

**REGULAR MEETING
LOCKHART CITY COUNCIL**

NOVEMBER 20, 2018

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 John Castillo
Councilmember Kara McGregor (arrived at 7:22 p.m.)
Councilmember Brad Westmoreland

Staff present:

Steve Lewis, City Manager
Peter Gruning, City Attorney
Julie Bowermon, Civil Service/HR Director
Pam Larison, Interim Finance Director
James Jewel, EMS Director

Connie Constancio, City Secretary
Dan Gibson, City Planner
Sean Kelley, Public Works Director
Randy Jenkins, Fire Chief
John Roescher, Police Captain

Citizens/Visitors Addressing the Council: Coyle Buhler, David Schneider, Michael Capello, Rob Ortiz, Joel Gammage, Dennis Hobbs, Rob Miller, Gary Hartman, and Jeff Van Horn.

Work Session 6:30 p.m.

Mayor White stated that Councilmember McGregor was not present at 6:30 p.m. and that she is most likely running late. He 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. PRESENTATION AND DISCUSSION REGARDING ALLOCATION OF HOTEL OCCUPANCY TAXES TO ENTITIES REQUESTING DISTRIBUTIONS FOR 2019.

Mayor White requested staff to provide an explanation regarding the hotel occupancy tax. There was discussion regarding how the hotel occupancy tax funds are generated.

Ms. Larison provided information regarding the hotel occupancy tax and briefly explained how the funds are distributed. She stated that the allocations would be distributed by whichever is less; the percentage or the estimated budgeted dollar amount of net funds received by the city from local hotel occupancy taxes.

Mayor White stated that the Clock Museum and the Downtown Revitalization Committee would be making their presentations on December 4, 2018.

Mayor White requested the following organizations to make their presentation:

Caldwell County Museum (CCM)

Coyle Buhler of the CCM provided information about how the museum promotes tourism to Lockhart that creates heads in local hotels. Visitors come from all over the world to tour the historic museum. He stated that the CCM is requesting hotel occupancy funds in the amount of \$4,000.

Gaslight/Baker Theatre (GBT)

David Schneider of the GBT provided information about how the live performances at the Theatre promotes tourism to Lockhart that creates heads in local hotels. He stated that the GBT is requesting hotel occupancy funds in the amount of \$12,000.

Greater Caldwell County Hispanic Chamber of Commerce (GCCHCC)

Michael Capello, President of the GCCHCC and Rob Ortiz provided information about how their organization promotes tourism to Lockhart that creates heads in local hotels with their successful events. He stated that the GCCHCC is requesting hotel occupancy funds in the amount of \$13,750.

Lockhart Chamber of Commerce (LCC)

Christie Pruitt, President of the Lockhart Chamber of Commerce provided information about how they promote tourism to Lockhart that creates heads in local hotels. The LCC serves as the visitor's bureau and hosts the annual Chisholm Trail Roundup and assists with several other events. She stated that the LCC is requesting hotel occupancy funds in the amount of \$45,000.

Councilmember McGregor arrived at 7:22 p.m.

Hat Rod Productions (HRP)

Joel Gammage provided information about how the annual car show promotes tourism to Lockhart that creates heads in local hotels. He stated that the HRP is requesting hotel occupancy funds in the amount of \$17,094.

Mayor White requested the following individuals wishing to speak regarding the Hot Rod Car Show to address the Council:

Dennis Hobbs of Texas Disposal System (TDS) spoke in support of the Hot Rod Car Show in Lockhart. He stated that he appreciates being able to attend a car show of this magnitude in the local area.

Rob Miller spoke in favor of the Hot Rod Car Show in Lockhart. He stated that it promotes tourism to Lockhart.

Old Settler's Music Festival (OSMF)

Gary Hartman provided information about how the OSMF promotes tourism to Lockhart and creates heads in local hotels and stated that several fans follow their music festivals. He stated that the OSMF is requesting hotel occupancy tax in the amount of \$7,500.

Lockhart Western Swing & BBQ Festival

Jeff Van Horn provided brief information about the event and stated that they would like to begin with next year's festival that will be held September 27 – 29, 2019. He stated that the LWS is requesting hotel occupancy funds in the amount of \$2,500. He stated that the festival has followers that promotes tourism to Lockhart and creates heads in local hotels.

Mayor White stated that the Council would hear two additional presentations requesting hotel occupancy funds and, also consider allocating the funds at the December 4, 2018 meeting.

Councilmember Michelson requested clarification by Joel Gammage about his request that the city purchase portable restrooms and provide shuttle service as part of the city's in-kind contributions. Mr. Gammage replied that he is requesting that the city purchase port-a-potties and a method to offer shuttle service and add it to the list of the city's in-kind services for all events in the city hosted by several organizations.

RECESS: Mayor White announced that the Council would recess for a break at 8:10 p.m.

Mayor White reconvened the workshop at 8:25 p.m.

B. DISCUSS SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES.

Mr. Gibson stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to City Council. The Committee met on November 14th to consider their 33rd semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$1,639,682. Total impact fee revenue during this six-month period was \$350,840, which sets a new record high for any semi-annual report. A total of \$106,841 was spent on eligible street and water projects during this period. The status report from the Committee is for the six-month period of April 1, 2018 to October 1, 2018, which consists of the second and third fiscal quarters of 2018. Because the update to the impact fee capital improvement plans that was adopted on April 4, 2017, eliminated projects that had been accomplished and shows only projects that were not yet funded, the tracking of revenue and expenditures effectively started over at zero. The next report will be for the period from October 1, 2018 to April 1, 2019. There was discussion.

C. UPDATE BY AL DRESSEN AND DISCUSSION REGARDING THE SWING FESTIVAL HELD IN 2018.

Mayor White announced that Al Dressen was not able to attend the meeting.

D. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF NOVEMBER 6, 2018.

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

E. DISCUSS RESOLUTION 2018-21 COMMITTING THE CITY OF LOCKHART TO CONTINUE IMPLEMENTING OZONE EMISSION REDUCTION MEASURES AS PART OF THE REGION'S AIR QUALITY PLAN ADOPTED BY THE AUSTIN-ROUND ROCK METROPOLITAN STATISTICAL AREA (MSA).

Mr. Lewis stated that the resolution continues the commitment by the City of Lockhart on implementing ozone emission reduction measures as part of the Regional Air Quality Plan for 2019 through 2023 adopted by the Austin-Round Rock Metropolitan Statistical Area (MSA). Staff has evaluated options for implementing measures in support of the new regional air quality plan. Mr. Lewis recommended approval. There was discussion.

F. DISCUSS THE FIRST AMENDMENT TO LOCKHART EMS STAFFING AND MANAGEMENT SERVICES AGREEMENT BETWEEN THE CITY OF LOCKHART AND THE SETON FAMILY OF HOSPITALS AND THE UPDATED HIPPA BUSINESS ASSOCIATE ADDENDUM, AND AUTHORIZE THE MAYOR TO SIGN THE DOCUMENTS IF APPROVED.

Chief Jenkins stated that this is the first amendment to the original agreement with Seton Family of Hospitals that was approved by City Council on August 1, 2015 for management services for Lockhart EMS. The Lockhart EMS budget was approved by City Council on August 9, 2018 which increased their budget by \$84,058 to cover increased operating expenses for EMS services. The operating expenses in the original agreement was for \$1,119,290. The administration fee will remain at \$60,000 per year.

Jim Jewel of the Lockhart EMS provided information regarding the increase in operating expenses. There was discussion regarding the cost share between the City of Lockhart and Caldwell County. Mayor White stated that Caldwell County shares one-half of the loss of EMS revenue.

G. DISCUSS REQUEST BY JOEL GAMMAGE TO CONSIDER APPROVAL OF DOWNTOWN AREA STREET CLOSURES AND REQUESTS FOR IN-KIND SERVICES FOR THE FEBRUARY 1-2, 2019 HOT RODS AND HATTERS CAR SHOW EVENT. STREET CLOSURES ARE PROPOSED TO BEGIN, PARTIALLY, ON THURSDAY, JANUARY 31, 2019.

Ms. Bowermon and Capitan John Roescher provided information regarding the street closure proposals. Ms. Bowermon stated that Mr. Gammage requests that Highway 142/San Antonio Street be closed during the car show. City staff opposes that San Antonio Street be closed. The Texas Department of Transportation requires that an alternate route be submitted to them before they consider closing a State highway. Mr. Gammage initially proposed that traffic be reverted to Blanco Street, which TXDOT rejected. He thereafter suggested that Pecan Street be used to revert traffic; staff is awaiting TXDOT's response. Staff is not in favor of reverting traffic to either proposed routes due to safety issues. Ms. Bowermon stated that staff recommends that the street closures and in-kind contributions be approved to be the same as in February 2018 with no additional street closures or additional in-kind contributions. Captain Roescher agreed.

Joel Gammage requested that San Antonio Street be closed on the downtown square because he believes it is a safety hazard with citizens crossing the street. There was also discussion regarding the process to notify businesses affected by the street closures during the car show and a possible conflict with the First Friday event.

Councilmembers Castillo and Michelson suggested that the street closures be the same as the February 2018 Hot Rod car show with no consideration of additional street closures.

Mayor Pro-Tem Sanchez requested that each business affected by the event provide a written statement reflecting whether they do or do not approve the street closures for the car show.

Mr. Gammage requested that the City be responsible for the following: a) notifying businesses affected by street closures by mailing a notice; b) request a signature by the business owner of the receipt; and, c) provide the downtown businesses with a map of the street closures. There was discussion.

There was discussion regarding a possible conflict with the First Friday event. Mr. Gammage expressed concern regarding the First Friday event being held in conjunction with the Car Show if the streets are not going to be closed on Friday. He requested that if the streets are not closed on Friday, that the First Friday organization also be required to carry liability coverage for that night. There was discussion.

Mayor White requested the City Attorney's perspective regarding the liability issues of the streets remaining open during the First Friday event. Mr. Gruning replied that an accident might involve the city in the beginning but that the liability in the event of a pedestrian getting hit by a vehicle would be the liability of the auto insurance of the driver at fault.

There was discussion regarding possibly tabling the item to a future Council meeting. Mr. Gammage requested that the Council vote tonight regarding the street closures for event preparation purposes and to allow him to return to another council meeting to discuss the dates and times of the street closures. There was discussion.

After discussion, the consensus of the Council was to consider approval of the road closures contingent upon Mr. Gammage's negotiations with the First Friday event holders about the time that streets will be closed on Friday to avoid a conflict.

H. DISCUSS RESCHEDULING THE FOLLOWING COUNCIL MEETINGS IN 2019: JANUARY 1, 2019 – NEW YEAR'S DAY HOLIDAY; AUGUST 6 OR OCTOBER 1, 2019 – NATIONAL NIGHT OUT; NOVEMBER 5, 2019 – ELECTION DAY, AND TO CONSIDER RESCHEDULING ANY OTHER COUNCIL MEETING(S) IN 2019 DUE TO A POSSIBLE CONFLICT WITH OTHER EVENTS.

Ms. Constancio provided information regarding rescheduling City Council meetings in 2019 due to possible conflicts. There was discussion.

After discussion, the consensus of the Council was to cancel/reschedule meetings in 2019 as follows:

- January 1, 2019 – cancelled - only one meeting in January.
- October 1, 2019 – cancelled – only one meeting in October. October 1, 2019 will be the date that National Night Out will be held.
- November 5, 2019 – Election day – rescheduled to November 7, 2018.

RECESS: Mayor White announced that the Council would recess for a break at 9:30 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the regular meeting of the Lockhart City Council to order on this date at 9:43 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Mayor Pro-Tem Sanchez gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested citizens to address the Council on items that are not on the agenda. There were none.

ITEM 4-A. PRESENTATION AND DISCUSSION REGARDING ALLOCATION OF HOTEL OCCUPANCY TAXES TO ENTITIES REQUESTING DISTRIBUTIONS FOR 2019.

Mayor White announced that the presentations were made during the work session.

ITEM 4-B. UPDATE BY AL DRESSEN AND DISCUSSION REGARDING THE SWING FESTIVAL HELD IN 2018.

Mayor White announced that Mr. Dressen was not able to attend the meeting.

ITEM 5. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A, 5B, 5C, and 5D. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 5A: Approve minutes of the City Council meeting of November 6, 2018.
- 5B: Accept semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.
- 5C: Approve Resolution 2018-21 committing the City of Lockhart to continue implementing ozone emission reduction measures as part of the Region's Air Quality Plan adopted by the Austin-Round Rock Metropolitan Statistical Area (MSA).
- 5D: Approve the First Amendment to Lockhart EMS Staffing and Management Services Agreement between the City of Lockhart and the Seton Family of Hospitals and the updated HIPPA Business Associate Addendum, and authorize the Mayor to sign the documents if approved.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING REQUEST BY JOEL GAMMAGE TO CONSIDER APPROVAL OF DOWNTOWN AREA STREET CLOSURES AND REQUESTS FOR IN-KIND SERVICES FOR THE FEBRUARY 1-2, 2019 HOT RODS AND HATTERS CAR SHOW EVENT. STREET CLOSURES ARE PROPOSED TO BEGIN, PARTIALLY, ON THURSDAY, JANUARY 31, 2019.

Councilmember Michelson made a motion to approve the streets to be closed as proposed without San Antonio Street and to request that Joel Gammage negotiate a time to begin the road closures on Friday evening with the First Friday event holders. Joel Gammage will bring back information to Council on December 18, 2018 about the time to begin closing streets on Friday evening. The City in-kind services will be the same as offered during the February 2018 car show. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER RESCHEDULING THE FOLLOWING COUNCIL MEETINGS IN 2019: JANUARY 1, 2019 – NEW YEAR'S DAY HOLIDAY; AUGUST 6 OR OCTOBER 1, 2019 – NATIONAL NIGHT OUT; NOVEMBER 5, 2019 – ELECTION DAY, AND TO CONSIDER RESCHEDULING ANY OTHER COUNCIL MEETING(S) IN 2019 DUE TO A POSSIBLE CONFLICT WITH OTHER EVENTS.

Mayor Pro-Tem Sanchez made a motion to cancel the January 1, 2019 meeting (only one meeting in January [January 15, 2019]), to cancel October 1, 2019 (only one meeting in October [October 15, 2019]), and to reschedule November 5, 2019 to November 7, 2019. National Night Out will be held on October 1, 2019. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards and commissions. There were none.

ITEM 7. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Update: Texas Department of Transportation project along FM 20 East (Blackjack) from US 183 to Old McMahan Road.
- Update: Seton Medical Center Hays (Kyle) advancing its trauma certification to Level II.
- Update: Plum Creek Watershed Partnership meeting on December 6 to discuss watershed protection planning research.
- Update on Lockhart Hospital project to be located at 200 City Line Road.
- Update: Report relative to the Fiscal Year 2018-2019 budget.
- Update: City Line realignment project and competitive bidding in January 2019.
- Update: Joint community service projects between the City of Lockhart and MTC Lockhart Correctional Facility.
- Upcoming Event: Dickens Christmas Lighted Parade Friday, November 30th at 7:00 pm. Dickens Christmas in Lockhart will be held on December 1st (Parade line up starts at 5pm, followed by judging at 6 pm).
- Update: Staff is making considerable progress on the construction of the new lighted tree for the courthouse lawn.
- Update: Staff held a Preconstruction meeting with representatives of Meadows at Clearfork Section II. (Construction to begin around December 5th, project to take approximately 6 months, final phase of subdivision, and it will add 82 additional lots.)
- Update: Visionary Fiber Technologies near completion of their renovations at 1400 Blackjack Road.
- Report: Austin Community College (ACC) is planning to introduce two new Continuing Education courses in Lockhart via a collaboration with Lockhart ISD in January 2019. Courses to be offered are HVAC and Welding, followed by the electrical trades.

ITEM 8. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.

Councilmember Westmoreland wished everyone a Happy Thanksgiving.

Councilmember Mendoza wished everyone a Happy Thanksgiving. He thanked the Lockhart Police Department for the recent ride along in a police patrol vehicle. The Tree Lighting Ceremony will be held on Sunday, December 9th on the Courthouse lawn.

Mayor Pro-Tem Sanchez requested that staff begin scheduling a goals workshop soon. She expressed condolences to the families of Peggy Kelly, Ernest Ewald, George Hazlett, Ronnie Haddock, and Isaiah Aguado for their loss. She wished everyone a Happy Thanksgiving and safe travels.

Councilmember McGregor announced that the Lockhart Film Society will host their first event on Saturday night. She wished everyone a Happy Thanksgiving and asked all to be safe.

Councilmember Castillo wished everyone a Happy Thanksgiving.

Councilmember Michelson wished everyone a Happy Thanksgiving and safe travels.

Mayor White wished everyone a safe and Happy Thanksgiving. He thanked staff for their hard work. He recommended that the Council begin reviewing the adopted Parks Master Plan to begin implementing within the next couple of months. He expressed condolences to those that have recently lost a loved one.

ITEM 9. 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 10:03 p.m.

PASSED and APPROVED this the 18th day of December 2018.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:


Connie Constancio, TRMC
City Secretary

