinds of people that paid the $50.00. Those that stood there with their receipt saying don’t cut me off, so since they weren’t cut off do we refund their money.

Lisa Parrish stated that everyone was cut off whether they paid or not. They weren’t allowed to show their receipt.

Cheryl Estes stated that our reasoning was the guy down the street who was the first on the list didn’t have time to run up and pay and he had to pay it. So, we need to ask her, do you think that’s fair because you had time and he didn’t come up and pay it and she said no that isn’t fair.

Lisa Parrish stated on page 9 of the ordinance it says, “Payment must be received by 8:00 AM on the morning of the business day following the termination date.” So even if you think the termination date is the 21st
we said payment had to be received by the next morning. So, everybody that paid on the 21st should have been covered. If that was the termination date. We didn’t say on the termination date, we said the following. That is the key word. That is the 22nd, not the 21st.

Gwen Beeson stated that on the disconnect notice it says disconnect date. It doesn’t say in ordinance number 300 page 2.

Lisa Parrish stated that we should be following the ordinance. The letter didn’t follow the ordinance. It cut them off on that day. It should have cut them off on the following day. We violated our own policy. We need to fix it and give them their money back.

Robert Cooper, “Question on the motion.”

**Vote: The motion failed, 2-3-1. Gwen Beeson and Robert Cooper voted against the motion and Mayor Heinrich broke the tie. James Belz abstained.**

Mayor Heinrich would like each of the council members to submit any changes or suggestions on the disconnect notice to the City Manager.

Brian LaBorde stated that we will look at the ordinance and bring it to Council for changes.

Cheryl Schram stated that because of this date confusion of the 21st and 22nd and what the ordinance says, it can be considered again later about some people getting a refund. I had to vote with Lisa. I know the disappointed expectations of those that are counting on that one more day. There is that conflict there. I agree with Gwen too. It says on the disconnect notice the date. It is the fact that we were not in line with our ordinance troubles me.

Mayor Heinrich stated yes. We do need to look closer at the ordinance and possibly make some changes. I am not against giving some people their money back.

Lisa Parrish stated that you just voted against it.

Mayor Heinrich stated yes. I think Council needs to give direction to
staff regarding the changes and then it can be reconsidered.

9. Discussion and possible action regarding the consideration of the annual financial report for the year ending September 30, 2018.

Staff requested that this item be tabled.

Robert Cooper made a motion to table Item 9. Seconded by Cheryl Schram. The motion carried unanimously, 5-0-0.

10. Department Reports:

Police: Chief Emmitt Jackson came forward and gave his report and presentation. Chief Jackson briefly went over the arrests for the month and compared them month to month and year to year.

Lisa Parrish shared the email for Chief Jackson showing the balance of his OSSI capital projects account. This is the same figures you gave me. You gave me a balance of $54,073.78. I’ve been tracking this account.

Mayor Heinrich stated that would have probably been in the financial report.

Chief Jackson agreed.

Fire: Chief Dan Warner came forward and gave his report and presentation. Chief Warner went over the calls that Fire responded to for the month. The EMS study is almost ready to bring back to Council. Also, the bid process is almost done or the parking lot at the fire house.

Development: Don Martin came forward and gave his report and presentation. Don Martin went over the permits issued breaking them down to residential and commercial. Mr. Martin introduced the Residential Builder Packet that will be handed out to builders and developers. Also, Council was given a full breakdown of the Shady Oak project with total amount paid out. The ribbon cutting will be next Friday.

Code Enforcement and Animal Control: Christina Austin came forward and gave her report and presentation. She reported on the types of
violations and the amount for Code Enforcement. That includes the number of letters that went out.

Lisa Parrish stated that she has seen progress at the mobile home park. I’ve seen people cleaning up their yards and getting rid of the trash around their trailers. Organizing some things and putting some order to the yards.

Christina Austin stated that she does work with the citizens to help them comply to the ordinances. Ms. Austin reported on the bulk pickup.

Cheryl Schram asked about the bulk pick up. She has had some residents talk to her about their items not being picked up. They didn’t get their stuff out in time since the trucks came so early.

Christina Austin stated that during bulk pick up, residents are allowed to put their items out one to two days early.

Cheryl Schram stated that in the past they had been encouraged to not to do that. Maybe that can be included in the next flyer for bulk pick up.

Christina Austin stated that it is on the flyer. We can also put something out on social media.

Lisa Parrish stated that they picked up from her house very early.

Christina Austin stated that they started early because of how many tons they must pick up. Ms. Austin continued her report for Animal Control and updated Council on the shelter. Announced the vaccination clinic and the vendors and services that will be provided.

Lisa Parrish asked if this event includes registration.

Christina Austin stated yes.

Public Works: Andy Wolfe gave his report on Westhill Construction and their progress. He continued with work orders. The pump on Well #12 burned up and that was an emergency repair. It was down for a couple of days.
Mayor Heinrich asked where Well #12 was located.

Andy Wolfe stated it is located at the RV park on Highway 67. Mr. Wolfe continued with his report.

11. City Manager Report:

Cheryl Estes went over the finances. Sales tax was up 3% compared to this time last year. Water revenue is at 38%. Capital Projects for the OSSS as of the end of February may be different from your numbers because we have only paid $21,392. On water/sewer we had an emergency expenditure. We are in the process of implementing a purchase order system. This will allow you to see encumbrances. Ms. Estes handed out a spreadsheet for utility billing administration statistical data. As you can see, we went back for the last two years. For 2018 and 2019, we have gallons pumped purchased and sold. It shows you how much revenue, billed and adjustments that have been made and collected. Below that is the monthly statistics for how many water bills are mailed out, how many late notices, how many payments are made by bank draft, website, manual payments, and cut off list for nonpayment. If there is any additional data that you would like to see just let me know and I will get it added.

James Belz asked about 2016/2017 first box shows that we pumped 1 million gallons and purchased 15 million. In 2018 we pumped 6 million and purchased 9 million. Why?

Cheryl Estes stated the wells were down.

James Belz thought that they were given a report that stated that all wells were up.

Andy Wolfe stated that when he got here, Well #11, the pump was down and the house was in disarray. We made repairs last year. The well is done and is ready to pump. However, the chlorine leak was never taken care of and it rusted out the entire side of the building. The flooring was repaired about a month ago. Now we are working on the pump house. Over the years, parts have been taken and used for the other wells. We have parts that are missing and items that don’t fit. The electrical needs to be repaired too. We are trying to make the repairs in
phases.

Mayor Heinrich asked if it is a trinity or paluxy.

Andy Wolfe stated it is a trinity. It is 225 gallons a minute. It's a 1-million-gallon storage tank.

James Belz asked what the plan was after Mr. Wolfe is gone.

Brian LaBorde stated that the interim will take over.

James Belz asked if once that is repaired, will the 2016 numbers return.

Andy Wolfe stated yes.

Brian LaBorde stated that he will bring back a cost estimate for the full repair.

Mayor Heinrich believes that Brian can bring back the report once it is repaired.

Brian LaBorde stated the cost is over $50,000 so it will need to come to council first unless it is considered an emergency.

James Belz stated that he considers this to be an emergency. Council agrees.

Brian LaBorde continued to update Council regarding the quarterly newsletter and announced the In & Out Burger Event for April 9th.

12. Discussion and requests for future items on the agenda.

No requests.


The meeting adjourned at 10:21 P.M.
By: [Signature]
    Gary Heinrich, Mayor

Attest: [Signature]
    Holly Owens, T.R.M.C., City Secretary