

REGULAR MEETING

LOCKHART CITY COUNCIL

JANUARY 3, 2023

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
Julie Bowermon, Civil Service/HR Director
David Fowler, Senior Planner

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Dan Gibson, City Planner
Mike Kamerlander, Economic Development Dir.

Citizens/Visitors Addressing the Council: Pastor Pete Arciniega and members of Calvary Church; Melissa Reese of Texas Monthly; and Brett Corwin, Developer.

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. PRESENTATION OF A CERTIFICATE OF RECOGNITION TO CALVARY CHURCH FOR SERVING AS A WARMING CENTER DURING THE ARCTIC BLAST DURING CHRISTMAS, 2022.

Mayor White presented a Certificate of Recognition to Pastor Pete Arciniega and members of Calvary Church for their dedication to the community.

B. UPDATE FROM TEXAS MONTHLY REGARDING PLANS FOR THE 2023 BBQ FEST.

Melissa Reese of Texas Monthly provided an update about the 2022 BBQ Fest. She stated that the 2022 BBQ Fest in Lockhart had the best attendance of events held in other locations. She provided information and there was discussion about plans for the 2023 BBQ Fest that will be held in Lockhart in November 2022.

C. DISCUSS CHANGING MARCIA PROCTOR'S POSITION ON THE ZONING BOARD OF ADJUSTMENT (ZBOA) FROM AN ALTERNATE MEMBER TO A REGULAR MEMBER BY COUNCILMEMBER KARA MCGREGOR WITH A TERM TO EXPIRE IN NOVEMBER 2023.

Councilmember McGregor stated that since her previous appointee (Anne Clark) to the ZBOA resigned on December 6, 2022, she would like to appoint Marcia Proctor as her appointee to the ZBOA. Ms. Proctor continues to meet the qualifications as a ZBOA member.

D. DISCUSS MINUTES OF THE DECEMBER 6, 2022, DECEMBER 13, 2022 AND DECEMBER 20, 2022 COUNCIL MEETINGS.

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

Mayor White announced that the Council would enter Executive Session about the following two topics:
EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR 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. Discussion regarding economic development negotiations with Project Sooner.

EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Seek legal advice from City Attorney regarding Emergency Medical Services.

Mayor White announced that the Council would enter Executive Session at 6:57 p.m.

OPEN SESSION

ITEM 10-A. DISCUSSION AND/OR ACTION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH PROJECT SOONER.

and

ITEM 10-B. DISCUSSION AND/OR ACTION REGARDING EMERGENCY MEDICAL SERVICES.

Mayor White announced that the Council would enter Open Session and reconvene the meeting at 7:30 p.m. There was no action.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 6:30 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Mayor White gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT.

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

ITEM 4-A. HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE 2023-01 ANNEXING 92.52 ACRES OUT OF THE JAMES GEORGE SURVEY NUMBER 7, ABSTRACT NUMBER 9, CALDWELL COUNTY, TEXAS, GENERALLY LOCATED ON THE EAST SIDE OF LAY ROAD, APPROXIMATELY 350 FEET EAST OF FM 1322 AND APPROXIMATELY 750 FEET NORTH OF SEAWILLOW ROAD, INCLUDING THE ADJACENT LAY ROAD RIGHT-OF-WAY.

Mayor White opened the public hearing at 7:35 p.m.

Mr. Fowler stated that this item is the adoption of an ordinance to annex, an Annexation Service Agreement, and the application of initial zoning for 92.52 acres located on the east side of Lay Road, approximately 350 feet east of FM 1322, and 750 feet north of Seawillow Road, including the adjacent Lay Road right-of-way. The property is anticipated to be developed as a residential subdivision. The site is not currently served by City of Lockhart water and wastewater utilities. As such, the extension of such services will be at the owner's expense. The adjacent Lay Road right-of-way is included in the annexation due to a clause in Chapter 43 of the Texas Local Government Code that states that when cities annex property adjacent to a county road, they must also annex the entire width of the adjacent right-of-way. Notification of the public hearing was placed on the city website and in the Lockhart Post-Register on Thursday, December, 15, 2022. Relevant public service providers in the annexation area were notified via letters sent before December 16, 2022. The area proposed for annexation is indicated as a combination of Medium-Density Residential and Agriculture/Rural Development on the Future Land Use Map. The parcel abuts one property in the city, which is zoned AO Agricultural-Open Space District. Upon annexation, the property will be automatically zoned AO Agricultural-Open Space District until another zoning district has been successfully requested for the property. There was discussion.

Mayor White requested the applicant to address the Council.

Brett Corwin, Developer, requested approval and stated that they will submit an application for a residential single family dwelling development soon, if the annexation is approved.

Mayor White requested citizens in favor of or against the annexation to address the Council. There were none. He closed the public hearing at 7:40 p.m.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2023-01, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING UPDATE FROM TEXAS MONTHLY REGARDING PLANS FOR THE 2023 BBQ FEST.

Mayor White announced that the update was presented during the work session.

Mr. Lewis stated that Texas Monthly will meet with staff soon to discuss an action plan and to draft a formal agreement for the 2023 BBQ Fest that will be presented to the Council.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER CHANGING MARCIA PROCTOR'S POSITION ON THE ZONING BOARD OF ADJUSTMENT FROM AN ALTERNATE MEMBER TO A REGULAR MEMBER BY COUNCILMEMBER KARA MCGREGOR WITH A TERM TO EXPIRE IN NOVEMBER 2023.

Councilmember McGregor made a motion to appoint Marcia Proctor as a regular member of the Zoning Board of Adjustment. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER MINUTES OF THE DECEMBER 6, 2022, DECEMBER 13, 2022 AND DECEMBER 20, 2022 COUNCIL MEETINGS.

Councilmember Michelson made a motion to approve the minutes. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION.

- Live Christmas tree recycling program.
- City offices closed on January 16 for MLK Day.
- City Council/Planning and Zoning joint work session on January 12, 2023.
- Update regarding the new Fire Apparatus.
- Update regarding Economic Development project.

ITEM 7. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST.

Councilmember Westmoreland wished everyone a Happy New Year.

Councilmember Mendoza wished everyone a Happy New Year.

Mayor Pro-Tem Sanchez wished everyone a Happy New Year. She expressed condolences to the families of Lupita Trejo, Carolyn Frizell, Antonia Hernandez, Josefa Yanez, Geronimo Castilleja, Ricky Hess, John Fullilove, Andrea Silva and Joseph Taylor for their loss.

Councilmember McGregor wished everyone a Happy New Year. She wished the students good luck when going back to school.

Councilmember Castillo expressed condolences to families that have lost a loved one. He thanked city staff and Calvary Church for serving as a warming center during the freeze storm in Christmas 2022.

Councilmember Michelson wished everyone a Happy New Year.

Mayor White wished everyone a Happy New Year. He expressed condolences to the family of Keith Cheshire for their loss.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR 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. Discussion regarding economic development negotiations with Project Sooner.

Discussion in Executive Session was conducted during the work session.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Seek legal advice from City Attorney regarding Emergency Medical Services.

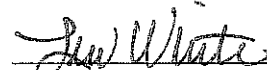
Discussion in Executive Session was conducted during the work session.

ITEM 11. ADJOURNMENT.

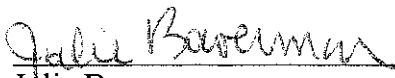
Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

PASSED and APPROVED this the 7th day of February, 2023.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:


Julie Bowermon
Deputy City Secretary

