

**LOCKHART CITY COUNCIL
REGULAR MEETING**

JULY 21, 2015

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
Sandra Mauldin, Economic Dev. Director
Lee Weatherford, Public Works Director
Emma Rocha, Utility Billing Supervisor
John Roescher, Police Captain
Bobby Leos, Electric Superintendent

Connie Constancio, City Secretary
Jeff Hinson, Finance Director
Dan Gibson, City Planner
Shane Mondin, Building Official
Joseph Gorman, Fire Chief
Michael Lummus, Police Chief
Sean Kelly, Water/Wastewater Superintendent

Citizens/Visitors Addressing the Council: Mary LaPoint of the Caldwell County Appraisal District;
Gene Galbraith of Southwest Museum of Clock and Watches; and, Ronda Reagan, Citizen.

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:

A. DISCUSS RESOLUTION 2015-09 OF THE LOCKHART CITY COUNCIL APPROVING THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD) PROPOSAL TO PURCHASE LAND AND CONSTRUCTION OF AN APPRAISAL DISTRICT OFFICE, AND FINANCING AT A COST NOT TO EXCEED \$1,362,392.

Mary LaPoint, Chief Appraiser of the Caldwell County Appraisal District, provided detailed information about the CCAD's proposal to purchase property and to construct a new Appraisal District office. Ms. LaPoint recommended approval.

Ms. LaPoint also stated that the Texas Tax Code requires that the acquisition or conveyance of real property or the construction or renovation of a building or other improvement by an appraisal district must be approved by the governing bodies of three-fourths (3/4) of the taxing units entitled to vote on the appointment of board members.

There was discussion.

B. PRESENTATION AND DISCUSSION REGARDING PRESENTATION OF THE CALDWELL COUNTY APPRAISAL DISTRICT'S FISCAL YEAR 2016 BUDGET.

Mary LaPoint, Chief Appraiser, of the Caldwell County Appraisal District, presented information about the CCAD's fiscal year 2016 budget. There was discussion.

C. DISCUSS THE PROPOSED PLACEMENT OF A PRIVATELY OWNED CANTERBURY STYLE STREET CLOCK BY MR. GENE GALBRAITH, WITH THE SOUTHWEST MUSEUM OF CLOCK AN WATCHES, IN THE PUBLIC RIGHT OF WAY PENDING A LICENSE AGREEMENT APPROVAL AND THE APPROVAL OF THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IF APPLICABLE AND APPROVAL OF THE CLOCK AS BEING HISTORICALLY COMPATIBLE IN THE HISTORICAL DISTRICT BY THE LOCKHART HISTORICAL PRESERVATION COMMISSION (LHPC).

Mr. Rodgers stated that the placement in the right of way of the proposed privately owned clock, whether in the City or TxDOT right of way, must be approved by the Council before the historical consideration by the LHPC; it has no authority to approve use of right of way but approves or disapproves from a historical preservation aspect. During the presentation at the last meeting by Mr. Galbraith, Council and staff first learned that the clock would be privately owned and have business advertisement on it. If the Council approves of the placement in the City right of way and directs the City Manager to pursue TxDOT approval for the placement in its right of way, LHPC still would need to approve the item from the historical standpoint. A license agreement would have to be executed requiring the owner to pay fees and provide liability insurance naming the City and TxDOT (if applicable) as an additional insured. If the clock were to be placed on a private property, this would then be a LHPC matter solely.

Mayor White requested that the Council consider whether to allow a privately owned structure to be placed in a right of way and to consider whether, if approved, it would set precedence on future requests.

Mayor White requested Gene Galbraith to address the Council.

Gene Galbraith of Southwest Museum of Clocks and Watches clarified that the proposed Canterbury style street clock, if purchased, would not be owned by Gene Galbraith. The clock would be owned by the Museum, which is a non-profit organization. He stated that the Museum is withdrawing their decision to place the Museum's advertisement on the clock; there will not be an advertisement on the clock, if purchased.

There was discussion.

Mr. Galbraith also stated that the Museum Board recommends that, if the Museum were to close, it is donated to the City of Lockhart and request that the City takes over the maintenance and ownership of the clock.

There was additional discussion.

D. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF JULY 7, 2015.

Mayor White requested corrections to the minutes of the City Council meeting of July 7, 2015. There were none.

E. DISCUSS 3RD QUARTER FISCAL YEAR 2015 INVESTMENT REPORT.

Mr. Hinson stated that the Texas Public Investment Act requires local governments to review and accept a Quarterly Investment Report for each quarterly reporting period of the year. He provided details about the 3rd Quarter Fiscal Year 2015, ending June 30, 2015, as follows:

- Quarterly Investment Report.
- Investment Portfolio Summary.
- Cash Accounts (as reconciled to First Lockhart National Bank).
- Marketable Securities Transaction Summary.
- Investment Pool Transactions Summary.
- Certificates of Deposit Transaction Summary.
- Investment Pools.
- First Lockhart National Bank Collateralization – Standard and Poor’s Ratings.

Mr. Hinson stated that the City’s current depository bank, First Lockhart National Bank, has provided a written notice that they will not pursue being the city’s depository bank for the last year of their contract. Staff will seek bids for a new depository bank and return with information for Council’s consideration during a meeting in late August or September 2015.

F. DISCUSS ORDINANCE 2015-16 AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES, ADDING SECTION 12:35 – CONCRETE FOUNDATIONS, REQUIRING ALL CONCRETE FOUNDATIONS FOR NEW RESIDENTIAL AND OTHER TYPES OF BUILDINGS, INCLUDING ADDITIONS, ATTACHED PATIOS, AND GARAGES, TO BE DESIGNED AND SEALED BY A TEXAS LICENSED PROFESSIONAL ENGINEER OR TEXAS LICENSED DESIGN PROFESSIONAL APPROVED BY THE BUILDING OFFICIAL OR DESIGNEE.

Mr. Rodgers stated that the vast majority (99%) of construction plans submitted to the City of Lockhart have design professional seals. This protects the contractor and the eventual owner of the property. Considering the nature of the high expansive soils in Lockhart, all concrete slabs for residential and commercial structures or expansions of such structures should be designed and sealed by a design professional. Attached patios and detached garage slabs also need to be sealed by a Texas licensed professional engineer or Texas licensed design professional approved by the Building Official or designee. Having this requirement will help reduce property owners’ serious maintenance issues associated with expansive soils. The current minimum standards for all other flatwork and pier/beam construction are sufficient. Mr. Rodgers recommended approval.

There was discussion.

G. DISCUSS BID AWARD FOR TREE TRIMMING MAINTENANCE CONTRACT WITH THE ARBOR EXPERTS OF WEBSTER, TEXAS, IN THE AMOUNT OF \$27,784, AND APPOINTING THE MAYOR TO SIGN THE AGREEMENT, IF APPROVED.

Mr. Rodgers stated that public bids were advertised for tree trimming maintenance around high voltage electric lines in accordance with state law. Although four companies expressed interest, only one bid was received. The tasks involve providing supervision, personnel, equipment, and traffic control to trim trees, treat the exposed cuts, and removing all cut limbs. The Arbor Experts of Webster, Texas submitted a bid in the amount of \$27,784. The company has not done work for the City of Lockhart in the past, but the four references checked were very favorable. The company has the experienced personnel and equipment and has provided proof of general liability and workers’ compensation coverage. Mr. Rodgers recommended approval.

RECESS: Mayor White announced that the Council would recess for a break at 7:33 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 7:54 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.

Gene Galbraith of Southwest Museum of Clock & Watches spoke in favor of allowing the proposed old style street clock to be installed in the downtown district.

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

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 July 7, 2015.

4B: Accept 3rd Quarter Fiscal Year 2015 Investment Report.

4C: Approve Ordinance 2015-16 amending Chapter 12, Buildings and Building Regulations, of the Code of Ordinances, adding Section 12:35 – Concrete Foundations, requiring all concrete foundations for new residential and other types of buildings, including additions, attached patios, and garages, to be designed and sealed by a Texas Licensed Professional Engineer or Texas Licensed Design Professional approved by the Building Official or designee.

4D: Approve bid award for tree trimming maintenance contract with The Arbor Experts of Webster, Texas, in the amount of \$27,784, and appointing the Mayor to sign the agreement, if approved.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2015-09 OF THE LOCKHART CITY COUNCIL APPROVING THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD) PROPOSAL TO PURCHASE LAND AND CONSTRUCTION OF AN APPRAISAL DISTRICT OFFICE, AND FINANCING AT A COST NOT TO EXCEED \$1,362,392.

There was brief discussion.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2015-09 approving the Caldwell County Appraisal District proposal to purchase land and construction of an appraisal district office, and financing at a cost not to exceed \$1,362,392. Councilmember Mendoza. seconded. The motion passed by a vote of 7-0.

ITEM 5-B. PRESENTATION AND DISCUSSION AND/OR ACTION REGARDING PRESENTATION OF THE CALDWELL COUNTY APPRAISAL DISTRICT'S FISCAL YEAR 2016 BUDGET.

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

Councilmember Michelson made a motion to approve the Caldwell County Appraisal District's Fiscal Year 2016 budget. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING THE PROPOSED PLACEMENT OF A PRIVATELY OWNED CANTERBURY STYLE STREET CLOCK BY MR. GENE GALBRAITH, WITH THE SOUTHWEST MUSEUM OF CLOCK AN WATCHES, IN THE PUBLIC RIGHT OF WAY PENDING A LICENSE AGREEMENT APPROVAL AND THE APPROVAL OF THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IF APPLICABLE AND APPROVAL OF THE CLOCK AS BEING HISTORICALLY COMPATIBLE IN THE HISTORICAL DISTRICT BY THE LOCKHART HISTORICAL PRESERVATION COMMISSION (LHPC).

Mayor White requested the following to address the Council:

Ronda Reagan, 412 West San Antonio Street, spoke against the City of Lockhart allocating funds towards the purchase of the clock and against the clock being allowed in the historic downtown district.

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

There was discussion about whether to allow the installation of the proposed clock in the public right of way.

Councilmember Michelson made a motion to deny the proposal of the placement of a privately owned Canterbury Style Street Clock by Southwest Museum of Clocks and Watches in the public right of way. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

Gene Galbraith expressed disappointment of the denial.

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 2015-2016 PROPOSED BUDGET AND RELATED INFORMATION.

Staff provided information and there was discussion about the following budgets:

FIRE

- Increase for utility expense at Fire Station #2.
- Decrease in budget to remove gym membership.
- Building improvements will be funded through the 2015 certificates of obligation.
- SBCA units will be funded in the next fiscal year (2016-2017).

COMMUNICATIONS

- Add funds for monthly Time Warner Cable service for weather alerts.
- Add funds for filing cabinets.
- Increase budget to cover certification pay, and market rate adjustments for dispatchers.

POLICE

- Remove salary and all equipment for four officers. (Six officers and five cars were requested in the FY 2015-2016 budget)
- Remove the purchase of two patrol cars in the amount of \$82,000 Fiscal Year 2015-2016 from unrestricted fund balance and other cars moved to Fiscal Year 2016-2017 budget.
- Remove cameras but will purchase with Fiscal Year 2014-2015 funds and unrestricted fund balance this fiscal year as approved by Council.
- Decrease for radios.
- Discussion about the K-9 drug dog that is used in both the city and school patrolling.

ELECTRIC BILLING

- Increase for Customer Service Supervisor Market Rate adjustment late in Fiscal Year 2013-2014.
- Increase in postage and billing software license.
- Increase for credit card fees. Staff proposing to install debit card payment option at the utility window to save customers money by not being charged the 2% credit card fee.
- New truck to replace a 15-year old model.

ELECTRIC DISTRIBUTION

- Increase for market wage rate adjustment for line workers.
- Increase - new position – Class A Line Worker
- Increase in costs for tree trimming.

ELECTRIC – NON DEPARTMENTAL

- No transfers to Airport fund.
- Decrease in purchase power costs.

WATER DISTRIBUTION

- Guadalupe-Blanco River Authority (GBRA) manages and operates water treatment plant. They will make a presentation on July 28, 2015 of the water treatment plant budget.
- Increase - new position – equipment operator.
- Increase – materials, supplies, maintenance and repairs.
- Decrease main extension materials.
- Increase for Luling transmission line maintenance.
- Increase in Luling Water plant expenses.

WATER - NON DEPARTMENTAL

- Discussion about outstanding debts.
- Debt to be paid off within the next two years. Staff to pursue additional water sources for the future.

WASTEWATER COLLECTION

- Increase in health insurance and new hires at higher wages.
- Increase in Bluebonnet Electric service.
- Increase in materials and supplies.
- Decrease in maintenance and repairs.
- Increase for staff development.
- Increase for sewer mains and services.

WASTEWATER - NON DEPARTMENTAL

- Discussion about debt payments that are paid out of this fund.

WASTEWATER TREATMENT

- Guadalupe-Blanco River Authority (GBRA) manages and operates wastewater treatment plants. They will make a presentation on July 28, 2015 of the wastewater treatment plant budgets.
- Additional bio-solid disposal costs.
- Additional engineering costs.
- Increase in employee wages, benefits, training.
- Increase in polymer costs.

SOLID WASTE-HAND COLLECTION

- Contract with Central Texas Refuse increased by 5% which picks up hand collection and commercial bins.
- Discussion about brush chipping and the purchase of a new brush/small log chipper.

SOLID WASTE-BIN COLLECTION

- Increase 5% in Central Texas Refuse contract.

SOLID WASTE – RECYCLING

- Brief discussion about recyclable materials and continued issues with citizens leaving items at the Recycle Center that are not approved to be recycled.

SOLID WASTE – FORMER LANDFILL

- \$10,000 increase for log grinder services for 3 days and hauling.

APPRAISAL DISTRICT

- Budget presentation made during the work session.

EMS

- Seton has clarified that there will not be an increase in EMS services.

ITEM 5-F. DISCUSSION AND/OR ACTION REGARDING MAINTENANCE, OPERATIONAL AND CAPITAL BUDGETS AND FUNDING POSSIBILITIES.

There was no discussion.

ITEM 5-G. DISCUSSION AND/OR ACTION REGARDING BUDGET AND TAX RATE ADOPTION CALENDAR, IF NECESSARY.

Mr. Hinson announced that the next budget meeting will be held on July 28, 2015 at 6:30 p.m. He stated that discussions about the property tax will begin in August.

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

- Update: US Hwy 183 expansion project: Storm water contractor work, curbing, sidewalk, Section 1A, Pecan to Hickory; east side work.
- Update: 2015 Certificate of Obligation (CO) Drainage Projects; properties and easements.
- Report: The filming of the HBO series "Leftovers" continues and could be here until October of this year.
- Report: Fashion Glass and Mirror grand opening scheduled for July 27, starting at 5:30 pm.
- Report: City Pool and Splash Pad Use.
- Report: Movie in the Park, "The Box Trolls", on July 18 at City Park.
- Report: Early Outdoor Warning System bids being advertised; hope to bring award recommendation to Council at next meeting.
- Reminder: Brush chipping services are behind between 3 and 4 weeks due to all the wet weather and trimming done by residents; mowing schedules still behind about a week.
- Reminder: Summer Reading Program underway and a lot of participants.
- Reminder: August 4, National Night Out.
- Reminder: Seton Annual Children Care-a-Van Gala - August 8, 6:30 pm - San Marcos, Embassy Suites.
- Reminder: Sunday, August 30, community wide event in City Park by Dia de Los Muertos organization, a local 501, and local business sponsors like Mr. Taco to raise funds for local charities like the Food Bank.
- Reminder: July 28, 6:30 pm, next Council Budget Workshop.

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

Councilmember Mendoza announced that the District 1 National Night Out block party will be held at Lions Park on August 4, 2015 from 6:00 – 8:30 p.m.

Mayor Pro-Tem Sanchez expressed condolences to the family of Ruben Escobedo for their loss.

Councilmember Castillo thanked staff for addressing concerns in District 2. He invited everyone to the St. Mary's Catholic Church 40th Jamaica this weekend. He announced that District 2 will host National Night Out at City Park at the City Pool and Splash Pad on August 4.

Councilmember Michelson announced that District 4 will host National Night Out block party in the grassy area next to the Caldwell County Appraisal District office on August 4. He stated that he will not attend the July 28, 2015 meeting because he will be out of town.

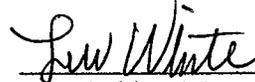
Mayor White suggested that staff research adding additional shaded areas at the Splash Pad. He commented about loud motorcycle noise during Council meetings. He encouraged elderly citizens to take advantage of the City's Summer Fan Program.

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 9:38 p.m.

PASSED and APPROVED this the 18th day of August 2015.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

