

## MINUTES OF SPECIAL CALLED CITY COUNCIL MEETING FEBRUARY 19, 2019

1. **Call to order.** Meeting was called to order at 6:00 P.M. by Mayor Bert Echterling.
2. **Roll Call:** Councilmembers present: Jimmy Rogers, Brenton Lane, Bert Echterling, Jeremy Stivener, Steve Janics and Jimmy Eubank. Councilmember Jim Mastergeorge was absent.
3. **Present 2018 Annual Racial Profiling Report.** Chief of Police Phillip Prasifka presented the 2018 Annual Racial Profiling Report to Council as required. No action taken.
4. **Consider and possible action approving an addendum to the Agreement for City Participation in Development Cost with Tate Avenue Investments LLC reducing the City's participation from \$301,297.43 to \$137,269.** City Manager Craig Lemin presented this item and stated in June of 2018 the City entered into an agreement with Tate Avenue Investments LLC (Developer) to participate in the construction line for their new development called Eskew Estates. Mr. Lemin said the developer's engineer was provided the necessary information including the maximum elevation for the proposed manhole on Old Robinson Road as well as the manhole elevation on Cedar Ridge South to insure sufficient fall was provide so the line would flow. When the new line was approaching Old Road, we requested that Walker Partners measure the flow lines to make sure the line was being properly installed. Mr. Lemin stated their checks indicate the line may have been too flat and was outside of TCEQ minimums. Mr. Lemin stated this information was passed on to the developer and their engineer. Mr. Lemin stated the developer's surveyor found the line did not meet the designed specifications, but did fall within the TCEQ requirements and would provide adequate flow; however, their survey also found that the finished elevation for the manhole on Old Robinson was 10 inches higher than the maximum elevation provided in the design. Consequently, a gravity line installed from the manhole on South Cedar Ridge to the new manhole will not flow as the new manhole is higher. Mr. Lemin stated as a result, the City cannot use the line as installed. It will provide service to the new subdivision, but will not allow us to gravity flow from South Cedar Ridge as originally planned. Mr. Lemin said the options are to dig up the entire sewer line and manholes from Old Robinson Road to Tate and start over. The developer's contractor estimates that will cost them in the neighborhood of \$500,000. The second option is to leave the line where it is and the City will not participate in that section of the cost. That will result in a reduction of the City's share of the project of \$164,028.43. Mr. Lemin stated fortunately, we do have an alternate route since we have moved forward with an alternate for the South Pond lift station. The new proposed South Pond line will flow right past the Cedar Ridge lift station. Mr. Lemin stated our engineers have determined we can install a parallel force main to move the Cedar Ridge flows to the 18" line we will accept for an estimated cost of \$155,000. The reduction will pay the cost and achieve the result we had hoped to achieve with the line through Eskew.

Mr. Lemin stated staff recommends amending the agreement and lowering the City's participation share from \$301,297.43 to \$137,269. Since we can still accomplish our original goal with the same budget, we do not feel it's beneficial to require the developer to tear out all their work to this point and start over. The overall consensus of Council was to proceed with option two as presented. Councilmember Brenton Lane motioned to approve the addendum to the agreement as presented. Councilmember Jimmy Rogers seconded this motion. Voting in favor: Rogers, Lane, Stivener, Janics, Eubank, and Echterling. There were no opposing votes and motioned carried unanimously.

5. **Discussion and direction regarding recycling cost increase.** City Manager Craig Lemin presented this item and stated Waste Management notified us in early January that the recycle material processor, Sunbright Recycling, was increasing the fee for materials brought to them from \$25/ton to \$70/ton. The cost increase is due to changes in the recycling material commodity market. Mr. Lemin said the impact is a 44-cent increase per residential account, and the agreement with Waste Management allows them to recover this cost increase. Mr. Lemin said we have a couple of options. We can pass this increase on to our customers with a change in the rates at the March council meeting; however, since we are in the first year of the contract, I'm hesitant to recommend that at this time. Mr. Lemin said the contract does provide for an annual rate increase based on CPI in July. Mr. Lemin stated at the time the new contract took effect and service changed, we were wrapping up budget and since we did not have a good feel for franchise fees from commercial accounts, I did not budget revenue for those. Mr. Lemin said now that we are four and half months into the year, we have a good handle on that revenue amount which totals approximately \$1,100 a month. Based on this non-budgeted revenue we are in a position to absorb the increase until July. Council directed staff to absorb the increase until July. No action taken.
6. **Adjourn.** Meeting adjourned at 6:45 p.m.