

**REGULAR MEETING  
LOCKHART CITY COUNCIL**

**AUGUST 1, 2023**

**6:30 P.M.**

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

**Council present:**

Councilmember John Castillo  
Councilmember Juan Mendoza  
Councilmember Jeffry Michelson

Mayor Lew White  
Councilmember Brad Westmoreland  
Councilmember Kara McGregor  
Mayor Pro-Tem Angie Gonzales-Sanchez

**Staff present:**

Steve Lewis, City Manager  
Joseph Resendez, Assistant City Manager  
Julie Bowermon, Civil Service/HR Director  
Gary Williamson, Police Chief  
Mike Kamerlander, Interim Economic Development Director  
Library staff and Library Board members  
David Fowler, Planning Director

Monte Akers, City Attorney  
Sean Kelley, Public Works Director  
Bertha Martinez, Library Director  
Randy Jenkins, Fire Chief  
Victoria Burns, Public Information Officer

**Citizens/Visitors Addressing the Council:** Louis Harrison; and, Will Wachel of TRC Engineering.

**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. RECOGNITION OF A \$100,000 MONETARY DONATION TO DR. EUGENE CLARK LIBRARY IN MEMORY OF RONALD A. SEELIGER.**

Louis Harrison, Independent Executor for the Estate of Ronald Alton Seeliger presented the Dr. Eugene Clark Library with a monetary donation in the amount of \$100,000. Mr. Seeliger passed away in November 2022 and placed the following request in his Last Will and Testament: "I bequeath to the Dr. Eugene Clark Library a check for the sum of \$100,000. To be used exclusively for the acquisition of books, periodicals, and recordings in either printed, analog or digital formats." Mr. Seeliger grew up in Lockhart, and spent his professional career in the General Libraries at the University of Texas. The Seeliger family has a history of philanthropy towards the city of Lockhart. When Mr. Seeliger's mother passed away in 2008, she left a monetary gift to the City in appreciation for helping make the family business, Seeliger's Clothing Store on the square, a success. The monetary gift was used to purchase a fully equipped EMS ambulance for the City of Lockhart.

**B. DISCUSS SH142 CORRIDOR STUDY AND PRELIMINARY SERVICE AGREEMENT WITH TRC ENGINEERING FOR CONSIDERATION OF FUTURE IMPROVEMENTS ALONG WEST SAN ANTONIO STREET FROM SH 130 TO US 183.**

Mr. Kelley stated that the City of Lockhart has seen significant residential and multifamily development along the SH 142 Corridor (West San Antonio Street) over the past few years. During the joint Growth

Planning Meetings between the City Council and the Planning and Zoning Committee, staff presented growth projections and the need for the SH 142 Corridor to be expanded was discussed.

Mr. Kelley and Will Wachel of TRC Engineering provided information and there was discussion regarding the following:

At the December 13, 2022 meeting, TxDOT outlined the following short/long term project with respect to SH 142:

Short Term:

- SH 142 from US 183 to Borchert Loop - Pavement repair and overlay scheduled for December 2024.

Long Term:

- Feasibility Study for SH 142 - Not scheduled at this time.

Discussion of Project Responsibilities:

- R.O.W.- For a new roadway - typically a 10% match from the City.
- Utilities - Relocation of existing utilities in the R.O.W. - non-reimbursable.

TxDOT Long Range Planning:

- The adopted CAMPO 2045 Transportation Plan notes that SH 142 from US 183 to SH 130 is on the unconstrained list, meaning that there is no funding at this time for TxDOT to work on this project.
- However, TxDOT can partner with cities to make short-term improvements to alleviate "bottlenecks" on identified state roads.

Since the joint meetings, TxDOT has been approached about the need to conduct a corridor study since there was not a TxDOT planned corridor study. They advised that the City conducting study could result in expediting the needed improvements along SH 142. Typically, TxDOT will conduct these studies, but they have a 5-year backlog of similar projects in our district. The attached scope of service from TRC details a work plan.

The purpose of the corridor study is to assess existing facilities and forecasted conditions along the SH 142 Corridor and develop a prioritized implementation plan based on the need and when the improvements should occur by addressing short-(0-4 yrs), middle-(5-10 yrs) and long-range (10+ yrs) projects. Conducting the corridor study would also provide:

- Defined schematic projects for the short/mid/long ranges with costs that could be implemented over time.
- The City would be able to discuss financing options with TxDOT at least 5 years earlier, including discussing potential financial participation from TxDOT.
- The City would be proactive in addressing problems on this corridor and it will save time.
- The study results could be used to discuss with CAMPO for additional funding (either the remaining end of a FY budget or a new call for projects).

However, there is no guarantee that after the study is completed, that any or all identified potential projects will be funded, implemented or implemented by the timeframes recommended in the corridor study. Further, the cost of the corridor study will not be reimbursed to the City.

**C. PRESENTATION OF THE CITY OF LOCKHART'S FY 2023-2024 PROPOSED BUDGET AND CONSIDER THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S BUDGET FOR FISCAL YEAR 2023-2024, AND SET TWO PUBLIC HEARINGS ON THE FISCAL YEAR 2023-2024 CITY OF LOCKHART PROPOSED BUDGET.**

Mr. Resendez stated that according to the City of Lockhart Charter, Article 9, Section 9.07, Public Hearing on Budget, the City Council shall hold a public hearing on the budget submitted and all interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained. According to the Lockhart Economic Development Corporation's bylaws, Article 5, Section 3 Annual Corporate Budget, the President shall submit the budget to the City Council for approval prior to submittal to the Board for final adoption.

The City of Lockhart is required by Charter to hold one public hearing on the budget. Staff recommends conducting two public hearings to allow the citizens of Lockhart the opportunity to discuss any item or amount presented in the proposed FY 2023-2024 Budget. The following dates are presented to the Council for public hearings:

- August 15, 2023 at 7:30 p.m.
- September 5, 2023 at 7:30 p.m.

Both public hearings will be held in the Council Chambers located at the Clark Library Annex - 217 South Main Street, 3rd floor, Lockhart, Texas.

The City of Lockhart and the Lockhart Economic Development budget for Fiscal Year 2023-24 can be located on the City's website and hard copies are located in City Hall and the City Library.

**D. DISCUSS ORDINANCE 2023-12 AMENDING CODE OF ORDINANCES, CH. 10 ANIMALS AND BEEKEEPING, TO INCLUDE A NEW SECTION 10-19 COMMERCE IN LIVE ANIMALS PROHIBITED IN CERTAIN PLACES.**

Chief Williamson stated that raising animals for parking lot or flea market sales can raise significant ethical concerns, as these animals are often subject to poor living conditions and inadequate care. The conditions in which these animals are raised can vary widely depending on the individual sellers, but there are some common issues to be aware of: 1. Overcrowded and unhygienic environments, 2. Lack of veterinary care, 3. Minimal socialization and stimulation, 4. Questionable breeding practices, 5. Lack of legal oversight, and 6. Impulse buying and care issues. To address these issues, it's essential for local authorities to enforce existing animal welfare laws and regulations. Additionally, consumers should be educated about the importance of adopting pets from reputable sources, such as animal shelters or licensed breeders who prioritize the well-being of the animals. Adopting pets responsibly ensures that they come from a safe and caring environment, reducing the demand for animals raised under questionable conditions. This ordinance would prohibit the non-retail sale of animals in public spaces, yet allow for the sale or purchase of animals at a private residence. It would make it unlawful to sell, trade, barter, lease, rent, give away or display for commerce a live animal on a roadside, public right-of-way, sidewalk, street, parkway or any other public property or any property dedicated to public use, on a commercial parking lot, or at an outdoor special sale, swap meet, flea market, parking lot sale or similar event. It does

not prohibit the sale, purchase or give away of animals from a person's private residence. Occurrences of roadside and parking lot animal sales have occurred in Lockhart. There was discussion.

**E. DISCUSS ORDINANCE 2023-13 ORDERING A GENERAL ELECTION ON NOVEMBER 7, 2023 FOR THE PURPOSE OF ELECTING ONE MAYOR; ONE COUNCILMEMBER DISTRICT 3; AND, ONE COUNCILMEMBER DISTRICT 4; PROVIDING FOR JOINT ELECTION WITH CALDWELL COUNTY; ESTABLISHING EARLY VOTING LOCATIONS AND HOURS; DESIGNATING CITY ELECTION POLLING PLACES; AND ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; AND MAKING PROVISION FOR THE CONDUCT OF THE ELECTION.**

Ms. Bowermon stated that the City Council positions up for election on November 7, 2023 are Mayor, District 3, and District 4. The Caldwell County Elections Administrator (County EA) will be conducting the November 7, 2023 election for several entities which includes the City of Lockhart. The Ordinance provides details about the election and indicates that the City will contract with the County EA to conduct the election. The City Secretary's office will receive applications for a place on the ballot, post and publish notices, prepare ballot language, and be available to direct voters to the correct polling locations. The filing period for a place on the ballot is July 22 – August 21. Early voting will be conducted October 23 – November 3 at the Scott Annex Building at 1403 Blackjack Street, Suite A in Lockhart. The County EA has supplied Election Day polling locations and he has reported that he anticipates presenting the locations to the Caldwell County Commissioners' Court during their next meeting on August 8, 2023. Ordinance 2023-13 includes the polling locations provided by the County EA. However, if the County EA does make amendments to the locations prior to the election, City Staff will return to the Council to update the polling locations. The costs associated with the election will depend on the number of entities involved in Caldwell County's November 7, 2023 General Election as well as the specific needs of each entity in the joint election. Several entities that will be on the November 7 ballot include Caldwell County, City of Lockhart, City of Mustang Ridge, and Oatman Hill Municipal Utility District, to name a few. For the 2022 election held jointly with the County, the City's cost was approximately \$13,000. However, it is anticipated that the 2023 election will have fewer partnering entities sharing the election expenses, thus resulting in a higher cost. A contract for "Joint Election Services Between Caldwell County and Participating Entities" will be presented to the City Council during the next City Council meeting. The County EA has provided a draft of the contract which has been included in this agenda packet for review.

RECESS: Mayor White announced that the Council would recess for a break at 7:30 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor Lew White called the meeting to order at 7:45 p.m.

**ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.**

Mayor Pro-Tem Sanchez 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. PRESENTATION OF THE CITY OF LOCKHART'S FY 2023-2024 PROPOSED BUDGET AND CONSIDER APPROVAL OF THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S BUDGET FOR FISCAL YEAR 2023-2024, AND SET TWO PUBLIC HEARINGS ON THE FISCAL YEAR 2023-2024 CITY OF LOCKHART PROPOSED BUDGET.**

Councilmember Michelson made a motion to approve the City of Lockhart and the Lockhart Economic Development Corporation's Fiscal Year 2023-2024 proposed budgets, as presented and to schedule two public hearings on August 15, 2023 at 7:30 p.m. and September 5, 2023 at 7:30 p.m. at the Clark Library, Council Chambers, 217 South Main Street, 3<sup>rd</sup> Floor. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

**ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2023-12 AMENDING CODE OF ORDINANCES, CH. 10 ANIMALS AND BEEKEEPING, TO INCLUDE A NEW SECTION 10-19 COMMERCE IN LIVE ANIMALS PROHIBITED IN CERTAIN PLACES.**

Councilmember Westmoreland made a motion to approve Ordinance 2023-12, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

**ITEM 4-C. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2023-13 ORDERING A GENERAL ELECTION ON NOVEMBER 7, 2023 FOR THE PURPOSE OF ELECTING ONE MAYOR; ONE COUNCILMEMBER DISTRICT 3; AND, ONE COUNCILMEMBER DISTRICT 4; PROVIDING FOR JOINT ELECTION WITH CALDWELL COUNTY; ESTABLISHING EARLY VOTING LOCATIONS AND HOURS; DESIGNATING CITY ELECTION POLLING PLACES; AND ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; AND MAKING PROVISION FOR THE CONDUCT OF THE ELECTION.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2023-13, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

**ITEM 5. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION**

- Coffee with a Cop event scheduled for August 14, 7:00 a.m. - 9:00 a.m. at Summer Moon Coffee.
- TRC Engineers have delivered the 100% Construction Plans / Bid Package for final City Review.
- The City's newly formed Aquatics Subcommittee meets on August 4, 4:00 p.m.
- Update from GBRA concerning the Carrizo Groundwater Supply Project.
- Update relative to new shade structures at the Maple Street Splash Pad.
- Public Works Department activities in preparation for the 2023-2024 school year.

**ITEM 6. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST**

Councilmember Westmoreland expressed condolences to the family of Butch Velasquez for their loss.

Councilmember Mendoza expressed condolences to families that have lost a loved one. He gave information about a seminar that he attended that was hosted by the Law Firm of Denton & Navarro.

Mayor Pro-Tem Sanchez thanked Sean Kelley for helping with city issues during the annual St. Mary's Catholic Church Jamaica. She thanked all that attended the event. She expressed condolences to families that have lost a loved one.

Councilmember McGregor congratulated the Courthouse Nights for a successful event. She reminded all that the Texas No Sales Tax weekend is August 11-13.

Councilmember Castillo expressed condolences to families that have lost a loved one. He thanked staff for their work. He inquired about the vacant positions with the City of Lockhart.

Councilmember Michelson wished all teachers a great school year.

Mayor White expressed condolences to families that have lost a loved one. He wished teachers and students a good school year. He encouraged qualified citizens to come get a box fan.

Mayor White announced that the Council would enter Executive Session at 8:00 p.m. to discuss items 7 and 8, as listed below.

**ITEM 7. 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 Apple Pie.**

**ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.074, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE. Discussion regarding the provision of City Attorney services to the City by the Messer Fort and McDonald law firm.**

**ITEM 9. OPEN SESSION.**

Mayor White announced that the Council will enter Open Session at 8:55 p.m.

**Discussion and/or action regarding economic development negotiations with Project Apple Pie.**

Mayor Pro-Tem Sanchez made a motion to authorize staff to continue negotiations with Project Apple Pie as discussed in closed session. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

**Discussion and/or action regarding the provision of City Attorney services to the City by the Messer Fort and McDonald law firm.**

There was no action.

**ITEM 10. 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 8:56 p.m.

PASSED and APPROVED this the 21<sup>st</sup> day of May, 2024.

**CITY OF LOCKHART**

  
Lew White, Mayor

ATTEST:

  
Julie Bowermon  
City Secretary

