

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY  
OF THE CITY OF LAMPASAS, TEXAS  
CITY COUNCIL CHAMBERS  
302 E. THIRD STREET  
Monday, November 25, 2019**

The City Council of the City of Lampasas met in regular session on the above date with Mayor Talbert presiding.

Council Members present:

T.J. Monroe, Mayor Pro Tem  
Chuck Williamson  
Randy Clark  
Cathy Kuehne  
Delana Toups  
Michael White

Council Members absent:

None

City Staff Present:

Finley deGraffenried, City Manager  
Christina Marez, City Secretary  
Becky Sims, Zoning Administrator/Asst. City Secretary  
Yvonne Moreno, Finance Director  
Monica Wright, Information Systems Director  
Sammy Bailey, Police Chief  
Mandy Walsh, Economic Development Director  
Rickie Roy, Public Works Director  
Jeffry Smith, Fire Chief  
Ronnie Withers, Fire Marshal  
Frank Ellett, Building Official

**SPECIAL SESSION  
5:30 P.M.**

I. Call to order Special Session

Mayor Talbert called the special session to order at 5:30 p.m.

II. Adjourn into Executive Session

Mayor Pro Tem Monroe moved to adjourn the special session at 5:31 p.m. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

**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:

1. Section 551.071 (1), Consultation with Attorney by telephone and/or in person concerning matters upon which the attorney has a duty and/or responsibility to report to the governmental body

### III. Adjourn into Special Session

Executive session was adjourned at 5:49 p.m.

<b>SPECIAL SESSION</b>
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### IV. Discussion and possible action concerning items posted and discussed by Council in Executive Session

Mayor Pro Tem Monroe moved to authorize the City Manager to finalize engagement with Lloyd, Gosselink, Attorneys at Law for development and/or review of documents, agreements, and processes for right-of-way management and telecommunications issues. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

### V. Adjourn Special Session

Council member Kuehne moved to adjourn the special session at 5:50 p.m. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

<b>WORKSHOP SESSION</b>
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### 1. Call to order Workshop Session

Mayor Talbert called the workshop session to order at 5:51 p.m.

### 2. Discussion regarding the 1931 Roy L. Thomas Open House Dedication to be held on December 16, 2019

City Manager deGraffenried explained that the Open House Dedication is scheduled for December 16, 2019, 5:30 p.m. to 7:30 p.m. Invitations will be mailed out but it will also be published in the local newspaper to make the public aware. He reviewed a tentative agenda and explained that there would be a slideshow on the TV monitors, hors d'oeuvres will be served, and a guest book will be available for everyone to sign. He also mentioned that on the invitation, everyone is asked to bring an ornament to place on the Christmas trees that are in the Old City Hall building.

### 3. Discussion regarding an amendment to the Subdivision Regulations regarding cul-de-sacs requirements.

City Manager deGraffenried explained that during a recent plat review, the Fire Marshal noted an inconsistency with the requirements in the subdivision regulations and the Fire Code. The subdivision regulations call for a minimum right-of-way radius of fifty feet (50'); however, it does not specifically call out the paved radius. Previous subdivision plans have been approved with a right-of-way radius of fifty feet (50'), with a paved radius of forty feet (40').

deGraffenried said that City Staff is taking this opportunity to discuss in Workshop Session to explain the issue and a desired amendment regarding cul-de-sacs. City Staff is recommending the following

amendment language to Chapter 70 Subdivisions, Section 70-206 Streets (H) (1) *Turnarounds are to have a minimum right-of-way radius of 50 feet (50') for single-family and two-family use and 60 feet (60') for other uses with minimum paved radius governed by the currently adopted International Fire Code; Appendix Fire Apparatus, Access Roads.*

City Manager deGraffenried deferred discussion to Fire Chief Jeffry Smith and Fire Marshal Ronnie Withers. They explained that this necessary amendment would ensure that there would be enough turning radius for the fire trucks and still allow for off-street parking. Fire Marshal Withers said that the current ordinance is vague and this amendment would make it clear for the developer to comply with.

Council member Clark asked if this recommended change had been submitted to the Planning & Zoning Commission (“P&Z”). City Manager deGraffenried replied no. Council member Clark requested that this item be submitted to P&Z for their review and recommendation to City Council.

Discussions included:

- With this recommended change, it basically isn’t changing anything unless a minimum right-of-way radius easement of at least 55 feet (55’) is listed
  - Must also include a minimum paved surface to comply with current Fire Code
  - Present to P&Z for their consideration and recommendation to City Council
4. Discussion regarding implementation of a tree preservation policy.

City Manager deGraffenried explained that Council member Toups had requested this item be placed on the workshop agenda to allow discussion on Council’s desire for further investigation of a tree maintenance, preservation and mitigation policy or policies.

deGraffenried reviewed the following:

- Pro and Cons
- Vision
- Why is it important/Not important
- Tree varieties
- Administration
- Additional expertise
- Mitigation, Appeal, Exclusions
- Additional information – he reviewed a sample policy from the City of Elm
- Ad Hoc Committee

Council member Toups said that with a lot of development going on, she didn’t want to see developers come in and clear off all the trees, especially the big oak trees that are 75 years old or more. She said that she recently saw that a large oak tree was taken down for a new development. She wished that developers could work around large trees when possible rather just take them down. She felt that these old oak trees are heritage in our community.

Mayor Talbert said that she could not support a policy that would limit or set rules for a homeowner on what they can or can’t do to the trees on their own property.

Council member Clark said that he had mixed emotions as well and the City would have to be very careful because a tree policy could affect utility installations and increase costs.

Council member Toups said that she wasn't proposing the policy to homeowners, she was more concerned with new developers, especially commercial development.

Derrek Eckermann, Eckermann Engineering, said that the City's current landscape requirement in the City's Zoning Ordinance already addresses trees when reviewing development plans, it's just not being followed. Tree removal is not specifically mentioned but remaining trees left on the property count toward the required landscaping standards.

It was the consensus of Council members that City Staff research further, as well as look more closely at the landscape requirements in the City's Zoning Ordinance, and present in a future workshop session.

5. Discussion regarding any item on the regular agenda

There was no discussion.

6. Adjourn Workshop Session

Council member Toups moved to adjourn the workshop session at 6:23 p.m. The motion was seconded by Council member White and with your unanimous vote, the motion carried.

<b>REGULAR SESSION</b> <b>7:00 P.M.</b>
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ANNOUNCEMENTS

A. Call to Order

Mayor Talbert called the regular session to order at 7:00 p.m.

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.

	<b>PUBLIC HEARINGS/CITIZEN COMMENTS</b>
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1.1	Citizen comments – Any citizen who desires to address the City Council on a matter <b>not included</b> on the Agenda may do so at this time. The City Council may not deliberate on items presented under this Agenda Item.
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There were no citizen comments.

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

2.0	MINUTES
2.1	Discussion and possible action concerning approval of minutes of the Regular Meeting on November 12, 2019

Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

3.0	CONSENT AGENDA
3.1	Discussion and possible action regarding the second reading of an Ordinance for a Specific Use Permit to allow for Offices, General Business and Professional use of existing 2-story accessory structure located towards the rear of property near alley of Block 17, Lots 1&2 of the LSC 1 <sup>st</sup> Addition; commonly known as 206 S. Walnut, Lampasas, Texas.
3.2	Discussion and possible action regarding the Monthly Investment Report for October 2019

Mayor Pro Tem Monroe moved to approve the consent agenda as presented. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

4.0	BOARDS/DEPARTMENT REPORTS
4.1	<ol style="list-style-type: none"> <li>1. Public Works Monthly Report for Electric, Streets, Water/Wastewater</li> <li>2. Building Official Monthly Report</li> <li>3. Economic Development Monthly Report</li> <li>4. Fire Department Monthly Report</li> <li>5. Parks and Recreation Monthly Report</li> <li>6. Information Systems Monthly Report</li> <li>7. Library Monthly Report</li> <li>8. Golf Course Monthly Report</li> <li>9. Municipal Court Monthly Report</li> <li>10. City Secretary Monthly Report</li> <li>11. Police Department Monthly Report</li> <li>12. Utility Billing and Collections Monthly Report</li> </ol>

Rickie Roy, Public Works Director, reviewed his report:

- Supervises the following Departments and/or employees:
  - Public Works Secretary
  - Electric Department – 7 employees
  - Street Department – 8 employees
  - Collection Station Department – 1 employee
  - Water/Wastewater Department – 10 employees
- He reviewed completed projects that his Departments worked on:
  - Oil States new building
  - New jail house
  - W.M. Brook Park restrooms
  - Mojo Coffee
  - Line extensions at 1615 W. Avenue B, 404 Dawns Peak and CR 3420

- Installed new underground for new Council Chambers
- He reviewed ongoing projects that his Departments continue to work on:
  - Stone Valley Subdivision
  - Burger King
  - Assisted Living on Highway 281 South
  - New houses on East Avenue B for Ron Farr
  - Brodie Estates Subdivision on Brown Street
  - Pole inspection replacement
  - CDBG Avenue C project
  - New Water/Wastewater building
- He praised the tremendous work efforts of all his Department employees

5.0	ROUTINE MATTERS
5.1	City Manager's Operational Report

City Manager deGraffenried reviewed his report:

- Court Ruling - As Council is aware; Judge Adams issued his ruling on November 15, 2019 in favor of Kempner Water Supply Corporation and the City of Lampasas v. Central Texas Water. Although the Order granted our Motions for Summary Judgement, our Counsel is preparing orders for the Judge's signature, and is also working to prepare the Final Judgement, which will include a request for reimbursement of reasonable attorneys' fees. After the Final Judgement is executed, Central Texas Water will have the opportunity to appeal.
- Toy Drive and Lunch - As a reminder, the annual Community Lunch and Toy Drive will be held on December 9, 2019 from 11:00 a.m. to 2:00 p.m. at the Fire Station. This long standing and successful event serves lunch to over 500 members of the Community and provides resources and toys for over 175 families in the Lampasas area.
- Library Sidewalks - On November 26, 2019, City Staff will be meeting with the selected contractor to review sidewalk plans and provide notice to proceed on the Library Park Project. The remainder of the Project will be funded by the Library Foundation to include walls, sitting areas, landscaping and artwork. The City's portion of the project will include sidewalks on Western Street and Second Street with a ramp at the intersection.
- Closeout – Yvonne Moreno, Finance Director, is working to close FY 2018-2019 books by November 30, 2019. Outstanding purchase orders, journal entries and corrections to correctly allocate income and expense are being made. When she is done, City Staff will prepare a pre-audit report for Council that will review budget performance, fund balance, and investments.
- Development Staff - The City has started advertising for a Development Director to meet the needs and demands of community growth. The position will initially provide leadership to the building, zoning and development functions, however; duties may increase over time depending on the skills of the incumbent and needs of the City. City Staff plans to conduct an inclusive interview process for the position.
- Brown St Drainage - Current and previous City Staff have made initial contact with property owners regarding a possible drainage easement from Brown Street to Sulphur Creek. Although details of the project and easement have not been discussed, Staff can report that owners are not opposed to continuing the discussion. As a reminder, under the current development design, without storm sewer, the peak flow will decrease slightly.

5.2	MAYOR'S COMMENTS
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Mayor Talbert said that she has heard more good comments about the Public Works Department than she has ever heard since being on City Council for the last four years. She asked that the Public Works Director pass the word to all his employees and to keep up the good work.

6.0	UNFINISHED BUSINESS
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There was no unfinished business.

7.0	NEW BUSINESS
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7.1	Discussion and possible action regarding Eagle Scout Project regarding repair of WM Brook Park Ferry Docks and Lampasas Animal Shelter Food Drive
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Becky Sims, Assistant City Secretary, explained that Dylan DePew was present at the meeting seeking Council's approval regarding his Eagle Scout Project regarding repair of the W. M. Brook Park Ferry Docks and to do a Lampasas Animal Shelter Food Drive. This project was presented to the Parks & Recreation Advisory Board on November 21, 2019 and they voted to recommend approval to City Council.

Mr. DePew provided information about the Eagle Scout Project that he would like to do. He reviewed the following:

- Project Goals & Objectives
  - Expected date of completion of repair to ferry docks is mid-December
- Phase One: Fundraising Activities
  - Raise approximately \$300.00 for materials to make repairs to the ferry docks and purchase 500 pounds of cat and dog food for the Animal Shelter.
- Phase Two: Scope of work
  - He explained that he would like to make repairs to the ferry docks at W. M. Brook by replacing unsafe boards, capping dock pilings with a grouting mix and applying sealant to the top surfaces of deck planks. He also plans to reseed grass where it has become worn near the docks. He said that he has coordinated with Chris Eicher, Parks & Recreation Director about the creek draining when he works on the dock repairs.

Council member Clark moved to approve the Eagle Scout Project regarding repair of WM Brook Park Ferry Docks and Lampasas Animal Shelter Food Drive as presented. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.2	Discussion and possible action regarding appointment of board member to Parks and Recreation Advisory Board.
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Becky Sims, Assistant City Secretary, explained that the Parks and Recreation Board has a vacant at-large position that needs to be filled. The Parks and Recreation Board met on November 22, 2019 and reviewed applications of interested applicants. The Board recommended the appointment of Tasha Bates.

Council member Kuehne moved to approve the appointment of Tasha Bates to fill the vacant at-large position on the Parks and Recreation Advisory Board. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

7.3	Discussion and possible action regarding the Holiday Schedule and cancelling the December 23,
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Mayor Pro Tem Monroe moved to approve cancelling the December 23, 2019 Council meeting. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

Adjourn

Mayor Pro Tem Monroe moved to adjourn the meeting at 7:26 p.m. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Misti Talbert, Mayor

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Christina Marez, City Secretary