

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**JANUARY 19, 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  
Sandra Mauldin, Economic Dev. Director

Connie Constancio, City Secretary  
Jeff Hinson, Finance Director

**Citizens/Visitors Addressing the Council:** Tony Bowen, 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 MINUTES OF THE CITY COUNCIL MEETING OF JANUARY 5, 2016.**

Mayor White requested corrections to the minutes. There were corrections.

**B. DISCUSS AGREEMENT WITH HILL COUNTRY COOK-OFF (HCCO) ASSOCIATION TO USE CITY PARK FOR FIVE (5) YEARS BEGINNING IN OCTOBER OF 2016.**

Mr. Rodgers stated that Council gave staff approval at the last meeting to pursue a five year agreement with the HCCO for use of City Park for five years beginning in October of 2016. Mr. Rodgers recommended approval with any changes Council might deem necessary. There was discussion about the environmental friendly weather surface improvements that the City and HCCO would work together to accomplish.

**C. DISCUSS 1ST QUARTER FISCAL YEAR 2016 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.

Mr. Hinson provided information and there was discussion about the first Quarter Fiscal Year 2016 Investment Report, ending December 31, 2015 as follows:

- Quarterly Investment Report.
- Investment Portfolio Summary.
- Cash Accounts.
- Marketable Securities Transaction Summary.
- Investment Pool Transactions Summary.
- Certificates of Deposit Transaction Summary.
- Investment Pools.
- Banks of the Ozarks Collateralization.

**D. DISCUSS A LOAN REQUEST BY MARGARITAS TORTILLA FACTORY, LLC IN THE AMOUNT OF \$30,000 AS SECURED BY COLLATERAL FOR THE FULL AMOUNT OF THE LOAN.**

Mr. Hinson stated that the Revolving Loan Committee (RLC) met today at 5:30 p.m. to consider a recommendation to the City Council about the loan. The RLC recommended that the loan to Margarita's Tortilla Factory, LLC in the amount of \$30,000 is approved. He stated that the loan funds would be used towards the installation of a larger freezer in their building so that they can hold more products. The RLC recommended approval subject to the submission of the company's 2014 tax returns and proof of collateral. He announced that Margarita's Tortilla Factory has expanded to also produce their tortillas and tamales out of a second manufacturing plant in Colorado that are now being distributed nationwide. The interest for the loan would be 4.12 percent for 60 months.

There was discussion about the fund balance in the revolving loan fund. Mr. Hinson stated that the current balance in the Revolving Loan fund is \$225,000. There are no outstanding loans.

**E. DISCUSS REPORT ON ECONOMIC DEVELOPMENT ACTIVITY IN LOCKHART, NEW AND/OR EXPANDED BUSINESSES, AND OTHER BUSINESS CONTACTS LOOKING AT LOCKHART.**

Ms. Mauldin provided a report.

**F. DISCUSSION AFTER CITY MANAGER REPORT REGARDING THE FINAL PURCHASE PRICE FOR THE PROPERTY AT 800 STUEVE LANE.**

Mr. Rodgers stated that the Council previously voted to authorize the purchase of the property for a future detention and drainage project. The price paid for the property was \$20,000 which is less than the amount allowed by Council.

**G. DISCUSSION AFTER CITY MANAGER REPORT REGARDING THE PURCHASE OF THE PROPERTY AT 606 LOMA FOR DETENTION POND FOR BIG DRAINAGE PROJECT.**

Mr. Rodgers stated that Council had previously authorized staff to pursue the property because it was needed for a detention pond to help alleviate flooding in the Braden and Mesquite areas. The net cost for the property was approximately \$25,000 which is less than the amount approved by Council.

Councilmember Castillo thanked Mr. Rodgers for pursuing the drainage project. He stated that the he and citizens that reside in the Braden and Mesquite areas will be appreciative when the drainage problems are resolved.

**H. DISCUSS ORDINANCE 2016-04 AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 6, ALCOHOLIC BEVERAGES, SECTION 6-3, CAPTIONED "LOCATION OF SALES RESTRICTED"; PROVIDING FOR THE CITY COUNCIL TO ALLOW VARIANCES FROM THE CITY ORDINANCE PROHIBITING SALES OF ALCOHOL WITHIN 300 FEET OF ANY CHURCH, OR PUBLIC OR PRIVATE SCHOOL, AND PROVIDING FOR CONSIDERATION OF A VARIANCE AT AN OPEN MEETING AFTER WRITTEN NOTICE TO CERTAIN PARTIES.**

Mr. Gruning stated that the Texas Alcoholic Beverage Code, Section 109.33(c) allows a City to grant variances from the 300 foot distance requirement regarding churches, or public or private schools if the Council determines that the enforcement of the regulation in a particular instance. He stated that each variance request would be considered on a case-by-case basis and that he did not believe that it would set precedence because each variance would be considered only when requested for consideration, not as a requirement for each business that serves alcohol.

There was discussion about the variance process.

The public hearing would be held at a City Council meeting for such variance requests. The request must be submitted to the City Secretary by the person requesting or holding the TABC license or permit for the business or other entity located within 300 feet of a church or school. Consideration of the variance shall be in compliance with the Texas Open Meetings Act. A letter notifying the variance requestor, and each church, or public or private school that is located within 300 feet of the affected business or other entity, will be sent by regular mail and posted at least ten (10) days prior to the public meeting. Appropriate zoning is required before a variance request may be considered by Council.

**I. DISCUSS POSSIBLE MEETING DATES AND TIMES IN MARCH FOR A CITY COUNCIL GOALS WORKSHOP PRIOR TO BEGINNING THE FISCAL YEAR 2016-2017 BUDGET PROCESS.**

After discussion, Mayor White announced that the Council would determine the goals workshop meeting date and time during the regular meeting.

**J. DISCUSSION REGARDING CITY CELL PHONES FOR MAYOR AND COUNCIL.**

After discussion, the Council announced that they would table the item during the regular meeting because there has not been a response from the Attorney General about the issue pertaining to withholding personal cell phone records.

RECESS: Mayor White announced that the Council would recess for a break at 7:11 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 - 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. There were none.

**ITEM 4. CONSENT AGENDA.**

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 4A, with corrections, 4B, and 4C. Councilmember Hilburn 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 January 5, 2016, as amended.
- 4B: Approve agreement with Hill Country Cook-Off (HCCO) Association to use City Park for five (5) years beginning in October of 2016.
- 4C: Accept 1<sup>st</sup> Quarter Fiscal Year 2016 Investment Report.

**ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF A LOAN REQUEST BY MARGARITAS TORTILLA FACTORY, LLC IN THE AMOUNT OF \$30,000 AS SECURED BY COLLATERAL FOR THE FULL AMOUNT OF THE LOAN.**

Mayor Pro-Tem Sanchez made a motion to approve a loan request by Margarita's Tortilla Factory, LLC in the amount of \$30,000 as secured by collateral for the full amount of the loan. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

**ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING REPORT ON ECONOMIC DEVELOPMENT ACTIVITY IN LOCKHART, NEW AND/OR EXPANDED BUSINESSES, AND OTHER BUSINESS CONTACTS LOOKING AT LOCKHART.**

There was no further discussion and no action was taken.

**ITEM 5-C. DISCUSSION AND/OR ACTION AFTER CITY MANAGER REPORT REGARDING THE FINAL PURCHASE PRICE FOR THE PROPERTY AT 800 STUEVE LANE.**

There was no further discussion and no action was taken.

**ITEM 5-D. DISCUSSION AND/OR ACTION AFTER CITY MANAGER REPORT REGARDING THE PURCHASE OF THE PROPERTY AT 606 LOMA FOR DETENTION POND FOR BIG DRAINAGE PROJECT.**

There was no further discussion and no action was taken.

**ITEM 5-E. DISCUSSION AND/OR ACTION REGARDING ORDINANCE 2016-04 AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 6, ALCOHOLIC BEVERAGES, SECTION 6-3, CAPTIONED "LOCATION OF SALES RESTRICTED"; PROVIDING FOR THE CITY COUNCIL TO ALLOW VARIANCES FROM THE CITY ORDINANCE PROHIBITING SALES OF ALCOHOL WITHIN 300 FEET OF ANY CHURCH, OR PUBLIC OR PRIVATE SCHOOL AND PROVIDING FOR CONSIDERATION OF A VARIANCE AT AN OPEN MEETING AFTER WRITTEN NOTICE TO CERTAIN PARTIES.**

Mayor White requested the following citizens to address the Council:

Tony Bowen, 1115 Bois D'Arc, spoke against the variance process as presented in the proposed Ordinance.

There was discussion about the variance process. Mr. Gruning stated that the proposed Ordinance would follow the Texas Alcoholic Beverage Commission law to consider variances on a case-by-case basis.

Councilmember Michelson made a motion approve Ordinance 2016-04 amending the Lockhart Code of Ordinances, Chapter 6, Alcoholic Beverages, Section 6-3, captioned "Location of Sales Restricted" providing for City Council to allow variances from the City Ordinance prohibiting sales of alcohol within 300 feet of any church, or public or private school and providing for consideration of a variance at an open meeting after written notice to certain parties. Councilmember Westmoreland seconded. There was discussion. The motion passed by a vote of 6-1, with Councilmember Mendoza opposing.

**ITEM 5-F. DISCUSSION AND/OR ACTION REGARDING POSSIBLE MEETING DATES AND TIMES IN MARCH FOR A CITY COUNCIL GOALS WORKSHOP PRIOR TO BEGINNING THE FISCAL YEAR 2016-2017 BUDGET PROCESS.**

After discussion, the consensus of the Council was to hold the budget goals workshop on Saturday, March 12, 2016 at 8:00 a.m. to 12(noon) in the Fireplace Room in the Clark Library.

Mr. Rodgers requested that the Council submit their proposed goals to him for preparation of the meeting.

**ITEM 5-G. DISCUSSION AND/OR ACTION REGARDING CITY CELL PHONES FOR MAYOR AND COUNCIL.**

Mayor White made a motion to table the item until the 2<sup>nd</sup> meeting in February 2016. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

**ITEM 5-H. 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 6. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.**

- Update- US 183 widening project, Hickory to Blackjack: east side drainage truck main complete; inlet tops, slotted drains, and curbing being installed; will start on west side within same limits next week.
- Update- Pure Castings Co. has leased the 119 E. MLK Jr Industrial Blvd building (formerly ACP and Northern Video bldg.) for up to six months and will be approaching the Lockhart Economic Development Corporation about a longer term lease/purchase of the property.
- Update: Working with Union Pacific Railroad about use of their right of way for utility installations east and west of SH 130.
- Update: Public bids for the Wichita-Braden-Mesquite-Vega and Richland Drive Drainage Projects should be going out by February 15, 2016.
- Update: City Street crews have been cleaning streets and curb gutters all over town and it has been well received by residents.
- Update: Working with LCRA engineers for final design of feeder lines coming out of the new substation.
- Update: Meeting with developers of property on Maple east of SH 130.
- Report: Martin Luther King, Jr. honor march held Monday, January 18.
- Reminder: Lockhart Chamber of Commerce Annual Banquet Saturday, January 23.
- LAMA held their event this weekend.
- Hot Rods Hatters car show – February 6 in Downtown Square.

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

Councilmember Westmoreland thanked Sandra Mauldin for her report and for working hard to assist expanding businesses and to recruit new businesses.

Councilmember Mendoza thanked all involved with the MLK March. He thanked city crews for cleaning curbs and gutters.

Mayor Pro-Tem Sanchez thanked all involved with the MLK March. She expressed condolences to the families of Tommy Holland and Maria Luna for their loss. She announced that the Gaslight-Baker Theatre is performing "The Ultimate Oldies" show on January 30.

Councilmember Castillo thanked all for attending the successful MLK march. He thanked Mr. Rodgers and staff for working to improve the drainage in the Wichita – Braden areas of the city.

Councilmember Michelson congratulated District 1 Pride for the successful MLK march. He thanked Sandra Mauldin for the economic development update report and requested that it is presented quarterly.

Mayor White thanked all involved in the MLK march. He also thanked Sandra Mauldin for working hard on new business recruits to Lockhart.

**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 8:08 p.m.

PASSED and APPROVED this the 2<sup>nd</sup> day of February 2016.

**CITY OF LOCKHART**

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

ATTEST:

  
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Connie Constancio, TRMC  
City Secretary

