

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**NOVEMBER 1, 2016**

**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  
Bonnie Townsend, Municipal Court Manager

Connie Constancio, City Secretary  
Dan Gibson, City Planner  
Frank Coggins, Municipal Court Judge

**Citizens/Visitors Addressing the Council:** Janet Christian and Thom Earnest, 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 RESOLUTION RECOGNIZING NOVEMBER 7-11, 2016 AS MUNICIPAL COURT WEEK.**

Mayor White presented a Resolution to Judge Frank Coggins and Alternate Judge Bonnie Townsend of the Lockhart Municipal Court. Judge Coggins and Judge Townsend thanked the Council for their support and the Municipal Court Clerks for their assistance.

**DISCUSSION ONLY**

**A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF OCTOBER 18, 2016.**

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

**B. DISCUSS RESOLUTION 2016-17 APPROVING THE PROPERTY TAX APPRAISAL ROLL, WITH TAX AMOUNT, PRESENTED BY THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2016 TAX YEAR, PURSUANT TO TEXAS TAX CODE, SECTION 26.09.**

Mr. Rodgers stated that Section 26.09 of the Property Tax Code requires that the City Council approves the City of Lockhart's appraisal roll with tax amounts entered by the assessor. The Resolution provides the tax appraisal roll with the tax amount of \$3,896,845.37 for the year 2016.

**C. DISCUSS THE RETURN OF RINGO, THE LOCKHART POLICE DRUG DOG, BECAUSE HEALTH REASONS TO ITS ORIGINAL DOG HANDLER AT THE AUSTIN POLICE DEPARTMENT (APD); THE DOG WAS DONATED AT NO CHARGE TO THE CITY OF LOCKHART ABOUT THREE YEARS AGO.**

Mr. Rodgers stated that the health of Ringo, the Lockhart Police Department's drug dog, has decreased the past six months. Both the Police Chief and his current handler, Officer Drew Lewis, are recommending that the dog be returned to its original handler at the Austin Police Department. The dog was provided to the Lockhart Police Department at no charge and a search has begun for a replacement. In the meantime, other resources will be utilized as needed. Mr. Rodgers presented an Agreement For Transfer of Police Drug Dog for Council's consideration that provides details about returning Ringo to the his previous handler. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 6:40 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 7:30 p.m.

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

Invocation – Councilmember Hilburn.

Pledge of Allegiance to the United States and Texas flags.

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

Mayor White requested the following citizen to address the Council:

Janet Christian, 110 Harold's Road, stated that the tenants that rent her apartment at 207 East Market requested to break their long-term lease because of unsafe and unruly conduct of individuals that visit Killin Time Bar and Risky Business Bar which are in the vicinity of the apartment. She requested that the Council revoke the late hour permits to serve alcohol at both locations.

Mayor White requested that staff return with additional information about the situation at a future Council meeting.

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

**ITEM 4-A. HOLD A PUBLIC HEARING ON A REQUEST FOR ZONING CHANGE ZC-16-07 BY THOM EARNEST ON BEHALF OF KALPESH GOHEL FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT FOR PART OF LOT 1, BLOCK 48, ORIGINAL TOWN OF LOCKHART, CONSISTING OF 0.492 ACRE LOCATED AT 601 WEST SAN ANTONIO STREET (SH 142).**

Mayor White opened the public hearing at 7:36 p.m. and requested the staff report.

Mr. Gibson stated that the owner anticipates using the subject property to build an eight-unit multi-family complex, which requires both rezoning to RHD and a subsequent specific use permit to allow the MF-2 residential development type for a density of more than 12 units per acre. In terms of neighborhood compatibility, there are several other multifamily developments within one block to the east and west along San Antonio Street as well as the two complexes north of the subject parcel. The adjacent The Elms Apartments has a density of 35 units per acre, and The Oaks Apartments north of The Elms has a density of 28 units per acre. If the applicant follows through with the plan to develop the eight units on the subject property upon approval of a specific use permit for the MF-2 Development Type, the density will be only 16 units per acre. Other apartment complexes within a one block radius include the Westwood Apartments, Lockhart Senior Apartment, The Greens Apartments, and the Vintage Apartments. The requested RHD zoning classification is not consistent with the Medium Density Residential future land use map designation of the property. However, it is still a residential zoning classification, and is the same as the existing RHD zoning adjacent to the north. There has been no opposition to the proposed zoning change. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Thom Earnest, Architect, provided information about the proposed use. He clarified that the parking would allow residents to exit facing Elm Street, not backing out onto Elm Street. He requested approval of the zoning change.

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

**ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2016-28 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS PART OF LOT 1, BLOCK 48, ORIGINAL TOWN OF LOCKHART, CONSISTING OF 0.492 ACRE LOCATED AT 601 WEST SAN ANTONIO STREET (SH 142), FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2016-28, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

**ITEM 5. CONSENT AGENDA.**

Mr. Gruning requested that consent agenda item 5C be pulled for further discussion.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A and 5B. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

5A: Approve minutes of the City Council meeting of October 18, 2016.

5B: Approve Resolution 2016-17 approving the property tax appraisal roll, with tax amount, presented by the Caldwell County Appraisal District for the 2016 Tax Year, pursuant to Texas Tax Code, Section 26.09.

**ITEM 5C. APPROVE THE RETURN OF RINGO, THE LOCKHART POLICE DRUG DOG, BECAUSE HEALTH REASONS TO ITS ORIGINAL DOG HANDLER AT THE AUSTIN POLICE DEPARTMENT (APD); THE DOG WAS DONATED AT NO CHARGE TO THE CITY OF LOCKHART ABOUT THREE YEARS AGO.**

Councilmember Michelson made a motion to approve returning Ringo due to health reasons to its original dog handler at the Austin Police Department and to authorize the City Manager to sign the Agreement for Transfer of Drug Dog, as presented by the City Attorney. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

**ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.**

Mayor White requested appointments to various boards, commissions or committees.

Councilmember Mendoza made a motion to appoint Marcos Villalobos to the Planning and Zoning Commission. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

Councilmember Michelson made a motion to appoint Frank Coggins to the Lockhart Economic Development Revolving Loan Committee. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

Mayor White requested additional appointments to boards. There were none.

**ITEM 7. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.**

- Update: US Hwy 183 expansion project, Hickory to Blackjack.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds and other work about 60% complete.
- Update: E Walnut Street Neighborhood meeting to discuss drainage and street improvements to be held at 6:30 pm on Monday, November 7, at the Greenhill Church of Christ on E. Walnut at Carver Street.
- Update: Still working on final designs for Ash, Comal and Pine Street about complete to address drainage issues; neighborhood meeting will be set up in December.
- Report: Annual fund raiser for Caldwell Historical Group- Night Ramblings in a Texas Graveyard-Speaking of the Dead Event, was held on Friday and Saturday, Oct 21 and 22 at City Cemetery.
- Report: Dia De Los Muertos Art and Street Festival was held on Saturday October 29, noon until 7 pm downtown with art show at the Clark Library.
- Reminder: Next regular scheduled Council meeting will held on Tuesday, November 22, 2016, with the date being changed due to canvassing of votes.
- Health Fair will be held downtown on November 5 from 9-11 a.m.
- Crime Stoppers meeting on November 17 at 6:30 p.m. in the Glosserman Room.
- Welcome Russell McDonald as the Assistant Building Official.

**ITEM 8. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.**

Councilmember Mendoza thanked all involved with the Dia de los Muertos event and Michael Lummus' retirement BBQ on Saturday.

Mayor Pro-Tem Sanchez expressed condolences to the family of Marty Martinez, Sr. for their loss. She thanked all involved with the successful Dia de los Muertos event. Go Lions!

Councilmember Castillo thanked all involved with the surprise BBQ to honor the retirement of Michael Lummus and with the Dia de los Muertos event. He thanked staff for working with citizens during the infrastructure projects. He expressed condolences to the Martinez family for their loss.

Councilmember Michelson congratulated the High School football team for their success this football season. Go Lions! He requested an update about Caldwell County contributing to the ambulance. Mayor White replied that the County Judge recently reported that the Commissioners Court will soon discuss allocation of budgeted funds towards the ambulance.

Mayor White thanked all for Chief Michael Lummus' surprise retirement BBQ. Go Lions! He invited everyone to First Friday on the Square that will be held downtown this week. Early voting ends on November 4 with Election Day on November 8.

**ITEM 9. 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 8:10 p.m.

PASSED and APPROVED this the 22<sup>nd</sup> day of November 2016.

**CITY OF LOCKHART**

  
\_\_\_\_\_  
Lew White, Mayor

ATTEST:

  
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Connie Constancio, TRMC  
City Secretary

