

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**JULY 18, 2017**

**6:30 P.M.**

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3<sup>rd</sup>  
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  
Erin Westmoreland, Municipal Court Manager  
Ernest Pedraza, Police Chief  
Emma Rocha, Utility Billing Manager  
Lee Weatherford, Public Works Director

Connie Constancio, City Secretary  
Dan Gibson, City Planner  
Jerry Doyle, Interim Fire Chief  
Bobby Leos, Electric Superintendent  
Sean Kelley, Water/Wastewater Superintendent

**Citizens/Visitors Addressing the Council:** Rose Dunn-Turner of Caldwell County Christian Ministries;  
Frank Coggins, Citizen; and, Bradley Wayne of Halff Associates.

**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:

**DISCUSSION ONLY**

**A. PRESENTATION BY AND DISCUSSION WITH THE NONPROFIT ORGANIZATION, CALDWELL COUNTY CHRISTIAN MINISTRIES, REQUESTING A CONTRIBUTION FROM THE CITY FOR THE FISCAL YEAR 2017-2018 BUDGET.**

Mayor White requested a Representative of the Caldwell County Christian Ministries to address the Council. Mr. Hinson replied that the Representative was notified yet she was not present at this time.

**B. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF JULY 6, 2017.**

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

**C. DISCUSS 3<sup>RD</sup> QUARTER FISCAL YEAR 2017 INVESTMENT REPORT.**

Mr. Hinson provided information and there was discussion regarding the following for the quarter ending June 30, 2017:

- Quarterly Investment Report
- Investment Portfolio Summary
- Cash Accounts
- Marketable Securities Transaction Summary
- Investment Pool Transactions Summary
- Certificates of Deposit Transaction Summary
- Investment Pools
- Bank of the Ozarks Collateralization

**A. PRESENTATION BY AND DISCUSSION WITH THE NONPROFIT ORGANIZATION, CALDWELL COUNTY CHRISTIAN MINISTRIES (CCCM) REQUESTING A CONTRIBUTION FROM THE CITY FOR THE FISCAL YEAR 2017-2018 BUDGET.**

Rose Dunn-Turner provided information about how their organization provides food to needy citizens. She stated that if the CCCM chooses to continue to be a partner of the Central Texas Food Bank (CTFB), their new policy as of January 2018 would require the CCCM to distribute food to anyone in need at least once per month per family. The CCCM would not be able to limit the food distribution to Caldwell County residents as it currently practices. She stated that the CCCM is requesting a contribution in the amount of \$3,044.36. There was discussion.

**D. DISCUSS REQUEST BY MS. KAREN SCOTT OF 607 GARCIA STREET FOR THE CITY TO VACATE A SMALL PORTION (.009 ACRES OF 392 SQUARE FEET) OF THE NORTHERLY EDGE OF GARCIA STREET IN WHICH PART OF HER FRONT PORCH IS LOCATED SO THAT SHE CAN CONSTRUCT A HANDICAP WHEELCHAIR RAMP.**

Mr. Rodgers stated that Karen Scott of 607 Garcia Street requests that .009 acres of 392 square feet of the north right of way of Garcia Street in front of her home be vacated. The reasons for her request include: 1) her front porch is in the right of way by 2.4 feet now; 2) she cannot add a handicap ramp to her home except on the front porch; and, 3) the 392 square feet if vacated does not alter the current Garcia Street use. The value of the 392 square feet is 88.6 cents per square foot based on Caldwell County Appraisal District records making the value of the 392 square feet of adjacent right of way \$347.37, which will be paid to the City if her request is granted. If vacating the right of way is approved, staff will return with an Ordinance vacating it. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 6:56 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 - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

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

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

**ITEM 4. PRESENTATION BY AND DISCUSSION WITH THE NONPROFIT ORGANIZATION, CALDWELL COUNTY CHRISTIAN MINISTRIES, REQUESTING A CONTRIBUTION FROM THE CITY FOR THE FISCAL YEAR 2017-2018 BUDGET.**

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

**ITEM 5-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-17-12 BY WILLIAM FRANK COGGINS FOR A ZONING CHANGE FROM CLB COMMERCIAL LIGHT BUSINESS DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT FOR 0.449 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 813 SOUTH BRAZOS STREET.**

Mayor White opened the public hearing at 7:33 p.m. and requested the staff report.

Mr. Gibson stated that the existing residential use of the subject site is nonconforming in its current commercial zoning district classification. The applicant is in the process of selling the property, but the buyer's condition of the purchase is that the nonconformity be eliminated by rezoning to a residential classification. The subject property abuts RMD zoning on two sides, so rezoning to RMD would simply expand the existing RMD district boundary. Because the single-family residential use, which has existed for many years on the site, is not proposed to change, the zoning change would not cause an adverse impact. In fact, if the property is not rezoned, replacement of the dwelling with a commercial use would be allowed and would likely have more of an impact. The Lockhart 2020 Future Land Use Plan map envisioned the entire block being commercial, so the required RMD zoning is not consistent with the Light-Medium Commercial future land use designation. However, much of the east half of the block still contains single-family homes, so the site has more in common with the well-established residential neighborhood than it does with the commercial uses behind it that face Colorado Street. No opposition has been expressed, and one letter of support was received. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Frank Coggins, 813 South Brazos spoke in favor of the zoning change and requested approval.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 7:40 p.m.

**ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2017-18 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 0.449 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 813 SOUTH BRAZOS STREET, FROM CLB COMMERCIAL LIGHT BUSINESS DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2017-18, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

**ITEM 5-C. HOLD PUBLIC HEARING ON APPLICATION ZC-17-13 BY HALFF ASSOCIATES ON BEHALF OF HIGH RUSTLER VENTURES, LLC. FOR A ZONING CHANGE FROM RHD RESIDENTIAL HIGH DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT FOR 1.814 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 2111 WEST SAN ANTONIO STREET (SH 142).**

Mayor White opened the public hearing at 7:41 p.m. and requested the staff report.

Mr. Gibson stated that in April 2016, the subject property, along with the remainder of a larger tract of over 18 acres, was rezoned from AO Agricultural-Open Space District to RHD Residential High Density District. The plan at that time was for the entire tract to be occupied by multifamily or other types of housing that required RHD zoning. The plans have changed and, as shown on the preliminary plat recently approved by the Commission, the subject property is now proposed to be a separate lot fronting on San Antonio Street. The property does not directly abut existing commercial zoning, but the property directly across on the south side of San Antonio Street is already zoned CMB and, because zoning boundaries are mapped to the center of street rights-of-way, the result of this rezoning would be an expansion of the existing area zoned CMB. The adjacent property to the north is under the same ownership and will remain zoned RHD, which is the most intense of the residential districts and is relatively compatible in terms of zoning district transition. The Lockhart 2020 Future Land Use Plan map envisions the east half of the subject property being Medium Density Residential, and the west half of the property being High Density Residential. Either way, the current RHD zoning is more consistent with the land use plan map than the proposed CMB zoning. However, because the site is at the intersection of an arterial street and future collector street, it might be considered an appropriate location for a small commercial node. No opposition has been expressed. Mr. Gibson stated that staff recommended approval, and the Planning and Zoning Commission voted 5-1 to recommend approval.

Mayor White requested the applicant to address the Council.

Bradley Wayne of Halff & Associates offered to answer additional questions and requested approval.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 7:50 p.m.

**ITEM 5-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2017-19 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 1.814 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 2111 WEST SAN ANTONIO STREET (SH 142), FROM RHD RESIDENTIAL HIGH DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2017-19, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

**ITEM 6. CONSENT AGENDA**

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 6A, 6B, and 6C. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 6A: Approve minutes of the City Council meeting of July 6, 2017.
- 6B: Accept 3<sup>rd</sup> Quarter Fiscal Year 2017 Investment Report.
- 6C: Approve request by Ms. Karen Scott of 607 Garcia Street for the City to vacate a small portion (.009 acres of 392 square feet) of the northerly edge of Garcia Street in which part of her front porch is located so that she can construct a handicap wheelchair ramp.

**ITEM 7-A. 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 7-B. DISCUSSION AND/OR ACTION AFTER PRESENTATION OF THE PROPOSED FISCAL YEAR 2017-2018 BUDGET WORK DOCUMENTS.**

Mr. Rodgers provided information and there was discussion regarding the following:

Municipal Court

Increase for warrant services and to add janitorial services. Previous Court Manager with a long tenure is no longer with the city which decreased personnel benefits.

Fire

Increase in personnel benefits and for structure repairs and vehicle maintenance.

Communications

Increase in personnel benefits and to install bullet proof glass at the dispatch window.

Police

Increases to consider the following:

- New vehicles
- Drug Dog
- Create full-time Victim Assistance Coordinator position
- Update ticket license software, writer and printers
- Update iPad - computers and mounts
- Camera and accessories
- Training for officers
- Add one additional School Resource Officer to the Junior High School

Utility Billing

Increase in personnel benefits, postage and to purchase a new truck.

Electric Distribution

Increase to consider the following:

- Hire an employee dedicated to tree trimming along electric utility lines throughout the year
- New storage shed
- Rebuild electric main line on Main Street from Prairie Lea to Bee Street
- Replace equipment
- New digger truck and used forklift

Water Distribution

Increase for new truck and MXU meter reading units. Water main replacement work and a new backhoe will be paid out of the 2015 Certificates of Obligation funds.

Water Treatment

Mr. Rodgers stated that the Guadalupe-Blanco River Authority will present their budget for the Water and Wastewater Treatment Plant budgets during the July 27 budget workshop.

Wastewater Collection

Increase to perform wastewater main replacement projects in-house throughout the city which will include materials and equipment.

Solid Waste

Increase in contract fee to Central Texas Refuse in the amount of 3.5% for hand and bin collections.

There was clarification that the allocations to non-profit organizations would be considered by the Council during the July 27, 2017 meeting.

**ITEM 7-C. DISCUSSION AND/OR ACTION REGARDING SYNOPSIS OF PROPOSED GENERAL FUND DEPARTMENT BUDGETS AND PROPOSED FUNDING SCENARIOS.**

There was no discussion.

**ITEM 7-D. DISCUSSION AND/OR ACTION REGARDING SYNOPSIS OF PROPOSED ELECTRIC, WATER, WASTEWATER, SOLID WASTE, EMERGENCY MEDICAL SERVICES, AND AIRPORT BUDGETS AND PROPOSED FUNDING SCENARIOS.**

There was no discussion.

**ITEM 7-E. DISCUSSION AND/OR ACTION REGARDING BUDGET AND TAX RATE ADOPTION CALENDAR, IF NECESSARY.**

There was no discussion.

**ITEM 8. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.**

- Update: US Hwy 183 expansion project, Blackjack to Wal-Mart; final paving complete striping; finishing up sidewalks, clean-up and correcting some drainage issues.
- Reminder: US 183 Ribbon Cutting, Wednesday July 26, 10 am at Lions Park.
- Update: Work will begin soon by Smith Contracting on Ash, Comal, Pine Street drainage project; notices to residents provided.
- Update: Work will begin soon 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.
- Reminder: Movies in the Park
  - July 15, "The Jungle Book" will be rescheduled because it was rained out.
  - August 12, "Finding Dory"
- Reminder: Next budget workshop meeting Thursday, July 27 starting at 6:30 pm. Please send me questions or concerns about the budget.
- Announcement: Still taking City Pool Lifeguard Applications.
- Announcement: Ms. Pam Larison has started as Comptroller replacing Ms. Stephanie House. She lives between Lockhart and Luling and has previously worked for the City of Gonzales.

**ITEM 9. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.**

Councilmember Mendoza thanked Library staff and the Friends of the Library for a successful 116<sup>th</sup> Anniversary celebration of the Dr. Eugene Clark Library.

Mayor Pro-Tem Sanchez expressed condolences to the family of Geraldine Ohlendorf for their loss. She invited everyone to the Annual Jamaica at St. Mary's Catholic Church the weekend of July 29.

Councilmember Hilburn expressed condolences to Ohlendorf family for their loss.

Councilmember Castillo thanked the Wastewater department for working throughout the night to perform necessary repairs.

Mayor White expressed condolences to Ohlendorf family for their loss. He reported that the Downtown Redevelopment committee met and they have set a meeting with TXDOT on September 20, 2017 to discuss how TXDOT will work with the city on downtown improvements. He thanked city staff for their work on the proposed budget.

**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 9:05 p.m.

PASSED and APPROVED this the 1<sup>st</sup> day of August 2017.

CITY OF LOCKHART



*Paul White*  
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Paul White, Mayor

ATTEST:

*Connie Constancio*  
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Connie Constancio, TRMC  
City Secretary