

**pMINUTES OF REGULAR MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CALVERT MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
302 E THIRD STREET
Monday, April 26, 2021
5:30 p.m. Workshop Session
6:00 p.m. Regular Session**

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:

Delana Toups
Bob Goodart
Randy Clark
Cathy Kuehne
Chuck Williamson

Council Members absent:

Mayor Misti Talbert

City Staff Present:

Finley deGraffenried, City Manager
Rickie Roy, Assistant City Manager
Becky Sims, City Secretary/Zoning Administrator
Monica Wright, IT Director
Sammy Bailey, Police Chief
Jeffry Smith, Fire Chief
Yvonne Moreno, Finance Director
Van Berry, Golf Course Manager
Mandy Walsh, Economic Development Director
Van Sims, WWW Operations Manager
Joe Schwartz, Animal Control Officer
Kim Watkins, Pool Manager
Vicki Tower, Parks Secretary/HR Coordinator

**WORKSHOP SESSION
5:30 p.m.**

1. Call to order Workshop Session

Mayor Pro-Tem Monroe called the Workshop Session to order at 5:30 p.m

2. Discussion and updates related to COVID-19 Pandemic.

Chief Smith provided the following information for Lampasas County as of April 23,2021

- Active Cases- 15
- Total Fatalities- 30
- Hospitalizations- 1
- 5,673 Lampasas County residents have received at least one dose of vaccine
- 3,854 Lampasas County residents have been fully vaccinated.

3. Discussion regarding mural on Calvert Municipal Building by Vision Lampasas

Libby Bluntzer, Vision Lampasas representative presented Council with a new mural idea for the Calvert Building. The mural selected is the Goddess of Justice; the committee felt it would compliment the Municipal Court as well as the City Council Chambers. The proposed location of the mural would be the concrete wall area in front of the designated area for handicap parking on the Main Street side of the Calvert Building. Council member Kuehne and Toups asked if there is another location in town where they could paint this mural. They are not in favor of placing a mural on the Calvert Building as it would take away from the architecture. Mrs. Bluntzer appreciates the feedback and they are ready to get back to work. Both Council member Kuehne and Toups applauded Vision Lampasas for their beautiful murals. Council recommended putting the mural on a future council agenda to discuss further and to take formal action.

4. Discussion regarding Livestock and Fowl in the City Limits of Lampasas

Police Chief Bailey and Animal Control Officer Joe Schwartzer discussed the need to create an Ordinance specific to Livestock and Fowl inside the City Limits. Currently regulatory measures fall under public nuisance specific to the following areas:

- City of Lampasas Code of Ordinances
- Sec. 10-4 Public Nuisance
 - (2) Damages the property of anyone other than its owner;
 - (5) Excessively makes disturbing noises, including, but not limited to continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
 - (6) Causes fouling of the air by odor and thereby creates unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
 - (7) Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored;
 - (8) Is offensive or dangerous to the public health, safety, or welfare by virtue of the number and/or types of animals maintained;

Currently a resident can be issued a citation, and pay an appropriate fine; then the cycle will start over again. Chief Bailey is looking for a more robust Ordinance that will regulate, prohibit and enforce the type and number of animals allowed, particularly in residential districts.

The following are the recommended steps to adopt an Ordinance that is appropriate for our community:

- Define Livestock/Fowl
- Identify indoor/outdoor animals
- 4H/FFA~ Registration process for exemption to Ordinance based on school activity and/or organization
- Density/number of animals per size of yard~ possible units for animals
- Commercial vs. Residential
- Modify violation/citation process within the perimeters of the Law.

Council was in favor of Chief Bailey moving forward with Livestock Ordinance. This will be placed on future agenda for Council consideration of draft Ordinance.

5. Discussion and update regarding summer pool start-up and schedule.

Kim Watkins, Pool Manager presented to Council the proposed schedule and layout for the Pool Season. Currently received 17 lifeguard applications and providing they all pass the lifeguard tests they will be able to open up both pools. The deadline to apply for this pool season will be Wednesday, April 28th at noon. The preliminary skills test will take place Saturday, May 1, 2021. The assistant pool manager is returning as well as one guard from the last season. The training for the guards will be blended. The proposed pool schedule will be as follows:

Hanna Springs- Tuesday through Saturday (slide availability will be based on number of guards on shift)
Hancock Springs- Thursday-Sunday

There will be no block parties this season; however private parties can be scheduled. Hancock will open May 29, 2021 for Memorial Day weekend; Hanna Springs will be pushed back to June 5th.

Water Aerobics will be available based on budgeted overtime hours available for instructor.

6. Discussion regarding any item on the regular agenda.

There were no comments

7. Adjourn Workshop Session

Council member Toups moved to adjourn into Executive Session at 6:03 p.m.; Council member Clark seconded the motion and with a unanimous vote, the motion carried (Talbert 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 551.071 (1) (A) and 551.071 (2), 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 including but not limited to discussion regarding potential or threatened litigation related to possible breach of contract for use of public right of way; and/or other matters posted on the regular agenda.

Adjourn Executive Session into Special Session-

Council adjourned Executive Session and moved into Special Session at 6:51 p.m.

SPECIAL SESSION

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

There was no action taken in Executive Session

Adjourn Special Session and reconvene Regular Session

Council member Williamson moved to adjourn the special session at 6:52 p.m.; the motion was seconded by Council member Toups and with a unanimous vote, the motion carried (Talbert absent)

Council took a 5 minutes break before going 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 7:00 p.m. For those not in attendance the number to call in 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

Council member Toups read the Municipal Clerks Week Proclamation acknowledging May 2-8, 2021 as Municipal Clerks Week and appreciation for City Secretary, Becky Sims, TRMC and all municipal clerks for the service they provide to their communities.

	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

2.0	MINUTES
2.1	Discussion and possible action concerning approval of minutes of the Regular Meeting on April 12, 2021

Council member Kuehne moved to approve the minutes as presented, the motion was seconded by Council member Williamson and with a unanimous vote, the motion carried. (Talbert absent)

3.0	CONSENT AGENDA
3.1	Discussion and possible action regarding the second reading of an Ordinance to approve a request for a Specific Use Permit for property described as 0.160 acres, PT of Frac PT 6, Block 20, Old Town Addition commonly known as 809 East Fourth Street, Lampasas, Texas Lampasas County to allow for a Mini-Warehouse in an area zoned Commercial.

3.2	Discussion and possible action regarding the March 2021 Investment Report
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Council member Toups moved to approve the consent agenda as presented, the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried. (Talbert absent)

4.0	BOARDS/DEPARTMENT REPORTS
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Van Berry, Golf Course Manager presented his report to Council.

Highlights from 2020-2021

- Green Fees \$7,533 to \$15,140
- Cart Fees \$4,700 to \$8,700
- Merchandise \$2,200 to \$9,800

Overall revenue was \$17,412 in 2020 to \$38,774 in 2021

Golf Course was closed from March 24, 2020-April 24, 2020 due to COVID.

Aerated all the fairways and tee boxes.

Applied 20,000 lbs. of pre-emergent (Prodiamine) on the fairways, rough and tee boxes. This herbicide is applied to keep weeds from germinating.

Applied 800 lbs. of Gypsum on the greens monthly

Applied 600 lbs. of 0-0-30 (potash) on the greens monthly

Sprayed Firm-Up (soil conditioner) on the greens.

Applied 400 lbs. of fertilizer and the greens.

Staff repaired an area on #9 where the water was not draining. Staff hauled in several loads of dirt and will be sodding the area next week.

Since the grass is beginning to grow, Staff have started watering more often and we are finding that several of our sprinkler heads cracked during the freeze. The heads that cracked are the old heads, which are approximately 18 years old, and you can no longer get parts for them, so we had to replace them with new models.

As far as the condition of the grass on the golf course from the freeze, so far, Mr. Berry reported have had minimal winterkill. The maintenance crew are beginning to do a lot of mowing; we are mowing the greens daily and mowing the fairways and tee boxes weekly.

Membership for January 1, 2021 through June 30, 2021.

Single Memberships – 158

Couples Memberships – 36

Family Memberships – 6

Member Trail Fees – 164

5.0	ROUTINE MATTERS
5.1	City Manager’s Operational Report

City Manager deGraffenried reviewed his report:

CIP The Capital Improvement Program Committee met on April 22nd to continue work on the FY 2022 - 2027 Plan. The Committee met at the Historic Colored School and took the opportunity to tour the New Hope Baptist Church with Reverend Majors. Other items on the Committee’s agenda included a presentation on Way-Finding signage as a means to promote the City’s brand, and highlight tourist attractions and business; and Street and Park projects for inclusion in the Plan.

Hillside Acres As a follow-up, the City Attorney, in consultation with First State Bank Burnet, has approved the format for a performance guarantee. Staff have made final, non-substantive, changes in the Development Agreement and packaged all exhibits. The Development Agreement has been forwarded to the property owner for review and execution. The final plat has not been signed or filed pending return of the executed Development Agreement and related documents.

Development Two major retail projects continue to make progress in Lampasas. CEFCO is preparing the site on 190 and East Fourth including detention pond to the east, and tank locations to the west. Although several large trees were removed from the site, the landscaping plan calls for planting of 31 additional trees and Bermuda sod where required. Whataburger has poured their slab and completed all underground utility work. Overhead phone relocation remains by AT&T.

AT&T Joint Use After some additional contact from City staff and our consultants, Local Government Services, the City did receive a call from Debbie Keel, AT&T Regional Director, regarding the long overdue resolution to our Joint Use Pole Attachment Agreement. Ms. Keel apologized for the delay, and suggested we would get the new Agreement back this week. As a reminder, the current agreement and fees date to 1949 at which time there was approximately an equal number of attachments for each entity. With the growth of the City’s electric distribution system, the burden has shifted substantially on the City without any updated compensation. As of publication, the City has not received any additional communication from AT&T.

Code Red As part of the After-Action Report, the City, and specifically the Police Department, has been promoting subscription to Code Red and Notify Me notification systems. Residents can be notified by email, text, or phone; and may select the type of notifications they wish to receive including emergencies, public notices, closures and meeting announcements. Sign-up information has been available at City events and facilities.

580 Sports Park The City has received the conceptual plan for hike and bike trails at the 580 Sports Park. Prior to the next City Council meeting, staff will meet with local stakeholders to determine what can be accomplished between volunteer and in-house manpower and equipment, and what, if anything, will be required from outside sources or contractors. Staff will tentatively place the item on the Workshop agenda May 10.

West Third Street After heavy rains washed out wet concrete on the pan of the south drain, and washed a mini excavator down-stream, work has been complete on the north and south head walls. Additional, curb and gutter, and street level pans are formed and will be poured in the next few days. Final paving should be completed in the next two weeks.

Care Flight Staff and the Fire Chief met this week with representatives from Care Flight, a helicopter ambulance service who is moving into the central Texas area. They currently have one helicopter based in Burnet, and are seeking opportunities to sell membership/insurance for their service. One model they would like to present to Council is a fee included with utility billing, with an opt-out option, in the amount of \$1.00 per month. Staff will place the item on a future agenda based on Council input and direction.

AFNA After providing two dates and times to Ajinomoto Foods North America to discuss the findings of the wastewater pre-treatment study, the City has yet to confirm a meeting. AFNA will need to coordinate the attendance of their engineers out of state, which may be one issue with the delay. Without confirmation, the parties are targeting May 6th for a meeting.

5.2	MAYOR'S COMMENTS
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There were no Mayor/Mayor Pro-Tem comments

6.0	UNFINISHED BUSINESS
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There was no unfinished business.

7.0	NEW BUSINESS
7.1	Discussion and consideration for approval of payment for the expenditure of \$75,541.58 to Motorola Solutions, Inc. for the Lampasas Public Safety Communication System Upgrade Project.

Council member Kuehne moved to approve the payment for the expenditure of \$75,541.58 to Motorola Solutions, Inc. for the Lampasas Public Safety Communication System Upgrade Project., Council member Williamson seconded the motion and with a unanimous vote, the motion carried (Talbert absent)

7.2	Discussion and possible action due to a request for the closure of East Second Street from Main Street to Pecan Street on July 11, 2021 from 12 Noon until 5:00 p.m.
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Council member Toups moved to approve the closure of East Second Street from Main Street to Pecan Street on July 11, 2021 from 12 Noon until 5:00 p.m., Council member Kuehne seconded the motion and with a unanimous vote, the motion carried (Talbert absent)

7.3	Discussion and possible action regarding award of contract for the retaining walls at WM Brook Park- Sulphur Creek in an amount not to exceed \$33,175.00
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Council member Clark moved to approve the award of contract to Canales-Dibble for the retaining walls at WM Brook Park- Sulphur Creek in an amount not to exceed \$33,175.00, Council member Williamson seconded the motion; Mayor Pro-Tem Monroes opened the floor for questions. Council member Clark inquired if the work was the same as done previously and the length of project. Staff would get with the Parks Director who could not be here this evening and report back to Council; with a unanimous vote; the motion carried (Talbert absent)

7.4	Discuss and consider a letter provided by Eckermann Engineering regarding work on City Property, specifically the berm on Spring Ho Avenue in preparation for the construction of the new Spring Ho Building.
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Council member Kuehne moved to approve the letter provided by Eckermann Engineering regarding work in City Property, Council member Clark seconded the motion; Mayor Pro-Tem Monroe opened the floor for questions. Council member Clark asked if a construction easement would be required; City Manager deGraffenried did not think it would be required based on the project time; however, advised that during the initial plan review a construction easement was discussed and prior to approval Staff will consider a construction easement if needed. Council member Clark also question berm elevation; Mrs. Sims advised the berm elevation would not change. Mr. Eckermann validated the information provided to Council. With a unanimous vote, the motion carried (Talbert absent)

7.5	Presentation and acceptance of the Lampasas County Chamber of Commerce First and Second Quarter reports
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Council member Clark moved to accept the combined first and second quarter reports as presented; Council member Toups seconded the motion and with a unanimous vote, the motion carried (Talbert absent)

7.6	Discussion and possible action regarding Lampasas County Chamber of Commerce HOT funds request for annual 10K Event in the amount of \$1,500.00
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Council member Toups moved to approve the HOT funds request for annual 10K Event in the amount of \$1,500.00, Council member Williamson seconded the motion and with a unanimous vote the motion carried (Talbert absent)

7.7	Discussion and possible action regarding Lampasas County Chamber of Commerce HOT Funds request for the Riata Rodeo in the amount of \$5,161.25.
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Council member Williamson moved to approve the HOT Funds request for the Riata Rodeo in the amount of \$5,161.25, Council member Clark seconded the motion and with a unanimous vote the motion carried.

7.8	Discussion and possible action regarding the purchase and installation of 500 Neptune AMR water meters from Core & Main in an amount not to exceed \$132,000.00.
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Council member Williamson moved to approve the purchase and installation of 500 Neptune AMR water meters from Core & Main in an amount not to exceed \$132,000.00, Council member Clark seconded the motion and with a unanimous vote, the motion carried (Talbert absent)

Adjourn- Council member Williamson moved to adjourn the meeting at 7:31 p.m., the motion was seconded by Council member Toups and with a unanimous vote, the motion carried. (Talbert absent)

PASSED AND APPROVED this _____ day of _____, 2021.

Misti Talbert, Mayor

ATTEST:

Becky Sims, City Secretary