

**LOCKHART CITY COUNCIL
REGULAR MEETING**

NOVEMBER 21, 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 Brad Westmoreland

Mayor Lew White
Councilmember John Castillo
Councilmember Jeffry Michelson

Council absent:

Councilmember Kara McGregor

Staff present:

Vance Rodgers, City Manager
Peter Gruning, City Attorney

Connie Constancio, City Secretary
Jeff Hinson, Finance Director

Citizens/Visitors Addressing the Council: Coyle Buhler, Chair of the Caldwell County Historical Commission; David Schneider, Director of the Gaslight-Baker Theatre; Connie Mendoza, President of the Greater Caldwell County Hispanic Chamber of Commerce; Rebecca Pulliam, Interim President of the Lockhart Chamber of Commerce; Joel Gammage of Hat Rod Productions; Harry Hilgers, Jodie King and Benny Bock, members of the Friends of the Cemeteries; and Judge Fred Moore.

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 ENTITIES REQUESTING HOTEL OCCUPANCY TAX FOR FISCAL YEAR 2017-2018.

Mayor White stated that the presentations would be made during this meeting and that consideration of allocating hotel occupancy tax funds would be conducted during the first meeting in December 2017.

Mr. Hinson stated that the Comptroller of Public Accounts now requires governmental entities to complete a form of transparency to display on the city's website that reflects how hotel occupancy taxes are spent. Hotel occupancy taxes can be allocated towards promotional efforts that advertise and promote tourists from outside of Caldwell County to visit Lockhart and to stay in hotels.

Mayor White requested the following to make their presentation:

CALDWELL COUNTY MUSEUM (CCM)

Coyle Buhler, Chairman of the Caldwell County Historical Commission, provided information about how the CCM promotes tourism to Lockhart. Visitors from all over the world come to Lockhart to tour the museum. He stated that the CCM is requesting hotel/motel funds in the amount of 3.7% or \$4,000.

GASLIGHT/BAKER THEATRE (GBT)

David Schneider of the GBT provided information about how the GBT promotes tourism to Lockhart. He stated that the GBT is a live theatre venue that brings tourists from outside of Lockhart to see their shows. He stated that the GBT is requesting hotel/motel funds in the amount of \$13.8% or \$12,000, whichever is less.

GREATER CALDWELL COUNTY HISPANIC CHAMBER OF COMMERCE (HCC)

Connie Mendoza, President of the HCC provided information about how the HCC promotes tourism to Lockhart. They have several events throughout the year that they advertise to promote tourists to visit and stay in Lockhart hotels. The events that the HCC host bring tourists from all over Texas and surrounding states. The HCC is requesting hotel occupancy funds in the amount of \$59,800.

LOCKHART CHAMBER OF COMMERCE (LCC)

Rebecca Pulliam, Interim President of the LCC provided information about how the LCC promotes tourism to Lockhart. The LCC hosts several events throughout the year that promote tourists to visit and stay in Lockhart hotels. The LCC is requesting hotel occupancy funds in the amount of \$35,000.

HAT ROD PRODUCTIONS (HRP)

Joel Gammage of HRP provided information about how the annual car show promotes tourism from visitors all over the country. The car show has grown from a few cars to now a few hundred cars. The HRP is requesting hotel occupancy funds in the amount of \$20,000.

B. DISCUSS AFTER PRESENTATION BY FRIENDS OF THE LOCKHART CEMETERIES REPRESENTATIVES REGARDING A PROPOSED INSTALLATION OF A WALL OF REMEMBRANCE AND ETERNAL FOUNTAIN WITH SEATING IN THE LOCKHART MEMORIAL CEMETERY AT NO COST TO THE CITY.

Mr. Rodgers stated that Harry Hilgers with Friends of the Lockhart Cemeteries has proposed the installation of a wall of remembrance and eternal fountain with seating in the Lockhart Memorial Cemetery at no cost to the City. He invited Mr. Hilgers to address the Council to provide information about the project.

Harry Hilgers of Friends of the Lockhart Cemeteries provided information about the wall of remembrance and eternal fountain with seating that will be installed at no cost to the city. He provided details about where the wall and fountain would be located and the many tasks that the Friends have accomplished to assist in keeping the cemetery clean and safe.

Jodie King, member of the Friends of the Lockhart Cemeteries stated that the city has the opportunity to accept a gift of a wall of remembrance and eternal fountain with seating that will be built with funds donated by Bobby Schmidt. She has generations of family located at the Lockhart Cemetery and she thanked the City of Lockhart for maintaining it. She stated that she believes that the wall and fountain would add a place of beauty at the Lockhart Cemetery. She encouraged the Council to accept the gift.

Benny Bock of Friends of the Lockhart Cemeteries stated that the cemetery tells a lot of history about Lockhart and that he too has generations of family at the Lockhart Cemetery. He stated that the gift of the wall of remembrance and eternal fountain would be an asset to the community. He encouraged the Council to accept the gift.

There was discussion regarding future maintenance and repairs for vandalism if the City accepts the gift. Mr. Rodgers stated that staff would consult with the Friends about the issue.

There was also discussion regarding the size of the wall and fountain. Mr. Hilgers replied that he did not have specifications at this time, yet he would begin working on those details soon.

RECESS: Mayor White announced that the Council would recess for a break at 7:40 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 – Mayor Lew White

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 8-A. COUNCIL ACTION REGARDING NOVEMBER 7, 2017 GENERAL ELECTION - Administer Oath of Office to Lew White as Mayor of the City of Lockhart.

Judge Fred Moore administered the Oath of Office to Lew White as Mayor of the City of Lockhart.

ITEM 4. CONSENT AGENDA.

Mayor White announced that the consent agenda items would be considered separately because they were not discussed during the work session.

ITEM 4-A. APPROVE AFTER PRESENTATION BY FRIENDS OF THE LOCKHART CEMETERIES REPRESENTATIVES REGARDING A PROPOSED INSTALLATION OF A WALL OF REMEMBRANCE AND ETERNAL FOUNTAIN WITH SEATING IN THE LOCKHART MEMORIAL CEMETERY AT NO COST TO THE CITY.

There was additional discussion regarding the questions regarding maintenance, vandalism and weatherization efforts.

Councilmember Castillo made a motion to table the item to the first meeting in December 2017. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 4-B. APPROVE RESOLUTION 2017-17 APPROVING THE PROPERTY TAX APPRAISAL ROLL, WITH TAX AMOUNTS, PRESENTED BY THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2017 TAX YEAR, PURSUANT TO TEXAS TAX CODE, SECTION 26.09.

Mr. Hinson stated that Section 26.09 of the Property Tax Code requires the City Council to approve the City of Lockhart's appraisal roll with tax amounts as entered by the tax assessor. The City of Lockhart's appraisal roll with amounts totals \$4,295,179.62 for the year 2017.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2017-17 approving the property tax appraisal roll with tax amounts for the year 2017 tax year as presented by the Caldwell County Appraisal District. Councilmember Mendoza seconded. The motion carried by a vote of 6-0.

ITEM 4-C. APPROVE ANNUAL AUDIT OF CHAPTER 59 ASSET FORFEITURE FUNDS OF THE LOCKHART POLICE DEPARTMENT REVIEWED AND RESULTS REPORTED TO THE TEXAS ATTORNEY GENERAL.

Mr. Hinson stated that any law enforcement agency that has the authority to receive property forfeited under Chapter 59 of the Code of Criminal Procedure is required to file an annual asset forfeiture reporting form with the Office of the Attorney General. The statutory definition of law enforcement agency includes any agency that has the authority to hire peace officers and receive property. Included in that description is the Lockhart Police Department. The report must account for every seizure, forfeiture, receipt, and specific expenditure of all proceeds in an annual audit. There was discussion.

Mayor Pro-Tem Sanchez made a motion to authorize the annual Chapter 59 Asset Forfeiture Funds of the Lockhart Police Department to be reported to the Texas Attorney General, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 4-D. APPROVE RECOMMENDATION BY CITY MANAGER TO USE \$300,000 FROM THE INDUSTRIAL FUND ACCOUNT TO SUPPLEMENT FUNDING FROM THE DEVELOPER, LOCKHART ECONOMIC DEVELOPMENT CORPORATION, ROAD IMPACT FEE, AND CERTIFICATES OF OBLIGATION FUNDS TO CONSTRUCT A FULL WIDTH REALIGNMENT OF CITY LINE ROAD BETWEEN BORCHERT ROAD AND SH 142 (SAN ANTONIO STREET).

Mr. Rodgers stated that the Lockhart Industrial Park at East Martin Luther King, Jr. Industrial Blvd. funds from the sale of lots has a balance of \$317,000 and all improvements are in place on the street. In order to construct the realignment of City Line Road between Borchert Road and SH 142 at a full width with two lanes each direction and a turn lane, it is requested that \$300,000 of the balance be used to supplement other funding sources from the developer, Lockhart Economic Development Corporation, Road Impact Fees and Certificates of Obligation funds. The estimate to construct the roadway at full width is \$992,904. This road would be a major attractive improvement to Lockhart's western entry corridor and would encourage more development in the western portion of the city especially with the forthcoming construction of the Lockhart Emergency Care Center, which will be visible from SH 130 and SH 142. There was discussion.

Councilmember Michelson made a motion to approve the use of \$300,000 from the Industrial Fund account to supplement funding from the developer, Lockhart Economic Development Corporation, Road Impact Fee, and Certificates of Obligation funds to construct a full width realignment of City Line Road between Borchert Road and SH 142 (San Antonio Street). Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-E. APPROVE ORDINANCE 2017-44 AMENDING CHAPTER 22, FLOODS, SECTION 22-130, STORMWATER RUNOFF DESIGN SPECIFICATIONS, TO INCLUDE ENGINEERING DESIGN FREQUENCIES OF 2, 10, 25, AND 100 YEAR EVENTS AND REQUIRING A ONE FOOT FREE BOARD FOR ALL DETENTION PONDS ALL OF WHICH WILL BETTER CONTROL DETENTION POND STORMWATER RELEASES.

Mr. Rodgers stated that the current ordinance only requires consideration of engineering design frequencies of 100 years. To better control detention pond storm water releases, design frequencies need to include 2, 10, 25 and 100 year events and requiring a one foot free board for detention ponds unless otherwise approved by the City Engineer. The smaller storm events now are not detained as they should be. This change will make the detention ponds more effective by better protecting those properties downstream. The City Engineer, Charles Scheler and the City Manager recommend approval.

Councilmember Westmoreland made a motion to approve Ordinance 2017-44, as presented. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-F. APPROVE ORDINANCE 2017-46 AMENDING CHAPTER 62 OF THE CODE OF ORDINANCES, VEHICLES FOR HIRE, TO ADD ARTICLE III., PEDICABS; PROVIDING FOR PERMIT AND OPERATIONAL REQUIREMENTS FOR PEDICAB SERVICES.

Mr. Gruning stated that the ordinance adds pedicab provisions to the current Vehicles for Hire ordinance. It provides information about definitions, permits, fees, insurance, and other conditions.

Mr. Rodgers stated that he has been approached by several individuals that want to provide Pedicab services in Lockhart. The ordinance is being presented for Council's consideration to establish guidelines for Pedicab services to abide by while providing that service in Lockhart.

There was discussion regarding background checks that will be conducted by the Lockhart Police Department for both taxi cab and pedicab services.

Councilmember Michelson made a motion to approve Ordinance 2017-46, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

ITEM 5-A. PRESENTATION BY AND DISCUSSION WITH ENTITIES REQUESTING HOTEL OCCUPANCY TAX FOR FISCAL YEAR 2017-2018.

Mayor White announced that the presentations were made during the work session and that the allocations would be considered during the December 5, 2017 meeting.

ITEM 5-B. DISCUSSION AFTER UPDATE BY CITY MANAGER REGARDING THE FORTHCOMING TAKEOVER OF EMERGENCY MEDICAL SERVICES (EMS) BY THE CITY OF LULING FOR SOUTHERN PORTION OF CALDWELL COUNTY.

Mr. Rodgers stated that the City of Luling will, on December 4, 2017, take over the management and operations of the Emergency Medical Services which is now run by a contract with Seton Medical to provide EMS services in the southern portion of the county. He stated that he has visited with the City of Luling City Manager, Mark Mayo and was assured that Luling EMS will be running two full staffed ambulances to continue serving the southern portion of Caldwell County and will also continue with the mutual assistance program between Lockhart and Luling. He stated that the Luling Mayor and City Manager will meet soon with Lockhart's Mayor and City Manager to discuss details. There was discussion.

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

Mayor White requested appointments to boards and commissions.

Councilmember Westmoreland made a motion to appoint Richard Thomson to the Lockhart Historical Preservation Commission. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

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

- Update: Work 80% complete by Smith Contracting on Ash, Comal, Pine Streets with most of the curb and first layer of black base in place; weather-permitting should complete in about 3 weeks.
- Update: Work 99% complete for Evans Constructions installation of the large wastewater main along the north side of the railroad tracks near SH 130, north of SH 142.
- Update: US 183 Interceptor ditches 90% complete.
- Update: Meeting with Texas Parks and Wildlife officials changed to November 30 about the feasibility of hotel development in and around the Lockhart State Park.
- Reminder: The Parks Master Plan Steering Committee has met twice and will meet again on Tuesday, November 28 at 6 pm with another Public Input meeting on Wednesday, December 6, 6 pm.
- Reminder: Ad-Hoc Committee to consider uses for the St. Paul United Church of Christ property donation will meet on Monday, November 27 here at City Hall at 3:30 p.m.
- Reminder: Dickens preparation in full swing with parade schedule for Friday, December 1, 2017; events flyer sent to Council via email.

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

Councilmember Westmoreland thanked those involved with installing Christmas lights on San Antonio Street.

Councilmember Mendoza congratulated the Rogers family for the ribbon cutting at another Habitat for Humanity home recently built in Lockhart.

Mayor Pro-Tem Sanchez wished everyone a Happy Thanksgiving. She thanked the First Baptist Church for hosting the annual community Thanksgiving dinner last week. Dickens' Christmas event will be held on December 1-2, 2017. A Christmas Bazaar will be held on Sunday at St. Mary's Church Hall.

Councilmember Castillo wished everyone a Happy Thanksgiving. He encouraged everyone to be safe. He thanked Officer Parra for conducting a meeting in Windridge Subdivision to begin a Neighborhood Watch Program. He thanked all involved with the street and drainage improvements recently completed in District 2. He congratulated Lew White on being re-elected as Mayor.

Councilmember Michelson wished everyone a Happy Thanksgiving. He also congratulated Lew White on being re-elected as Mayor.

Mayor White thanked the Council for their dedication to the community and to the City Council. He also thanked staff and contractors for their work on the drainage and street improvements recently completed in District 2.

Mayor Pro-Tem Sanchez requested that a budget retreat/workshop be conducted sooner than previous years. Mr. Rodgers and Mayor White replied that a budget retreat/workshop will be scheduled soon.

ITEM 9. ADJOURNMENT,

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 9:03 p.m.

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



CITY OF LOCKHART

Lew White

Lew White, Mayor

ATTEST:

Connie Constance

Connie Constance, TRMC
City Secretary