

**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, September 11, 2023
5:30 p.m. Workshop Session
6:00 p.m. Regular Session**

(regular session will begin immediately following workshop and may be called to order prior to 6:00 pm)

The City Council of the City of Lampasas met in Regular Session on the above date and time with Mayor Pearce presiding.

Council Members Present:

Chuck Williamson
Davis Keele
Charlie Pratus
Eric Hernandez
Cathy Kuehne

City Staff Present:

Finley deGraffenried, City Manager
Becky Sims, City Secretary
Monica Wright, IT Director
Ryan Ward, ACM
Jody Cummings, Police Chief
Jeff Smith, Fire Chief
Yvonne Moreno, Finance Director
Charlie Boswell, Assistant Police Chief
Kasey Schwartzter, Animal Shelter Supervisor

Council Members Absent:

Zac Morris

WORKSHOP SESSION

5:30 p.m.

1. Call to order Workshop Session

Mayor Pearce opened the workshop session at 5:30 p.m.

2. Discussion and updates related to Hike/Bike Trail and Disc Golf.

Ryan Ward, ACM provided Council an update on the progress with the Hike/Bike Trail and Disc Golf. As the trails continue to develop, there has been some additional conflicts between the trails and disc golf. Both parties continue to work together; however, after the trails have been completed adjustments will be made to the disc golf layout. The following dates have been identified for the hike/bike trail stakeholders:

- *September 16th-trail classes*
- *September 23rd-work party*
- *October 2nd-contractors will begin*

Council member Pratus questioned about horse riding conflicts. ACM Ward advised these trails are specific to bikes and walking, no horses or motorized vehicles. There are existing trails for horses and motorized vehicles are prohibited at the 580 Sports Complex.

3. Discussion regarding mentorship program between Lampasas Animal Shelter and Williamson County Regional Animal Shelter and funding through Best Friends Animal Society.

Kasey Schwartzter, Animal Shelter Supervisor provided updates with partnership with Williamson County and how the Best Friends Animal Society Grant Program has assisted the shelter.

The following is a list of new programs at the shelter:

- *Foster Program*
- *Doggy Day Out*
- *Tales for Tails Reading Program*
- *Barn Cat Program*

- *Community Involvement and Volunteers*
 - *Monthly Shelter Events*
- *Grants were available to send both Mrs. Schwartzer and Mrs. White to the National Conference in Houston. Mrs. Schwartzer was also able to attend training to become a Peer Support Counselor with left over funding. She is one of nine Counselors in the US. This has been valuable to support other Shelter Staff and agencies, to cope and manage the stress of career.*
- *Funding was available to provide emergency shelter for 30+cat hoarding case.*
- *Best Friends adoption weekend- able to provide limited number of microchips, waive adoption fees and provide a \$50.00 gift certificate to be used at their next appointment all because of grant funding.*

Due to these programs, the live release rate has increased from 47% last year, which was due to mostly underage kittens to 84% this year.

Mrs. Schwartzer acknowledged her staff for their hard work and dedication to these programs.

4. Discussion regarding any item on the regular agenda

There was no discussion

5. Adjourn Workshop Session

The workshop session adjourned at 5:47 p.m. and Council went directly into Regular Session.

REGULAR SESSION

ANNOUNCEMENTS

A. Call to Order

Mayor Pearce called the Regular Session to order at 5:47 p.m.

Mayor Pearce asked for a moment of silence in remembrance of 911

B. Invocation and Pledge of Allegiance

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

C. Presentations and Proclamations

- *Library Card Sign-Up Month Proclamation*

PUBLIC HEARINGS/CITIZEN COMMENT	
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.

Mr. Nathan Cairl addressed City Council regarding his thoughts on the Lampasas Central Appraisal District not following the tax code regarding Homestead Exemption.

Mrs. Janet Crozier addressed City Council regarding ADA sidewalk to Community Garden gate. She requested that funding be made available in the FY24/25 Budget.

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.
-----	---

There were no citizen comments

1.3	Public hearing to receive citizen comments to consider a request for a Specific Use Permit to allow the sale of portable buildings in an area zoned Commercial, described as 1 acre, Abstract 0042, John Burleson Survey, commonly known as 615 Central Texas Expressway Lampasas, Texas Lampasas County.
-----	---

Mayor Pearce opened the public hearing.

Becky Sims, City Secretary/Zoning Administrator reviewed the following:

- *The business owner is applying for a Specific Use Permit (SUP) to allow for the sale of portable buildings in an area zoned Commercial.*
- *The property is zoned Commercial “C”, the area surrounding the property is Commercial “C”, Single Family Residential-6 “SF-6” and Single Family Residential-10 “SF-10”*
- *All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed twenty-five (25) notices to property owners within 200 feet of the applicant’s property, to date no letters have been received in favor or in protest of the request.*
- *This request fits within the land use defined in the Comprehensive Plan as Corridor Commercial*
- *The Planning Commission did recommend approval at the September 7, 2023 meeting.*

With no additional comments the public hearing was closed.

1.4	Public hearing to receive citizen comments to consider a request for a Specific Use Permit to allow for a daycare in an area zoned Retail, described as approximately ±3 acres, Lots 1 & 2, Block 58, AH Barnes Addition, commonly known as 808 S Western Ave. Lampasas, Texas Lampasas County.
-----	---

Mayor Pearce opened the public hearing.

Becky Sims, City Secretary/Zoning Administrator reviewed the following:

- *The business owner is applying for a Specific Use Permit (SUP) to allow for a daycare facility in an area zoned Retail.*
- *The property is zoned Retail “R”, the area surrounding the property is Retail “R”.*
- *All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed twenty-five (25) notices to property owners within 200 feet of the applicant’s property, to date Staff has received one letter in favor of the request and non in protest*
- *This request fits within the land use defined in the Comprehensive Plan as Corridor Commercial and Downtown Transitional.*

- *The Planning Commission did recommend approval at the September 7, 2023 meeting.*

With no additional comments, the public hearing was closed.

1.5	Public hearing to receive citizen comments to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-10 “SF-10” Zoning Classification for Hillside Acres Subdivision, 36.76 acres located in Lampasas, Texas Lampasas County.
-----	--

Mayor Pearce opened the public hearing.

Becky Sims, City Secretary/Zoning Administrator reviewed the following:

- *The subdivision is 36.76 and is platted into 26 lots.*
- *This area is defined as Rural Estate in the Comprehensive Plan*
- *The Planning Commission did recommend approval at the September 7, 2023 meeting.*

Council member Hernandez inquired about the minimum sq. ft. for “SF-10” and if the subdivision has any restrictions or covenants and what it states. Mrs. Sims advised 1200 sq. ft. for “SF-10” and 1600 minimum sq. ft. in the deed restrictions.

With no additional comments, the public hearing was closed.

1.6	Public hearing to receive citizen comments to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-10 “SF-10” Zoning Classification for Hidden Oaks Subdivision, 4.00 acres located in Lampasas, Texas Lampasas County.
-----	--

Mayor Pearce opened the public hearing.

Becky Sims, City Secretary/Zoning Administrator reviewed the following:

- *The subdivision is 4.00 acres and is platted into 12 lots.*
- *This area is defined as Suburban Residential in the Comprehensive Plan.*
- *The Planning Commission did recommend approval at the September 7, 2023 meeting.*

With no additional comments, the public hearing was closed.

1.7	Public hearing to receive citizen comments regarding a request to rezone 12.74 acres of land out of the James Easley Survey, ABST No. 0185, Lampasas, Texas, Lampasas County owned by Ronald and Debra Kuker from Agriculture to Multi Family-2 Apartments.
-----	---

Mayor Pearce opened the public hearing.

Becky Sims, City Secretary/Zoning Administrator reviewed the following:

- *The property was voluntarily annexed into the City Limits at the August 28, 2023 City Council Meeting at the request of Ron Kuker, property owner.*
- *The property owner is asking for consideration in rezoning property from Agriculture “AG” to Multi-Family-2 (Apartments)*

- *Multi-Family- Apartments allows for apartments, duplexes, single family residential and a planned development.*
- *The area is characterized as mixed use. The property is surrounded by the Lampasas EDC Business Park, undeveloped land and residential homes.*
- *All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed six (6) notices to property owners within 200 feet of the applicant’s property, to date no letters in favor or in protest have been received.*
- *The Comprehensive Plan identifies rental alternatives such as apartments are in short supply, this area is defined as Rural Estate, Suburban Residential and Employment Mixed-Use.*

With no additional comments, the public hearing was closed.

1.8	Public hearing to receive citizen comments relating to the first reading of an Ordinance to amend Chapter 78, Traffic and Vehicles, Article II, Specific Street Regulations, Division 2, Stop Intersections, Sec 78-62. Same- All-way stops, of the Code of Ordinances by adding All-way stop to the intersection of Fourth Street & Spring Street.
-----	---

Mayor Pearce opened the public hearing.

Becky Sims, City Secretary/Zoning Administrator reviewed the following:

- *This item was discussed at the August 28, City Council meeting. At that time Council was advised that based on feedback from citizens, this intersection has become an area of concern.*
- *Based on the MUTCD (Manual of Uniform Traffic Control Devices) requirement for an all-way stop, it would not meet solely based on crash data, since there has only been one reported crash within the last 2 years. However, after driving the roadway from multiple directions (“Engineering Judgement”), sight distance is a concern. Both westbound and eastbound directions of 4th Street have less than 150’ of sight distance from both Spring Street approaches. Also, sight distance is limited further from left turning movements from 4th Street onto Spring Street. MUTCD requires a minimum of 270’ at 30MPH, as a means of driver expectation and response time.*

With no additional comments, the public hearing was closed.

2.0	MINUTES
2.1	Discussion and possible action concerning the approval of minutes of the Regular Meeting held on August 28, 2023

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

3.0	CONSENT AGENDA
3.1	Discussion and possible action regarding purchases and charges in excess of \$4,000 from August 1, 2023- August 31, 2023
3.2	Discussion and possible action regarding the July 2023 Investment Report.

Council member Pratus moved to approve consent item 3.1, the motion was seconded by Council member Williamson and with a unanimous vote, the motion carried. (Morris absent)

Council member Williamson moved to approve consent item 3.2, the motion was seconded by Council member Keele and with a unanimous vote, the motion carried. (Morris absent)

4.0	BOARDS/DEPARTMENT REPORTS
-----	---------------------------

5.0	ROUTINE MATTERS
5.1	City Manager's Operational Report

City Manager deGraffenried reviewed his report:

- Airport Staff met with representatives from Parkhill (contractor) and Centurion Planning (sub-contractor) on September 6th to discuss the TxDOT funded Airport Master Plan project. The project is approximately 6 months behind the anticipated start date due to a protracted contracting period between the contractor and TxDOT. Over the next several weeks, staff will be soliciting stakeholders for participation on the Planning Committee that will review and provide input to project documents and forecasts. As referenced previously to Council, the Committee will be made up of two members from the Airport Advisory Board, one member of the Pilots' Association, one member from the Lampasas EDC, one member from Council, and one member from the Chamber of Commerce. Over the next 12 months, the Committee will meet three to four times.

- Water Stillhouse Hollow Lake is currently holding at 603.86 feet elevation, down slightly from previously reported 604.5 feet. Our entire area is hopeful that forecast rain in the next week will be the beginning of a wetter than normal Winter. Residents and businesses continue to do their part to conserve, and staff continue to monitor and notify high water users by personal calls, door hangers, and visits from the City's Code Enforcement Officer. To date no citations have been issued, however; several residents have received warnings. Records set this Summer include highest number of days over 100, and highest number of days over 105.

- EMS Attached is a longer than usual Lampasas County EMS report from Hamilton County Hospital District. The Disposition of Calls indicate that of the 363 total calls in Lampasas County, 177, or 49%, originated in the City of Lampasas. The report also includes, for the first time, the destination of calls, including transfers. Chief Cummings also reports dispatch staff are receiving upgraded training and certification in Emergency Medical Dispatch.

- Hancock Pool Council has undoubtedly heard that the Pool season ended sooner than anticipated due to mechanical issues at Hancock Pool. Normally the Pool remains open on week-ends through September, subject to available staff, however; due to the failure of the fill valve, the Pool cannot be emptied and cleaned as required. Staff from the Parks Department and Water Department will coordinate repairs this Fall.

- Developers' Meeting At the suggestion from a couple of members of Council, staff is beginning to plan for a meeting of area developers, builders and real estate professionals. The target date for the meeting is early to mid-October. The intent of the meeting is to seek input from developers regarding the City's processes and requirements, and ways to make permitting more efficient. Over the past several years, the City has hosted similar meetings regarding Code updates and communication, with positive results. Council will be invited.

Eclipse Staff continues to prepare marketing information consistent with Council direction for the April 2024 Eclipse. The Chamber of Commerce is also prepared to accept on-line reservations and payment, and is assessing their pass-through costs to the City between 5% and 10%. Staff continues to meet to discuss event management, and also has been attending regional and local meetings to discuss planning.

5.2	MAYOR’S COMMENTS
-----	------------------

Mayor Pearce acknowledge Council and Staff for the work they do on a daily basis.

6.0	UNFINISHED BUSINESS
-----	---------------------

There was no unfinished business.

7.0	NEW BUSINESS
-----	--------------

7.1	Discussion and selection of website photo contest.
-----	--

Council member Keele moved to approve entry #2 for lack of a second the mailed failed.

Council member Pratus moved to approve entry #4, the motion was seconded by Council member Williamson, with Council member Keele in opposition the motion carried (Morris absent)

7.2	Discussion and possible action regarding award of bid to Ryan Bales, Badger Buildings and Storage to build a Cattery at the Lampasas Animal Shelter in an amount not to exceed \$28,699.00.
-----	---

Council member Kuehne moved to approve the award of bid to Ryan Bales, Badger Buildings and Storage to build a Cattery at the Lampasas Animal Shelter in an amount not to exceed \$28,699.00, the motion was seconded by Council member Pratus and with a unanimous vote, the motion carried. (Morris absent)

7.3	Discussion and possible action concerning the first reading of an Ordinance approving and adopting a Budget for operating the Municipal Government of the City of Lampasas for the fiscal year beginning on October 1, 2023 and ending on September 30, 2024; appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal sinking fund requirements on all indebtedness; providing a severability clause; providing a repealer clause for the repeal of all Ordinances and appropriations in conflict with the provisions of this Ordinance; and establishing an effective date
-----	---

Council member Keele moved to approve the first reading of an Ordinance approving and adopting a Budget for operating the Municipal Government of the City of Lampasas for the fiscal year beginning on October 1, 2023 and ending on September 30, 2024; appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal sinking fund requirements on all indebtedness; providing a severability clause; providing a repealer clause for the repeal of all Ordinances and appropriations in conflict with the provisions of this Ordinance; and establishing an effective date, the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried. (Morris absent)

*City Secretary Sims recorded the vote as follows:
Council member Williamson- Yea
Council member Pratus- Yea*

*Mayor Pearce- Yea
Council member Hernandez- Yea
Council member Kuehne- Yea
Council member Keele- Yea*

Mayor Pro-Tem Morris-absent

7.4	Discussion and possible action regarding the first reading of an Ordinance to approve tax rate for the City of Lampasas upon all property subject to taxation within the City of Lampasas, Texas for the 2023 Tax Year for the use and support of the Municipal Government of the City of Lampasas for the Fiscal Year beginning October 1, 2023 and ending September 30, 2024; apportioning said levy amount the various funds and items for which revenue must be raised including providing a sinking fund for the retirement of the bonded debt of the City
-----	---

Council member Keele moved to approve the first reading of an Ordinance to approve tax rate for the City of Lampasas upon all property subject to taxation within the City of Lampasas, Texas for the 2023 Tax Year for the use and support of the Municipal Government of the City of Lampasas for the Fiscal Year beginning October 1, 2023 and ending September 30, 2024; apportioning said levy amount the various funds and items for which revenue must be raised including providing a sinking fund for the retirement of the bonded debt of the City, the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried. (Morris absent)

City Secretary Sims recorded the vote as follows:

*Council member Williamson- Yea
Council member Pratus- Yea
Mayor Pearce- Yea
Council member Hernandez- Yea
Council member Kuehne- Yea
Council member Keele- Yea*

Mayor Pro-Tem Morris-absent

7.5	Discussion and possible action regarding Ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2023-2024 Budget
-----	--

Council member Keele moved to approve Ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2023-2024 Budget, the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried (Morris absent)

City Secretary Sims recorded the vote as follows:

*Council member Williamson- Yea
Council member Pratus- Yea
Mayor Pearce- Yea
Council member Hernandez- Yea
Council member Kuehne- Yea
Council member Keele- Yea*

Mayor Pro-Tem Morris-absent

7.6	Discussion and possible action to consider approval, denial or approval with modifications to consider a request for a Specific Use Permit to allow the sale of portable buildings in an area zoned Commercial, described as 1 acre, Abstract 0042, John Burleson Survey, commonly known as 615 Central Texas Expressway Lampasas, Texas Lampasas County.
-----	---

Council member Keele move to approve the first reading of an Ordinance for a Specific Use Permit to allow the sale of portable buildings in an area zoned Commercial, described as 1 acre, Abstract 0042, John Burleson Survey, commonly known as 615 Central Texas Expressway Lampasas, Texas Lampasas County, the motion was seconded by Council member Pratus and with a unanimous vote, the motion carried (Morris absent)

7.7	Discussion and possible action to consider approval, denial or approval with modifications to consider a request for a Specific Use Permit to allow for a daycare in an area zoned Retail, described as approximately ±3 acres, Lots 1 & 2, Block 58, AH Barnes Addition, commonly known as 808 S Western Ave. Lampasas, Texas Lampasas County.
-----	---

Council member Hernandez moved to approve the first reading of an Ordinance for a Specific Use Permit to allow for a daycare in an area zoned Retail, described as approximately ±3 acres, Lots 1 & 2, Block 58, AH Barnes Addition, commonly known as 808 S Western Ave. Lampasas, Texas Lampasas County, the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried (Morris absent)

7.8	Discussion and possible action to consider approval, denial or approval with modifications to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-10 “SF-10” Zoning Classification for Hillside Acres Subdivision, 36.76 acres located in Lampasas, Texas Lampasas County.
-----	--

Council member Hernandez moved to approve the first reading of an Ordinance to approve the Single Family Residential-10 “SF-10” Zoning Classification for Hillside Acres Subdivision, 36.76 acres located in Lampasas, Texas Lampasas County, the motion was seconded by Council member Pratus and with a unanimous vote, the motion carried. (Morris absent)

7.9	Discussion and possible action to consider approval, denial or approval with modifications to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-10 “SF-10” Zoning Classification for Hidden Oaks Subdivision, 4.00 acres located in Lampasas, Texas Lampasas County.
-----	--

Council member Kuehne moved to approve the first reading of an Ordinance to approve the Single Family Residential-10 “SF-10” Zoning Classification for Hidden Oaks Subdivision, 4.00 acres located in Lampasas, Texas Lampasas County, the motion was seconded by Council member Pratus and with a unanimous vote, the motion carried. (Morris absent)

7.10	Discussion and possible action to consider approval, denial or approval with modifications to rezone 12.74 acres of land out of the James Easley Survey, ABST No. 0185, Lampasas, Texas, Lampasas County owned by Ronald and Debra Kuker from Agriculture to Multi Family-2 Apartments.
------	---

Council member Hernandez moved to approve the first reading of an Ordinance to approve the rezone of 12.74 acres of land out of the James Easley Survey, ABST No. 0185, Lampasas, Texas, Lampasas County owned by Ronald and Debra Kuker from Agriculture to Multi Family-2 Apartments, the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried. (Morris absent)

7.11	Discussion and possible action regarding approval of the first reading of an Ordinance to improve intersection at Fourth and Spring Street to amend City of Lampasas Code of Ordinances Chapter 78- Traffic and Vehicles, Article II. Specific Street Regulations, Division 2- Stop Intersections, Sec 78.61. by adding this intersection as an additional All-Way Stop in the City of Lampasas.
------	--

Council member Pratus moved to approve the first reading of an Ordinance to improve intersection at Fourth and Spring Street to amend City of Lampasas Code of Ordinances Chapter 78- Traffic and Vehicles, Article II. Specific Street Regulations, Division 2- Stop Intersections, Sec 78.61 by adding this intersection as an additional All-Way Stop in the City of Lampasas, the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried. (Morris absent)

7.12	Discussion and possible action regarding the appointment of applicant to the Planning & Zoning Commission.
------	--

Council member Pratus moved to appoint Zac Carnley to the Planning and Zoning Commission to fill the vacancy left by Dorothy Person, the motion was seconded by Council member Keele and with a unanimous vote, the motion carried. (Morris absent)

Adjourn- *Council member Pratus moved to adjourn at 6:32 p.m., the motion was seconded by Council member Keele and with a unanimous vote, the motion carried. (Morris absent)*

PASSED AND APPROVED this _____ day of _____, 2023.

Herb Pearce, Mayor

ATTEST

Becky Sims, City Secretary