

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**JUNE 2, 2009**

**6:30 P.M.**

**Council present:**

Mayor Pro-Tem Frank Estrada  
Councilmember Kenny Roland  
Councilmember Richard Wieland

Mayor James Bertram  
Councilmember Paul Gomez  
Councilmember Lew White  
Councilmember Richard Banks

**Staff present:**

Vance Rodgers, City Manager  
Peter Gruning, City Attorney  
Jerry Doyle, Fire Chief

Connie Ortiz, City Secretary  
Jeff Hinson, Finance Director  
M.L. Richards, Electric Superintendent

**Citizens/Visitors Addressing the Council:** Connie Amaya of Connie's Kidz; and, Fred Wiegand, Citizen.

**Work Session 6:33 p.m.**

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

**A. DISCUSS CITY COUNCIL MINUTES FOR THE MAY 19, 2009 MEETING.**

Mayor Bertram requested corrections to the City Council minutes for the May 19, 2009 meeting. There were none.

**B. DISCUSS REQUEST BY STANLEY MARTIN TO ASSIGN HIS INTEREST IN THE EXISTING CITY OF LOCKHART MUNICIPAL AIRPORT PROPERTY LEASE TO THE TEXAS LIMITED LIABILITY COMPANY IN WHICH HE WOULD BE THE SOLE OWNER, MANAGER, AND MEMBER.**

Mr. Rodgers stated that Mr. Stanley Martin's father, Mr. Palmer Martin, and partner in the airport property lease agreement, passed away about one and one-half years ago. At the request of Mr. Stanley Martin, his attorney has requested that the City of Lockhart consider approval of Mr. Martin assigning his interest in his current City of Lockhart municipal airport property lease to a Texas limited liability company. This would be a name change in the existing lease only.

There was discussion.

**C. DISCUSS AMENDING THE EXISTING CONTRACT WITH CENTRAL TEXAS REFUSE, INC., (CTR), PROVIDING FOR AN EXTENSION OF TWO (2) YEARS, AND THEREAFTER WITH AUTOMATIC ONE (1) YEAR RENEWABLE OPTIONS UNLESS EITHER PARTY PROVIDES A 180 DAY ADVANCE NOTICE OF INTENT TO CANCEL THE CONTRACT OR INTENT TO REBID FOR HAND COLLECT RESIDENTIAL AND COMMERCIAL SERVICES, TRASH BIN SERVICES AND DUMPSTER ROLL-OFF SERVICES.**

Mr. Rodgers stated that according to the existing contract with CTR, the City must provide a 180 day notice to CTR of the intent to advertise for a new trash services contract. Staff has put together a survey synopsis of services and cost comparisons between CTR and IESI which had expressed an interest in bidding on a trash collection services contract. The survey document reflects the residential trash collection rates charged and services provided to other cities by IESI in comparison to the services provided to Lockhart through CTR. CTR purchased all of the carts when the City Council approved going to the "carts system" approximately two years ago at a cost of more than \$177,000. In addition to this consideration, it is the opinion of the City Manager that CTR provides a good service for a net

fee it charges to the City of Lockhart for services and expressed the good customer services attributes of CTR.

Councilmember Banks requested that staff research the possibility and costs associated with offering curbside recycling to only the residents that desired the service. Residents that did not want to pay the extra fee or recycle would not be required to participate.

Mayor Bertram spoke against a curbside recycling program if it would increase the monthly fees for all citizens.

Councilmember Wieland asked if staff practiced the option of seeking bids every five years for contracts, such as CTR. Mr. Rodgers replied that going out for bid was the Council's choice and that he recommended that the current solid waste contract is renewed since it would be the most cost effective. Going out for bids would more than likely produce a much higher collection rate.

Councilmember Gomez questioned if the 180 day period was standard in the notification process for solid waste vendors. He spoke in favor of continuing services with CTR and believed that it was in the best interest of the citizens to remain at the current rate so that collection rates are not increased. Mr. Rodgers replied about the 180 days saying it was a necessary transition notice time if the current vendor were to lose the contract.

Mr. Rodgers stated that a survey was conducted to assure staff and the Council that the solid waste collection services were being provided at a reasonable rate. There was discussion regarding the survey.

Councilmember Roland spoke in favor of continuing services with CTR.

**D. DISCUSSION REGARDING SEVERAL ASPECTS OF THE CITY OF LOCKHART HOSTING THE TEXAS MUNICIPAL LEAGUE REGION X MEETING ON JULY 9, 2009.**

Ms. Ortiz provided information regarding coordination of the meeting. There was discussion regarding several aspects regarding hosting the meeting.

Mayor Bertram announced there would be a recess at 7:12 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor James Bertram called the regular meeting of the Lockhart City Council to order on this date at 7:34 p.m.

**ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.**

Mayor James Bertram requested a moment of silence and led the pledge of allegiance to the United States and Texas flags.

**ITEM 3. CITIZENS/VISITORS COMMENTS.**

Mayor Bertram requested citizens to address the Council.

Connie Amaya of Connie's Kidz requested that a traffic light is installed at the intersection of Guadalupe Street and FM 20 (State Park Road) due to the additional traffic that has generated with the construction of the new apartment complex. She stated that she consulted with the Texas Department of Transportation (TXDOT) to begin the steps to install a traffic light. Mr. Rodgers replied that TXDOT indicated that they would conduct a traffic count in the area and that the only way that a traffic light could be installed was if the traffic count met the State guidelines.

Fred Wiegand of Cunningham Drive provided a history of County Road 220 and provided information about a proposed loop to be constructed for County Road 220 to FM 20.

Mayor Bertram requested additional speakers to address the Council. There were none.

**ITEM 4-A. HOLD PUBLIC HEARING TO RECEIVE COMMENTS FROM THE PUBLIC REGARDING THE PROPOSED SAFE ROUTES TO SCHOOL PLAN TO BE SUBMITTED TO THE TEXAS DEPARTMENT OF TRANSPORTATION AS REQUIREMENT PRIOR TO SUBMISSION OF A SAFE ROUTES TO SCHOOL GRANT APPLICATION.**

Mayor Bertram opened the public hearing at 7:49 p.m. and requested the staff background report.

Mr. Rodgers stated that a public hearing was required to provide the public an opportunity to comment on the proposed Safe Routes to School Plan (SRTS) to be submitted to the Texas Department of Transportation as a requirement prior to submission of a Safe Route to School Grant application. The public hearing was advertised on Channel 10, City website, Lockhart Independent School District website, and in the Lockhart Post-Register. Parent surveys and notice of this hearing were distributed to LISD. Mr. Rodgers stated that he has received positive cooperation from Cliff Gardner, Assistant Superintendent of the LISD.

Ms. Ortiz read a statement from Kim Bruch, citizen that was unable to attend the meeting that supported the additional sidewalks.

Mayor Bertram requested additional citizens to address the Council. There were none.

**ITEM 5. CONSENT AGENDA.**

Councilmember Banks requested that consent agenda item 5C be pulled for further discussion.

Councilmember Wieland made a motion to approve consent agenda items 5A and 5B. Councilmember White seconded. The motion carried by a vote of 7-0.

The following are the consent agenda items that were approved:

5A: Approve City Council minutes for the May 19, 2009 meeting.

5B: Approve request by Stanley Martin to assign his interest in the existing City of Lockhart municipal airport property lease to the Texas limited liability company in which he would be the sole owner, manager, and member.

**ITEM 5-C. APPROVE AMENDING THE EXISTING CONTRACT WITH CENTRAL TEXAS REFUSE, INC., (CTR), PROVIDING FOR AN EXTENSION OF TWO (2) YEARS, AND THEREAFTER WITH AUTOMATIC ONE (1) YEAR RENEWABLE OPTIONS UNLESS EITHER PARTY PROVIDES A 180 DAY ADVANCE NOTICE OF INTENT TO CANCEL THE CONTRACT OR INTENT TO REBID FOR HAND COLLECT RESIDENTIAL AND COMMERCIAL SERVICES, TRASH BIN SERVICES AND DUMPSTER ROLL-OFF SERVICES.**

Councilmember Banks made a motion to table the item until the June 16, 2009 Council meeting to allow the City Manager to research the costs associated for a curbside recycling program for citizens that wish to pay the associated fees but not make it mandatory for all citizens. Councilmember Wieland seconded. The motion carried by a vote of 4-3, with Mayor Bertram and Councilmembers Roland and Gomez opposing.

**ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING SEVERAL ASPECTS OF THE CITY OF LOCKHART HOSTING THE TEXAS MUNICIPAL LEAGUE REGION X MEETING ON JULY 9, 2009.**

Mayor Bertram announced that the item was discussed during the work session.

**ITEM 6-B. APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.**

Mayor Bertram requested appointments to various boards, commissions or committees. There were none.

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

A. Update regarding Chisholm Trail Roundup.

**ITEM 8. EXECUTIVE SESSION in accordance with the provisions of Government Code, Title 5, Subchapter D, Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee for discussion regarding the City Manager's contract.**

Mayor Bertram announced that the Council would enter Executive Session at 8:02 p.m.

**ITEM 9. OPEN SESSION - Discussion and/or action regarding the City Manager's contract.**

Mayor Bertram announced that the Council would enter Open Session at 8:20 p.m.

Councilmember Gomez made a motion to extend the City Manager's contract for a term of two years with an optional extension of one year. Councilmember Roland seconded. The motion carried by a vote of 7-0.

**ITEM 10. ADJOURNMENT.**

Councilmember Wieland made a motion to adjourn the meeting. Councilmember Roland seconded. The motion carried by a vote of 7-0. The meeting was adjourned at 8:21 p.m.

PASSED and APPROVED this the 16<sup>th</sup> day of June 2009.

CITY OF LOCKHART

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James Bertram, Mayor

ATTEST:

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Connie Ortiz, TRMC, City Secretary