

MINUTES OF WORKSHOP MEETING: MARCH 3, 2015

Mayor Muska called the Workshop to order at 5:33 pm.

Council members that were present – Jay Gerik, Cheryl Marak, Brian Muska, Al Vanek. Steve Vanek was delayed and showed up at 5:38 pm.

Cheryl Marak invited Waco area builder, Woody Butler and Harry Marak with the Heart of Texas Homebuilders Association to the meeting.

Woody Butler says the difference in the builder cost from the 2009 Residential building code and the 2012 Residential building code is about \$1,000 more. He talked about standard insulation vs. foam insulation and he said it cost about \$4,000 more for just the foam insulation but you re-coop that within in a 7-10 year period. He said that Kathy Moore with Infrared Solutions in Waco is who he uses for the third party energy part to make sure the house is sealed properly. Kathy is pretty much the only person in the central Texas area that does this and she charges \$400.

Brian Muska asked what code the county follows. Woody Butler said that the county follows the 2012 building code. Brian Muska asked who regulates and enforces the code outside the city. Woody Butler said that he must register with the county and hire a third party inspector. The inspector does not have to be approved by the county. He did say that he has a 10 year warranty inspector and they inspect only the foundation and final grades. Woody said that Sam Golden represents the 10 year warranty companies but he is not sure if he passed the test for the 2012 codes.

Mayor asked Woody if he could see small cities using a list of 3 approved inspectors by the city. He said that most cities just share inspectors and most use third party inspectors, and if they have an in-house inspector then he's very minimal. Woody stating that finding one inspector who knows everything (all about the 2012 codes), probably will not find this. Most likely you will have to have several inspectors in their specialized area or whatever their expertise is, then that is what they will inspect.

Harry Marak asked what Bureau Veritas charges. Al Vanek stated that for a house valued at \$200,000 it would be around \$936 dollars for plan review and all inspections. Harry and Woody both said that the cost is not unreasonable. Woody said that for the City of Hewitt it would be around \$500-\$600 including the framing, temp. pole, all permits, and Certificate of Occupancy Inspection.

Al Vanek said that around \$147,000 valuation is where we level off the West Fee at a max of \$300 which he believes we could lower. Since we don't have an in-house building division and the budget does not allow for a salary position, Mayor suggested that we could do what City of Waco does and have everyone pay for this through taxes but he does not want to do that. We are putting the cost on the builder and the resident who is building, not making the entire city pay through increased taxes.

Woody stated that the cost is greater using the 2012 code because they must use more lumber in the houses. They have to use laminated beams to carry the short spans and at the least it's \$700 more on just the beams alone.

Cheryl Marak said that it should fall back on the builder if the house is not built up to code. She feels that since we use a third party then it looks like we "the city" are assuming the responsibility. She thinks it might be best to tell them not how to do it because of liability. Mayor asked our city attorney to look into the legality of this.

Mayor Muska thanked both Woody Butler and Harry Marak for being present and we adjourned out of workshop at 6:04 pm.

Council Meeting:

1. Call to order: Mayor Tommy Muska called the meeting to order at 6:10 PM.
2. Mayor Muska gave the pledge and Steve Vanek gave the invocation.
3. Roll Call: council members that were present – Jay Gerik, Cheryl Marak, Brian Muska, Al Vanek, Steve Vanek, and Mayor Tommy Muska.
4. On a motion by Steve Vanek, seconded by Brian Muska to approve minutes for February 3, 2015 and February 10, 2015. All in favor, motion carried.
5. On a motion by Brian Muska, seconded by Steve Vanek to approve bills for January 2015. All in favor, motion carried.
6. Discussion, consideration, action, if any, re: Monthly Departmental Reports. On a motion by Cheryl Marak, seconded by Jay Gerik to approve all monthly departmental reports. All in favor, motion carried.
7. Citizen Comments – there were no comments.
8. Discussion, consideration, action, if any, re: Suzanne Hack – update on LTRC. Suzanne Hack was present and stated that they did move to a new office at the Pointwest bank drive-thru. She said currently she has three case workers who will remain until the last file is closed which most likely will be sometime near the end of this summer. She said they have 190 cases that are still open and they are in a variety of stages/phases. To date they have closed 450 cases. She said that they will not pay until the project is complete which this is in place to help reduce fraud. The 501(c)3 will remain and she plans to focus on economic development and city beautification. She said that she does have donors that would like to help with city needs. She and the board will raise money to write grants to assist with this.

9. Discussion, consideration, action, if any, re: recycling program – moving recycling bins from current location to sewer plant. Mayor Muska said that he and Joey Pustejovsky started the program with small recycle bins and then expanded it to dumpsters. Mayor said that people are abusing it and are mostly throwing trash in it; more than 90% was not recyclable. He suggested moving the recycling bins to the city sewer plant and C.J. is ok with it. The hours would be from 8:00 am to 1:00 pm on Saturday and you must show proof of residence. On a motion by Brian Muska, seconded by Steve Vanek to approve moving the recycling dumpsters to the City Sewer Plant. All in favor, motion carried.

10. Discussion, consideration, action, if any re: affirm and approve the City of West membership in the McLennan County Rural Transit District. Mayor Muska said that Jay had served on it before and that we should consider approving this. On a motion by Steve Vanek, seconded by Al Vanek to affirm and approve the City of West membership in the McLennan County Rural Transit District. All in favor, motion carried.

11. Discussion, consideration, action, if any re: nominate an elected official as a designee to serve as a member of the governing body of the McLennan County Rural Transit District. On a motion by Brian Muska, seconded by Steve Vanek to nominate Jay Gerik to serve as a member of the governing body of the McLennan County Rural Transit District. All in favor, motion carried.

12. Discussion, consideration, action, if any re: Fred Taylor property regarding back taxes. City Hall found out that Fred Taylor's property between Main/Roberts St. has been annexed in the city since 2001. The two options that we have is to put the tax on his existing home/property and move forward or we can go back 5 years on back taxes. On a motion by Cheryl Marak, seconded by Steve Vanek to put Fred Taylor on the tax roll for 2015 and to start new, going forward with no back taxes. All in favor, motion carried.

13. Discussion, consideration, action, if any, re: parking ordinance on FM 2114/Oak Street. We have had several complaints about cars being parked on the side of Oak St. Those at the Davis St. stop sign could not see oncoming traffic. Mayor suggested putting up No Parking signs along both sides of Oak St. C.J. will research the cost of the signs; he thinks we have to put up signs every 25 feet. Chief Hudson wrote up a "No Parking Ordinance" in case council wanted to go forward with this. On a motion by Brian Muska, seconded by Cheryl Marak this item was tabled until C.J. gets firm cost on the signs. All in favor; item tabled.

14. Discussion, consideration, action, if any, re: building codes, inspection process and fees. During our workshop before the council meeting we learned a great deal of information from Woody Butler and Harry Marak. Mayor stated that we have an energy code, by law that we must enforce. Some possibilities include not using Bureau Veritas and/or reducing our city impact fee. Mayor feels that we should keep the 2012 Residential Building Code in effect and not go back to the 2009 code. Al Vanek said that we do not have to go with Bureau Veritas but we need to be involved in the entire process from point A to point Z. Al said he is looking at this from the city's standpoint not the builder's stand point. He said that the city cannot afford an in-house inspector. Cheryl Marak said the 2012 code is fine from what she heard. She thinks we need to go back to a permit fee and let the builder take the liability and get their own inspector. She said the builder is responsible and it all ultimately falls back on knowing your builder. She said that the city's only responsibility should be to keep the code in place. Steve Vanek asked where does our liability start and stop. Al Vanek said that there are too many unknowns and from a legal standpoint what are our liabilities? On a motion by Jay Gerik, seconded by Brian Muska to table this item since more research is needed. All in favor; item tabled.

15. Discussion, consideration, action, if any, re: amending Zoning Ordinance section 14.02.006 regarding regulations of exteriors of dwellings. Mayor Muska spoke in regards to lowering the City's exterior regulations. Currently our ordinance states that the exterior of all dwellings shall have no less than 75% brick or masonry. Mayor stated that by lowering this or by having it on a case by case basis, it would help the city be more competitive with the county building requirements. Brian Muska feels that we should not lower the masonry requirement. No action taken.

16. Discussion, consideration, action, if any, re: update on Zoning Map. C.J. located research that had already been done back in 2005 regarding city zoning. Cheryl Marak said to research if it has been approved/adopted. Mayor suggested possibly having a workshop on this. No action taken.

17. Discussion, consideration, action, if any, re: approve Police Department job descriptions. Chief Hudson compiled the job descriptions for each position in his department. Our City attorney, Walter Reaves approved them. On a motion by Steve Vanek, seconded by Brian Muska to approve the Police Department job descriptions. All in favor, motion carried.

18. Discussion, consideration, action, if any, re: Council member comments and request for items to be placed on future agendas. Steve Vanek asked to have Larry and Kathy Podsednik on the April agenda. They would like to request the City of West becoming "Sister Cities" with the city of Kunovice in the Czech Republic. Mayor Muska asked the council for potential retreat dates and the council agreed on the following: May 8-9 and May 15-16. Mayor asked for another workshop on building codes/permits/inspection on March 17 at 6:00 pm.

19. On a motion by Steve Vanek, seconded by Cheryl Marak we adjourned at 7:29 p.m.



Shelly Nors, City Secretary



Tommy Muska, Mayor