

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CALVERT MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
302 E THIRD STREET
Monday, January 11, 2021**

The City Council of the City of Lampasas met in Regular Session on the above date and time with Mayor Pro-Tem Monroe presiding.

Council Members present:

Cathy Kuehne
Randy Clark
Bob Goodart
Delana Toups

Council Members absent:

Mayor Misti Talbert
Gordon Nelson

City Staff Present:

Finley deGraffenried, City Manager
Rickie Roy, Assistant City Manager
Becky Sims, City Secretary/Zoning Administrator
Yvonne Moreno, Finance Director
Monica Wright, Information Systems Director
Sammy Bailey, Police Chief
Jeffrey Smith, Fire Chief

WORKSHOP SESSION

1. Call to order Workshop Session

Mayor Pro Tem Monroe called the Workshop Session to order at 5:30 p.m., she noted that the telephone number to call in for any questions or comments is 512-556-0332.

The following item was moved to item 3 and item 3 was moved to item 2.

3. Discussion and updates related to COVID-19 Pandemic and Cares Act funding and extension.

Jeff Smith, Fire Chief reviewed the following information:

- Statewide
 - 355,296 active cases
 - 29,877 fatalities
- Local
 - 1120 total cases
 - 63 active cases

The vaccines have been pushed out across Texas. These vaccines are being distributed to dispensing sites who signed up prior to the actual availability. At this time, it shows that there are 100 Moderna vaccines in Lampasas. The website does not show the last time this was updated.

They are now vaccinating Phase 1B:

- 65 years of age and older
- People 16 and older with at least one chronic medical condition that puts them at increased risk for the virus:
 - Cancer
 - Chronic kidney disease
 - COPD
 - Heart conditions, such as heart failure, coronary artery disease or cardiomyopathies
 - Solid organ transplants
 - Obesity and severe obesity
 - Pregnancy
 - Sick cell disease
 - Type 2 Diabetes mellitus

Cares Act Update

- Moving through the process
- Submission is being reviewed for accuracy and completeness
- Several items have had to be uploaded a second time due to program issue
- No date for reimbursement available at this time

2. Discussion to consider a new date for the Council Planning Session and to review and make changes, if needed, to the tentative agenda.

Finley deGraffenried advised Council that since the December 18, 2020 Planning Session was cancelled, he wanted to bring this item back to Council to discuss another date or other planning ideas. Mayor Pro Tem Monroe advised that there are at least two council members that may have conflicts and will need consideration with scheduling. Council member Toups and Kuehne advised of teacher/staff workdays; however, they were also City holidays. It was recommended that we discuss a few of the planning session items such as the Comprehensive Plan and the presentation by Jones-Heroy during a Council Workshop Session and plan the City tours as Council and Staff have the availability in their schedules.

- 4 Discussion and follow up relating to South 281 traffic signals and signage.

Chief Bailey apologized for not being at the December 14, 2020 Council Meeting, however; understood that Officer Montgomery did very well. Chief Bailey updated Council that TxDOT made a 30 second adjustment to the timing of the light at the intersection and a flashing warning sign, will be installed. TxDOT has also installed flashing warning signs on Central Texas Expressway alerting citizens to the intersection at Old Georgetown Road.

- 5 Discussion regarding amendment to Interlocal Agreement by and between the City of Lampasas and Lampasas County for Subdivision and Land Development Regulation in the City of Lampasas, Extraterritorial Jurisdiction (ETJ) in Lampasas County

Mr. deGraffenried advised Council that in 2017 the City and County entered into an Interlocal Agreement for Subdivision and Land Development Regulation in the City of Lampasas, Extraterritorial Jurisdiction (ETJ) in Lampasas County to ensure fair and reasonable development regulations and procedures related to (1) subdivision, plats (including preliminary, final re-plats and amended plats), design and planning procedures, (2) design, construction and safety of roads, water, storm water, sewer, and (3) other utility,

drainage, and transportation infrastructure, in developments situated in portions of Lampasas County, Texas, that also fall within the City's ETJ. Recently an administrative plat approval was presented to the City where based on the agreement it would fall under the County jurisdiction because the City would not supply any utilities to the property; however, after reviewing the local government the approval should go through the City since it lies with the ETJ; this would also apply to parcels that lie both within and outside the ETJ. This agreement was taken to the Commissioners Court by Judge Hoyer where the proposed amendments were approved.

6 Discussion and updates regarding 2019-2020 year-end Financial Report

Mr. deGraffenried presented the Fourth Quarter Financial Summary to Council. He explained that historically this would be discussed and reviewed during a workshop session, Council would then review and be asked to accept at a later meeting.

He went through the narrative and explained each section in detail; specifically, the contents, timing and disclaimers, overall performance, revenue, expenses and economic indicators. This report provides pre-audit financial status of the City compared to budget and previous year. The information contained is intended to provide staff and Council the background and basis for future financial decisions and forecasting and to provide perspective beyond numbers, recognizing trends, future needs and comparisons.

Growth and impacts on infrastructure will continue to be a theme for Lampasas in the coming years. The City is positioned well financially, however; continued planning for water and wastewater improvements may require rate reviews, issuance of debt, increases in O & M and staff resources. Staff has performed well in 2020, and is committed to meeting the needs of Council, stakeholders and our citizens.

7 Discussion regarding any item on the regular agenda

There were no citizen comments

Council member Kuehne moved to adjourn into Executive session at 6:15 p.m., Council member Toups seconded the motion and with a unanimous vote the motion carried. (Talbert and Nelson Absent)

EXECUTIVE SESSION

The City Council of the City of Lampasas, Texas will meet in closed Executive Session pursuant to the Texas Government Code, Chapter 551, as follows:

- Section 551.087 (economic development)- (1) to receive and evaluate financial information received from a business prospect, to discuss same, and/or to deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the city, with which the City is conducting economic development negotiations; and/or (2) to deliberate an offer of any financial or other incentives to any business prospect described above.

Mayor Pro Tem Monroe adjourned Executive Session and moved into Special Session at 6:25 p.m.

SPECIAL SESSION

- Discussion and possible action concerning items posted and discussed by Council in Executive Session

Mayor Pro Tem Monroe moved and Council member Kuehne seconded the motion to authorize the City Manager to finalize and execute the Utility Development Agreement with CNB Lampasas Investors, limited within the parameters discussed in Executive Session. Motion carried unanimously. (Talbert and Nelson absent)

Council member Kuehne moved to adjourn the Special Session at 6:26 p.m. and move into Regular Session, Council member Clark seconded the motion and with a unanimous vote, the motion carried. (Talbert and Nelson absent)

City Council took a short break before moving into Regular Session

REGULAR SESSION 6:00 p.m.
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ANNOUNCEMENTS

A. Call to Order

Mayor Pro Tem Monroe called the Regular Session to order at 6:31 p.m., she noted that the telephone number to call in for any questions or comments is 512-556-0332.

B. Invocation and Pledge of Allegiance

Sammy Bailey, Police Chief, gave the invocation and the Pledge of Allegiance to the U.S. and Texas flags were recited.

C. Presentations and Proclamations

There were no presentations or proclamations

PUBLIC HEARINGS/CITIZEN COMMENTS	
1.1	Citizen comments – Any citizen who desires to address the City Council on a matter not included on the Agenda may do so at this time. The City Council may not deliberate on items presented under this Agenda Item.

There were no citizen comments

1.2	Citizen comments- Any citizen who desires to address the City Council on a matter that is included on the Agenda may do so at this time.
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There were no citizen comments.

1.3	Public hearing to receive citizen comments regarding a request to rezone property described as Lots 1R and 2R, Block 26 of the Old Town Addition, Lampasas County, generally located at 907 E Third Street Lampasas, Texas, from Light Industrial “LI” to Two-Family Residential District (Duplex) “2F”.
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Becky Sims, City Secretary/Zoning Administrator discussed the following:

- Mr. Adam Morrison and Rex Johnson are asking City Council to consider the rezone of parcels from Light Industrial “LI” to Two-Family Residential District (Duplex) “2F”

- The area surrounding the parcels is Light Industrial “LI” and Single Family Residential- “SF-6”
- Staff mailed fifteen (15) notices to property owners within 200 feet of the applicant’s property, and to date have not received any written testimony.
- The item was brought before the Planning & Zoning Commission on January 7, 2021 and they do recommend approval.

With no citizen comments the public hearing was closed.

2.0	MINUTES
2.1	Discussion and possible action concerning approval of minutes of the Regular Meeting on December 14, 2020

Council member Kuehne moved, seconded by Council member Clark to approve the minutes as presented. The motion carried, with Council member Toups abstaining. (Talbert and Nelson absent)

3.0	CONSENT AGENDA
3.1	Discussion and possible action regarding the second reading of an Ordinance amending the Adopted Budget for the Municipal Government of the City of Lampasas for the Fiscal Year of October 1, 2019 to September 30, 2020.
3.2	Discussion and possible action regarding the second reading of an Ordinance for a Specific Use Permit (SUP) for property being Lot 2A, Minor Amending Replat of Lots 2 and 3 of the Walmart Addition No 1, Lampasas County, generally located at 1708 Central Texas Expressway Suite 3, Lampasas, Texas, to allow for a “Smoke/Tobacco Shop”, specifically a Vapor Store located in an area zoned Retail “R”.
3.3	Discussion and possible action regarding the second reading of an Ordinance for a Specific Use Permit (SUP) for property being Lot 8 Block 2, 0.497 acres of the East Lampasas Addition; generally located at 1002 E Fourth Street, Lampasas, Texas to allow for a portable storage building in an area zoned Commercial “C”.
3.4	Discussion and possible action regarding purchases and charges in excess of \$4,000 from December 1, 2020 through December 30, 2020.

Council member Clark moved to approve the consent agenda as presented. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried. (Talbert and Nelson absent)

4.0	BOARDS/DEPARTMENT REPORTS
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Rickie Roy, Assistant City Manager presented the Public Works Annual Report.

Mr. Roy thanked Council for their support during COVID-19. He is very proud of his staff, they worked hard and remained safe. He stated we have experienced lots of growth and changes over the past year. Mr. Roy reviewed the Public Works organizational chart. He has a strong staff and has learned a lot about each of their departments. He provided Council with a high-level overview of the Electric, Water/Wastewater and Street department projects over the past year. He commended his staff on performing their daily work and projects with no time loss due to accident. He stated crews work safely and adhere to policies and procedures.

5.0	ROUTINE MATTERS
5.1	City Manager’s Operational Report

City Manager deGraffenried reviewed his report:

- Sales Tax The City has seen no let down in Sales Tax receipts for the New Year. January collections, for November sales, indicate a net payment of \$189,712.92 compared to \$159,062.99 for the same period one year ago, or a 19.26% increase. With four months of receipts (33%), the City has collected 43% of our annual budget, \$1,550,000.00, for sales tax.
- Campbell Park Vicki Tower and Chris Eicher report that staff will meet with the highest rated Pavilion Contractor on January 12th to review requirements of the contractor for plans, specifications, design and bonding. The Skatepark contractor has also been contacted for a kick-off meeting, and pending the availability of members of their staff, they have tentatively suggested meeting January 13 or 14. After determining both contractor's structural design criteria, staff will have geotechnical surveys done once, for both sites. A stakeholder engagement process will also be included for both projects.
- West Third Street Rickie Roy reports that design has been completed for the West Third Street drainage and road re-construction project. Bids will be solicited this month and, due to the emergency nature of the repair, and in deference to public safety, normal bidding procedures will be waived. As a reminder, undermining and pavement failure were discovered during transmission line construction in the area last fall.
- East Third Street Pending possible inclusion of at least one alternative, staff is preparing to bid for East Third Street rehabilitation from Key Avenue to Western. Staff is also considering options for inclusion of curb and gutter alignment on the south side of Third Street between Western and Live Oak. Gutter line elevations indicate no change or slope in that area particularly from the alley between Western and Live Oak, to Live Oak.
- Bike Trails Chris Eicher reports that Mike Repyak, International Mountain Bicycling Association, will be in Lampasas the week of January 18 to review the 580 Sports Complex site for design and development of bike/multi-use trails. As discussed with Council, it is staff's hope, much of the initial construction can be accomplished in-kind.
- Comprehensive Plan Staff continues to proof the expanded Chapter 5 and 6 of the City's draft Comprehensive Plan. In review, staff is also expanding the specific action steps to clearly define the means to accomplish each goal. Based on the individual implementation steps required, a very robust community engagement program will be necessary as policies are drafted for land use, marketing, and development of assets.
- Little League Staff will be meeting with Little League representatives this week to complete the annual use agreement. This would normally be considered somewhat routine, and perhaps not worthy of reporting, however; staff is hopeful this represents a methodical, and safe, climb out of health and safety restrictions of the pandemic.

W M Brook Park In preparation of the LCRA Step Forward program, the City will be installing irrigation around the W M Brook Park restroom. LCRA staff will be out this spring, as previously reported, to install sod and playground mulch.

Auditors Yvonne reports that Auditors will be on site beginning Monday to review trial balance, capital purchases and bank reconciliations. Auditors will also review selected checks to track purchasing procedures, and depreciation schedules. Staff anticipates on site work to last between one and two weeks.

Mayor Pro Tem Monroe asked about the steep step-up at the new Pavilion near the bathrooms at WM Brook Park. Mr. deGraffenried advised he will reach out to Chris Eicher, Parks Director to discuss and report back to Council.

5.2	MAYOR'S COMMENTS
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There were no Mayor's comments.

6.0	UNFINISHED BUSINESS
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There was no unfinished business.

7.0	NEW BUSINESS
7.1	Discussion and possible action regarding amendments to the Interlocal Agreement for Subdivision and Land Development Regulation in the City of Lampasas, Extraterritorial Jurisdiction (ETJ) in Lampasas County.

Council member Kuehne moved to approve the amendments to the Interlocal Agreement for Subdivision and Land Development Regulation in the City of Lampasas, Extraterritorial Jurisdiction (ETJ) in Lampasas County, Council member Toups seconded the motion and with a unanimous vote the motion carried. (Talbert and Nelson absent)

7.2	Discussion and possible action regarding the appointment of a City Council member to Guthrie Library Committee.
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Becky Sims, City Secretary advised Council that a new City Council member needs to be appointed to replace Chuck Williamson on the Guthrie Library Committee. Mayor Pro-Tem Monroe asked how often the committee meets; Mrs. Sims advised as needed, based on funding requests. Mrs. Monroe asked for a volunteer. Council member Kuehne volunteered. Mayor Pro-Tem Monroe moved to appoint Council member Kuehne to the Guthrie Committee, Council member Toups seconded the motion and with a unanimous vote the motion carried. (Talbert and Nelson absent)

7.3	Discussion and possible action regarding an extension of Emergency Ordinance of the City Council of the City of Lampasas, temporarily amending Ordinance 1148, City of Lampasas Personnel Policies Manual Section 8.00 Leave Time, subsection 8.05 Family and Medical Leave and, subsection 8.15 Sick Leave Pool, in response to COVID-19. Repealing conflicting ordinances and/or City policies; including a severability clause; and establishing an immediate effective date.
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Yvonne Moreno, Finance Director advised that this Ordinance allows the City to utilize the Sick Pool due to absences related to COVID so that it does not affect employee's sick accrual. Council member Kuehne moved to approve, Council member Toups seconded the motion, Mayor Pro-Tem Monroe opened the

discussion to inquire about usage. Ms. Moreno advised that initially the Sick Pool had 4,000 hours it was depleted to around 2,800, there is currently a contribution campaign in place to solicit more hours from employees who are willing to donate. This pool is used for any staff that has been diagnosed with COVID, been exposed, or in quarantine, for up to 14 days. This Emergency Ordinance will expire December 2021. With no further discussion with a unanimous vote, the motion carried. (Talbert and Nelson absent)

7.5 Discussion and possible action regarding the selection of website photo contest.

Monica Wright, IT Director advised there were four entries. Council member Kuehne recommended entry 4, Council member Clark seconded the motion and with a unanimous vote the motion carried. (Talbert and Nelson absent)

7.6 Discussion and possible action regarding a Joint Election Agreement between the Lampasas Independent School District and the City of Lampasas

Becky Sims, City Secretary advised Council that this agreement is the same as what has been approved in the past, it allows the expenses to be shared and the County Election Administrator has agreed to conduct the election. This agreement is on the agenda for the School Board Meeting this evening as well. I am asking Council to consider a motion to approve the Joint Election Agreement with LISD. Council member Kuehne moved to approve, Council member Toups seconded the motion, Mayor Pro-Tem Monroe opened the discussion to inquire about election costs. Mrs. Sims advised that the Lampasas County Services Contract has been reviewed and the estimated expenses are similar to last year, a little over \$5,000.00, with no additional comments and with a unanimous vote the motion carried. (Talbert and Nelson absent)

7.7 Discussion and possible action regarding approval, denial, or approval with modification(s) request to rezone property described as Lots 1R and 2R, Block 26 of the Old Town Addition, Lampasas County, generally located at 907 E Third Street Lampasas, Texas, from Light Industrial "LI" to Two-Family Residential District (Duplex) "2F".

Council member Toups moved to approve the first reading of an Ordinance, Council member Kuehne seconded the motion and with a unanimous vote the motion carried. (Talbert and Nelson absent)

Council member Kuehne moved to adjourn the meeting at 7:02 p.m, Council member Clark seconded the motion and with a unanimous vote the motion carried. (Talbert and Nelson absent)

PASSED AND APPROVED this _____ day of _____, 2021.

Misti Talbert, Mayor

ATTEST:

Becky Sims, City Secretary