

**LOCKHART CITY COUNCIL
REGULAR MEETING**

OCTOBER 4, 2016

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Benny Hilburn
Councilmember Brad Westmoreland

Mayor Lew White
Councilmember Juan Mendoza
Councilmember Jeffry Michelson
Mayor Pro-Tem Angie Gonzales-Sanchez (arrived at 6:45 p.m.)

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: Representatives of the Hays-Caldwell Women's Center and of the Muscular Dystrophy Association.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Angie Gonzales-Sanchez would be arriving at the meeting late. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

PRESENTATION ONLY

A. PRESENTATION OF A PROCLAMATION DECLARING OCTOBER AS "NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH" IN LOCKHART.

Mayor White presented a proclamation to Representatives of the Hays-Caldwell Women's Center (HCWC).

B. PRESENTATION OF FUNDS COLLECTED BY THE LOCKHART FIRE RESCUE FOR THE "MDA FILL THE BOOT" FUNDRAISER TO MARCIE MCDONALD OF THE MUSCULAR DYSTROPHY ASSOCIATION.

Fire Chief Joseph Gorman presented a check in the amount of \$3,971.33 to Christy Hall of the Muscular Dystrophy Association (MDA). Ms. Hall of the MDA expressed appreciation.

DISCUSSION ONLY

A. DISCUSS MINUTES OF THE CITY COUNCIL MEETINGS OF SEPTEMBER 20, 2016 AND SEPTEMBER 27, 2016.

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

B. DISCUSS SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES.

Mr. Gibson stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to the City Council. The committee met on September 28 to consider their 29th semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$1,333,370. Total impact fee revenue during this six-month period was \$207,013 and no funds were spent on impact fee capital improvement plan (CIP) projects during that time. He provided information from a report by the Committee that summarizes their previous recommendation that an update of the land use assumptions, capital improvement plans, and impact fees be prepared in time for adoption in early 2017. On April 19, 2016, the Council directed staff to retain the services of consultants for that purpose, and in September subsequently approved professional services agreements with Freese and Nichols, Inc., and with TRC Engineering. The Committee again requests that the Council expedite the appointment of an ETJ representative to the Impact Fee Advisory Committee. By State law, water and wastewater impact fees cannot be assessed where our service area extends into the ETJ without that representation. Mr. Gibson recommended acceptance of the report.

Mayor Pro-Tem Sanchez arrived at the meeting at 6:45 p.m.

Mayor White requested that staff provide a map of the extraterritorial jurisdiction (ETJ) to the Council to assist in finding an appointment to fill the vacant ETJ position on the Impact Fee Advisory Committee.

There was discussion.

C. DISCUSSION REGARDING CITY COUNCIL CONFIRMATION, ACCORDING TO CIVIL SERVICE LAW (SECTION 143.013), OF MR. JOHN ROESCHER AS THE CITY MANAGER'S APPOINTMENT OF INTERIM POLICE CHIEF FOR THE CITY OF LOCKHART EFFECTIVE OCTOBER 31, 2016, UNTIL SUCH TIME AS A POLICE CHIEF IS APPOINTED BY THE CITY MANAGER AND CONFIRMED BY THE CITY COUNCIL.

Mr. Rodgers stated that Police Chief Michael Lummus' original date of retirement was December 31, 2016 yet he recently changed the effective date to October 31, 2016 due to personal reasons. He has selflessly served as the Lockhart Police Chief for 10 ½ years. His leadership and work ethic is to be commended. The selection process for appointing a replacement Police Chief is well under way. However, to fill the gap between Chief Lummus' retirement and the selection of a Police Chief, Captain John Roescher has been selected by the City Manager to serve as an Interim Police Chief. Captain Roescher has served in the Lockhart Police Department since 1985, starting as a Patrol Officer moving up through the ranks to his current position of Captain in 2006. To satisfy Civil Service law, the City Council is being asked to consider confirming this interim appointment, allowing Capitan Roescher the authorities of a Police Chief, until such time that a Police Chief is appointed and confirmed.

There was discussion.

Mr. Rodgers re-affirmed that Capitan Roescher's position would be an interim appointment.

RECESS: Mayor White announced that the Council would recess for a break at 7:05 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-A. HOLD PUBLIC HEARING ON APPLICATION ZC-16-06 BY CRUZ REYNA FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT FOR 11.133 ACRES IN THE ESTHER BERRY SURVEY, ABSTRACT NO. 1, LOCATED AT 2112 SOUTH COLORADO STREET (US 183).

Mayor White announced that the public hearing will be postponed until the October 18, 2016 Council meeting.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2016-27 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 11.133 ACRES IN THE ESTHER BERRY SURVEY, ABSTRACT NUMBER 1, LOCATED AT 2112 SOUTH COLORADO STREET (US 183), FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT.

Mayor White announced that the item will be postponed until the October 18, 2016 Council meeting.

ITEM 5. CONSENT AGENDA

Mayor Pro-Tem Sanchez stated that she will abstain from voting on the consent agenda items because she was not present during the discussion of these items in the work session.

Councilmember Michelson made a motion to approve consent agenda items 5A and 5B. Councilmember Hilburn seconded. The motion passed by a vote of 6-0-1, with Mayor Pro-Tem Sanchez abstaining.

The following are the consent agenda items that were approved:

- 5A: Approve minutes of the City Council meetings of September 20, 2016 and September 27, 2016.
- 5B: Accept semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING CITY COUNCIL CONFIRMATION, ACCORDING TO CIVIL SERVICE LAW (SECTION 143.013), OF MR. JOHN ROESCHER AS THE CITY MANAGER'S APPOINTMENT OF INTERIM POLICE CHIEF FOR THE CITY OF LOCKHART EFFECTIVE OCTOBER 31, 2016, UNTIL SUCH TIME AS A POLICE CHIEF IS APPOINTED BY THE CITY MANAGER AND CONFIRMED BY THE CITY COUNCIL.

Councilmember Westmoreland made a motion to confirm the City Manager's appointment of Interim Police Chief for the City of Lockhart effective October 31, 2016, until such time as a Police Chief is appointed by the City Manager and confirmed by the City Council. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

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

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

Councilmember Castillo made a motion to appoint Ron Faulstich to the Lockhart Historical Preservation Commission. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

Councilmember Mendoza made a motion to appoint Mike Votee to Construction Board of Appeals. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

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

- Update: US Hwy 183 expansion project, Hickory to Blackjack.
- Update: City Street Crew working on surfacing of Old Kelley Road and East portion of Horseshoe Bend gravel sections within the City Limits; chip seal work.
- Update: About 100% of the curb and gutter has been placed on the Richland Drive project; final paving should be complete within 30 days, weather-permitting.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds.
- Update: Still working on final designs for Ash, Comal and Pine Street; about complete to address drainage issues; neighborhood meeting will be set up in November.
- Update: Water Well #11; major rehab should be complete next week and flows will be reported back to Council.
- Update: City Water Crew extending 18" water main along north side of SH 142 east of City Line Road.
- Update: Applications ranked for the Economic Development Director and Police Chief positions. Interviews will be set up over the next three weeks.
- Update: Chief Lummus has appointed Police Officer Stephen Parra, our 1st Cadet Officer, as the Community Resource Officer to work with neighborhoods about special concerns and needs.
- Update: Laura DeVore, Assistant Planner, has resigned to move back to Illinois where she has immediate family; position being advertised; Dan is very busy.....
- Update: Dickens Annual Event preparation well underway. Thanks to all volunteers and City employees who make this event something very special for our community each year.
- Update: Special thanks to Mr. John Larisen, a Lockhart Resident, with Tanger Outlet Mall, for the donation of approximately 65 park type benches and trash can units; staff will be working with Downtown Beautification Group about placements and explore areas to place them along the sidewalk of the US 183 widening project.
- Report: Evening with the Authors on Saturday Oct 1.
- Reminder: Texas Municipal League annual meeting this week.
- Reminder: Hill County Cook-off will be Oct 14-15 in City Park.

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

Councilmember Westmoreland thanked the City Manager and the street sweeper for clearing up the crickets downtown, which are a nuisance this time of the year. Good luck Lockhart Lions!

Councilmember Mendoza reminded everyone that tomorrow is the National “Walk or Ride Your Bike to School Day” and asked everyone to be safe.

Mayor Pro-Tem Sanchez commended all involved with the successful Evening with the Authors event.

Councilmember Hilburn thanked all involved with the successful Evening with the Authors event.

Councilmember Castillo also thanked all involved with the successful Evening with Authors event. He thanked McDonalds for hosting the “Coffee with Cops” event held on September 24.

Mayor White commended all involved with the successful Evening with the Authors event. He invited everyone to attend the Speaking of the Dead event on October 21-22 at the City Park. He expressed get well wishes to Mr. George Hazlett.

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 7:55 p.m.

PASSED and APPROVED this the 18th day of October 2016.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

