

**LOCKHART CITY COUNCIL
REGULAR MEETING**

FEBRUARY 7, 2017

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 Benny Hilburn
Councilmember Brad Westmoreland

Staff present:

Vance Rodgers, City Manager
Peter Gruning, City Attorney
Rob Tobias, Economic Development Director

Connie Constancio, City Secretary
Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: Adriana Cruz of the Greater San Marcos Partnership; Harry Savio of Walton Texas, LP; Coyle Buhler, Joel Gammage, Joseph Rodriguez, Daniel Therrien, and Dustin Little, Citizens.

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:

PRESENTATION ONLY

A. PRESENTATION OF A PROCLAMATION DECLARING FEBRUARY 2017 AS “DATING VIOLENCE AWARENESS AND PREVENTION MONTH”.

Mayor White presented the proclamation to Representatives of the Hays-Caldwell Women’s Center.

DISCUSSION ONLY

A. DISCUSSION WITH AND UPDATE BY THE GREATER SAN MARCOS PARTNERSHIP (GSMP) ABOUT THE BENEFITS THAT THE CITY OF LOCKHART RECEIVES AS A MEMBER.

Adriana Cruz of the GSMP provided information about how their organization benefits the City of Lockhart by promoting tourism and assisting with new business recruitment and employment opportunities.

E. DISCUSS ORDINANCE 2017-03 AMENDING CHAPTER 28 “HISTORIC DISTRICTS AND LANDMARKS” OF THE CODE OF ORDINANCES, SECTION 28-20 “TAX ABATEMENT FOR PRESERVATION OF HISTORIC PROPERTIES”, SECTION 28-21 “GENERAL CRITERIA AND GUIDELINES OF TAX ABATEMENT PROGRAM”; AND SECTION 28-23 “CERTIFICATION FOR TAX ABATEMENT”.

Mr. Gibson stated that the Historical Preservation Commission (LHPC) proposed amendments to sections of Chapter 28 that pertain to the current tax abatement program. These changes are primarily minor tweaks improving and clarifying the wording to better reflect the intent of the affected provisions. The only substantive change is in Section 28-23, where the phrase “prior to start of work” was removed. Coyle Buhler, who is a former Chair but not currently on the Commission, provided recommendations to the Commission which are reflected in the amendments. Mr. Gibson stated that the LHPC and staff recommend approval. There was discussion.

Mayor White requested the following to address the Council:

Coyle Buhler, 1000 Magnolia, explained that the current historic district tax abatement ordinance requires that historic district owners apply for the tax abatement prior to beginning renovations. The proposed amendment would make the tax abatement process easier for property owners to allow them to begin renovations prior to applying and/or requesting Council to consider a tax abatement.

There was discussion.

B. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF JANUARY 17, 2017.

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

C. DISCUSS RESOLUTION 2017-03 AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Mr. Rodgers stated that the grant is for \$300,000 and would be to continue a treated water transmission line from the Lockhart Water Plant to near Serta Manufacturing Plant on Blackjack. If approved by the Council and if the grant is awarded, the local match of \$80,000 will come from the utility funds. Mr. Rodgers recommended approval.

D. DISCUSS SELLING LOCKHART FIRE UNITS 2006 F-550 RESCUE TRUCK AND 1995 ENGINE-3 USING THE PUBLIC NOTICE PROCESS TO RECEIVE BIDS.

Chief Gorman stated that the Lockhart Fire Department currently has four Fire Engines, one is used daily and the other three are in reserve units. One of the reserve engines is used as a backup for our daily engine. Two of the reserve units were staffed with Reserve Firefighters to respond to fires in the county and in Lockhart. Due to growth of county volunteer fire departments and the number of Lockhart Reserve Firefighters leaving in 1997-1998, the Lockhart membership was reduced from approximately 20 to 6. Other changes further reduced the number and only two Reserve Firefighters remain; Mr. and Mrs. Tiner.

Fire Engines have approximate use expectancy as primary units for 15 years and as reserve units for 5-10 years depending on maintenance and usage. This is an opportunity for Lockhart to sell units that are still functional, maintainable, and that can add value to a fire department's capabilities at a reasonable price. Both units should bring in around \$50,000. Volunteer departments respond to help the City of Lockhart, if requested.

The Rescue 2006 Ford 550 is in reserve and no longer meets customer and the Lockhart Fire Department's needs with 74% of all Lockhart responses being EMS. It has been replaced with a Ford 350 that provides better and more economical service to our citizens. These units have served Lockhart well but to let them sit idle and continue to incur maintenance costs and lose selling value would not be prudent. Staff has received several inquiries from several Caldwell County Volunteer Fire Departments interested in the two vehicles.

If approved by Council, and after required advertisement, staff intends to provide all interested parties specifications, photos, vendors' estimated values, and to accept offers from buyers with the City Manager approving the final sale.

There was discussion.

F. DISCUSS THE CALDWELL VALLEY DEVELOPMENT AGREEMENT PROPOSED BY WALTON TEXAS, LP, AND AUTHORIZE THE MAYOR TO SIGN THE DOCUMENT.

Mr. Gibson stated that the Walton Texas, LP is proposing a very large development northwest of Lockhart, extending all the way to Uhlend. Of the approximately 3,536 acres in the "Lockhart section" of the development, only 150 acres are in the Lockhart Extraterritorial Jurisdiction (ETJ), west of FM 2720. Even though only a very small portion is in our ETJ, it's necessary to have an agreement as to the respective rights and responsibilities of the developer and the City in that area. In this case, because the vast majority of the development is in Caldwell County, outside our ETJ, the City is deferring to the County for administration and enforcement of subdivision platting and standards so that it can be consistent for the entire development. The development agreement, which is to be signed by the Mayor, has an attachment Exhibit A, which is a Concept Plan of the "Lockhart Section" consisting of approximately 427 acres. In addition, a separate Memorandum of Agreement is attached as Exhibit B and also requires the Mayor's signature, if approved by the Council. Because Caldwell Valley is proposed to be developed through the use of Municipal Utility Districts, they are required by law to obtain the City's consent for the small portion within our ETJ. Mr. Gibson recommended approval.

Harry Savio of Walton Texas, LP provided information about the proposed development and requested approval. There was discussion.

G. DISCUSS RESOLUTION 2017-04 REQUESTED BY WALTON, LP FOR CONSENT TO ANNEX LAND WITHIN THE LOCKHART EXTRATERRITORIAL JURISDICTION INTO ONE OR MORE MUNICIPAL UTILITY DISTRICTS FOR THE PROPOSED CALDWELL VALLEY DEVELOPMENT.

Mr. Gibson stated that in addition to obtaining approval of the development agreement in the previous agenda item, Walton Texas, LP is also required by law to obtain the City's consent for a small portion of our ETJ to be annexed in to one or more Municipal Utility Districts. Mr. Gibson recommended approval. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:35 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 7:55 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation – Councilmember Benny Hilburn.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested citizens to address the Council.

Joel Gammage, 916 South Main, thanked the Council and staff for their support and assistance with the very successful 4th Annual Hot Rod Car Show. He provided brief details about several positive outcomes from the event that would benefit promoting tourism to Lockhart.

Joseph Rodriguez, 750 Silent Valley Road, expressed positive comments about the car show and spoke in favor of it continuing for years to come.

Daniel Therrien, Manager of Advanced Auto Parts, spoke in favor of the car show and thanked the Council for allowing the event to be held in Lockhart.

Dustin Little, Classic Car Innovations, 204 Acorn Road, spoke in favor of the car show and thanked the Council for allowing the event to continue in Lockhart.

ITEM 4. CONSENT AGENDA.

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

The following are the consent agenda items that were approved:

4A: Approve minutes of the City Council meeting of January 17, 2017.

4B: Approve Resolution 2017-03 authorizing the submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the Mayor to act as the City's Executive Officer and authorized Representative in all matters pertaining to the City's participation in the Community Development Block Grant Program.

4C: Approve selling Lockhart Fire Units 2006 F-550 Rescue Truck and 1995 Engine-3 using the public notice process to receive bids.

4D: Approve Ordinance 2017-03 amending Chapter 28 "Historic Districts and Landmarks" of the Code of Ordinances, Section 28-20 "Tax abatement for preservation of historic properties", Section 28-21 "General criteria and guidelines of tax abatement program"; and Section 28-23 "Certification for tax abatement".

ITEM 5-A. DISCUSSION AND/OR ACTION TO APPROVE THE CALDWELL VALLEY DEVELOPMENT AGREEMENT PROPOSED BY WALTON TEXAS, LP, AND AUTHORIZE THE MAYOR TO SIGN THE DOCUMENT.

Mayor White announced that the presentation was made during the work session.

Mayor Pro-Tem Sanchez made a motion to approve the Caldwell Valley Development Agreement Proposed by Walton Texas, LP, and authorize the Mayor to sign the document. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION AND/OR ACTION TO APPROVE RESOLUTION 2017-04 REQUESTED BY WALTON, LP FOR CONSENT TO ANNEX LAND WITHIN THE LOCKHART EXTRATERRITORIAL JURISDICTION INTO ONE OR MORE MUNICIPAL UTILITY DISTRICTS FOR THE PROPOSED CALDWELL VALLEY DEVELOPMENT.

Mayor White announced that the presentation was made during the work session.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2017-04, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 5-C. 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 6. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Update: US Hwy 183 expansion project, Blackjack to Wal-Mart; the last design puts all drainage waters on the west side until it gets down to the ditch between Smith Supply and Walmart.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds and other work about 95% complete; patching and paving of streets should be completed within the next 30 days, weather-permitting.
- Update: E. Walnut Street Neighborhood Drainage Project, utility clearance work almost completed; still waiting on telephone clearances; contractor has started pipe work.
- Update: Bid advertisements for the Ash, Comal, and Pine Street Drainage Project are planned this month; utility clearances by the gas company are pending. We will wait on bidding out to conflict with City crews working on water/sewer clearances; a neighborhood meeting will be set up after the bidding but before the project starts.
- Report: Lockhart Chamber of Commerce Annual Banquet held Saturday, January 28, at Embassy Suites in San Marcos.
- Report: Hot Rods and Hatters Car Show Event.
- Report: Black Heritage Banquet held Saturday, Feb 4 at the Fountains.
- Reminder: Annual Progressive Club Event, Saturday, February 18, 2017, at the Lions Club.

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

Councilmember Westmoreland thanked all involved with the successful hot rod car show.

Councilmember Mendoza thanked all involved with the successful hot rod car show.

Mayor Pro-Tem Sanchez expressed condolences to the families of Les Harrison, Catalina Eureste and Katie Navarro for their loss. She thanked all involved with the successful car show. She congratulated the successful banquet commemorating Black History month and she wished the Lockhart High School baseball team luck this year. She also congratulated the individuals/businesses that received awards at the Lockhart Chamber of Commerce banquet.

Councilmember Hilburn thanked all involved with the successful car show. He thanked citizens for their patience with street closures during the Highway 183 expansion project.

Councilmember Castillo expressed condolences to the Harrison, Eureste and Navarro families for their loss. He thanked all involved with the car show and commended city staff for working hard with the preparation and dismantling of the event. Good luck to the High School students with upcoming spring sporting events.

Councilmember Michelson congratulated all that received awards at Lockhart Chamber of Commerce banquet. He thanked all involved with the successful hot rod car show.

Mayor White thanked the Lockhart Chamber for a successful annual banquet. He thanked all involved with the successful hot rod car show and thanked the businesses for their hospitality and for cooperating with the public and city staff to help make the event a success for the community and for local businesses. Habitat for Humanity annual fundraising dinner will be held on Saturday, February 11 at the Maxwell Social Club. He announced that a ribbon cutting and grand opening of the new Seafood and Steak House will be held tomorrow.

ITEM 8. 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 8:25 p.m.

PASSED and APPROVED this the 21st day of February 2017.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

