

REGULAR MEETING

LOCKHART CITY COUNCIL

JANUARY 5, 2021

6:30 P.M.

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3rd FLOOR,
LOCKHART, TEXAS**

Council present:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Derrick David Bryant
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director

Connie Constancio, City Secretary
Sean Kelley, Public Works Director
Mike Kamerlander, Eco Dev Director (virtual)

Citizens/Visitors Addressing the Council: Citizens: Jenniffer Bauman, Joshua Bauman, Wanda Maas, Parind Vora, Katy Kemp, Gregory Mata, Michaela Livingston, Courtney Terry, Alana Webre, Alexandra Worthington, Sutton Van Gutton, Richard Thomson, Randy Lanes, and Kristen Meriwether.

Work Session 6:30 p.m.

Mayor White opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF DECEMBER 15, 2020.

Mayor White requested corrections to the minutes. There were none.

B. DISCUSS AGREEMENT WITH PEGASUS SCHOOL, INC. TO FURNISH WASTEWATER SERVICES TO THE CUSTOMER AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACTUAL DOCUMENT.

Mr. Kelley stated that the City has been providing Pegasus School, Inc. wastewater services since 2005. At that time, Pegasus constructed an offsite 8" sewer force main in order to connect to the City's sewer system. However, when the service connection was completed, no service arrangements were completed. Since Pegasus School Inc. is outside the city limits and not a current City water customer, terms of service are needed to define each entity's obligations in the agreement. Items clarified in the wastewater service agreement include: Obligating both parties to the rules; ordinances, regulations, rate, and fees adopted by the City; requires the customer to provide annual water statements from water provider for wastewater billing calculations; and establishing maintenance responsibilities for each entity. Mr. Kelley recommended approval. There was discussion.

C. DISCUSSION REGARDING THE FARMERS MARKET LOCATED ON THE SQUARE.

Mayor White explained several concerns previously expressed about the Farmers Market while it was located on the Courthouse square. The Farmers Market (hereafter "Market") recently moved their location to the Caldwell County Justice Center and the Market is expressing interest in locating back to the Courthouse square. In late December 2020, Judge Haden, Commissioner B.J. Westmoreland, Councilmember Kara McGregor, Councilmember Jeffry Michelson and Mayor White met to discuss the possibility of the Market relocating on the Courthouse square and to discuss the issues expressed by brick-and-mortar business owners on the downtown square. As a result, the following summarized points are being submitted to the City Council and Commissioners Court for formal consideration:

1. The Farmers Market will have their non-profit status before they are permitted back on the square. The market area will be permitted and inspected by the City.
2. The market will have to be a certified Farmers Market. This may need more research.
3. It will only be allowed on the east, west, and south side of the Courthouse on the inner lanes. The north side of the Courthouse along 142 will not be used due to traffic concerns.
4. The inner lanes will be closed to auto traffic. COVID spacing of tents will be enforced with possible staggering of tents.
5. Two bathrooms will be required, one being ADA.
6. The Market will be allowed on the square every Saturday only from 8-12. Setup up at 7:30 am and be gone by 12:30 p.m.
7. Every effort will be made for the vendors to park off the square.
8. The space at the Justice Center will still be available on the weekends.

Councilmember McGregor stated that one of her concerns is holding the Market on a Highway and she encouraged the Market to continue to maintain the "Farmers Market" set-up and not as a "Flea Market".

Councilmember Michelson stated that the intent of the meeting was to try to find a solution to help everyone.

Councilmember Mendoza asked if food vendors would be allowed at the Market. Mayor White replied that Ms. Baumann would address the Market's food vendor policy.

Mayor White requested the following to address the Council:

Jennifer Baumann, President of the Lockhart Farmers Market, stated that she did not have anything to add regarding the proposal mentioned above. She stated that vendors selling meals or tacos will not be allowed. Handmade crafts and artists will remain as allowed vendors, such as making jewelry and pottery and homemade food such as cookies. She stated that she will continue to put vendors that sell homegrown food/groceries as a priority. She stated that COVID has a rough effect on the Market and that they will continue to work on how to improve the Market.

Joshua Baumann stated that he agreed with most points mentioned by Mayor. He requested that the cut off time be changed to 2:00 p.m. or 4:00 p.m. He stated that they will allow cottage (homemade) foods and that the Market promotes local businesses by listing information about them on their Facebook page.

Wanda Maas, business owner in the central business district, spoke in favor of the Market being held on the Courthouse square. She stated that her business increased tremendously when the Market was downtown. She mentioned that her first several years in business was through Markets throughout Central Texas before she obtained a brick-and-mortar location for her business.

Parind Vora of Lockhart Bistro spoke in favor of the Market which he believes is an avenue for new businesses to begin their journey to either succeed or fail. He suggested that the Market be allowed to stay open later than 12:00 p.m. A majority of the businesses in the downtown area support the Market on the square.

Katie Kemp of Kemp Angus Farm spoke in support of the Market returning to the square. She stated that as a vendor, she supports establishment and enforcement of rules and regulations. She stated that she believes that the Market is a benefit to the community.

Gregory Mata of Lockhart encouraged compromise by all parties. He requested that the Market be allowed to return to the square and to be open until 2:00 p.m.

Michaela Livingston, 110 W. Cedar Street, stated that Lockhart is where her family chose to live because of the friendly community. Spoke in favor of the Market continuing on the square and allowing them to remain open later than 12-noon.

Courtney Terry, business owner in the downtown area, stated that the downtown business owners are losing income when vendors at the Market are selling items similar to and for a less price than what her business sells. Even though a business is open longer than two days a week, weekends are the busiest income generators.

Alana Webre, vendor at the Market, spoke in favor of everyone working together and allowing the Market to stay open later than 12-noon.

Alexandra Worthington, stated that the customer base did decrease for business owners in the downtown square when the Market was on the square on Saturdays. Saturday is the busiest day for the downtown businesses.

Sutton Van Gutton, Market Street Café, spoke in support of the Market and suggested a compromise amongst everyone.

Richard Thomson, 110 South Commerce, encouraged that everyone compromised to keep everyone happy.

Randy Lanes, stated that he supports the Market being located on the square and that they be allowed to be open until 2:00 p.m. He also suggested that the Market be allowed to have vendors on San Antonio Street. He also inquired about the contractor license permitting process.

Mayor White stated that two letters of support were submitted.

Councilmember McGregor thanked the Lockhart Farmers Market for beginning the process to becoming a certified Farmers Market.

ITEM D. DISCUSSION REGARDING THE MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING REQUIRING FACE COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White stated that there was nothing to report at this time.

Mayor White announced that the Council would recess for a break at 7:45 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 8:00 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Councilmember Bryant gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT.

Kristen Meriwether, Editor of the Lockhart Post-Register formally introduced herself and encouraged the Council, staff and the public to keep the newspaper informed about newsworthy events.

ITEM 4. CONSENT AGENDA

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 4A and 4B. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

4A: Discussion and/or action to consider minutes of the City Council meeting of December 15, 2020.

4B: Discussion and/or action to consider agreement with Pegasus School, Inc. to furnish wastewater services to the customer and authorizing the Mayor to sign the contractual document.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING THE FARMERS MARKET LOCATED ON THE SQUARE.

There was discussion regarding parking, the hours to allow the Farmers Market, and about any other issues as mentioned during the work session.

Mayor Pro-Tem Sanchez made a motion to approve the conditions of the Lockhart Farmers Market returning to the Downtown square as listed below, with changing the time of the Lockhart Farmers Market to be held from 9:00 a.m. until 1:00 p.m. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

Approval of the Farmers Market on the square with conditions as follows:

1. The Farmers Market will have their non-profit status before they are permitted back on the square. The market area will be permitted and inspected by the City.
2. The market will have to be a certified Farmers Market. This may need more research.
3. It will only be allowed on the east, west, and south side of the Courthouse on the inner lanes. The north side of the Courthouse along 142 will not be used due to traffic concerns.
4. The inner lanes will be closed to auto traffic. COVID spacing of tents will be enforced with possible staggering of tents.

5. Two bathrooms will be required, one being ADA.
6. The Market will be allowed on the square every Saturday only from 9:00 a.m.-1:00 p.m. Setup up at 8:30 am and be gone by 1:30 p.m.
7. Every effort will be made for the vendors to park off the square.
8. The space at the Justice Center will still be available on the weekends.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER THE MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING REQUIRING FACE COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

There was no action taken.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards and commissions.

Councilmember McGregor made a motion to reappoint Sally Daniel to Lockhart Economic Development Corporation. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 6. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Aerator at the City Park pond was installed on December 23rd.
- Update regarding Town Branch Trail Phase II.
- Update regarding Council Chambers using Swagit to control audio/video equipment.
- Update on surplus property disposal from the former City Hospital, 901 Bois D'arc Street, 2nd Floor.
- Update on the sale of 728 S. Main Street to the Well Church.
- Update on the recruitment for the City Public Information Officer (PIO) position.
- Update on the building assessment of Fire Station No. 1.

ITEM 7. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.

Councilmember Mendoza wished everyone a Happy New Year.

Mayor Pro-Tem Sanchez wished everyone a Happy New Year. She expressed condolences to the family of Kay Mohle Chambliss for their loss.

Councilmember McGregor expressed condolences to the family of Joe Bunch for their loss. She wished everyone a Happy New Year and encouraged everyone to stay safe.

Councilmember Bryant wished everyone a Happy New Year. He wished families dealing with COVID the best and to stay safe.

Councilmember Michelson wished everyone a Happy New Year and he encouraged everyone to stay safe.

Mayor White encouraged everyone to stay safe. He expressed condolences to the family of Mrs. Elizabeth Wales for their loss.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT. Discussion regarding Economic Development negotiations with Project Crimson Tide.

Mayor White announced that the Council would enter Executive Session at 8:43 p.m.

ITEM 9. OPEN SESSION - Discussion and/or action regarding Economic Development negotiations with Project Crimson Tide.

Mayor White announced that the Council would enter Open Session at 9:00 p.m.

Mayor Pro-Tem Sanchez made a motion to authorize the Lockhart Economic Development Corporation to negotiate a 380 Agreement with Crimson Tide and to bring agreement back to Council. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 10. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:01 p.m.

PASSED and APPROVED this the 2nd day of February 2021.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

