

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CITY COUNCIL CHAMBERS
405 SOUTH MAIN STREET
TUESDAY MAY 28, 2019**

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

Council Members present:

T.J. Monroe, Mayor Pro Tem
Chuck Williamson
Michael White
Delana Toups
Randy Clark
Cathy Kuehne (arrived at 5:42 p.m.)

Council Members absent:

None

City Staff Present:

Finley deGraffenried, City Manager
Gary Cox, Assistant City Manager
Christina Marez, City Secretary
Becky Sims, Assistant City Secretary
Yvonne Moreno, Finance Director
Mandy Walsh, Economic Development Director
Monica Wright, Information Systems Director
Sammy Bailey, Police Chief
Rickie Roy, Public Works Director
Shanda Subia, Library Director
Emily Stone, Assistant Librarian

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

1. Call to order Workshop Session

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

Mayor Talbert skipped to Item 5 for discussion first since the Chamber representative was present at the meeting. She also noted that Council member Kuehne would be a little late to the meeting.

5. Discussion regarding Chamber of Commerce Second Quarter Report

Melissa Unger, Chamber of Commerce Director, reviewed the Chamber's Second Quarter Report. She reviewed the expenses and description of those expenses. She also reviewed an overview of events, memberships and visitor center traffic. She explained that the Chamber is seeking \$12,320.83 for reimbursement for the Visitor Center activities and events in the second quarter.

Mayor Pro Tem Monroe asked if the Chamber has received information from the hotels. Ms. Unger replied yes. She said there are new managers that have worked well with the Chamber.

City Manager deGraffenried reminded Council that there is an action item on the regular session for consideration of acceptance of the Chamber's report and request for reimbursement.

After no further discussion, Mayor Talbert went to Item 3 since Council member Kuehne was still not present at the meeting yet and knew she would like to participate in Item 2.

3. Costs and use associated with the Citizen Collection Station and the use of City Dumpsters

City Manager deGraffenried explained that City Staff was asked by Council member White to provide this agenda item to allow discussion on charges and City subsidy of the Collection Station. Additionally, Staff also takes the opportunity to discuss City dumpsters, and possible action to mitigate theft of service.

Council member White explained that he had gone to the Collection Station to drop a small load and was surprised by the cost of \$140.00. He felt that the price was ridiculous and extremely high. He went instead to Copperas Cove and it only cost him \$60.00. He said that the City does not have any scales and they charge by cubic yard and the cost is too high by doing it that way.

Rickie Roy, Public Works Director, explained that the City does not have scales and would be very expensive to purchase them and then the State would have to regulate them. Mr. Roy reviewed with the Council the cost for disposal of different materials for residents, non-residents and contractors. The cost for construction debris for a resident is \$20.00 a cubic yard. Council member White felt it should be \$10.00 instead.

The cost for battery disposal is \$1.00 for residents, non-residents and contractors. Council member White felt it should be \$10.00. The cost for appliances with freon removed is \$1.00 for residents and \$2.00 for both the non-residents and contractors. Council member White felt it should be \$5.00 for each.

Council member Kuehne arrived at the meeting at 5:42 p.m.

Gary Cox, Assistant City Manager, discussed the illegal dumping in dumpsters. He asked whether Council wanted to modify to allow at the Collection Station as future consideration. In the meantime, the City needs to educate citizens not to use the dumpsters for personal dumping or the City may need to address the illegal dumping with a violation fine to the individuals, if necessary. Further review may be necessary.

Mayor Talbert skipped to Item 6 for discussion.

6. Discussion regarding any item on the regular agenda

Mayor Talbert explained that discussion was in reference to agenda Item 7.9.

Gary Cox, Assistant City Manager, explained that this Item 7.9 was in reference to the proposed Brodie Estates Development Agreement. He informed Council that the developers, Stephen McDonald and Chris Harrison, as well as their engineer, Sam Walker, were present at the meeting. Cox reviewed the following information:

- On January 31, 2019, the developer, S2M2 and project engineer met with City Staff and presented a concept plan for the 6.70-acre development, which included 22 residential lots and a drainage detention pond. Staff reviewed the information and agreed with the concept for the development.
- On April 9, 2019, the preliminary plat was submitted for approval and was considered by P&Z on May 2, 2019 and approved by City Council on May 13, 2019.
- The developer has requested City Council consider an agreement to provide financial assistance for the development.
- The draft agreement proposes participation by the City in the amount of \$24,500.00 for the installation of electric utility infrastructure.
- The developer has also requested City participation in the construction of a drainage detention pond estimated at \$135,000.00 and cost sharing for installation of a looped water line if an easement can be obtained from an adjacent property owner.
- Currently, the City does not have a drainage plan.
- The developer has requested an opportunity to discuss options with City Council related to the development and added public benefits.

Discussion included:

- Council member Kuehne asked why the developers wanted the City to pay for the detention pond.
- Chris Harrison said that their development does not need the detention pond, however, it would be a benefit to the City with drainage issues for the future.
- Sam Walker said that the developers are losing an acre and one half by putting in the detention pond, however, it would help the City provide a five percent reduction in flow.
- Council members didn't see the benefit in participating in the cost of a detention pond.
- Sam Walker said that the developers designed this subdivision thinking a partnership with the City would happen. It was a mistake on their part and should not have designed this way.
- Gary Cox, Assistant City Manager, said that there is no money in the drainage fund should Council consider the cost share.

Mayor Talbert then moved to Item 2 for discussion.

2. Discussion regarding the composition and neighborhood representation for a Comprehensive Plan Advisory Committee

City Manager deGraffenried explained that this item is placed on the Workshop Agenda to provide Council the opportunity to discuss possible appointees to the Comprehensive Plan Advisory Committee. Previously each Council member was asked to help identify representatives from various neighborhoods and interest groups. The optimal Committee number, based on our consultant's recommendation, is 12-15.

The following names were recommended by Council:

Mark Storm
 Dr. James Cain
 Robin Gradel
 Deb Williamson
 Robert McCauley
 Sid Ball
 Rick Hardin

Boyce Cabiness
Tom Welch
Herb Pearce
Ron Kuker
Charlie Pratus
Steve Hudson
Clementine Walker
Ron Farr
Mike Irvin
Dr. Kevin Bott

Some of the recommended names have already committed to serve but there were some that were assigned to Council members to contact them to see if they were interested in serving on the Committee. The final individuals that were willing to serve would be presented to Council at the next Council meeting for final consideration.

Mayor Talbert moved to Item 4 for discussion.

4. Discussion regarding City Logo

Mandy Walsh, Economic Development Director, explained that as part of the Council Work Plan, staff engaged a designer to create logo options for Council review and direction. It is staff's understanding that the logo would provide a consistent message on cards, letterhead, signage, and digital media. Staff attempted to incorporate reference to our natural resources in the logo while maintaining a clear, clean and readable message. Staff is seeking Council input and further direction that will lead to a final choice

Walsh reviewed a total of 28 logos for Council's consideration. After some discussion and review, the consensus of Council were partial to both Logo 7 and 8 since they were so close in comparison but wanted a slight change made to the line in the logo.

7. Adjourn Workshop Session

Council member Williamson moved to adjourn the workshop session at 6:59 p.m. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

A brief break was taken before going into regular session.

REGULAR SESSION 7:00 P.M.
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ANNOUNCEMENTS

A. Call to Order

Mayor Talbert called the regular session to order at 7:06 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

- Recognizing the Library for the Texas Library Association Branding Iron Award

Mayor Talbert recognized the Library with a certificate in recognition of their receipt of a Branding Iron Award from the Texas Library Association.

- Recognizing the State Qualifiers from the Lampasas High School Golf, Cross Country, Track and Powerlifting Teams.

Mayor Talbert presented certificates to the State Qualifiers from the Lampasas High School Golf, Cross Country, Track and Powerlifting Teams recognizing them for their accomplishment. The following received certificates:

Cross Country:	Taylor Moore
Powerlifting:	Preston Fox Jack Jerome Alyssa Ayers
Golf:	Lee Ann Parker Kinsley Lindeman Sara Olson Kirsten Richards Shaylee Wolfe
Track:	Cameron Everts Ace Whitehead Dylan Alpha Luke Palacios Brady Carroll

	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.

Joe Corcoran and Dianna Hodges spoke about the Atlas 4000 event scheduled for June 1, 2019.

2.0	MINUTES
2.1	Discussion and possible action concerning approval of minutes of the Regular Meeting on May 13, 2019

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

2.2	Discussion and possible action concerning approval of minutes of the Special Training Session on May 20, 2019.
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Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

3.0	CONSENT AGENDA
3.1	Discussion and possible action on the receipt of the Monthly Investment Report for April 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"> 1. Library Monthly Report 2. Golf Course Monthly Report 3. Municipal Court Monthly Report 4. City Secretary Monthly Report 5. Police Department Monthly Report 6. Utility Billing and Collections Monthly Report 7. Public Works Monthly Report for Electric, Streets, Water/Wastewater 8. Building Official Monthly Report 9. Economic Development Monthly Report 10. Fire Department Monthly Report 11. Parks and Recreation Monthly Report 12. Information Systems Monthly Report

Shanda Subia, Library Director, reviewed her Departmental report and provided some of the following information:

- Circulation -The Library circulated 5,521 items in April, which is down 3.9% from March (5,745).
- Door Count - The April door count (4,266) was down 9.9% from last month (4,734).
- Internet Usage - Internet usage (689) was up 1.8% from March (677).
- Wifi Usage – The Library had 255 distinct clients use the public wifi in April, which is down 2.3% from March. There were an average of 19 users per day, down 5% from last month.
- Text Interactions – The Library communicated, via text messages, with 106 unique phone numbers in April which is down 5.4% from March (112). The Library sent/received a total of 638 messages, which is down 5.3% from last month (674).
- April Programs – The Library offered 12 programs in April (compared to 8 in March), which included Story Times, How Pinteresting!, Books & Badgers, Lego Robotics, Lawyer in the Library, 42 Club, and Cornelia Key Book Club. A total of 116 people attended the programs in April (compared to 194 in March). We also had the “Where in Lampasas is Carmen Sandiego?” Scavenger Hunt during National Library Week.
- She reviewed upcoming programs - Some of our upcoming May programs include: Story Time (1st & 15th), Books & Badgers (4th), Teen Book Club (6th), Beekeeping 101 (9th), 42 Club (11th), “How Pinteresting!” (14th), Cornelia Key Book Club (15th), Stroke Prevention (16th), Scholastic Book Fair (20th-25th), and Escape Room (30th). Summer Reading registration also begins May 20th, and Summer Reading actually runs June 3rd-28th.
- Book Fair – The Library will be hosting a week-long Scholastic Book Fair in the Foundation Room, May 20-25. There will be books for all ages, as well as toys, pencils, etc.

- Escape Room – The Library will be converting the Foundation Room into a spacecraft, and kids 7+ years old will be tasked with unlocking the clues to get to their escape pod before the asteroid hits! This event, on May 30, will be sort of a kickoff to our summer reading program, which starts on June 3.
- Landscape Project - The Street Department has removed all sidewalks/concrete in preparation for the landscaping work.

5.0	ROUTINE MATTERS
5.1	City Manager’s Operational Report

City Manager deGraffenried reviewed his report:

- Noise - After Council discussion at the previous meeting on the Noise Ordinance, Police monitored subsequent music events in the area. Police Chief Bailey is pleased to report that no music venues were in violation, and no complaints were received. City Staff is prepared to revisit the ordinance in the future, however, only at Council direction.
- Fire Chief – City Staff have narrowed the search for the new Fire Chief to six candidates. Based on Council and candidate availability, interviews will be scheduled on either June 13 or 14. If possible, we will schedule all six interviews on the same afternoon. Our interview itinerary will include a visit to the Fire Station, Staff and Elected Officials, and the formal interview board.
- Health Insurance - The City has received the FY 2020 quotation for health insurance renewals with Scott and White. Based on a positive claim to premium ratio, the City will conditionally receive an approximate 2% reduction in medical premiums. To receive the rate, the City will have to encourage participation in wellness checks, and must commit to a two-year renewal with any increase, in year two, being capped at 5.5%. Good news, however; the City has not received dental and vision renewals.
- Hanna Springs - Chris Eicher, Parks & Recreation Director, reports that the Hanna Springs Pool has a fourteen-inch (14”) tear in the vinyl liner. It is unclear when or how the tear occurred, but it apparently happened after the pool was filled for the season. The need for the repair has caused some disruption in pre-season parties, but should not delay regular opening on May 25, 2019.
- Spring Street Sewer - As mentioned previously, City Staff has uncovered another sewer encroachment on private property. The property owner on the corner of Spring and North is serviced by a sewer main in Ave. A, however; the route of the line is under two homes to the north. Staff has explored options, and will likely bring an item to Council for consideration to extend sewer on Spring to serve this home and in the future others on the block. It seems we have these types of issues, requiring relocation of lines, about twice a year.
- Library Project - Staff has removed sidewalks in front of the Library and has solicited quotations for the installation of the new walks. After the City commenced, the project staff was approached regarding the possibility of including additional concrete work to the City scope. After receiving additional specification this week, City Staff is still unclear regarding some aspects of the request, and has suggested a meeting so that Council might consider a formal request.
- CIP - The CIP Committee will hold one additional meeting on May 29, 2019 to finalize the plan schedules. The CIP will be placed on the June 10, 2019 Workshop Agenda for review and discussion with Council on the plan and plan schedules. As in previous reports, the Plan will also identify areas or projects the Committee felt were compelling to fund.

5.2	MAYOR’S COMMENTS
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Mayor Talbert did not have any 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 the composition and neighborhood representation for a Comprehensive Plan Advisory Committee

City Manager deGraffenried said that this item was discussed in workshop session. He said that he would email Council all the names that were discussed and recommended by them in workshop session and that those that were assigned to an individual contact them and ask if they are willing to serve on this committee.

This item will be put on the next Council meeting agenda for final consideration.

No action was taken.

7.2	Discussion and possible action regarding Chamber of Commerce Second Quarter Report
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City Manager deGraffenried explained that this item was discussed in workshop session.

Mayor Pro Tem Monroe moved to approve and accept the Lampasas County Chamber of Commerce 2nd Quarter Report and reimbursement in the amount of \$12,320.83. The motion was seconded by Council member Touns and with a unanimous vote, the motion carried.

7.3	Discussion and possible action regarding request from the Lampasas County Chamber of Commerce for Hotel Occupancy Tax Funds in the amount of \$2,718.31 for event expenses related to the Annual “Hot as Hell” BBQ Cook-Off and Taster’s Choice on July 12, 13, 2019.
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Melissa Unger, Chamber of Commerce Director, explained that they are requesting HOT funding in the amount of \$2,718.31 for event expenses related to the Annual “Hot as Hell” BBQ Cook-Off and Taster’s Choice event. Unger explained that funding in 2018 was in the amount of \$1,758.31. The increase this year is for additional need for advertising this event.

Council member Kuehne moved to approve the request from the Lampasas County Chamber of Commerce for Hotel Occupancy Tax Funds in the amount of \$2,718.31 for event expenses related to the Annual “Hot as Hell” BBQ Cook-Off and Taster’s Choice on July 12, 13, 2019. The motion was seconded by Council member Touns and with a unanimous vote, the motion carried.

7.4	Discussion and possible action regarding request from the Lampasas County Chamber of Commerce for Hotel Occupancy Tax Funds in the amount of \$1,400.00 for event expenses related to the Annual Toughest 10K in Texas, 5K and 1 Mile Run on July 13, 2019.
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Melissa Unger, Chamber of Commerce Director, explained that they are requesting HOT funding in the amount of \$1,400.00 for event expenses including additional advertising and a new timing company. This event was funded in 2018 in the amount of \$937.00.

Mayor Pro Tem Monroe moved to approve the request from the Lampasas County Chamber of Commerce for Hotel Occupancy Tax Funds in the amount of \$1,400.00 for event expenses related to the Annual Toughest 10K in Texas, 5K and 1 Mile Run on July 13, 2019. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.5	Discussion and possible action concerning the Audit Engagement Letter for the City of Lampasas current fiscal year which began October 1, 2018 and will end September 30, 2019.
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Yvonne Moreno, Finance Director, explained that Preston K. Singleton, CPA, with Singleton, Clark & Company, PC has submitted their engagement letter to perform the Fiscal Year 2019 Financial Audit. Mr. Singleton's firm has prepared the City's audits for a number of years. Preliminary work is expected to begin during the summer months of 2019 prior to the end of the current Fiscal Year. The price of \$28,000.00 is primarily driven by the time required by auditing standards to perform governmental audits, as well as the requirement to employ qualified staff.

Council member Clark moved to approve the engagement of Singleton, Clark, & Company, PC to perform Fiscal Year 2019 audit in the amount of \$28,000.00. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.6	Discussion and possible action regarding closure of Western Street at Second and Third Street for no thru vehicle traffic on July 6, 2019 from 10:30 a.m. to 12:00 p.m.
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Sammy Bailey, Police Chief, explained that Mr. Andy Fish plans to have a one-year Keystone Star Celebration at 402 S. Second Street on July 6, 2019 from 11:00 a.m. until 4:00 p.m. He has requested Western Street be closed at Second and Third Street from 10:30 a.m. until Noon. The event will start at 11:00 a.m. with a flag raising ceremony at the flagpole on Western Street to commemorate the Declaration of Independence of the United States in 1776. He will follow with a presentation of the people who have made the restoration of the hotel possible and the contractors who have worked tirelessly to return the Keystone Hotel to the beautiful and historic building that graces Lampasas. At the conclusion of the presentation, the hotel will be open for tours.

Mayor Pro Tem Monroe moved to approve the request for closure of Western Street at Second and Third Street for no thru vehicle traffic on July 6, 2019 from 10:30 a.m. to 12:00 p.m. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.7	Discussion and possible action regarding selection of new City logo.
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Mandy Walsh, Economic Development Director, explained that this item was discussed in workshop session.

Council member Toups moved to approve a combination of Logo number 7 and 13 with slight adjustment to the line in the logo. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

7.8	Discussion and possible action regarding the approval, denial or approval with modifications regarding Burger King Development Agreement
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Gary Cox, Assistant City Manager, explained that on May 13, 2019, Council approved a professional services agreement to provide for the engineering of the replacement of water/wastewater lines in the alley in the 400 Block of Key Avenue between W. Ave C and W. Ave D. The approval was conditioned upon obtaining a development agreement with Burger King to provide for the installation of the public infrastructure. Staff has requested a meeting with Burger King Officials to discuss an agreement, however staff desires direction from Council prior to the meeting regarding items for inclusion in a possible development agreement based upon the attached development score sheet.

Cox reviewed the following:

- Since Burger King is requesting to pave a portion of the alley as an escape route.
- Prior to the paving, the City should consider replacing the existing water/sewer lines due to the age and condition and possibly consider having Burger King cost share the costs.
- The estimated cost to replace the water and sewer lines is \$42,000.00 and an additional \$8,000.00 for engineering.
- The City desires to replace the aging water and sewer lines that serve adjacent properties to avoid future disruption to residents and business operations of the drive thru.
- The City has not spoken with Burger King on the possible cost share. He wanted to speak with Council on their thoughts.
- Burger King will be tying in to the sewer line on Key Avenue and so they are not affected by the lines in the alley.

Council discussions included:

- The need to replace the water and sewer lines in the alley are created because of Burger King’s need to pave the alley for their restaurant drive thru purposes.
- Staff noted that the alley was not a necessity for Burger King because they have adequate property for their drive thru. Burger King was requesting to pave the alley should any vehicle want to get out of the drive thru lane, they could exit through the alley.
- If the lines are not replaced now and the City allows Burger King to pave the alley, Burger King knows that it will be their cost to replace the paving.
- Council member White felt that Burger King should share the cost of replacing the lines in the alley.
- Mayor Talbert asked that City Staff itemize everything to see all the costs that this project is costing the City.

No action was taken.

7.9	Discussion and possible action regarding the approval, denial or approval with modifications regarding Brodie Estates Development Agreement
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Gary Cox, Assistant City Manager, explained that this item was discussed in workshop session and was seeking Council’s direction on the proposed Brodie Estates Development Agreement.

After some discussion, Council member Clark moved to approve the Brodie Estates Development Agreement with modifications to include City participation in the amount of \$24,500.00 for the installation of electric utility infrastructure; City participation in the cost share for the installation of a looped waterline, contingent upon an easement being obtained by an adjacent property owner; and the City will not

participate in the construction of a drainage detention pond. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

Adjourn into Executive Session

Mayor Pro Tem Monroe moved to adjourn into executive session at 8:14 p.m. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

City Manager deGraffenried asked that Gary Cox, Assistant City Manager, and Yvonne Moreno, Finance Director, be allowed in executive session. The Mayor and Council allowed.

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:

8.0	EXECUTIVE SESSION ITEMS
8.1	Section 551.086 (Relating to the authority of public power utility governing bodies to deliberate regarding competitive matters) – Utilities
8.2	Adjourn Executive Session and reconvene Regular Session

Executive session was adjourned at 8:38 p.m.

REGULAR SESSION

9.0	ACTION ON EXECUTIVE SESSION
9.1	Discussion and possible action concerning items posted and discussed by Council in Executive Session

Council member Williamson moved to authorize the City Manager to continue to negotiate Industrial Rate Contract within terms discussed in executive session. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

Adjourn

Mayor Pro Tem Monroe moved to adjourn the meeting at 8:39 p.m. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

PASSED AND APPROVED this _____ day of _____, 2019.

Misti Talbert, Mayor

ATTEST:

Christina Marez, City Secretary