

**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 8, 2024
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
Eric Hernandez
Davis Keele
Charlie Pratus
Cathy Kuehne

City Staff Present:

Finley deGraffenried, City Manager
Becky Sims, City Secretary
Jeff Smith, Fire Chief
Jody Cummings, Police Chief
Charlie Boswell, Asst. Police Chief
Ryan Ward, ACM
K.A. Morris, Electric Crew Lead
Carlos Garcia, Street Superintendent
Van Sims, WWW Operations Manager
Robyn White, PW Secretary

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 recap from Solar Eclipse Town Hall Meeting.

Chief Smith provided the following overview:

- *The Town Hall was an opportunity to provide updates and progress to Lampasas citizens, approximately 80 attendees were present.*
- *In attendance were the Mayor, City Council, City Staff, County Judge Randy Hoyer and representatives from Chamber of Commerce and Visitor Center.*
- *The City Manager opened up the meeting and provided an overview of content for the meeting*
- *Chief Smith addressed those in attendance by providing broad information on the planning portion for Public Safety, Emergency Management and the efforts related to preparedness. (Local Meetings, County Meetings and Regional Meetings)*
- *Police Chief Cummings also provided information on high visibility of police units, staffing, communications and response to incidents.*
- *Assistant City Manager Ryan Ward addressed the topics of Traffic flow, Sanitation and Public Health.*
- *Melissa Unger from Lampasas County Chamber of Commerce and Visitors Center provided information on the effort of continued information sharing with members of the business community.*
- *EDC Director Stacy Ybarra provided information on the campsites and viewing areas designated for this event.*
- *The following areas identified during the tabletop exercise still need to be researched prior to the event:*
 - *Increase awareness and share information before, during and after the event with citizens via methods other than internet or social media platforms*
 - *To meet with vendors to make sure that equipment being utilized for traffic control will display information not only from pre-scripted information, but also will allow us to post emergency information.*
- *The next Town Hall is tentatively scheduled for March 27, 2024.*

3. Discussion relating to Wayfinding Master Sign Project.

Becky Sims, City Secretary presented the most up to date package to Council with overview for review and consideration of sign designs and placement, as well as, priorities for implementation. Mrs. Sims advised this item will be brought back for Council comment and recommendations at the January 22, 2024 Council Meeting.

4. Discussion and presentation of Annual Racial Profiling Report.

Jody Cummings, Police Chief presented the Annual Racial Profiling Report

The Texas Code of Criminal Procedure specifically states the following:

- *A peace officer may not engage in racial profiling.*
- *Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling.*
- *A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop.*
- *A law enforcement agency shall compile and analyze the information contained in each report received by the agency and submit a report to the Texas Commission on Law Enforcement (TCOLE) and the governing body of each county or municipality served by the agency to include a comparative analysis.*

Compliance with this law has been met by the Lampasas Police Department adopting a detailed written policy on racial profiling, collecting and auditing information relating to motor vehicle stops.

As required by law the Lampasas Police Department has compiled, analyzed and created a Full Report and an Analysis Report, which has been filed with TCOLE.

The final requirement is to provide a copy of both reports to the governing body of the City of Lampasas, which has been included in the packet for your review.

With no comments, Council acknowledged receiving the report.

5. Discussion regarding Short Term Rental Regulations.

Mrs. Sims presented the following:

In September 2022, at the request of Council member Kuehne, Short Term Rental regulations was brought before Council for discussion. At that time, neither the Planning Commission nor City Council felt that regulatory requirements regarding Short Term Rentals was warranted. Staff has continued to gather data, research and converse with other municipalities regarding Ordinances, processes, administration and enforcement and recently attended a webinar presented by Bojorquez Law Firm on behalf of City Hall Essentials.

The development of this type of regulation has to be done methodical with consideration to factors such as community, property owners, enforcement, regulatory authority and reasonable expectations.

Information presented at the webinar identified Four Styles of Regulation

- **No Regulation-** *Legally safest, lowest cost, simplest to manage; however, it does not meet community needs and may cause strife.*
- **Registration and Traditional Enforcement-** *Requires annual registration, collect HOT Taxes, Code Enforcement and Police to address issues, legally safe, low cost, may not address all problems and somewhat non-comprehensive*
- **Creating new local restrictions-** *form studies, hire consultants, zoning districts, collect HOT taxes, enforce code, high costs, lots of time legally unsure, tailored to suit area's needs.*

- **Total Bans-** banning all together or in residential districts, infringe on property rights, unlikely to achieve total compliance, High Litigation risk

As of today, there are approximately six short term rentals advertised within the City Limits of Lampasas.

After general discussion regarding administering and enforcing, Council would like to see what hybrid option may be available to collect HOT taxes from those inside the City Limits in the interim until regulatory requirements have been determined and adopted by Ordinance.

6. Discussion regarding any item on the regular agenda

There was no discussion

5 Adjourn Workshop Session

Without objection Mayor Pearce adjourned the workshop session and moved to the regular session at 5:57 p.m.

REGULAR SESSION

ANNOUNCEMENTS

A. Call to Order

Mayor Pearce called the Regular Session to order at 5:58 p.m.

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

There were no presentations or proclamations at this evening's meeting.

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.

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 .416 acres, ABST 0419 of the LHW Johnson Survey, W Ave E Lampasas, Texas Lampasas County from Single Family Residential-10 to Single Family Residential Family-10 with a Mobile Home Overlay "MHO"
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Mayor Pearce opened the public hearing.

Becky Sims, City Secretary advised of the following:

The applicant, Kaleb Alexander is asking for consideration in rezoning property from Single Family Residential-10 "SF-10" to Single Family Residential-10 "SF-10" with a Mobile Home Overlay "MHO"

- The property is currently zoned Single Family Residential-10 "SF-10"
- Staff mailed nine letters (9) 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 area is described as Urban Residential in the Comprehensive Plan. Urban Residential is intended for areas to be developed primarily to conserve, and in some cases, transition, the already existing residential areas developed with an urban character. These areas are intended to conserve the existing gridded lot and block pattern of development.
- Recommended Residential Uses: single-family detached dwellings; industrialized housing; single-family attached (i.e., duplexes, twins, and triplexes)

The Planning Commission met on January 4, 2024 and did recommend approval.

With no further discussion 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 December 11, 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)

2.1	Discussion and possible action concerning the minutes of the December 13, 2023 Solar Eclipse Town Hall Meeting.
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Council member Keele moved to approve the minutes of the December 13, 2023 Solar Eclipse Town Hall Meeting, the motion was seconded by Council member Williamson, with Council member Kuehne and Council member Hernandez abstaining, 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 December 1, 2023- December 31, 2023
3.2	Discussion and possible action regarding November 2023 Investment Report
3.3	Discussion and possible action to consider the second reading of an Ordinance to rezone property described as w ½ of Lot 2 Block 2; East Lampasas Addition, Lampasas, Texas, Lampasas County; commonly known as 1011 E Bridge from Commercial "C" to Single Family Residential-6 "SF-6"

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

4.0	BOARDS/DEPARTMENT REPORTS
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Ryan Ward, Assistant City Manager/PW Director along with his Staff presented the Public Works Annual Report

Van Sims, WWW Operation Manager reviewed the following:

- *Recognized Staff experience, tenure and licenses.*
 - *One of the many highlights is Stephen Sewell, Plant Operations Supervisor achieved his A Water license; which is a rarity in his position to hold both A Water & A WW.*
- *Reviewed annual budget numbers including maintenance and capital improvements.*
- *Completed Projects 2022-2023*
 - *400' Waterline Replacement on Dent Street*
 - *310' 8" Fireline on North side of the square*
 - *Replaced Spring Street Pump Station Production Meter*
 - *970' 8" Sewer Installed to Eliminate Turner Field Lift Station*
 - *100' Ave G Sewer Extension*
 - *730' 8" Waterline looping on Samac Trail*
 - *Hwy 281 Waterline Relocation*
 - *Lead Service Line Inventory*
- *2023-2024 Projects*
 - *On Site Power Generation for WWTP*
 - *Spring Street Pump Station, and Portable Generator for Sewer Lift Stations.*
 - *Waterline Looping Live Oak from 7th - 5th Street*
 - *Waterline Looping on Ave C from Ridge to Broad*
 - *Waterline looping on Ave A from Walnut to Broad*
 - *Waterline looping on 2nd Street from Spring to Summer*
 - *On-Line pH Monitoring for AFNA and Municipal WWTP.*
 - *Sewer Line Extension on Barnes Street from County Jail to HWY183.*
 - *Sewer Line Extension on Skipcha Lane from Skipcha to Castleberry.*
 - *Ongoing GIS Data Collection of Water/Wastewater System*
- *Completed 865 Work Orders*
 - *Highest volume comes from line locates and customer service inquiries*

Ryan Ward presented on behalf of Wayne Sanders, Electric Superintendent:

- *Recognized Staff experience, tenure and certifications*
- *Reviewed annual budget numbers including maintenance and capital improvements.*
- *Completed 2022-2023 Projects*
 - *Business Park Phase I*
 - *Hwy 281 South Project*
 - *Lampasas SUB SCADA*
 - *Lampasas SUB House Move*
 - *Transfer Feed to Diamond Ridge Subdivision to Balance Loads on Feeders*
 - *Benny Boyd Charging Station*
 - *Barnes Street Pole Rebuild*
 - *NA10 Switches to tie NA 20*
- *2023-2024 Projects*
 - *Hillside Acres*
 - *Pole Inspection/Replacement*
 - *Nextlink Fiber*
 - *Business Park Phase II*
 - *Northington Estates*
 - *Turner Field Lights*

- Completed Work Orders- 936
 - Highest volume comes from line locates and new service pole sets.

Carlos Garcia, Street Superintendent presented the following:

- Recognized Staff experience and tenure.
- Reviewed annual budget numbers including maintenance and capital improvements.
- Completed 2022-2023 Projects
 - Sealcoat Miles – 1.85 miles
 - Asphalt Pavement Miles – .76 miles
 - Briggs Street Rebuild – 4th to Bridge Street
 - Brush Chipping Tons - 15 tons
 - Remodeled and updated Collection Center to accommodate drive-thru
 - GIS Data Collection
 - Implemented 4-way Stop at 4th & Spring
- 2023-2024 Projects
 - 2ND St. Design and Rebuild
 - Fairview Drainage Feasibility Study
 - 3rd Street Bridge Project –TXDOT Funded
 - Western Street Bridge Replacement
 - Pavement Maintenance Program
- Completed Work Orders- 177
 - Highest volume comes from hauling brush and street repair
- Citizens Collection Station
 - Reviewed annual budget
 - Reviewed tons of debris and recycle material collected

5.0	ROUTINE MATTERS
5.1	City Manager’s Operational Report

City Manager deGraffenried reviewed his report:

Calvert Building Staff met with the selected, qualified, landscaping contractor on December 21st to review scope of exterior improvements to the Calvert Building and possible time frames. As a reminder, Council directed staff to negotiate the scope of work, and provide contract terms for Council consideration at a future meeting. The design discussion included the location and cultivar of 2 to 3 trees, possibly Spanish Oak; installation of drought resistant Bermuda; and planting beds next to the building on the north side. The project will also require slight modification to the elevation, shaping, and the installation of irrigation. Staff is hopeful the terms can be available to Council for consideration by January 22nd.

Water Staff met this week with the Kempner Water Supply Corporation (“KWSC”) General Manager to review the status of water operations, infrastructure and supply. Although levels in Still House Lake remain low (604.22’) improvements to the KWSC plant and interconnection agreements can provide an apparent reliable back-up source under our Emergency Supply contract. Discussion included a date for a joint meeting with the KWSC Board, possibly in February. Staff has also discussed the status of the Central Texas Water Supply Corporation (“CTWSC”) Lakecliffe plant with Lee Kelley, CTWSC General Manager. As Council may recall, the intake pumps and piping were damaged by a spike in flow on the Lampasas River in late October. Mr. Kelley indicated the plant was currently

supplying 2000 gallon per minute of treated water (approximately 2.8 million gallons per day) with additional raw water pumps coming on line in the next few weeks.

Appraisal District Attached are the election results for the Lampasas Central Appraisal District Board of Directors. As the results indicate, many of the other taxing entities followed suit with the City's allocation of votes, electing two new Board members, Chris Harrison and Bill Peterson. It is staff's understanding the new Board members will begin their terms in January.

Staff Good news and sad news. Staff is pleased to announce that Kris Morin, the unanimous selection of the interview panel, has accepted the position of Hancock Golf Course Manager. Mr. Morin will begin his duties on or about January 16th, and coincidentally, he will start in the same month as Van Berry completes his 36th year with the City. Sadly, staff announces that Chief Jeff Smith has accepted a position in a north Texas Department. Jeff has done an outstanding job for the Department, being an active and visible face of the City. Our loss is Decatur's gain, and Chief and his wife will be a little closer to grand kids.

LEDC As a reminder, the LEDC, City and Lampasas Chamber of Commerce will be a few, of several sponsors for the Central Texas Entrepreneurial Summit January 30th at the Calvert Building. The Summit is programmed to provide resources and networking for aspiring entrepreneurs and small business owners; and will include break-out sessions for planning, marketing and finance. There is no charge for the Summit, however; registration is requested. Also, staff continue to fine tune responses and action steps related to SWOT discussion with the LEDC Board, Council and Businesses. The next meeting of the LEDC Board will be held on January 17th.

Hostess House Staff will meet, virtually, with representatives from Reliance Architecture to review the updated plan set received by the City December 12th. The City will provide plan notes prior to the meeting on January 10th. Generally, the plan set incorporates MEP Code updates and improved accessibility. Staff have also indicated items that can be done at a future date by the City.

AFNA Staff continue to communicate with representatives from Ajinomoto Foods North America ("AFNA") regarding processing effluent. The impacts of their flow to the City's pre-treatment facility and Waste Water Treatment Facility ("WWTF") was the subject of an engineering study initiated in December of 2019, funded equally by AFNA and the City. Most recently, and as a result of on-going communication with AFNA, the City has learned that AFNA is currently studying the mitigation of effluent loading and pH on their site. The installation of on-site grease interceptors has apparently not been effective due to pH, and is now the focus of their strategy. Staff is hopeful for a clear direction for improvement in the near future.

5.2	MAYOR'S COMMENTS
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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 a Joint Election Agreement between the Lampasas Independent School District and the City of Lampasas.
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Council member Keele moved to approve the Joint Election Agreement between the Lampasas Independent School District and the City of Lampasas, the motion was seconded by Council member Williamson and with a unanimous vote, the motion carried. (Morris absent)

7.2	Discussion and selection of website photo contest winner.
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Council member Keele moved to select entry number two "Elf on a Courthouse Shelf", the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried. (Morris absent)

7.3	Discussion and possible action regarding agreement between the City of Lampasas and property owner regarding the voluntary demolition of property by request of homeowner due to substandard conditions along with payment agreement to recoup funds for demolition services provided in an amount not to exceed \$13,500.00
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Council member Keele moved to approve the payment agreement as presented, to allow Staff to negotiate terms with property owner and approve demolition expenses in an amount not to exceed \$13,500.00, the motion was seconded by Council member Williamson and with a unanimous vote, the motion carried. (Morris absent)

7.4	Discussion and possible action to consider taking no action on the 2 nd reading of an Ordinance to rezone property from Single Family Residential-6 'SF-6' to Multi Family-2 "MF-2" (Apartments) for property described as lots 9-10-11-12, Block 5, Whites Addition on East Avenue J (FM 580) between Casbeer Street and White Street.
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Mrs. Sims advised Council that item 7.4 in the packet was the incorrect cover for this agenda item, hard copy was placed at the dais for their review; however, the agenda language is correct.

Since the approval of the first reading of the Ordinance on December 11, 2023 to rezone the property from Single Family to Apartments the developer/property owner has decided to develop as originally planned and build four single family homes. On December 28, 2023 a building permit for a single-family home was issued for 1706 E Avenue J.

Council member Keele moved to take no action on the second reading of an Ordinance to rezone property from Single Family Residential-6 'SF-6' to Multi Family-2 "MF-2" (Apartments) for property described as lots 9-10-11-12, Block 5, Whites Addition on East Avenue J (FM 580) between Casbeer Street and White Street, the motion was seconded by Council member Hernandez and with a unanimous vote, the motion carried. (Morris absent)

7.5	Discussion and possible action regarding the CSJ24AWLMPAS Airport Project.
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Mr. deGraffenried advised that the City has been contacted by TxDOT Aviation regarding the Divisions efforts to update AWOS Systems (Automated Weather Observing System) at general Aviation Airports across the State. The AWOS Systems support weather reporting and communication, and Lampasas has a need for upgrade. The Grant Funding proposed by TxDOT is a 90%/10% with the City's estimated share of \$15,000.00. Council is asked to approve the sample resolution, designate a representative, and certify, through the Finance Director, that funds are available. Grant Funds are allocated to reimburse the City (sponsor)

Council member Keele moved to approve Resolution authorizing the Sponsor's Representative to execute appropriate authorizations for funded improvements to the Lampasas Airport AWOS; and to designate the City Manager as the Authorized Sponsor's Representative, the motion was seconded by Council Kuehne and with a unanimous vote, the motion carried. (Morris absent)

7.6	Discussion and possible action to approve the first reading of an Ordinance to rezone property described as .416 acres, ABST 0419 of the LHW Johnson Survey, W Ave E Lampasas, Texas Lampasas County from Single Family Residential-10 to Single Family Residential Family-10 with a Mobile Home Overlay "MHO"
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Council member Pratus moved to approve the first reading of an Ordinance to rezone property described as .416 acres, ABST 0419 of the LHW Johnson Survey, W Ave E Lampasas, Texas Lampasas County from Single Family Residential-10 to Single Family Residential Family-10 with a Mobile Home Overlay "MHO", 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 the meeting at 7:03 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 _____, 2024.

Herb Pearce, Mayor

ATTEST

Becky Sims, City Secretary