LOCKHART CITY COUNCIL
REGULAR MEETING

AUGUST 15, 2017  6:30 P.M.

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

Council present:
Mayor Lew White
Councilmember Juan Mendoza
Councilmember Jeffry Michelson
Mayor Pro-Tem Angie Gonzales-Sanchez (arrived at 7:15 p.m.)
Councilmember John Castillo
Councilmember Benny Hilburn
Councilmember Brad Westmoreland

Staff present:
Vance Rodgers, City Manager
Peter Gruning, City Attorney
Connie Constancio, City Secretary
Jeff Hinson, Finance Director

Citizens/Visitors Addressing the Council: James Jewell, EMS Director and Rudy Schroeder, Citizen.

Work Session  6:30 p.m.
Mayor White announced that Mayor Pro-Tem Sanchez would be late to the meeting due to unexpected transportation issues. 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. DISCUSS MINUTES OF THE CITY COUNCIL MEETINGS OF JULY 27, 2017 AND
AUGUST 1, 2017.
Mayor White requested corrections to the minutes. There were none.

B. DISCUSS ORDINANCE 2017-22 AMENDING THE CITY CHARTER AMENDMENTS ON
THE NOVEMBER 7, 2017 SPECIAL ELECTION BALLOT TO ASSIGN A LETTER OF THE
ALPHABET TO THE MEASURE THAT CORRESPONDS TO ITS ORDER ON THE BALLOT
AS REQUIRED BY SENATE BILL 957.
Ms. Constancio stated that the City Council approved Ordinance 2017-16 on June 20, 2017 ordering a
General Election to fill the positions of Mayor, Councilmember District 3 and Councilmember District 4
and to hold a Special Election to submit Charter Amendment Propositions to the voters on November 7,
2017.

Staff thereafter received legislative information from the Secretary of State that indicated the 85th
Legislation adopted SB 957 that amends the Texas Election Code with respect to propositions. SB 957
requires local political subdivisions (cities/schools) to identify their propositions by assigning a unique
letter of the alphabet to each local proposition that will appear on the ballot. Only statewide Constitutional
amendment propositions will be using numbers to identify propositions. Ordinance 2017-22 corrects the
assignment of letters of the alphabet to each proposition instead of by a number. Ms. Constancio
recommended approval.

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Mr. Rodgers stated that the city’s current adopted code is a 2009 edition. In order to comply with current code requirements and to assist with better Insurance Service Office (ISO) insurance ratings, the International Building Code and the International Residential Code for One and Two family dwellings, 2015 Edition needs to be adopted along with recommended local amendments. The new code will take effect 30 days after passage. Most contractors and design specialists are already using the new code. Mr. Rodgers recommended approval.

D. DISCUSS ORDINANCE 2017-24 AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III., ELECTRIC CODE OF THE CODE OF ORDINANCES, ADOPTING THE NATIONAL ELECTRIC CODE, 2014 EDITION WITH AMENDMENTS, AND PROVIDING FOR SEVERABILITY, PENALTY, AND PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.
Mr. Rodgers stated that the city’s current adopted code is several years old. In order to comply with current code requirements and assist with better ISO insurance ratings, the National Electric Code, 2014 Edition needs to be adopted along with recommended local amendments. The new code will take effect 30 days after passage. Most contractors and design specialists are already using the new code. Mr. Rodgers stated that the Electric Board and staff recommended approval.

E. DISCUSS ORDINANCE 2017-25 AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IV., GAS CODE OF THE CODE OF ORDINANCES, ADOPTING THE INTERNATIONAL FUEL GAS CODE, 2015 EDITION WITH AMENDMENTS, AND PROVIDING FOR SEVERABILITY, PENALTY, AND PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.
Mr. Rodgers stated that the city’s current adopted code is a 2009 edition. In order to comply with current code requirements and assist with better ISO insurance ratings, the new 2015 Gas code needs to be adopted along with recommended local amendments. The new code will take effect 30 days after passage. Most contractors and design specialists are already using the new code. Mr. Rodgers recommended approval with typographical corrections to Section I from what was provided in the council packet.

F. DISCUSS ORDINANCE 2017-26 AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE V., MECHANICAL CODE OF THE CODE OF ORDINANCES, ADOPTING THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION WITH AMENDMENTS, AND PROVIDING FOR SEVERABILITY, PENALTY, AND PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.
Mr. Rodgers stated that the city’s current code is a 2009 edition. In order to comply with current code requirements and assist with better ISO insurance ratings, the new 2015 Mechanical code needs to be adopted along with recommended local amendments. The new code will take effect 30 days after passage. Most contractors and design specialists are already using the new code. Mr. Rodgers recommended approval.
G. DISCUSS ORDINANCE 2017-27 AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VI, PLUMBING CODE OF THE CODE OF ORDINANCES, ADOPTING THE INTERNATIONAL PLUMBING CODE, 2015 EDITION WITH AMENDMENTS, AND PROVIDING FOR SEVERABILITY, PENALTY, AND PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.

Mr. Rodgers stated that the city’s current code is a 2009 edition. In order to comply with current code requirements and assist with better ISO insurance ratings, the new 2015 Plumbing code needs to be adopted along with recommended local amendments. The new code will take effect 30 days after passage. Most contractors and design specialists are already using the new code. Mr. Rodgers recommended approval with typographical corrections to Section I from what was provided in the council packet.

H. DISCUSS ORDINANCE 2017-28 AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX., ENERGY CONSERVATION CODE OF THE CODE OF ORDINANCES, ADOPTING THE INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION WITH AMENDMENTS, AND PROVIDING FOR SEVERABILITY, PENALTY, AND PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.

Mr. Rodgers stated that the city’s current code is a 2009 edition. In order to comply with current code requirements and assist with better ISO insurance ratings, the new 2015 Energy code needs to be adopted along with recommended local amendments. The new code will take effect 30 days after passage. Most contractors and design specialists are already using the new code. Mr. Rodgers recommended approval.

I. DISCUSS ORDINANCE 2017-29 AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII., UNSAFE AND/OR PUBLIC NUISANCE BUILDING ABATEMENT OF THE CODE OF ORDINANCES, CHANGING REFERENCES TO THE 2006 CODE EDITION TO THE INTERNATIONAL BUILDING CODE, 2015 EDITION WITH AMENDMENTS, AND PROVIDING FOR SEVERABILITY, PENALTY, AND PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.

The city’s current ordinance references the 2006 code edition. This ordinance amends the references to the 2006 edition to the International Building Code, 2015 Edition. The new amendments will take effect 30 days after passage. Mr. Rodgers recommended approval.


Mr. Rodgers stated that this ordinance amends Chapter 20, Fire Prevention and Protection, adopting the Life Safety Code 2015 with local amendments. The current ordinance was adopted in 2009. Mr. Rodgers recommended approval.
K. DISCUSS SOCCER LEAGUE PLAY LIGHTING SYSTEM MATERIALS IN THE AMOUNT OF $132,000 UNDER THE CURRENT LOWER COLORADO RIVER AUTHORITY (LCRA) CONTRACT BY WHICH TECHLINE, INC. SUPPLIES MATERIALS AT A DISCOUNT RATE.

Mr. Rodgers stated that 70-foot high poles with designed foundations are required to provide Soccer League Play lighting at 30 foot-candle intensity. The poles must be similar to the poles on US 183 except higher. This purchase is under an existing contract with LCRA by which Techline, Inc. supplies materials at a discounted rate. LCRA publicly solicits bids for materials and labor. Other vendor prices for materials usually range from 15 to 20% higher. Mr. Rodgers recommended approval. There was discussion.

L. DISCUSSION REGARDING POSSIBLE USE OF THE SAINT PAUL UNITED CHURCH OF CHRIST BUILDING AND PROPERTY AT 728 SOUTH MAIN STREET IF DONATED TO THE CITY OF LOCKHART.

Mr. Rodgers stated that is has been indicated that the Church is being considered for donation to the City of Lockhart. Council requested that this item be placed on the agenda for consideration for possible action. The property is about 1/3 of an acre. The sanctuary is about 3,000 square feet and the other adjacent building to the south has 4,300 square feet according to appraisal district records. There is also another unattached 560 square foot storage building at the southeast corner of the property. The parking lot has about 20 parking spaces if street right-of-way behind the curb is considered. Mr. Rodgers requested direction from Council regarding the building and property.

The Council thanked member of The Saint Paul United Church of Christ for their generosity. There was discussion about accepting the building.

M. DISCUSSION REGARDING ADOPTION OF THE 2017 COMBINED MAINTENANCE AND OPERATION AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF PROPOSED TAX RATE EXCEEDS THE ROLLBACK RATE OR THE EFFECTIVE TAX RATE (WHICHEVER IS LOWER), A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA OF A FUTURE COUNCIL MEETING. IF MOTION PASSES, COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME AND PLACE OF TWO (2) PUBLIC HEARINGS REGARDING THE PROPOSED TAX RATE.

Mr. Hinson stated that the action taken by the Council is required by the State for adherence with the Truth-In-Taxation laws. As directed by Council, a record vote will need to be taken regarding the proposed 2017 tax rate and the dates of the public hearings should be announced. The public hearings are scheduled on September 5, 2017 at 7:30 p.m. and September 19, 2017 at 7:30 p.m. at the Clark Library Annex-Council Chambers, 217 South Main Street, 3rd Floor, Lockhart, Texas. There was discussion.

N. DISCUSSION REGARDING NAMING AN INDIVIDUAL AS THE CITY OF LOCKHART’S NOMINEE TO FILL A VACANT POSITION TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD).

Mr. Rodgers stated that on July 31, 2017, the City of Lockhart received notice that a vacancy exists on the CCAD Board of Directors. The deadline to submit the Resolution with a nomination to the CCAD is September 8, 2017. If the Council chooses to make a nomination of an individual to fill the vacancy, a name will be voted on during the September 5 meeting in addition to a Resolution which the City of Lockhart’s nominee will be added. The Resolution will thereafter be sent to the CCAD to place the City’s nominee on a ballot that the Council will vote on in the future. Mr. Rodgers stated that Frank Hinds resigned from the CCAD board. There was discussion.
RECESS: Mayor White announced that the Council would recess for a break at 7:05 p.m.

Mayor Pro-Tem Sanchez arrived at the meeting at 7:15 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 7:30 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.
Invocation – Councilmember Hilburn.
Pledge of Allegiance to the United States and Texas flags.

Mayor White introduced James Jewel, EMS Director. Mr. Jewell introduced himself and stated that he has been with the EMS department for a few weeks. He thanked the Council and staff for their support.

ITEM 3. CITIZENS/VISITORS COMMENTS.
Mayor White requested citizens to address the Council. There were none.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING POSSIBLE USE OF THE SAINT PAUL UNITED CHURCH OF CHRIST BUILDING AND PROPERTY AT 728 SOUTH MAIN STREET IF DONATED TO THE CITY OF LOCKHART. ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING POSSIBLE USE OF THE SAINT PAUL UNITED CHURCH OF CHRIST BUILDING AND PROPERTY AT 728 SOUTH MAIN STREET IF DONATED TO THE CITY OF LOCKHART.
There was discussion regarding the City of Lockhart’s acceptance of the building and property and regarding the possibility of establishing a committee to recommend several types of uses of the building and property.

Rudy Schroeder, 2742 FM 1322, member of the Saint Paul United Church, spoke in favor of the City of Lockhart accepting the donation.

Councilmember Hilburn made a motion to accept the donation of the building and property, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 4. CONSENT AGENDA.
Councilmember Westmoreland made a motion to approve consent agenda items 4A, 4B, 4C, 4D, 4E with amendment, 4F, 4G with amendment, 4H, 4I, 4J, and 4K. Councilmember Michelson seconded. The motion passed by a vote of 6-0-1, with Mayor Pro-Tem Sanchez abstaining.

Mayor Pro-Tem Sanchez stated that she abstained from the vote because she was not present during the work session.
The following are the consent agenda items that were approved:

4A: Approve minutes of the City Council meetings of July 27, 2017 and August 1, 2017.

4B: Approve Ordinance 2017-22 amending the City Charter Amendments on the November 7, 2017 Special Election ballot to assign a letter of the alphabet to the measure that corresponds to its order on the ballot as required by Senate Bill 957.


4K: Approve Soccer League Play Lighting System materials in the amount of $132,000 under the current Lower Colorado River Authority (LCRA) contract by which Techline, Inc. supplies materials at a discount rate.
ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING ADOPTION OF THE 2017 COMBINED MAINTENANCE AND OPERATION AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF PROPOSED TAX RATE EXCEEDS THE ROLLBACK RATE OR THE EFFECTIVE TAX RATE (WHICHEVER IS LOWER), A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA OF A FUTURE COUNCIL MEETING. IF MOTION PASSES, COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME AND PLACE OF TWO (2) PUBLIC HEARINGS REGARDING THE PROPOSED TAX RATE.

Mr. Hinson stated that during the August 1, 2017 meeting, the Council's consensus was to set the tax rate at $0.7260 cents per $100 valuation. He stated that a record vote is required to publish in the August 17 newspaper publication and two public hearings will be held on the proposed tax rate. There was discussion. City Manager Rodgers explained that the additional $72,640 in General Fund revenue had been placed in Street Maintenance, but that Council has the authority to reallocate the funds by a budget amendment if chosen to do so in the future.

Mayor White made a motion to set the 2017 property tax rate at $0.7260 cents per $100 valuation. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

The record vote is as follows:

Councilmember Brad Westmoreland – yes
Councilmember Juan Mendoza – yes
Mayor Pro-Tem Angie Gonzales-Sanchez – yes
Mayor Lew White - yes
Councilmember Benny Hilburn - yes
Councilmember John Castillo - yes
Councilmember Jeffry Michelson - yes

Mr. Hinson announced that public hearings will be held on September 5, 2017 at 7:30 p.m. and September 19, 2017 at 7:30 p.m. in the Council Chambers located at the Clark Library Annex-Council Chambers, 217 South Main Street, 3rd Floor, Lockhart, Texas.

Mayor Pro-Tem Sanchez made a motion to approve the public hearings to be held on September 5, 2017 at 7:30 p.m. and September 19, 2017 at 7:30 p.m. in the Council Chambers located at the Clark Library Annex-Council Chambers, 217 South Main Street, 3rd Floor, Lockhart, Texas. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER NAMING AN INDIVIDUAL AS THE CITY OF LOCKHART'S NOMINEE TO FILL A VACANT POSITION TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT.

Councilmember Hilburn made a motion to table the item until the September 5, 2017 Council meeting. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

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

Mayor White requested appointments to various boards, commissions or committees. There were none.
ITEM 5-E. PRESENTATION, DISCUSSION AND/OR ACTION REGARDING FISCAL YEAR 2017-2018 PROPOSED BUDGET, TAX RATE AND RELATED INFORMATION.
There was no discussion.

ITEM 5-F. DISCUSSION AND/OR ACTION REGARDING MAINTENANCE, OPERATIONAL AND CAPITAL BUDGETS AND FUNDING POSSIBILITIES.
There was no discussion. City Manager Rodgers again reminded Council that the additional $72,640 in General Fund revenue had been placed in Street Maintenance, but that Council has the authority to reallocate the funds by a budget amendment if chosen to do so in the future.

ITEM 5-G. DISCUSSION AND/OR ACTION REGARDING BUDGET AND TAX RATE ADOPTION CALENDAR, IF NECESSARY.
There was no discussion.

ITEM 6. CITY MANAGER’S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.
- Update: Work has begun by Smith Contracting on Ash, Comal, Pine Street drainage project putting in storm water system first.
- Update: Work has begun by Evans Constructions installation of the large wastewater main along the north side of the railroad tracks near SH 130, north of SH 142.
- Update: Design/engineering work for the Jason K. LaFleur Sports Complex parking and field lighting is complete; City crew will do much of the parking lot work.
- Update: Utility Customer Service has 1 employee out due to health issue and retirement of Ms. Nancy Tamayo; other personnel filling in; patience is respectfully requested.
- Update: Preparation for the Diez Y Seis Celebration underway.
- Reminder: Movies in the Park
  August 12, Finding Dory
  Sept 23, The Jungle Book (rescheduled from July rainout)
- Announcement: Last day pool open was Sunday, Aug 13.
- Commend: Library Director Bertha Martinez and staff along with all the volunteers involved with the 2017 Summer Reading Program.

ITEM 7. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.
Councilmember Westmoreland thanked city staff for conducting in-house work on city projects, which saves the city money.

Councilmember Mendoza thanked the Lifeguards for their service this summer. He stated that tomorrow is the first day of school and reminded everyone to be safe.

Mayor Pro-Tem Sanchez wished students good luck for a successful school year. She wished the Lockhart Lion football teams luck this year.

Councilmember Castillo wished the 2017-2018 teachers and students luck this year. He congratulated the City Manager and his wife for their 50th Anniversary and he wished his father a Happy 82nd Birthday. He expressed get well wishes to employees that are out ill and he thanked staff for covering to keep the utility department operational.
Councilmember Michelson wished students good luck this school year. He thanked staff for street work.

Mayor White wished students good luck this school year.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE 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. - Discussion regarding the City Manager's evaluation.

Mayor White announced that the Council would enter Executive Session at 8:05 p.m.

ITEM 9. OPEN SESSION - Discussion and/or action regarding the City Manager’s evaluation.

Mayor White announced that the Council would enter Open Session at 8:50 p.m.

Mayor Pro-Tem Sanchez made a motion to approve the 3% wage increase as proposed in the Fiscal Year 2017-2018 budget. Councilmember Hilburn seconded. The motion carried 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 8:51 p.m.

PASSED and APPROVED this the 5th day of September 2017.

CITY OF LOCKHART

[Signature]
Lew White, Mayor

ATTEST:

[Signature]
Connie Constancio, TRMC
City Secretary

CITY OF LOCKHART,
TEXAS