

MINUTES OF WORKSHOP: JUNE 6, 2023

Mayor Muska called the workshop to order at 5:07 pm.

Mayor Muska, Natalie Kelinske, David Pratka, Joe Pustejovsky, and Matt Miller were present. Cody Harris was not in attendance.

Bill Hunt has been working with Harold Pfleiderer regarding agenda item #12, mobile food establishment park and he believes that our ordinance is good for a food truck park in our community. He stated that a food truck must be self-contained and self-sufficient and have a grey water tank. The proposed location is where the Ice Ice Baby snow-cone truck currently is located (next to Bush's Chicken). There are plans to put in a parking area located behind the marketplace where Subway is. Joe Pustejovsky asked if the sno-cone truck ever moves and what do they do with their grey water? Bill said that he isn't sure if it moves but they must empty the grey water out. Mayor Muska stated that the city will not receive sales tax from these food truck vendors, the sales tax goes to wherever they registered their business most likely the Waco area. David Pratka said that this model might not work, it seems that the food truck vendors are fizzling out in Waco. Bill stated that the food truck must be mobile, and McLennan County Health Department does periodically check for health/safety. The permit cost would be \$250 per year. Matt Miller asked what Jacob Polansky is expecting from us? Bill said that he would like permission to move forward with the agreement to allow the food truck park on his property. Bill also said that we cannot outlaw food trucks, we can just regulate them.

Agenda item #8: is regarding Walker Partners Construction Phase services (\$278,600.00) for the Wastewater Treatment Plant Expansion for construction administration and resident project representative services (\$405,600.00). Walker Partners will work as a liaison between the city and the contractor on this project.

Agenda item #9: is for Langerman Foster Engineering Company for construction materials testing for the Wastewater Treatment Plant Expansion (\$70,495.00).

Agenda item #10: is for Langerman Foster Engineering Company for construction materials testing for the Reagan, Marable, Davis project (\$36,725.00).

Agenda item #11: Bill Hunt said that this property (Grady Calvery North) is not in the city limits, it's located near our water tower. Leslie Long is requesting the Grady Calvery North lots 7 and 8 be zoned as light manufacturing and he would like this property annexed into the city. The two lots are around 3 acres each, but Leslie is open to making it one larger lot or keeping them split, whichever the city prefers. Leslie is requesting city water, but no city sewer. He stated that it is very hard and expensive to get city sewer in that area. Mayor Muska said that in the future, any type of expansion to the North of this property, the city would have to put in infrastructure. Mayor would rather the developer put the infrastructure in place now, this would benefit the city and would not cost us down the road. David Pratka asked if that tract of land is in the flood zone? Leslie Long stated yes that piece of land is in a flood zone. David Pratka said that is an issue, he is not sure anything could ever be developed North of that property. Bill Hunt did send out letters to the neighbors in that area notifying them of the planning and zoning meeting discussing the issue of annexing this property inside the city and making lots 7 & 8 zoned as light manufacturing. He said that 2-3 citizens did show up and their main concern was the traffic increasing in that area. Natalie Kelinske brought up a point that if the city doesn't annex it, the county will control that area and the city will have no say in it. Mayor Muska stated that annexing the property could protect the city ETJ.

Agenda item #13: Patricia Webre would like to request to rezone the property that is located next to the Webre Mower Shop to residential. Currently that piece of land is zoned commercial as it serves as additional parking for the shop. Her plans are to sell her home that is located to the right of the Webre Mower Shop and build a smaller house to the left of the shop.

Agenda item #14: Dan Webre is requesting a zoning variance for a 6-foot privacy fence in his front yard at 700 S. Harrison Street. Our fencing ordinance states that no privacy fence can be in front of the yard past the building structure unless it's at a height of 2.5 feet. The fence is currently built, Mr. Webre's contractors started the work and didn't realize a permit was needed.

Agenda item #15: The July council meeting falls on a holiday, July 4th. Mayor is proposing no July council meeting since budget workshops will start after the July 4th holiday and will be held every Tuesday and Thursday until the budget is set.

Workshop ended at 5:44 pm.

MINUTES OF MEETING: JUNE 6, 2023

1. Call to order: Mayor Muska called the meeting to order at 6:00 pm.
2. Mayor Muska gave the invocation and recited the pledge.
3. Roll Call: present council members – Mayor Tommy Muska, Natalie Kelinske, David Pratka, Joe Pustejovsky, and Matt Miller. Cody Harris was not in attendance.
4. On a motion by David Pratka, seconded by Natalie Kelinske; Approve minutes for April 28 and May 2, 2023. All in favor, motion carried.
5. On a motion by Matt Miller, seconded by Natalie Kelinske; Approve bills for May 2023. All in favor, motion carried.
6. On a motion by Natalie Kelinske, seconded by David Pratka; Approve monthly departmental reports. All in favor, motion carried.
7. There were three citizens that spoke during citizen comments. Margaret Lenart spoke about the alley between the 600 block of Davis and S. Marable. She said that there was too much gravel there at one time but now it's moved and it's a mud pit in that area. She would like to see what the city can do to help remedy her issue. Patsy and Andy Curry live near the Kona Ice Company (409 S. Marable Street) and it has come to their attention that the Kona Ice Company plans to install a gas tank next to her home. They are very much against this and have visited with their neighbors and everyone is opposed to it. She presented the council with a petition signed by 14 neighbors that are against the fuel tanks being put in that area. Not only is it a danger to the neighborhood, but they feel it would lower their property value if they decided to sell.
8. On a motion by Matt Miller, seconded by Joe Pustejovsky; Approve a professional services agreement with Walker Partners, LLC for Construction Phase Services including Construction administration (\$278,600.00) and Resident Project Representative Services (\$405,600.00) in connection with the Wastewater Treatment Plant Expansion Project, and authorizing the mayor to execute all documents necessary to complete the transaction. All in favor, motion carried.

9. On a motion by David Pratka, seconded by Natalie Kelinske; Approve awarding a professional services agreement with Langerman Foster Engineering Company, LLC for construction materials testing in connection with the Wastewater Treatment Plant Expansion Project (\$70,495.00), and authorizing the Mayor to execute all documents necessary to complete this transaction. All in favor, motion carried.

10. On a motion by Matt Miller, seconded by Natalie Kelinske; Approve awarding a professional services agreement with Langerman Foster Engineering Company, LLC for construction materials testing in connection with the Reagan/Marable/Davis Street Improvements Project (\$36,725.00), and authorizing the mayor to execute all documents necessary to complete this transaction. All in favor, motion carried.

11. David Pratka stated that he was in favor the first time this was brought up (Grady Calvery North annexation and rezoning of Lot 7 and Lot 8 as light manufacturing). Natalie Kelinske agrees that if we annex and place the restrictions on it now, it's better than staying in the county (gives the city more control). Matt Miller agrees but is worried about what the neighbors will think and he's not ready to approve/disapprove yet. Joe Pustejovsky agrees with Matt Miller and would like to know what the citizens think. Leslie Long would like to work with CJ Gillaspie and Bill Hunt to come up with a plan/agreement. On a motion by David Pratka, seconded by Matt Miller, Table this item for further discussion. All in favor, motion carried.

12. Natalie Kelinske does not see anything in our city ordinances that would prevent Jacob Polansky from establishing a mobile food park. Matt Miller said he is fine with it if they meet our codes. Joe Pustejovsky asked if parking was going to be an issue and Natalie Kelinske stated that if they followed our parking ordinance, she didn't have a problem with it. Bill Hunt stated that the city does have commercial parking requirements in the ordinance. On a motion by David Pratka, seconded by Natalie Kelinske; Approve amending ordinance Sec. 6.04.009 Mobile Food Establishments to include mobile food establishment park contingent on Jacob Polansky providing parking for the park and following the commercial parking ordinance. All in favor, motion carried.

13. On a motion by David Pratka, seconded by Matt Miller; Approve request to rezone property, legal description: Webre Addition, Lot 1 Block 1,

Acres 0.24 (vacant lot next to Webre Mower Shop) from commercial to residential for Patricia Webre. All in favor, motion carried.

14. On a motion by Natalie Kelinske, seconded by David Pratka; Approve Dan Webre's request for zoning variance for 6 foot privacy fence in his front yard at 700 S. Harrison St., Parcel 199736, legal description: K&H, Lot 15, 16 Block 8 acres 0.405, pending approval as long as Dan Webre has the two neighbors on each side of property sign off that they have no issue with safety regarding his fence. The signed document should be submitted to Shelly Nors at city hall. All in favor, motion carried.

15. Next month's council meeting is canceled due to being a holiday (July 4th). No action was taken.

16. Executive Session: Pursuant to the Texas Open Meetings Act, codified as Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting and conduct a closed meeting to discuss or deliberate regarding any of the following:

(1) *to receive legal advice and discuss pending or contemplated litigation, or a settlement offer, as permitted by Section 551.071.*

-The City Council may also meet in open meeting to take action on matters considered in the closed meeting as required by Section 551.102.

*****Council went into executive session at 6:37 pm**

*****Council adjourned out of executive session at 6:53 pm**

17. On a motion by Natalie Kelinske, seconded by David Pratka; Move that we ratify the letter sent on behalf of the City of West by the city attorney dated April 17, 2023, placing the West Ambulance Association on notice of default, authorizing the city attorney to further specify the particulars of default or breach of performance, and providing the West Ambulance Association an opportunity of 30 days to cure pursuant to Section 8 of the Agreement dated November 1, 2022. All in favor, motion carried.

18. Attorney Mark Firmin spoke on behalf of the West Ambulance for about 9 minutes regarding the letter that the City of West sent to West EMS dated April 17, 2023. Mr. Firmin specifically talked about

allegations that were listed in the letter and he explained that there may be discrepancies in the data. He said that his team and West EMS will work with the city on these issues. No action was taken.

19. Council member comments or request for items to be placed on future agendas: Matt Miller would like to get some quotes on equipment that would help livestream our council meetings. He will research and will report back to the council on his findings. Natalie Kelinske would like to review our water agreement with the City of Waco.

20. Council adjourned at 7:08 pm.



Shelly Gillaspie, City Secretary



Tommy Muska, Mayor