

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**JUNE 15, 2010**

**6:30 P.M.**

**Council present:**

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

Mayor Ray Sanders  
Councilmember Paul Gomez  
Councilmember Lew White  
Councilmember Richard Banks

**Staff present:**

Vance Rodgers, City Manager  
Peter Gruning, City Attorney  
Sandra Mauldin, Economic Dev. Coordinator  
Michael Catching, Building Official

Connie Rodriguez, City Secretary  
Jeff Hinson, Finance Director  
M.L. Richards, Electric Superintendent  
Lee Weatherford, Public Works Dir.

**Citizens/Visitors Addressing the Council:** Kathy McCormick, Chair of the Lockhart Historical Preservation Commission; Coyle Buhler, member of the Lockhart Historical Preservation Commission; John Stumpf, Citizen; Dave Moore, member of the Lockhart Historical Preservation Commission; Gina Lozano, member of the Lockhart Historical Preservation Commission; Clair Brice, Citizen; Jeff Jorgeasen, Citizen; and, Ronda Reagan, member of the Lockhart Historical Preservation Commission.

**Work Session 6:30 p.m.**

Mayor Sanders 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 JUNE 1, 2010 MEETING.**

Mayor Sanders requested corrections to the City Council minutes for the June 1, 2010 meeting. There were none.

**B. DISCUSS SUBMISSION OF TEXAS PRESERVATION TRUST FUND GRANT WITH THE TEXAS HISTORICAL COMMISSION FOR BROCK CABIN FUNDING BY THE CITY MANAGER.**

Mr. Rodgers stated that the City Manager submitted a grant to the Texas Historical Commission under its' Texas Preservation Trust Fund for Brock Cabin funding. The deadline for the grant application was Friday, June 11, 2010. The grant is a match reimbursement type meaning that they will reimburse one-half of costs up to \$50,000. If the application were approved, then the decision would be up to Council as to whether they want to enter a formal agreement for the grant. The Brock Cabin Committee could not apply for the grant, but continues to meet and work on fund raising for the project. Any funding raised could go toward the grant match if the application is approved. The committee currently has about \$17,000, most of which was listed in the application as "cash in hand".

**C. DISCUSS GRANTING THE CITY MANAGER APPROVAL TO SIGN A FEDERAL AVIATION ADMINISTRATION AGREEMENT FOR TRANSFER OF ENTITLEMENT FUNDS IN THE AMOUNT OF \$150,000 TO THE TEXAS DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION TO FACILITATE FUTURE AIRPORT IMPROVEMENTS.**

Mr. Rodgers stated that the U.S. Department of Transportation, Federal Aviation Administration, through the Texas Department of Transportation has requested that the City of Lockhart waive receipt of funds apportioned to it in the amount of \$150,000 for the year 2005 so that the funds could be allocated to future airport improvements. The City of Lockhart did not have a qualifying project during 2005 nor today because of 20 percent to 50 percent match requirements. If approved, Texas Department of Transportation could use the funds for design and engineering associated with other future airport projects.

**D. RECEIVE BIENNIAL REPORT FROM THE LOCKHART HISTORICAL PRESERVATION COMMISSION.**

Mr. Rodgers stated that the Lockhart Historical Preservation Commission (LHPC) Chair would give their biennial report.

Kathy McCormick, 703 West San Antonio Street, Chair of the Lockhart Historical Preservation Commission, gave their biennial report for the 2008-2009.

There was discussion about the LHPC's goals to possibly assist businesses in renovating their historic structures in the central business district.

**E. DISCUSS CHAPTER 28, HISTORIC DISTRICTS AND LANDMARKS, SUBSECTION 28-26, BIENNIAL REVIEW PROCESS, OF THE CODE OF ORDINANCES TO RECEIVE FORMAL CITIZEN COMMENTS REGARDING THE EXISTING ORDINANCE AND ANY PROPOSED CHANGES.**

Mr. Rodgers stated that the Biennial Review Report received from the LHPC did not identify any recommended ordinance changes, the cover letter submitted by Kathy McCormick, Chair of the LHPC, acknowledged the desires of the Council as expressed at the March 4, 2010 Council meeting. The public hearing is therefore being held at the request of the Council regarding desired changes to make the ordinance more "friendly" to property owners.

**F. DISCUSSION REGARDING PROPOSED ORDINANCE 2010-16 REFLECTING PROPOSED CHANGES BY THE LOCKHART HISTORICAL PRESERVATION COMMISSION (LHPC) TO CHAPTER 28, HISTORIC DISTRICTS AND LANDMARKS, OF THE CODE OF ORDINANCES.**

Mr. Rodgers stated that the LHPC met several times to review Chapter 28, Historic Districts and Landmarks, of the Code of Ordinances. The charge of the majority of the Council to the City Manager during the March 4, 2010 meeting was to take the proposed City staff ordinance amendments to the LHPC with the goal of making the ordinance more "customer friendly and to avoid unnecessary appearances by property owners before the Commission" for all Certificates for Alteration, especially involving signs, windows, doors and awnings/canopies. LHPC has provided pre-approved guidelines to reduce appearances before the Commission.

Mr. Rodgers provided information about a correction in the proposed ordinance.

There was discussion regarding the proposed ordinance amendments.

Coyle Buhler, 1000 Magnolia, member of the Lockhart Historical Preservation Commission (LHPC), provided information about the LHPC's charge to amend the ordinance to guide property owners of historic structures in the renovation process to show them methods that were acceptable to keep the historic authenticity.

**G. DISCUSSION REGARDING BUDGET AND TAX RATE ADOPTION CALENDAR APPROVED BY COUNCIL ON JUNE 1, 2010.**

After discussion, the June 26 budget workshop was rescheduled to Tuesday, June 29.

Mayor Sanders announced there would be a recess at 7:05 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor Ray Sanders called the regular meeting of the Lockhart City Council to order on this date at 7:30 p.m.

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

Councilman Kenny Roland requested a moment of silence and led the pledge of allegiance to the United States and Texas flags.

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

Mayor Sanders requested citizens to address the Council. There were none.

**ITEM 4. CONSENT AGENDA.**

Councilmember Roland requested that consent agenda item 4B be pulled for further discussion.

Councilmember White made a motion to approve consent agenda items 4A and 4C. Mayor Pro-Tem Estrada seconded. The motion carried by a vote of 7-0.

The following are the consent agenda items that were approved:

4A: Approve City Council minutes for the June 1, 2010 meeting.

4C: Approve granting the City Manager approval to sign a Federal Aviation Administration Agreement for Transfer of Entitlement Funds in the amount of \$150,000 to the Texas Department of Transportation, Aviation Division to facilitate future airport improvements.

**ITEM 4-B. APPROVE SUBMISSION OF TEXAS PRESERVATION TRUST FUND GRANT WITH THE TEXAS HISTORICAL COMMISSION FOR BROCK CABIN FUNDING BY THE CITY MANAGER.**

There was discussion regarding the grant match, which Mr. Rodgers stated that the City of Lockhart would not fund the grant match unless it were voted upon during future budget sessions.

Councilmember White made a motion to approve the submission of the grant application, as presented. Councilmember Wieland seconded. The motion carried by a vote of 5-2, with Councilmembers Roland and Gomez opposing.

**ITEM 5-A. RECEIVE BIENNIAL REPORT FROM THE LOCKHART HISTORICAL PRESERVATION COMMISSION.**

Mayor Sanders stated that the report was given during the work session.

**ITEM 5-B. HOLD A PUBLIC HEARING IN ACCORDANCE WITH CHAPTER 28, HISTORIC DISTRICTS AND LANDMARKS, SUBSECTION 28-26, BIENNIAL REVIEW PROCESS, OF THE CODE OF ORDINANCES TO RECEIVE FORMAL CITIZEN COMMENTS REGARDING THE EXISTING ORDINANCE AND ANY PROPOSED CHANGES.**

Mayor Sanders opened the public hearing at 7:39 p.m. and requested the following to address the Council.

John Stumpf, property owner in Lockhart's central business district, spoke against the ordinance mandating the preservation guidelines of the downtown historic district properties. He requested the following: 1) that the historic ordinance be unwound and that it be citywide, 2) term limits be placed on commission members, and, 3) review the possibility that owners of historic properties were actually making a financial contribution to the City by being required to make certain renovations. He stated that he believed that signs should not be monitored by the City.

Dave Moore, 1023 Bowie, member of the Lockhart Historical Preservation Commission, stated that he recalled that the reason that the historic ordinance was originally created was to monitor the previous renovation/expansion of the Clark Library and the Caldwell County Courthouse renovation. He also stated that he did not believe that the City should dictate renovation desires of historic property owners. He requested specific amendments in reference to Section 28-25. He stated that he objected to the historic district ordinance in its entirety and suggested that it be repealed or done away with.

Coyle Buhler, 1000 Magnolia, member of the Lockhart Historical Preservation Commission, stated that their charge was to work with staff on creating a more user friendly historic district ordinance to guide historic structure property owners with renovations methods that would assist in preserving its historic integrity.

Kathy McCormick, Chair of the Lockhart Historical Preservation Commission, stated that members of the Commission do what they can to assist new owners of a historic property with renovation tips to assist in preserving the history of the property. She spoke against the Council repealing the historic ordinance since she believed that it assists in allowing the Texas Historic Preservation Commission to take Lockhart serious in the historic structures.

Gina Lozano, 208 West Prairie Lea, member of the Lockhart Historical Preservation Commission, stated that she owned historic property in the City and explained that the LHPC worked with staff to create a historic ordinance that was more friendly in assisting with renovation methods in preserving the historic integrity of a historic structure. Ms. Lozano stated that she was also in favor of offering a tax abatement.

Clair Brice, 731 South Commerce, member of the Caldwell County Historic Preservation Commission, stated that members of both the Caldwell County and Lockhart Historical Preservation Commissions were passionate in the preservation of historic structures and their goal was to work hard to maintain and preserve historic structures.

Jeff Jorgeasen, 119 West San Antonio Street, suggested that the LHPC streamline renovation suggestions from historic structure property owners and that they not be allowed to dictate renovation abilities to historic structures. He also suggested that the tax abatement be carried out to encourage the preservation of a historic structure.

Ronda Regan, 412 West San Antonio Street, member of the LHPC, stated that the historic district guidelines were reduced to one page to assist in making it friendlier to owners of historic structures.

Mayor Sanders requested additional citizens to address the Council. There were none. He closed the public hearing at 8:19 p.m.

**ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING PROPOSED ORDINANCE 2010-16 REFLECTING PROPOSED CHANGES BY THE LOCKHART HISTORICAL PRESERVATION COMMISSION (LHPC) TO CHAPTER 28, HISTORIC DISTRICTS AND LANDMARKS, OF THE CODE OF ORDINANCES.**

Mr. Rodgers provided information about an amendment to the proposed ordinance.

Councilmember Banks made a motion to approve Ordinance 2010-16, with amendments as provided by staff. Councilmember Roland seconded.

There was discussion regarding the proposed ordinance.

Councilmember Wieland expressed concern about dictating renovation possibilities to historic district property owners.

Councilmember Gomez expressed suggestions in regards to offering a tax abatement for the preservation of a historic structure.

Mayor Pro-Tem Estrada asked about the concerns that have been expressed by historic district property owners. Mr. Rodgers stated that he believed that a majority of the concerns have been resolved through the certificate for alteration pre-approval process. There was discussion.

Councilmember White commended the LHPC for their work and efforts to guide property owners of historic structures. He also stated that he believed that the historic ordinance should remain in effect to assist in the preservation of historic structures.

Councilmember Roland suggested that the ordinance be shared with Caldwell County and the Lockhart Independent School District.

Mayor Sanders commented in the integrity of the maintenance of the historic district and stated that tourists appreciated it.

There was further discussion regarding the ordinance.

VOTE: The motion carried by a vote of 7-0.

**ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING BUDGET AND TAX RATE ADOPTION CALENDAR APPROVED BY COUNCIL ON JUNE 1, 2010.**

Mayor Sanders announced that the following date was rescheduled:

- Saturday, June 26 rescheduled to Tuesday, June 29

**ITEM 5-E. APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.**

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

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

- Chisholm Trail Parade and Celebration.
- Budget workshop Tuesday, June 22, at 6:30 p.m.
- Council goals and objectives meeting Saturday, June 26, at 8:30 a.m., have been rescheduled to Tuesday, June 29 at 6:30 p.m.
- Paving and utility projects update.
- Reminder to turn in Council service evaluations and objectives list to me by Wednesday, June 16 please.
- Wednesday, June 30, at 7:00 p.m., Planning and Zoning Commission public hearing for citizens to express their comments and suggestions regarding the updating of the Land Use and Thoroughfare Plan map originally adopted by the City Council in 2000 before recommendations are taken to the City Council.

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

Councilmember White requested updates regarding the Clark Library renovation project. There was brief discussion regarding the SH 130 project.

Councilmember Roland invited the public to the Juneteenth celebration on Saturday, June 19 at Lions Park and stated that the City pool will be free to the public on June 19.

Councilmember Wieland recognized the Boy Scout that attended the meeting to earn a merit badge.

Mayor Sanders commended Girl Scout Woody for her accomplishments.

**ITEM 8. 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 8:45 p.m.

PASSED and APPROVED this the 6<sup>th</sup> day of July 2010.

ATTEST:



Connie Rodriguez, TRMC, City Secretary



CITY OF LOCKHART

  
Ray Sanders, Mayor