

**REGULAR MEETING
LOCKHART CITY COUNCIL**

SEPTEMBER 19, 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

Council absent:

Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
David Fowler, Planning Director
Julie Bowermon, Civil Service/HR Director
Kevin Waller, Senior Planner
Gary Williamson, Police Chief

Monte Akers, City Attorney
Sean Kelley, Public Works Director
Travis Hughes, Parks Director
Joseph Resendez, Assistant City Manager

Citizens/Visitors Addressing the Council: Representatives of the Lockhart Independent School District; Sam Regonini, Associate Director of Development of the Ascension Seton Hays Foundation; Will Wachel of TRC Engineering; Aaron Cooper of Halff Associates; and Citizen, Martin Spellerberg.

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. PRESENTATION OF A PROCLAMATION PROCLAIMING SEPTEMBER 25-29, 2023 AS NATIONAL GEAR UP WEEK IN LOCKHART.

Mayor White presented the proclamation to Representatives of the Gear Up Program of the Lockhart Independent School District.

B. PRESENTATION AND REQUEST FROM THE ASCENSION SETON HAYS FOUNDATION REGARDING THE CHILDREN'S CARE-A-VAN.

Sam Regonini, Associate Director of Development of the Ascension Seton Hays Foundation, updated the Council about the Caldwell County Children's Care-a-Van program. He stated that there is an immediate need to replace the van that is 20 years old in order to continue providing medical care to children. He stated that the Foundation is requesting monetary support in FY 2023-2024 up to the amount of \$85,000. The Council discussed considering a donation in the amount of \$10,000.

C. PRESENTATION AND UPDATE BY TRC AND RIALTO STUDIO REGARDING THE DOWNTOWN REVITALIZATION PROJECT (100% DESIGN PLANS).

Mr. Kelley stated that TRC will be providing a project update regarding the 100% design milestone.

The progress report included and there was discussion regarding the following:

- Completed tasks
- Updates probable costs
- Pedestrian amenities and landscape elements
- Construction coordination
- Next steps, bidding and scheduling

Bidding for the project is anticipated to be completed in December 2023 and construction will begin in early 2024.

D. PRESENTATION BY HALFF ASSOCIATES REGARDING THE FINAL CONCEPT PLAN FOR LIONS PARK.

Mr. Hughes stated that on April 18, 2023, City Council authorized Halff Associates, Inc. to provide professional design services for the City of Lockhart by preparing a conceptual master plan for Lions Park. Halff Associates will present that master plan, including concept designs, community feedback, estimated costs, and potential phases of implementation. He stated that the following committee members assisted with the conceptual plan of the Lions Park: BJ Westmoreland, Sally Daniel, Lee Parra, Frank Gomillion, Sara Partridge.

Aaron Cooper of Halff Associates provided information and there was discussion regarding the following:

- Base Map
- Photo Inventory
- Stakeholder Interviews
- Preliminary Concepts
- Public Engagement
- Final Concept and Perspectives
- Opinion of Probable Construction Costs
- Potential Phasing
- Maintenance, Operations, Revenue, Expenses

Mr. Cooper stated that an Opinion of Probable Construction Costs (OPCC) was developed based on the final master plan for a final total in the amount of \$3,112,900.00. The final estimated total cost is based off recently completed Halff projects, as well as local and statewide bids.

Potential Phases of funding the project:

1st Phase: Creek enhancements, restroom, and all improvements between creek and Highway 183. \$1,452,000

2nd Phase: All improvements between creek and Brazos Street. \$1,660,900

Mr. Hughes stated that staff is investigating obtaining grants and/or donations to assist with funding the project.

E. UPDATE REGARDING TXDOT/SH 142 CORRIDOR STUDY AND POSSIBLE PARTNERSHIP FOR SIGNAL/TRAFFIC MODIFICATIONS AT THE INTERSECTION OF SH142 AND MOCKINGBIRD LANE.

Mr. Kelley stated that at the December 13, 2022 Growth Planning Meeting, Texas Department of Transportation (TxDOT) outlined short- and long-term projects with respect to SH 142. The short-term goal was pavement repair and overlay on SH 142 from US 183 to Borchert loop and the long-term goal would be for a Feasibility Study of the SH 142 corridor. However, the corridor study was not scheduled at that time, nor was funding appropriated. As a result of the information we received from TxDOT regarding improvements to SH 142, staff have continued to work with TxDOT and the City Engineer to expedite improvements along the SH142 corridor. On August 1, 2023, council was presented with a Preliminary Engineering Service Agreement for a corridor study on SH142. During that presentation, the scope of work, goals for the project, budget and schedule were discussed. This item was for discussion only and was to collect feedback from the discussion. Since August 1, staff has consulted with TxDOT to discuss the potential of partnering with TxDOT for a collaboration to make improvements to the intersection of SH 142 and Mockingbird Lane. During the joint growth planning meetings, comments were made about the bottlenecks during times of peak traffic. Many improvements have recently been made along the SH142 corridor as a result of the requirement for developments to make necessary traffic improvements to mitigate findings from their development's Traffic Impact Analysis (TIA), but the intersection of SH 142/Mockingbird was outside of these scopes of work.

SH 142/Mockingbird Lane Current Conditions

- 80' right-of-way dedication
- 2-lane traffic on each road
- Signal Cycle Length: 60 Seconds
- Delay: 14.0 seconds
- Actuated-Coordination Signal
- Level of Service: B (April 2021)

Traffic Impact Analysis Findings

- Information based on TIA for the Hansford Subdivision (April 2023)
- 2025 Buildout Level of Service: B
- Delay: 18.3 seconds
- Expected Added Delay: 4.3 seconds
- The TIA only accounts for the current conditions plus the buildout for the development.
- The TIA used a 2.89% year-over-year growth rate. In 2023, the Road Impact Fee Report lists 4.25% as the potential growth rate.

Mr. Kelley stated that Level of Service (LOS) is an A-F rating system and is most commonly used to describe the operating conditions of a roadway based on factors such as speed, maneuverability, safety and what is often measured-delay. LOS delays differ for stop controlled intersections and signalized controlled intersections. Signalized intersections typically can expect longer delays and the LOS delay tolerance is reflected in the grading. If the City were to decide to partner with TxDOT, the City would enter into an Advance Funding Agreement (AFA) similar to the North Blanco Street Bridge and Truck Route projects. Currently, there is an 80' ROW on SH142, which could accommodate widening the pavement to a single 12' driving lane on each direction on SH142 (one eastbound and one westbound) and one 12' center turning lane on SH142 (three lanes total). Additional improvements needed would be reestablishing the pedestrian crosswalks, storm drain modifications, permanent traffic signal installation

with arm-masts and the relocation of utility conflicts. TxDOT believes that they could handle the engineering and design for the project if the City decides to partner, but the City would have to fund the construction if it is decided to expedite this improvement. TxDOT would also handle the bidding on the project, conduct construction inspections on the improvements, and produce the as-built plans for the project. TxDOT's participation on this project has an approximate value of \$180,000-200,000 if the City were to take on the design and bidding for the project. No probable cost has been established at this time, but TxDOT notified us that the estimated construction cost would be close to \$1,000,000. This would be the expected City participation if the City were to expedite an improvement at Mockingbird/SH142. SH142 is scheduled for repaving in late 2024, TxDOT is willing to postpone the resurfacing project and possibly bundle this improvement to save money on the improvement. TxDOT has asked that a decision be made regarding the potential collaboration on the intersection so they may determine when repaving SH142 will take place and if that project will need to be placed in another bidding cycle. If the City proceeds with an AFA for the project, the SH142 improvements would not be expected until late 2025/early 2026. There was discussion.

F. DISCUSS REQUEST BY MARTIN SPELLERBERG FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-23-01) PURSUANT TO CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS", DIVISION 2 "TAX ABATEMENT", OF THE LOCKHART CODE OF ORDINANCES, FOR EXTERIOR AND INTERIOR IMPROVEMENTS TO A COMMERCIAL BUILDING IN THE HISTORIC DISTRICT, LOCATED AT 103 SOUTH MAIN STREET.

Mr. Waller stated that Division 2 of the Historic Districts and Landmarks Ordinance provides for tax abatements to mitigate the cost of eligible improvements to structures that are within a historic district or that are a City-designated historic landmark. The owner of a commercial building within the Historic District located at 103 South Main Street has applied for a tax abatement for both exterior and interior improvements to the building, including a new window on the rear façade of the building, the re-pitching of the roof, replacement of the roof with a different material, repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to the City Council, which will in turn make a determination of eligibility for the tax abatement. In addition, a Certificate for Alteration application must be considered by the Commission along with the Tax Abatement application. Two Certificates for Alteration were approved by the Commission for the overall project, one on July 19, 2023, and the other on August 16, 2023. The Tax Abatement application was recommended for approval at the Commission's September 6, 2023 meeting. There was discussion.

G. DISCUSS ORDINANCE 2023-20 AMENDING CHAPTER 28, "HISTORIC DISTRICTS AND LANDMARKS", SECTION 28-11, "CERTIFICATE FOR ALTERATION FOR HISTORIC LANDMARKS OR HISTORIC DISTRICTS", SUBSECTION (C)(4), TO REQUIRE THAT ALL AWNINGS AND SUSPENDED CANOPIES BE CONSIDERED THROUGH THE CERTIFICATE FOR ALTERATION REVIEW PROCEDURES, WITHOUT A "PRE-APPROVED" OPTION.

Mr. Waller stated that during a previous Historical Preservation Commission meeting, members expressed a desire that all awnings and suspended canopies, no matter the design or materials used, require Commission review through the Certificate for Alteration review procedures, due to their impact and relevance to the downtown Historic District. Currently, certain types of awnings/canopies can be

considered to be “pre-approved”, which is an administrative Staff review that is not subject to the Commission’s consideration. Section 28-11(c) of the Historic Districts and Landmarks Ordinance provides further details on the pre-approval process and is enclosed with your agenda packet materials, as well as subsection (4), which specifically addresses pre-approved awnings and suspended canopies. The Ordinance amendment would simply involve removing Section 28-11(c)(4), which would then remove the pre-approved option and effectively send all proposals through the Commission for review. The replacement of awnings/canopies with those of identical design and materials is considered ordinary maintenance, and would continue to be exempt from Commission review. Mr. Waller stated that the Commission recommended approval of the amendment. There was discussion.

H. PRESENTATION AND DISCUSSION REGARDING A PROGRESS REPORT ON THE ACTIONS OF THE HOUSING AND DEVELOPMENT COMMITTEE.

Mr. Fowler stated that the Housing and Development Committee was formed following the joint sessions of City Council and the Planning and Zoning Committee held in December 2022 and January 2023 to discuss the impacts of and possible strategies to ameliorate the effects of the city's recent wave of residential growth. After the Mayor appointed the Committee members, the Committee met for the first time on February 27, 2023. At the first meeting, the Committee was presented an overview of the findings from the joint work sessions and discussed the possible policy strategies planning staff originally presented at the joint work sessions to address the city's growth issues. After discussing the potential policies, the Committee assigned long, medium, and short-range priorities for each action and assigned staff to return with drafts of the legislation at the next meeting. The second meeting was held on April 26, 2023. At this meeting, the Committee reviewed drafts of the landscaping ordinance, residential anti-repetition requirements and draft fee schedule updates. The Committee directed staff to move the draft legislation forward with some revisions, while assigning a new round of revisions. Between this meeting and the next meeting, the landscaping ordinance, the first element of residential appearance standards, and the updated fee schedule were adopted. At the third meeting, held September 7, 2023, the Committee reviewed the new draft work products, including more advanced residential design standards and possible Planned Development code revisions, and assigned staff to complete the code updates by the end of the year. The members of the Committee decided that with the assignment of the upcoming work, the Committee's purpose was met, and recommended the committee did not need to meet again. As a result of these assignments, the design standards for residential districts and the PD revisions will be heard at public hearings before the Planning and Zoning Commission and City Council prior to adoption in the coming months. During the time between the joint sessions and the present date, other relevant changes affecting the development process were also enacted. In January 2023, several revisions to the subdivision ordinance were passed. These revisions resulted in greater requirements for park dedication, increased the required sidewalk width along major thoroughfares, increased perimeter screening requirements for subdivisions abutting major roads, and established "rough proportionality" language for roadway dedication. On May 2, 2023, new impact fee studies and assessments for roads and water/wastewater were adopted, bringing the city's impact fees within the range of other similarly-situated cities in Central Texas. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 8:45 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 9:00 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. PRESENTATION AND CONSIDERATION OF REQUEST FROM THE ASCENSION SETON HAYS FOUNDATION REGARDING THE CHILDREN'S CARE-A-VAN.

Mayor White made a motion that the City of Lockhart make a donation in the amount of \$10,000. Councilmember McGregor seconded. The motion passed by a vote of 6-0.

ITEM 4-B. DISCUSSION AND/OR ACTION REGARDING UPDATE ON TXDOT/SH 142 CORRIDOR STUDY AND POSSIBLE PARTNERSHIP FOR SIGNAL/TRAFFIC MODIFICATIONS AT THE INTERSECTION OF SH142 AND MOCKINGBIRD LANE.

Councilmember Michelson made a motion to authorize staff to return with a partnership agreement for signal/traffic modifications at the intersection of SH 142 and Mockingbird Lane. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-C. DISCUSSION AND/OR ACTION TO CONSIDER A REQUEST BY MARTIN SPELLERBERG FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-23-01) PURSUANT TO CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS", DIVISION 2 "TAX ABATEMENT", OF THE LOCKHART CODE OF ORDINANCES, FOR EXTERIOR AND INTERIOR IMPROVEMENTS TO A COMMERCIAL BUILDING IN THE HISTORIC DISTRICT, LOCATED AT 103 SOUTH MAIN STREET.

Martin Spellerberg thanked the Council for consideration of the tax abatement.

Councilmember McGregor made a motion to approve the request by Martin Spellerberg for a determination of eligibility for a tax abatement, as presented. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-D. DISCUSSION AND/OR ACTION TO CONSIDER ADOPTION OF ORDINANCE 2023-20 AMENDING CHAPTER 28, "HISTORIC DISTRICTS AND LANDMARKS", SECTION 28-11, "CERTIFICATE FOR ALTERATION FOR HISTORIC LANDMARKS OR HISTORIC DISTRICTS", SUBSECTION (C)(4), TO REQUIRE THAT ALL AWNINGS AND SUSPENDED CANOPIES BE CONSIDERED THROUGH THE CERTIFICATE FOR ALTERATION REVIEW PROCEDURES, WITHOUT A "PRE-APPROVED" OPTION.

Councilmember Westmoreland made a motion to approve Ordinance 2023-20, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 4-E. PRESENTATION AND/OR POSSIBLE ACTION REGARDING A PROGRESS REPORT ON THE ACTIONS OF THE HOUSING AND DEVELOPMENT COMMITTEE.

Councilmember McGregor made a motion to approve the progress report on the actions of the Housing and Development Committee. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-F. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2023-14 NAMING THE CITY OF LOCKHART'S NOMINATIONS FOR DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2024-2025 TERM.

Mayor White stated that Alfredo Munoz and Sally Daniel have agreed to continue serving, which are the names listed on the Resolution as the City of Lockhart's nominations.

Mayor White made a motion to approve Resolution 2023-14, as presented. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-G. DISCUSSION AND/OR ACTION TO CONSIDER AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND CALDWELL COUNTY REGARDING EMS SERVICES.

Mayor White announced that the item will be pulled and placed on a future agenda.

Mr. Lewis stated that the City of Lockhart and Caldwell County have been working on an interlocal agreement. The item will be returned to the Council during a special meeting at the end of the month.

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

- National Night Out - Tuesday, October 3, 2023.
- Reminder: There will not be a City Council meeting on the first Tuesday of October due to the National Night Out event. The next City Council meeting is scheduled for October 17, 2023.
- Kiwanis 5K Stampede - Saturday, September 30th.
- Airport "Fifty to Fifty Romeo Fly-In" - September 30th.
- Splash Pads close October 1st.
- Cemetery Cleanup - October 10-11.
- Citywide Bulk Cleanup - Saturday, October 14th.

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

Councilmember Westmoreland congratulated the Hispanic Chamber for a successful Diez y Seis event.

Councilmember Mendoza thanked the Council for attending the TML Region 10 meeting hosted by the City of Lockhart and staff for their work to coordinate the meeting. He congratulated the Hispanic Chamber for a successful Diez y Seis event.

Councilmember Castillo thanked Councilmember Mendoza for offering the City of Lockhart as a host of the TML Region 10 meeting. He congratulated the Hispanic Chamber for a successful Diez y Seis event. He encouraged everyone to be safe.

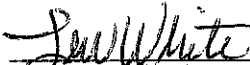
Mayor White congratulated the Hispanic Chamber for a successful Diez y Seis event. He thanked Councilmember Mendoza for offering the City of Lockhart as a host of the TML Region 10 meeting.

ITEM 7. ADJOURNMENT

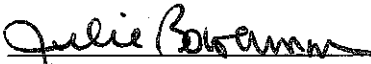
Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 9:21 p.m.

PASSED and APPROVED this the 18th day of June, 2024.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:


Julie Bowermon
City Secretary

