



**NOTICE OF A
OF THE CITY COUNCIL
Thursday, June 23, 2022
6:00 PM**

Tammy Huff
Mayor

Ernie Burns
Mayor Pro-Tem

Council Member

Linzy Neal
Council Member

Charles Ryan
Council Member

Melissa Rust
Council Member

City Manager

AGENDA

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Van City Council will meet in a Called Meeting on June 23, 2022, at 6:00 PM at Van City Hall, 310 Chestnut St., Van, TX 75790. The items listed below are placed on the agenda for discussion and/or action.

The City Council reserves the right to adjourn into executive session at anytime during the course of this meeting to discuss any of the matters listed below, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

I. CALL MEETING TO ORDER

- A. Roll Call and Establish a Quorum

II. ACTION ITEMS

- A. Discussion, Consideration, and Possible Action on a firm for hiring a new City Manager.
- B. Discussion, Consideration, and Possible Action on appointment of City council member place # 2 position that was left vacant after council member Davis resigned.
- C. Discussion, Consideration, and Possible Action on considering all matters incident and related to approving and authorizing publication and posting of notice of intention to issue certificates of obligation, including the adoption of a resolution pertaining thereto.
- D. Discussion, Consideration, and Possible Action on amending water rates ordinance no. 6-23-2022 to become effective July 1, 2022.
- E. Discussion, Consideration, and Possible Action on amending garbage rates ordinance no. 6-23-2022-1.

III. EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.072, 551.073, 551.074, 551.076, 551.087, and Section 418.183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated here in.

- A. City Council will meet in closed session under Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property if deliberation.

IV. **RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION IF ANY**

- A. Discussion, Consideration, and Possible Action on item III.A. the purchase, exchange, lease, or value of real property if deliberation.

V. **ADJOURN**

CERTIFICATION

I hereby certify that the above notice was posted on the bulletin board at Van City Hall, 310 Chestnut St., Van, Texas 75790 by 5:00 pm on June 20, 2022.

Sereca Huff-Huggins, City Secretary

NOTE: If, during the meeting, any discussion of any item on the agenda should be held in a closed meeting, the Council will conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapters D and E

 *Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the Van City Hall 48 hours in advance, at (903)963-7216, and reasonable accommodations will be made for assistance.*

ORDINANCE NO. 06-23-2022

Establishing Rates for Water & Sewer Service
Furnished by the City of Van, Van Zandt County, Texas

That the Code of Ordinances, City of Van, Texas, is hereby amended by adding a section to be numbered, which said section reads as follows:

WHEREAS, the City of Van has adopted a water rate system ordinance to collect revenues for debt service. for current capital improvements, and for the operation: and maintenance of a publicly owned waterworks; and

WHEREAS, these revenues must be sufficient to cover all costs for operation and maintenance of said publicly owned water works, for current capital improvements to the publicly owned water works, and for payment of bonded indebtedness for the publicly owned water works: and

WHEREAS, the Water Rate System Ordinance contains various requirements for establishing water rates: and

WHEREAS, the Water Rate System Ordinance provides for annual determination of user charges for water service and sewer service;

WHEREAS, The City of Van must continue to operate its utility rate system in a financially solvent manner.

NOW, THEREFORE LET IT BE ORDAINED by the City Council of the City of Van as follows:

SECTION - 1 DEFINITION OF USER

Where the same water meter serves more than one residential, commercial, or industrial unit. Each unit shall constitute a dwelling unit, except in the case of wholesale.

SECTION - 11 PRESCRIBED CHARGES__

The following rates per month shall be the rates charged for water service furnished to customers within and outside the corporate limits of the City, to wit:

Water Meter and Tap fee charges inside the incorporated city limits:

3/4" meter and tap \$ 1500.00

1 " meter and tap \$ 2300.00

All meters larger than 1 " \$ 4750.00 + cost of materials

Any taps requiring a bore will be charged the cost of bore

Sewer Tap fee charges inside the incorporated city limits:

4" sewer tap \$ 1500.00

6" sewer tap \$ 2000.00

Any taps requiring a bore or require installation of a manhole will be charged the cost of the bore and or manhole

Water Meter and Tap fee charges outside the incorporated city limits:

3/4" meter and tap \$ 2800.00

1" meter and tap \$ 3800.00

All meters larger than 1 " \$ 6500.00 + cost of materials

Any taps requiring a bore will be charged the cost of the bore

Meter Reset Fee (per owner request for new construction or remodel)

Within the incorporated city limits \$ 550.00

Outside the incorporated city limits \$ 1200.00

Water Deposits (Required of all customers regardless of if within or outside the city limits)

All customers shall pay a \$ 200.00 deposit on each metered service, it shall be paid in advance of any connections or establishment of service, this includes irrigation meters, and shall not be paid out over time.

The deposit will be refundable to the customer when the utility account is closed. If there is an outstanding balance on the account, the deposit will be applied toward any outstanding balance, with any remainder being refunded to the customer

Service Charges for the following:

Transfer from one address to another \$ 30.00

Returned check fee of \$ 30.00

A City of Van utility customer may request a temporary shut off or turn on of service for a maximum of 3 working days and maximum usage of 10,000 gallons of water for cleaning, plumbing inspections, and other similar activities for a maximum of three (3) business days. The cost for this service shall be \$ 50.00.

Meter Testing Fee:

If a utility customer believes his or her meter is not registering correctly, the customer has the right to make a request to the City Administrator and or the Utility Superintendent that he or she request that their meter be tested. If the testing of the meter shows that the meter is registering a flow of two percent (2%) or more than registering on the meter, the city will replace the meter at no cost to the customer. If the meter is registering a flow of two percent (2%) or less than the actual flow, the customer will be charged \$ 100.00.

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The administrative fee for reconnection:

The disconnection or scheduling of disconnection will result in the charge \$ 45.00 regardless of if the service was disconnected or not

Monthly Meter Charge

- $\frac{3}{4}$ " - \$25.00
- 1" - \$35.00
- 1 $\frac{1}{2}$ " - \$45.00
- 2" - \$55.00
- 3" - \$65.00
- 4" - \$75.00
- 6" - \$85.00

Employee Rate:

- City employees and active volunteer fireman will receive a \$45.00 discount on their residential water and sewer bill.
- To maintain an active status the fireman must respond to a minimum of 10% of calls per calendar year.

Dwelling Unit:

- \$20.00 per dwelling unit for each additional unit

Residential rates:

Residential Water Rates

Inside the city limits

\$3.00 per thousand for 0 gallons to 2,000 gallons of water

\$4.00 per thousand for 2,001 gallons to 4,000 gallons of water
\$5.00 per thousand for 4,001 gallons to 6,000 gallons of water
\$6.00 per thousand for 6,001 gallons to 8,000 gallons of water

\$7.00 per thousand for 8,001 gallons to 10,000 gallons of water

\$8.00 per thousand for 10,001 gallons and up

Outside the city limits

\$6.00 per thousand for 0 gallons to 2,000 gallons of water
\$8.00 per thousand for 2,001 gallons to 4,000 gallons of water
\$10.00 per thousand for 4,001 gallons to 6,000 gallons of water
\$12.00 per thousand for 6,001 gallons to 8,000 gallons of water

\$14.00 per thousand for 8,001 gallons to 10,000 gallons of water

\$16.00 per thousand for 10,001 gallons and up

Residential Sewer Rates

Inside the city limits

\$20.00 minimum monthly charge for the first 2,000 gallons per month
\$1.00 per thousand for 2,001 gallons to 10,000 gallons of water
\$ 1.25 per thousand for 10,001 gallons and over
\$ 100.00 maximum

Outside the city limits

\$40.00 minimum monthly charge for the first 2,000 gallons per month
\$3.25 per thousand for 2,001 gallons to 10,000 gallons of water
\$3.50 per thousand for 10,001 gallons and over, no maximum

Commercial rates & Irrigation rates

Commercial & Irrigation Water Rates

\$4.00 per thousand for 0 gallons to 2,000 gallons of water
\$5.00 per thousand for 2,001 gallons to 4,000 gallons of water
\$6.00 per thousand for 4,001 gallons to 6,000 gallons of water
\$7.00 per thousand for 6,001 gallons to 8,000 gallons of water

\$8.00 per thousand for 8,001 gallons to 10,000 gallons of water

\$9.00 per thousand for 10,001 gallons and up

Commercial Sewer Rates

Inside the city limits

\$30.00 minimum monthly charge for the first 2,000 gallons per month
\$1.75 per thousand for 2,001 gallons to 10,000 gallons
\$2.00 per thousand for 10,001 gallons to 20,000 gallons of
\$2.35 per thousand for 20,001 gallons to 30,000 gallons of
\$2.60 per thousand for 30,001 gallons and over, no maximum

Outside the city limits

\$55.00 minimum monthly charge for the first 2,000 gallons per month
\$5.25 per thousand for 2,001 gallons to 10,000 gallons
\$5.75 per thousand for 10,001 gallons to 20,000 gallons of
\$6.60 per thousand for 20,001 gallons to 30,000 gallons of
\$7.10 per thousand for 30,001 gallons and over, no maximum

Fire Hydrant Meter

- \$75.00 To set hydrant meter

\$25.00 per thousand

SECTION -111

DISCONNECTION OF SERVICE

The city may disconnect service to any customer for any of the following reasons:

- Written request of the customer
- Failure to pay all water and sewer charges within 14 Calendar days after the first date of the month. After the fourteenth (14th) of the month, there shall be a late charge penalty of ten dollars (\$10) for balances lower than one hundred dollars (\$100) and 10% added to balances above \$100.00 added to the amount due.
- Existence of a known dangerous condition resulting from water service to that customer.
- Service established through meter bypassing, unauthorized connection, or unauthorized reconnection. Anyone reconnecting their own or some other meter service or removing locks placed by the city is subject to a criminal violation under Texas Penal Code Section 28.03 & Section 31.01 and may be subject to criminal prosecution. Any tampering will result in meter removal and a fee 0B 350.00 paid by the property owner before the meter is reset.
- Any reasons listed in the Sewer Use Ordinance.
- Damage to City property-curb stop valve will result in valve replacement and man-hours. A total of \$150.00 must be paid by the customer before service will be turned back on.

Disconnection due to failure to pay a monthly bill:

On or by the 15th day of each month, the city may send a courtesy disconnect notice on each account that is past due. However, the City shall not be obligated to send a courtesy disconnect notice on a delinquent account and the failure of the City to send a courtesy disconnect notice or failure of a customer to receive a courtesy disconnect notice shall not alter the City's right to disconnect service for nonpayment as provided herein.

The city will give ten (10) calendar days prior to disconnection, if payment is not received by the city on or before the twenty-fifth (25th) day of the month, then at 8 am on the twenty-sixth (26th) all water and sewer service will be scheduled for disconnection and the services be disconnected. All accounts scheduled for disconnection will be assessed an administrative fee of \$45.00 regardless of if the service was disconnected or not.

City personnel will be available to collect payments for delinquent accounts and to make reconnections during normal business hours and to.

8am — 4pm Monday — Friday

No reconnection of services will be scheduled or performed on weekends or holidays for accounts that have disconnected for non-payment.

SECTION IV - ADJUSTMENT POLICY

After proper notification of a leak by the customer to the City of Van Water Utility Clerk, a plumber's invoice, or receipt for repairs and /or parts shall be provided within 10 days after the leak for an adjustment to be made to a previous (6) six-month average.

With proper documentation being presented, the City of Van Water Utility Clerk shall provide a (l) one-time adjustment per calendar year to the customers' sewer charges only. There will be a base charge amount of a minimum of 2000 gallons, not to exceed 30,000-gallon usage adjustment to the sewer charges.

SECTION V - REPEAL OF PRIOR ORDINANCES IN CONFLICT

All prior ordinances or parts of ordinances that conflict with this ordinance are hereby repealed to the extent of the conflict.

SECTION VI - SEVERABILITY

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, subsections, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection, or section of this Ordinance shall be declared unconstitutional by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, and sections of this Ordinance, since the City Council would have enacted the same without the incorporation in this Ordinance of any such unconstitutional or illegal phrase, clause, sentence, paragraph, subsection, or a section.

Effective Date. This Ordinance shall take effect immediately from and after its passage and its publication as required by law.

PASSED and APPROVED by the City Council of Van, Texas this ____ day of _____, 2022

Tammy Huff, Mayor

Sereca Huff-Huggins, City Secretary

ORDINANCE NO 06-23-2022

AN ORDINANCE AMENDING THE VAN SANITATION ORDINANCE; PROVIDING FOR THE COLLECTION OF GARBAGE AND TRASH IN THE CITY OF VAN, TEXAS, PROHIBITING CERTAIN DEPOSITS, AND PROVIDING A PENALTY; THEREFORE, CONTAINING A SEVERABILITY CLAUSE AND A REPEALER CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VAN, TEXAS:

Section 1: This ordinance shall henceforth be known as The Van Trash and Garbage Collection Ordinance and said the ordinance is hereby amended to henceforth read as follows:

Section 2: Definitions of the following words shall be ascribed when the same is used in this ordinance:

- A. GARBAGE: The term "garbage" shall be held to mean all waste animal and vegetable matter, such as waste material and refuse from kitchens, residences, grocery stores, restaurants, cafes, drug stores, and similar places, but shall not include dirt, concrete, or rocks.
- B. TRASH · The term "trash" shall mean rubbish, such as feathers, ashes, tin cans, paper bags, boxes, glass, grass, shrubs, dirt, concrete, or rocks.

Section 3: It shall be unlawful for any person to sweep, throw or deposit any garbage, trash, dirt, concrete, rocks, stagnant water, or dead animal into, upon, or along with any drain, gutter, alley, public or private premises within the corporate limits of the City of Van, Texas. Violators shall be fined not more than \$200.00 for each violation hereof.

Section 4: Every owner, occupant, tenant, or lessee using or occupying any building, house, or structure within the corporate limits of the City of Van, Texas, for residences, churches, schools, colleges, lodges, commercial businesses, or other purposes, shall provide and maintain garbage cans, bags or receptacles of sufficient number and type as hereinafter specified to hold the garbage and trash that will normally accumulate on the premises, and cost to be determined by Fee Schedule. Each such container for external storage of perishable garbage shall be constructed with a tight-fitting lid, tie, or seal, and the container and contents shall not exceed thirty-five (35) pounds of weight.

Section 5: The lids, covers, ties, seals, or fasteners of all garbage and trash containers shall always be kept secure and fastened so that flies and other insects may not have access to the contents thereof. Such lids, covers, ties, seals, or fasteners shall only be removed while the containers or receptacles are being filled or emptied. as the case may be.

Section 6: Any garbage deposited for collection, and trash deposited for collection, to the extent that is reasonable or practical to do so, shall be placed in disposable plastic bags of reasonable quality and durability and closed or secured with a tie or fastener.

Section 7: In the event trash is of such nature that it cannot be put in the regulation containers, it shall be placed in bundles or disposable containers, not exceeding three feet (3') in length or thirty-five (35) pounds in weight and placed at the curb on the day of regular garbage collection.

Section 8: Garbage and trash collection shall be performed at intervals determined to be reasonable and proper, and fair and reasonable charge for such garbage and trash collection service shall be:

Residential	19.53
With Polycart	23.93

Commercial	23.65
With Polycart	28.05

Dumpsters	
2yd-1	77.94
2yd-2	106.55
2yd-3	176.79
3yd-1	98.09
3yd-2	179.21
3yd-3	210.79
4yd-1	120.14
4yd-2	202.08
4yd-3	261.40
6yd-1	143.53
6yd-2	251.04
6yd-3	363.99
8yd-1	152.17
8yd-2	301.42
8yd-3	426.76

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Failure to obtain a permit before delivery of roll-off will result in an additional fee of \$100.00.

City Cleanup

One item per week per resident at the curbside of bulky waste Item must be called in prior to pickup

Section 9: The charges fixed herein for such service shall be entered by the City of Van,

Texas, against the person or persons receiving such service, and such charges shall be collected as similar charges are collected. Persons failing to pay such charges within fifteen (15) days from the date of same shall become due and payable shall have said service suspended.

Section 10: If any portion hereof shall be held to be unconstitutional or invalid, such holding shall not affect the validity of this ordinance or any part of provision thereof, other than the part so decided to be invalid or unconstitutional.

Section 11: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 12: This ordinance shall be in full force and effect following publication of the ordinance.

PASSED and APPROVED by the City of Van, Texas this _____ day of _____
2022.

Tammy Huff, Mayor

Sereca Huff-Huggins, City Secretary