

REGULAR MEETING

LOCKHART CITY COUNCIL

SEPTEMBER 3, 2019

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 Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Miles Smith, Public Information Officer
Sean Kelley, Public Works Director

Connie Constancio, City Secretary
Randy Jenkins, Fire Chief
Pam Larison, Finance Director

Citizens/Visitors Addressing the Council: Citizens: Miguel Zuniga, Thomas Blauvelt, Richard Blauvelt, Mary Ann Gonzales, Maria Rangel, Rose Martinez, and Florinda Munoz.

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. DISCUSS MINUTES OF THE CITY COUNCIL MEETINGS OF AUGUST 12, 2019 AND AUGUST 13, 2019.

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

B. DISCUSS RECONCILIATION AND CLOSING OF THE 800 MHZ FREQUENCY RECONFIGURATION AGREEMENT BY AND BETWEEN CITY OF LOCKHART, CALDWELL COUNTY, AND NEXTEL OF TEXAS, INC. DATED JANUARY 14, 2008.

Chief Jenkins stated on August 6, 2004, the Federal Communications Commission (FCC) issued a report and order which modified its rules governing the 800 MHz band. The purpose was to reconfigure the 800 MHz band to minimize harmful interference to public safety radio communication systems in the band. The City of Lockhart, Caldwell County and Nextel were licensed on FCC frequency allocations subject to reconfiguration. The City of Lockhart entered into an agreement with Nextel on January 14, 2008 for the reconfiguration of the affected frequencies. The reconfiguration of the frequencies listed in Schedules A and B have been completed by the FCC. All associated costs of the reconfiguration were paid by Nextel (Sprint). Chief Jenkins recommended approval. There was discussion.

C. DISCUSS GUIDELINES FOR THE NEW WAYFINDING COMMITTEE.

Mayor White stated that the City Council officially approved a new logo for the City. The next step is to begin the wayfinding process.

Mr. Gibson stated that on July 2, 2019, the Council accepted the Brand Guidelines document prepared by Roy Watson, a member of the original Branding and Wayfinding Committee. Those guidelines are now being implemented using the graphics provided by Mr. Watson. In March 2019, the Council appointed new members to the committee to assist with the wayfinding part of the plan, which is the next step in the process. The members that were appointed are Roy Watson, Ronda Reagan, Sally Daniel, Rob Ortiz, and Bobby Herzog. Wayfinding is essentially a consistent system of signage throughout the city that welcomes visitors at key gateways and provides directions to notable destinations within the city. A City's logo is typically used on wayfinding signs to provide a recognizable and uniform identity or brand. Mr. Gibson outlined the Wayfinding Committee's Guidelines. There was discussion.

D. DISCUSS CITY OF LOCKHART'S PROPOSED BUDGET FOR FISCAL YEAR 2019-2020.

There was discussion regarding the fund balance analysis of the Proposed General Fund for Fiscal Year 2019-2020 that included:

- Fire Department fire apparatus.
- Building Permit software.
- Funding wayfinding signage and possible grants to apply for wayfinding funding.
- Street maintenance.
- Sidewalk repair maintenance.
- Parks improvements.
- City facility improvements.
- Radio replacements.
- Updated servers, racks, peripherals, and software
- Police Dispatch remodel.

RECESS: Mayor White announced that the Council would recess for a break at 7:34 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:54 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Councilmember McGregor gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested citizens to address the Council on items that are not on the agenda.

Miguel Zuniga, 1105 Braden, expressed concerns about a basketball court that is in the cul-de-sac on Braden Street causing a safety hazard. He requested that it be removed.

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

ITEM 4-A. HOLD A PUBLIC HEARING ON THE CITY OF LOCKHART AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION FISCAL YEAR 2019-2020 BUDGETS.

Mayor White opened the public hearing at 7:58 p.m.

Ms. Larison stated that the City Charter requires that the City Council hold a public hearing for the Fiscal Year 2019-2020 City of Lockhart budget. Notices of public hearings on the budgets were published in the Lockhart Post-Register on August 15 and August 29, 2019.

Mayor White requested citizens in favor of or against the proposed Fiscal Year 2019-2020 budget to address the Council. There were none. He closed the public hearing at 8:00 p.m.

ITEM 4-B. HOLD THE SECOND OF TWO PUBLIC HEARINGS ON PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING YEAR BY 7.5287 PERCENT.

Mayor White opened the public hearing at 8:00 p.m.

Ms. Larison stated that this is the second of two public hearings concerning the increase of tax revenues as required by the Truth in Taxation laws for the State of Texas.

Mayor White requested citizens in favor of or against the proposed Fiscal Year 2019-2020 budget to address the Council. There were none. He closed the public hearing at 8:01 p.m.

ITEM 4-C. HOLD A PUBLIC HEARING ON APPLICATION ZC-19-06 BY THOMAS BLAUVELT ON BEHALF OF RICHARD BLAUVELT FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON 2.749 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 1621 NORTH PECOS STREET.

Mayor White opened the public hearing at 8:02 p.m.

Mr. Gibson stated that this is a reapplication for the same zoning request that was denied by a 3-4 vote of the Council on July 16, 2019. The 2.749-acre area proposed to be rezoned from AO to RMD is part of a 68-acre tract. The applicant plans to construct one duplex, one unit of which he will occupy on the subject property. The applicant plans to eventually develop the entire 68 acres and has prepared a layout for the subdivision. The layout will have to be modified to comply with the city's subdivision standards, and the development will require extensive public infrastructure, further rezoning, and platting at that time. Although there are no other duplexes existing in the neighborhood, the addition of one duplex would not have a significant negative impact. Current traffic is relatively low due to the limited number of homes along that street. The requested RMD zoning classification is not entirely consistent with the Lockhart 2020 Land Use Plan map designation of Low Density Residential for the area. However, the actual proposed density of the subject 2.749 acres would be a very low 0.73 dwelling units per acre for one duplex. The upper end of the low density range is generally considered to be five or six units per acre. The Sustainable Places Project plan for this area recommends a compact neighborhood, standard single-family detached homes, open-space (park) within the 68 acres, and commercial mixed-use along Colorado Street. There was discussion regarding the letters of opposition that were received. Additional letters of support were received after the council packet was distributed. Owners of property in opposition of the proposed zoning within 200 feet account for less than the 20 percent threshold that requires a $\frac{3}{4}$ majority of the City Council. Therefore, a simple majority is sufficient for approval. Mr. Gibson stated that the Planning and Zoning Commission failed to recommend approval by a vote of 2-3 and that staff recommends approval.

Mayor White requested the applicant to address the Council.

Thomas Blauvelt, 1602 Magpie Cove, Austin, Texas requested approval of the zoning change. He stated that he planned to build a duplex on the property of which he would reside in one part of the duplex and rent the other. He stated that he believed that the traffic in the area is minimal. He stated that he obtained 40 letters of support of individuals that reside in the area.

Councilmember Castillo expressed opposition to the zoning change because he believes that a new home in the neighborhood would increase property taxes for the surrounding homes. Increased property taxes would be unaffordable for the current homeowners since most of them are on a fixed income.

Councilmember McGregor questioned if the future development of the larger parcel would only have one method of egress. Mr. Blauvelt stated that the City Planner mentioned that development of the larger parcel would require an additional egress road.

Mayor White requested citizens in favor of the zoning change to address the Council.

Richard Blauvelt, 1602 Magpie Cove, Austin, spoke in favor of the zoning change. He stated that he and Thomas met with several neighbors who initially were in favor of the zoning change. During the previous public hearing on the first zoning change request, several issues of concern were expressed about public safety which he believes has been remedied. He stated that he believed that the RMD zoning was suitable for the neighborhood.

Ian Stowe, 428 Trinity Street, spoke in favor of the zoning change and stated that he believed that creating value in the neighborhood is positive.

Amanda West, 428 Trinity Street, spoke in favor of the zoning change and stated that she believed that developing and improving vacant property is positive.

Mayor White requested additional citizens in favor of the zoning change to address the Council. There were none.

Mayor White requested citizens against the zoning change to address the Council.

Mary Ann Gonzales, 1614 North Pecos, spoke against the zoning change. She pointed out several issues that could arise from new neighbors and that the narrow street would not be able to accommodate additional traffic.

Maria Rangel, 1415 North Pecos, spoke against the zoning change. She expressed concern about additional traffic in the neighborhood that would create a safety hazard. She requested that the Council uphold the Planning and Zoning Commission's vote to deny the zoning change.

Rose Martinez, 1513 North Pecos, spoke against the zoning change. She requested that only single-family homes be allowed in the neighborhood and that additional traffic would create a safety hazard.

Florinda Munoz, 1615 North Pecos, spoke against the zoning change. She stated that a single-family home would be more suitable for the neighborhood.

Mayor White requested additional citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:52 p.m.

ITEM 4-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2019-18 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 2.749 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 1621 NORTH PECOS STREET, FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

Mayor Pro-Tem Sanchez spoke against the zoning change because it will negatively affect the entire neighborhood.

Councilmember McGregor stated that change is coming to Lockhart that includes the proposed area and that she will vote in favor of the zoning change.

Mayor White spoke in favor of the zoning change. He stated that he did not believe the duplex would add a significant amount of additional traffic.

Councilmember Castillo made a motion to deny the zoning change/Ordinance 2019-18, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 4-3, with Mayor White and Councilmembers McGregor and Michelson opposing.

ITEM 5. CONSENT AGENDA.

Councilmember Michelson made a motion to approve consent agenda items 5A and 5B. Mayor Pro-Tem Sanchez 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 meetings of August 12, 2019 and August 13, 2019.

5B: Approve reconciliation and closing of the 800 MHz Frequency Reconfiguration Agreement by and between City of Lockhart, Caldwell County, and Nextel of Texas, Inc. dated January 14, 2008.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING GUIDELINES FOR THE NEW WAYFINDING COMMITTEE.

Mayor Pro-Tem Sanchez made a motion to approve the guidelines for the new Wayfinding Committee, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION OF THE CITY OF LOCKHART'S PROPOSED BUDGET FOR FISCAL YEAR 2019-2020.

Ms. Larison requested that any appropriations to the budget be made during this meeting to be included in the budget to be adopted on September 17, 2019.

There was discussion and a consensus regarding adding the following as one-time allocations:

- Radio replacements.
- New updated servers, racks, peripherals, and software.
- Police Dispatch remodel.
- Space study.

Mayor White requested that staff return with additional information about street surfacing, sidewalk maintenance, parks expenditures, and a recommendation about purchasing a fire truck.

ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER NOMINATIONS TO THE CALDWELL COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE 2020-2021 TERM.

Mayor Pro-Tem Sanchez made a motion to nominate Alfredo Munoz as the City's nominee. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

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

Mayor White requested appointments to boards and commissions.

Councilmember McGregor made a motion to appoint John Voigt to the Electric Board. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

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

- Events:
 - Diez y Seis event downtown on September 13 and 14.
 - Cemetery Clean up begins on October 1.
 - 32nd Annual Hippensteel "Classic" Lockhart Invitational was held in the City Park on August 31st.
- Staff continues to work with P1 Promotions to prepare an agreement for the Lockhart Grand Prix 2020. Staff anticipates having an agreement presented to Council during the next Council meeting.
- Staff is working through the RFP process for security guard services at the Library and anticipates bringing a recommendation back to the Council at the October 15, 2019 Council meeting.
- Mr. Miles Smith has joined the City as the first City Public Information Officer.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, 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. - Discussion regarding possible land acquisition.

Mayor White announced that the Council would enter Executive Session at 9:20 p.m.

ITEM 9. OPEN SESSION - Discussion and/or action regarding possible land acquisition.

Mayor White announced that the Council would enter Open Session at 9:50 p.m.

Councilmember McGregor made a motion to authorize the City Manager to pursue a verbal offer on a piece of property as discussed in closed session. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 10. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.

Councilmember Westmoreland encouraged citizens to support and attend high school football games.

Councilmember Mendoza invited everyone to the Youth Soccer Association kick-off event this Saturday. Hurts Donuts is coming to Kreuz Market to host a fundraiser for Plum Creek Elementary on Friday, September 3 from 12-2 p.m. He congratulated the High School Cross Country Team.

Mayor Pro-Tem Sanchez congratulated the Cross Country Team. She expressed condolences to the families of Joann Holcomb, Johnny Siemering, and William Billy Koehler for their loss.

Councilmember McGregor invited everyone to events this weekend.

Councilmember Castillo congratulated the Cross Country Team and wished all fall sports luck this year. He invited everyone to upcoming events and he thanked staff for their work.

Councilmember Michelson congratulated the Cross Country team and invited everyone to local sporting events.

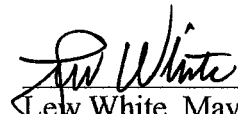
Mayor White invited everyone to First Friday events and wished the Hispanic Chamber a successful Diez y Seis event. Go Lions!

ITEM 11. 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 9:57 p.m.

PASSED and APPROVED this the 15th day of October 2019.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

