

MINUTES OF WORKSHOP: DECEMBER 5, 2023

Mayor Muska called the workshop to order at 5:35 pm. David Pratka, Natalie Kelinske, Cody Harris, Joe Pustejovsky, and Matt Miller were present.

Agenda item #4, the vacant city council seat. Matt Miller commented he wanted to make sure that the citizens are aware of how the vacancy occurred and the options the council has. There were issues with Mr. Nors ability to vote in the city. He goes on to explain what happened is that when his eligibility to vote in the city was checked by McLennan County they came back and said that he was a registered voter in an incorporated area. What it should have said was he was registered to vote in an unincorporated area. Therefore we were led to believe as the city that everything was good, since the elections office allowed him to be on the ballot. Matt wanted to let citizens know that the city has nothing to do with the election process, we contract with McLennan county and they in its entirety run it. We as a city government take the application forms and send them off to McLennan county. The city only canvass' the results at the end, also relying on county data. City government has nothing to do with the outcome of the votes. We spoke with our attorney along with the Secretary of state and McLennan county and learned on the day of the election that Mr. Nors was ineligible. Vacancy in a legal standpoint has to be treated as if someone has passed away and the spot is left for the council to fill. Matt states that there are 3 options: 1. To leave the vacancy open, 2. appoint someone, or 3. have another election. He explains that to leave the vacancy open would not be ideal. As for having another election we already had one and the people of West spoke. The citizens vote matters and the only logical thing to do is to appoint someone.

Agenda item #13, Approval of 2023-2024 Hotel Tax Budget. Natalie suggested that the 5 organizations who requested different amounts be given the same amount of \$6,000 which meets most of their request.

Agenda item #14, Approval of 2023 Water/Wastewater Study, final report and determining cost of service. Natalie stated that she suggested we go with Option 5: 5-year transition away from GF subsidy, winter averaging use for residential customers, and that we commit to one year and reevaluate every year after.

Agenda item #17, Cody Harris requested that the current maximum height of 6ft be raised to 8ft.

Agenda item #18, Appoint West Hospital Authority Board of Directors to Place 6 and Place 10-Marsha Croll and Emmanuel Mitchell. Natalie stated that spoke with Marsha Croll she's unable to serve and to leave place 6 vacant.

Workshop ended at 5:55 pm.

MINUTES OF MEETING: DECEMBER 5, 2023

1. Call to order: Mayor Tommy Muska called the meeting to order at 6:00 pm.

2. Mayor Muska gave both the invocation and the pledge.

3. Roll Call: present council members – Mayor Muska, Natalie Kelinske, David Pratka, Cody Harris, Joe Pustejovsky and Matt Miller were present.

4. Oath of Office – swearing in of newly elected mayor and council member. Judge David Pareya swore in newly elected council members Cody Harris and Mayor David Pratka

5. On a motion by Cody Harris, seconded by Matt Miller; Approve appointment of Chris Nors to fill vacant seat . All in favor, motion carried.

6. On a motion by Natlie Kelinske, seconded by Joe Pustejovsky; Appointment of David Pareya for city judge. All in favor, motion carried.

7. On a motion by Natlie Kelinske, seconded by Joe Pustejovsky; Tabled of Associate City Judge. Until the council can identify an appropriate replacement. All in favor, motion carried.

8. On a motion by Matt Miller, seconded by Cody Harris; Appoint Charles Buenger as City Attorney. All in favor, motion carried.

9. On a motion by Matt Miller, seconded by Cody Harris; Appoint Harold Pfleiderer as City Fire Marshal. All in favor, motion carried.

10. On a motion by Natlie Kelinske, seconded by Matt Miller; Appoint Joe Pustejovsky as Mayor Pro-Tem. All in favor, motion carried.

11. There were three Citizen Comments: Crystal Anthony on agenda item #4 states she is disappointed in how the city council handled city staff on election mishap. And she also stated that the council should not have appointed anyone that was not eligible at the time of the election. Matt Nemecek spoke regarding waterflow into his yard. He states that he has spoken to the contractors and if they are not willing to pay for it, he believes that it is the city's responsibility to pay for the driveway and damages. Cheri Nors has a concern with the current attorney that his advice has led the city open to liability and would like the council to reconsider their decision.

12. On a motion by Cody Harris, seconded by Natalie Kelinske; Approval of Consent Agenda: All in favor, motion carried

13. On a motion by Natalie Kelinske, seconded by Joe Pustejovsky; Approval of 2023-2024 Hotel Tax Budget. approving funds of \$6,000 across the board for all five entities: 1. West Fair & Rodeo 2. Oak House 3. Village Enterprises 4. 1888 Estate 5. History of West Museum. All in favor, motion carried.

14. On a motion by Natalie Kelinske, seconded by Joe Pustejovsky; Approval of 2023 Water/Wastewater Study, final report and determining cost of service. Moving forward with option 5: 5-year transition away from GF subsidy, winter averaging use for residential customers, and that we commit to one year and reevaluate every year after. All in favor, motion carried.

15. On a motion by Matt Miller, seconded by Cody Harris; Motion to table City of West fee schedule until a comparison of current and proposed fees can be made. All in favor, motion carried.

16. No action taken on loose dog ordinance/procedure. Natalie has requested staff to discuss and come up with a plan to be presented at the next meeting.

17. On a motion by Natalie Kelinske, seconded by Matt Miller; Approval of updating fencing ordinance by raising the current maximum height of 6ft to 8ft. All in favor, motion carried.

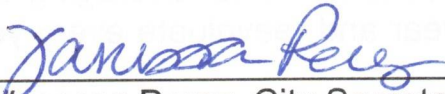
18. On a motion by Natalie Kelinske seconded by Cody Harris; Appoint West Hospital Authority Board of Directors to Emmanuel Mitchell Place 10. Council will leave Place 6 vacant since Marsha Croll is not willing to serve again. All in favor, motion carried.

19. On a motion by Joe Pustejovsky, seconded by Natalie Kelinske; Approval of replacing rubber walkway around the playground area and maintenance parts of city park playground equipment for a total cost of \$32,456.70 (Child's Play, INC.). The funds will come from the National Fallen Firefighter donation for upkeeping the park. All in favor, motion carried.

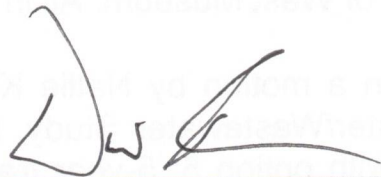
20. Council member comments and requests for items to be placed on future agendas.

- Natalie Kelinske has asked Bill Hunt to include a comparison of current fees versus proposed fees for the city master fee schedule.
- Council has asked to see if staff can come up with a plan / procedure for loose dog ordinance

21. Council adjourned at 6:44 pm.



Vanessa Perez, City Secretary



David Pratka, Mayor