

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

TUESDAY, AUGUST 16, 2016

CLARK LIBRARY ANNEX-COUNCIL CHAMBERS
217 SOUTH MAIN STREET, 3rd FLOOR
LOCKHART, TEXAS

6:30 P.M.

WORK SESSION (No Action)

Work session will be held to receive briefings and to initially discuss all items contained on the Agenda posted for 7:30 p.m. Generally, this work session is to simplify issues as it relates to the agenda items. No vote will be taken on any issue discussed or reviewed during the work session.

DISCUSSION ONLY

- A. Discuss minutes of the City Council meetings of July 28, 2016 and August 4, 2016.
- B. Discuss Memorandum of Understanding Agreement between the City of Lockhart and Connections which is a non-profit individual and family counseling agency funded by the United Way and Texas Network of Youth Services and appointing the City Manager to sign the agreements if approved.
- C. Discuss Ordinance 2016-19 amending Chapter 58, Article II, Division 2, Section 58-71 through 58-74 amending local electric rates effective the first billing cycle in October 2016 to provide appropriate funding for increased material, equipment, personnel, and professional service costs.
- D. Discuss Resolution 2016-14 to reflect the recovery of 3.5% vendor increases approved recently for residential solid waste collection, disposal, recycling services, and commercial waste collection/disposal services establishing fees for other solid waste service to be effective with the first billing cycle in October 2016.
- E. Discuss Ordinance 2016-20 amending portions of Chapter 48, Solid Waste, Article I.- In General, subsections 48-1.- Definitions, 48-3.- Authorized Use of Receptacles, 48-5.-City Disposal Site Rates, and Article II.-Municipal Collections subsections: 48-38.-Method of Collection, 48-39.-Receptacles Generally, 48-40.-Bulky/Bundle Waste and Collection and Brush Chipping Requirements, and 48-42.-Collection Fees to adding definitions, clarifying existing language, stating the types of containers accepted for trash pickup services, restricting the amount of brush to be chipped by City per visit at a location, and disallowing the placement of brush in streets for brush chipping services.
- F. Discuss an Appeal by H.H. Doshi, P.E., R.P.L.S., on behalf of Umesh Patel, of the Planning and Zoning Commission's denial of a requested variance to Chapter 52 "Subdivision Regulations", Article III "Design Standards", Section 52-72 "Streets", Subsection (k), to reduce the minimum required right-of-way diameter and paved turn-around diameter for a public street cul-de-sac in a commercial area.

7:30 P.M. REGULAR MEETING

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

3. CITIZENS/VISITORS COMMENTS

(The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not on the agenda. No discussion can be carried out on the citizen/visitor comment.)

4. PUBLIC HEARING/COUNCIL ACTION

A. Hold a public hearing to consider amending Chapter 64 "Zoning" of the Code of Ordinances, Article VII "Zoning Districts and Standards", Section 64-203 "Nonresidential Appearance Standards", Subsection (5) "Screening", to change the screening requirement for loading docks on properties abutting streets other than major thoroughfares.

B. Discussion and/or action to consider Ordinance 2016-18 amending Chapter 64 "Zoning" of the Code of Ordinances, Article VII "Zoning Districts and Standards", Section 64-203 "Nonresidential Appearance Standards" to add an exemption from screening of loading docks in Subsection (5); providing for severability; providing a repealer; providing for penalty; providing for publication; and establishing an effective date.

5. CONSENT AGENDA

A. Approve minutes of the City Council meetings of July 28, 2016 and August 4, 2016.

B. Approve Memorandum of Understanding Agreement between the City of Lockhart and Connections which is a non-profit individual and family counseling agency funded by the United Way and Texas Network of Youth Services and appointing the City Manager to sign the agreements if approved.

C. Approve Ordinance 2016-19 amending Chapter 58, Article II, Division 2, Section 58-71 through 58-74 amending local electric rates effective the first billing cycle in October 2016 to provide appropriate funding for increased material, equipment, personnel, and professional service costs.

D. Approve Resolution 2016-14 to reflect the recovery of 3.5% vendor increases approved recently for residential solid waste collection, disposal, recycling services, and commercial waste collection/disposal services establishing fees for other solid waste service to be effective with the first billing cycle in October 2016.

CONSENT AGENDA continued...

- E. Approve Ordinance 2016-20 amending portions of Chapter 48, Solid Waste, Article I.- In General, subsections 48-1.- Definitions, 48-3.- Authorized Use of Receptacles, 48-5.-City Disposal Site Rates, and Article II.-Municipal Collections subsections: 48-38.-Method of Collection, 48-39.-Receptacles Generally, 48-40.-Bulky/Bundle Waste and Collection and Brush Chipping Requirements, and 48-42.-Collection Fees to adding definitions, clarifying existing language, stating the types of containers accepted for trash pickup services, restricting the amount of brush to be chipped by City per visit at a location, and disallowing the placement of brush in streets for brush chipping services.

6. DISCUSSION/ACTION ITEMS

- A. Discussion and/or action to consider an Appeal by H.H. Doshi, P.E., R.P.L.S., on behalf of Umesh Patel, of the Planning and Zoning Commission's denial of a requested variance to Chapter 52 "Subdivision Regulations", Article III "Design Standards", Section 52-72 "Streets", Subsection (k), to reduce the minimum required right-of-way diameter and paved turn-around diameter for a public street cul-de-sac in a commercial area.
- B. Discussion and/or action regarding appointments to various boards, commissions or committees.
- C. Presentation, discussion and/or action regarding Fiscal Year 2016-2017 proposed budget and related information.
- D. Discussion and/or action regarding maintenance, operational and capital budgets and funding possibilities.
- E. Discussion and/or action regarding Budget and Tax Rate Adoption Calendar, if necessary.

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

- Update: US Hwy 183 expansion project, Hickory to Blackjack.
- Update: Contractor installing large wastewater line on Clearfork between Meadows at Clearfork and City Line Road.
- Update: City Street Crew has resurfaced City Line Road between SH 142 and Clearfork Streets to preserve the surface and prevent major failures.
- Update: City Street Crew remarking all school zones and checking signage in preparation for school starting.
- Update: City Water Crew has with assistance from the Street Department completed most of the pavement repairs on Church and Walnut Streets.
- Update: Major repairs to Water well # 11, a major supplier of water to Lockhart, will begin soon.
- Update: The siren system (5) poles and electric supplies are in place; the delay in installation and activation is due to a programming issue that is being addressed between American Signal Corporation and Motorola.

CITY MANAGER'S REPORT continued...

- Update: The Electric Distribution Department has been removing old electric transformers and lines in the Parkview Subdivision.
- Update: Arbor Experts, the contracted tree trimming company, started work yesterday trimming limbs away from electric primary lines; locations are the City website plus residents will be notified along each street before work begins.
- Update: Nighthawk Construction, a local company, has completed 95% of the 18" transmission water main project extension west of the Water Plant recently awarded by the Council; Sean Kelley, Water/Wastewater Supt, reports the company did a very good job.
- Update: The first layer of black base material on Richland Drive has been completed; curb and gutter will be the next phase of the project.
- Update: A preconstruction meeting for the drainage work to be performed in the Mesquite, Braden, Wichita, and Vega Street areas will be held on Tuesday, August 30, at 6 pm in the Glosserman Room at City Hall; letters were mailed to each area street resident about the meeting.
- Report: Seton Annual Taking Care of Tiny Tots Event- August 27 at Embassy Suites in San Marcos at 6 pm.
- Reminder: Diez y Seis de Septiembre to be held downtown this year on September 16 and 17, Friday and Saturday.
- Reminder: TML Region 10 meeting September 15 at Smitty's; details about event will be sent via email by Connie.
- Reminder: November 8 Election information: Last day to file for a place on the ballot is August 22 by 5:00 p.m. Early voting will be conducted October 24-November 4. Election will be canvassed on November 22.

8. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST

*(**Items of Community Interest defined below)*

9. ADJOURNMENT

*** Items of Community Interest includes: 1) expressions of thanks, congratulations or condolence; 2) information regarding holiday schedules; 3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; 4) a reminder about an upcoming event organized or sponsored by the governing body; 5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official employee of the municipality; and 6) announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda. (SB 1182 - effective 09/01/2009)*

*** Once approved to be on the agenda, staff requests you register to speak prior to the meeting. Deadline for specific items on the agenda is Noon Tuesday prior to the Regular Meeting.**

If, during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the City Council will convene in such executive or closed session, in accordance with the provisions of the Government Code, Title 5, Subchapter D to consider one or more matters pursuant to the following:

Section 551.071. Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with this chapter.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073. To deliberate a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.076. To deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

Section 551.086. To deliberate vote or take final action on any competitive matters relating to public power utilities.

Section 551.087. To deliberate or discussion regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

Section 551.088. To deliberate a test item or information related to a test item if the governmental body believes that the test item may be included in a test the governmental body administers to individuals who seek to obtain or renew a license or certificate that is necessary to engage in an activity.

After discussion of any matters in executive session, any final action or vote taken will be in public by the City Council.

City Council shall have the right at anytime to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

I certify that the above notice of meeting was posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 12th day of August 2016 at 4:12 pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register



Connie Constancio, TRMC
City Secretary