

**LOCKHART CITY COUNCIL
REGULAR MEETING**

MARCH 15, 2016

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
Dan Gibson, City Planner

Connie Constancio, City Secretary
Jeff Hinson, Finance Director

Citizens/Visitors Addressing the Council: None.

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 MEETING OF MARCH 1, 2016.

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

B. DISCUSS WATER AND SEWER EXTENSIONS AND OVERSIZING OF LINES, AND ASSOCIATED COSTS FOR THE MAPLE PARK PHASE I DEVELOPMENT.

Mr. Rodgers provided information regarding costs involved with water, sewer, and electric utility line extensions and oversizing lines for the Maple Park Phase I Development and other adjoining properties.

Costs are estimated as follows:

- Water mains = \$2,500 extension at Clearfork across Lincoln Lane and Maple Street bore = \$7,400.
- Wastewater oversizing from 8" to 12" lines = \$55,832 + \$11,000 Maple Street bore.
- Extension of 3-phase electric lines on Clearfork from City Line Road to Lincoln Lane = not to exceed \$82,715.

Mr. Rodgers recommended approval. There was discussion.

C. DISCUSS POSSIBLE FUTURE ORDINANCE ADDRESSING POSSIBLE OFFENSIVE CONDITIONS IN RESIDENTIAL YARDS AND FRONT PORCHES THAT ARE USED FOR STORAGE OF ITEMS THAT ARE OFFENSIVE TO NEIGHBORS.

Mr. Rodgers stated that city staff and elected officials receive complaints from citizens regarding neighboring properties where the owner or renter stores items such as boxes, furniture, clothing, rusted metal parts, fabrication materials, lumber, accumulation of inoperable lawn maintenance equipment, etc. in their yard and/or on porches of the residence that can be clearly seen from the public right of way and/or other adjacent properties which in their mind is unsightly or an eyesore, a health hazard, a fire

hazard, and reduces property values. There was discussion about ordinances pertaining to this issue from Lockhart, San Marcos and Kyle. Mr. Rodgers requested the Council's input and direction from Council about revising the ordinance in regards to offensive and unhealthy conditions of a citizen's property.

Mr. Gruning gave an explanation about what the term "unsightly" meant and stated that he would prepare an ordinance with amendments to add other types of offenses as directed by the Council.

There was discussion about the code enforcement process, various ways to address or assist residents with cleaning their property, and possible ordinance amendments.

After discussion, the consensus of the Council was to direct staff to prepare an ordinance with amendments in regards to regulations of outdoor storage and debris at a future meeting.

D. DISCUSS POSSIBLE FUTURE ORDINANCE ADDRESSING THE KEEPING OF LARGE ANIMALS SUCH AS, BUT NOT LIMITED TO, EMUS, LLAMAS, SHEEP, GOATS, HORSES, AND CATTLE ON PROPERTIES THAT ARE NOT AT LEAST TWO ACRES OR MORE IN SIZE AND PROHIBITING MORE THAN TWO SUCH LARGE ANIMALS PER ACRE.

Mr. Rodgers stated that staff and sometimes Councilmembers receive complaints about a resident keeping large animals within the city limits and especially in and near residential areas where they become nuisances because of noise, smell, and/or unsightly and unsanitary conditions. Sometimes owners of such large animals try to keep them in their small back yard which can be considered cruelty. Some consideration should be given to 4-H and Junior Livestock animals.

There was discussion about possibly restricting large animals in established neighborhoods with properties that are less than two acres.

E. DISCUSS APPOINTMENT OF AN ELECTED CITY OFFICIAL TO CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) REGIONAL REVIEW COMMITTEE (RRC) WHICH REVIEWS AND SCORES GRANT APPLICATIONS.

Mayor White stated that CAPCOG requested appointments to the Regional Review Committee. The committee meets at least once a quarter at the CAPCOG office. The appointee is required to be an elected official.

Mayor Pro-Tem Sanchez volunteered to be nominated during the regular meeting.

F. DISCUSSION AFTER REPORT BY CITY MANAGER REGARDING THE CALDWELL COUNTY COMMISSIONERS' COURT DECISION REGARDING PURCHASE OF A NEW AMBULANCE.

Mr. Rodgers stated that the Commissioners Court tabled the item during their March 14, 2016 meeting and provided an update about the purchase of a new ambulance.

There was discussion.

G. DISCUSS RESCHEDULING THE DATE TO HOST THE TEXAS MUNICIPAL LEAGUE REGION 10 MEETING IN LOCKHART IN SEPTEMBER 2016 AND DISCUSS ANY OTHER ASPECTS PERTAINING TO THE MEETING.

Ms. Constancio stated that during the March 1, 2016 meeting, Council voted to host the TML Region 10 meeting on Thursday, September 22, 2016.

Staff notified Sherry Mashburn, Region 10 Secretary, about the Council's decision. Ms. Mashburn thereafter requested that the Council reconsider the September 22 date because the College Station City Council holds their meetings on the 2nd and 4th Thursday of each month. Ms. Mashburn requested that the Council consider rescheduling to a Wednesday or a 1st or 3rd Thursday in September.

RECESS: Mayor White announced that the Council would recess for a break at 7:35 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 7:49 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation – Mayor Lew White.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

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

ITEM 4-A. HOLD A PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 64 "ZONING" OF THE CODE OF ORDINANCES, SECTION 64-2 "DEFINITIONS", TO ADD A DEFINITION OF "LIMITED INDUSTRIAL MANUFACTURING"; SECTIONS 64-196(I) "COMMERCIAL MEDIUM BUSINESS DISTRICT (CMB) AND 64-196(J) "COMMERCIAL HEAVY BUSINESS DISTRICT (CHB), TO ADD USES ALLOWED BY-RIGHT OR AS A SPECIFIC USE; AND TO RENAME SECTION 64-204 FROM "RESERVED" TO "TRANSPORT CONTAINERS", AND ADD APPROPRIATE STANDARDS.

Mayor White opened the public hearing at 7:51 p.m. and requested the staff's report.

Mr. Gibson stated that the zoning text amendment defines a new use classification "Limited industrial manufacturing", and adds it as a specific use in the CMB and CHB districts. An existing use classification "Light assembly/fabrication or custom handicraft manufacturing", which is already allowed as a specific use in the CCB district, is added as a use allowed by-right in the CMB and CHB districts. A new section "Transport containers" is added to define and provide standards for the adaptive use of shipping and cargo containers as a principal use, accessory use, or temporary use.

There was discussion.

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

Mayor White requested citizens against the zoning text amendments to address the Council. There were none. He closed the public hearing at 8:20 p.m.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2016-08 AMENDING CHAPTER 64 "ZONING" OF THE CODE OF ORDINANCES, SECTION 64-2 "DEFINITIONS", TO ADD A DEFINITION OF "LIMITED INDUSTRIAL MANUFACTURING"; SECTIONS 64-196(I) "COMMERCIAL MEDIUM BUSINESS DISTRICT (CMB) AND 64-196(J) "COMMERCIAL HEAVY BUSINESS DISTRICT (CHB), TO ADD USES ALLOWED BY-RIGHT OR AS A SPECIFIC USE; AND TO RENAME SECTION 64-204 FROM "RESERVED" TO "TRANSPORT CONTAINERS", AND ADD APPROPRIATE STANDARDS.

Councilmember Michelson made a motion to approve Ordinance 2016-08, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA

Councilmember Castillo 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 meeting of March 1, 2016.

5B: Approve water and sewer extensions and oversizing of lines, and associated costs for the Maple Park Phase I Development.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING POSSIBLE FUTURE ORDINANCE ADDRESSING POSSIBLE OFFENSIVE CONDITIONS IN RESIDENTIAL YARDS AND FRONT PORCHES THAT ARE USED FOR STORAGE OF ITEMS THAT ARE OFFENSIVE TO NEIGHBORS.

Mayor Pro-Tem Sanchez made a motion to direct staff to present a proposed Ordinance amending offensive condition in residential yards and front porches. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING POSSIBLE FUTURE ORDINANCE ADDRESSING THE KEEPING OF LARGE ANIMALS SUCH AS, BUT NOT LIMITED TO, EMUS, LLAMAS, SHEEP, GOATS, HORSES, AND CATTLE ON PROPERTIES THAT ARE NOT AT LEAST TWO ACRES OR MORE IN SIZE AND PROHIBITING MORE THAN TWO SUCH LARGE ANIMALS PER ACRE.

Mayor Pro-Tem Sanchez made a motion to direct the City Attorney to review the ordinance to determine whether it should be rewritten or amended. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING APPOINTMENT OF AN ELECTED CITY OFFICIAL TO CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) REGIONAL REVIEW COMMITTEE (RRC) WHICH REVIEWS AND SCORES GRANT APPLICATIONS.

Councilmember Castillo made a motion to appoint Mayor Pro-Tem Angie Gonzales-Sanchez to the CAPCOG Regional Review Committee. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-D. DISCUSSION AND/OR ACTION AFTER REPORT BY CITY MANAGER REGARDING THE CALDWELL COUNTY COMMISSIONERS' COURT DECISION REGARDING PURCHASE OF A NEW AMBULANCE.

Mayor White announced that the report was made during the work session.

ITEM 6-E. DISCUSSION AND/OR ACTION TO CONSIDER RESCHEDULING THE DATE TO HOST THE TEXAS MUNICIPAL LEAGUE (TML) REGION 10 MEETING IN LOCKHART IN SEPTEMBER 2016 AND DISCUSS ANY OTHER ASPECTS PERTAINING TO THE MEETING.

Mayor Pro-Tem Sanchez made a motion to reschedule the date to host the TML Region 10 meeting to September 15, 2016. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 6-F. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES, INCLUDING CHARTER REVIEW COMMISSION.

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

Councilmember Hilburn made a motion to appoint Kirk Smith as an Alternate to the Zoning Board of Adjustment. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

Mayor Pro-Tem Sanchez made a motion to appoint Rudy Ruiz to the Charter Review Commission. Councilmember Castillo seconded. The motion failed by a vote of 3-4, with Mayor White and Councilmembers Hilburn, Westmoreland, and Michelson opposing.

Councilmember Hilburn made a motion to appoint Alan Fielder to the Charter Review Commission. Councilmember Michelson seconded. The motion passed by a vote of 4-3, with Mayor Pro-Tem Sanchez, Councilmember Mendoza and Councilmember Castillo opposing.

ITEM 7. 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; rain delays; first two sections look great...compliments continue to come in!
- Update: Water-Wastewater crews replacing bad clay sewer main lines on Frio Street and on E Market east of railroad track.
- Update: Contracts with Qro-Mex Construction should be signed within next 10 days and a pre-construction meeting to follow to start the Wichita-Braden-Mesquite and Richland Drive drainage projects. Meetings with neighborhoods will be set up once we have the working schedule.
- Update: Electric Crew installed 400 watt equivalent LED street lights on the north portion of the US 183 widening project; others on the project will be replaced as timing permits.
- Update: City Manager has been contact by another kart racing group promotor to begin talks about another possible street kart race in Lockhart in 2017.
- Update: The Planning Department and utility departments are working with 6 possible developments much of which will be single family residences and multi-family units.
- Update: Public bids should go out within the next 30-45 days for the CDBG Grant Project placing a new 18" water transmission main from Water Plant to near Serta.
- Update: FY 16-17 Budget preparations will begin in April.
- Update: Warrant Round Up- Preliminary data: 95 warrants, + \$ 25,000 collected of which about \$12,000 is local funds; final information will be available next week.
- Report: Friday, March 11, a Texas Workforce Center job fair will held at the Dr. Eugene Clark Library between 1 and 4 pm.
- Reminder: Annual Welcome Spring Event and Lockhart Chamber's Tolbert Chili Cook Off Competition event in City Park on Saturday, March 19, with Kid Fish, free hot dogs, kite flying, horseshoes, pitching washers, etc....

- Reminder: Semi-Annual City Cemetery Clean Up scheduled week of March 28.
- Reminder: 5th Annual Sip and Stroll event, Saturday, April 2.
- Reminder: Don't Mess with Texas Annual Trash Off Event to be held in City Park at main pavilion on Saturday, April 9; volunteers needs to help Keep Lockhart Beautiful.
- Reminder: Annual Residential Spring Clean Up Event each Wednesday in April.
- Reminder: Special Residential Household Hazardous Waste Collection event to be held Saturday, May 14, at City Park from 9 am until noon for Lockhart residents only.

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

Councilmember Mendoza thanked staff for their work on Lovers Lane. He also inquired about the prizes being offered during the KidFish this Saturday.

Mayor Pro-Tem Sanchez expressed condolences to family of Ester Peralez for their loss. She invited everyone to attend the Cesar Chavez event on April 2 at the City Park.

Councilmember Hilburn stated that he served on the Lockhart Municipal Court jury and encouraged citizens to participate when called for duty.

Councilmember Castillo invited everyone to a "Day of Service" in honor of Cesar Chavez on April 2 at the City Park.

Mayor White invited everyone to attend Welcome Spring Day and KidFish at the City Park this Saturday, March 19. He announced several events being held on April 2 as follows: Sip n Stroll in downtown square, Kiwanis 5K Run downtown, Cesar Chavez clean up event at City Park and Little League kick-off day at the Sports Complex.

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 8:40 p.m.

PASSED and APPROVED this the 5th day of April 2016.

CITY OF LOCKHART



Lew White
Lew White, Mayor

ATTEST:

Connie Constancio
Connie Constancio, TRMC
City Secretary