

§STATE OF TEXAS
§CALDWELL COUNTY
§CITY OF LULING

THE CITY COUNCIL OF THE CITY OF LULING, MET IN REGULAR SESSIONS ON THURSDAY, FEBRUARY 11, 2021 AT 6:00 P.M. IN CITY HALL, 509 EAST CROCKETT STREET.

The following members were present:

Mike Hendricks	Mayor
Jackie Campbell	Council Member
Melanie Doyle	Council Member
Wayne Tresner	Council Member
Raymond McGlothlin	Council Member
C. J. Watts	Council Member

Staff Members present:

Mark Mayo	City Manager
Martha Velasquez	City Secretary
James Rougeou	Finance Director
William Sala	Police Chief
Liz Mundine	Asst. Finance Director

1. Call Meeting to Order.

Mayor Hendricks called the meeting to order and welcomed visitors.

2. Invocation and Pledge of Allegiance.

We recited the pledge of allegiance to the American and Texas flags. Pastor Brad Mills, Pastor from Central Baptist gave the invocation.

- 3. Consent Agenda-** *All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public view.*

- a. Approval of Minutes of the January 14, 2021 regular City Council meeting.**
- b. Consider/Approval of Accounts Payable.**
- c. Consider/action appointing Francis Matthews to the Planning and Zoning Commission for a 2 year term.**
- d. Consider/action passage of a resolution of the City Council of the City of Luling establishing procedures for the City of Luling's General Election of 2021.**

Council Member CJ Watts made a motion seconded by Council Member Ray McGlothlin approving the Consent Agenda. The motion carried with all members present voting unanimously in favor of the motion.

4. Citizen Comment Period with City Council.

Any person with business before the City Council may speak to the Council at this time. No formal action can be taken on these items at this meeting. Comments will be limited to three (3) to five (5) minutes per person.

There were no citizen comments.

5. **Consider/action awarding bid for the Willow Avenue Sewer Replacement Project.**

City manager, Mark Mayo, stated that in the Council Packet there was a letter from TRC approving Rockin Q Construction from Fredericksburg. This is a continuation of the where the TxCDBG grant stopped for the part of replacing the sewer all the way to the sewer plant. Rockin Q were the low bidders on the grant side and on this section of the property. There was a lower bidder but they did not qualify.

Council Member Jackie Campbell made a motion seconded by Council Member Melanie Doyle to award the bid to Rockin Q for the Willow Avenue Sewer Replacement Project. The motion carried with all members present voting unanimously in favor of the motion.

6. **Consider/action a request from the Luling Watermelon Thump Association to host a public event on Saturday, April 24, 2021 under the current COVID-19 protocols.**

City Manager, Mark Mayo stated that on agenda item 6 and agenda item 7 it is marked as a consider/action request but there will not be a Council decision tonight, but the Mayor has asked that the Council listen to the requests. Due to the Governors Orders it's strictly the Mayor's decision not a Council vote. Under the Governor's Order any event over 10 people has to have the Mayor's approval.

Shelly Moore stated that at this point they are trying to have an event to raise money for the Thump, since they were not able to have the Thump last year. She stated that a lot of local bands had contacted them and wanted to have a fundraiser to help out the Watermelon Thump. The only thing that they have right now is a target date but not any plans, They wanted to talk to the Council to see if they would be allowed to have this event.

Mayor Hendricks stated that they are talking about live music and that would lead to dancing and that is a negative, there has been a mention that no dancing is allowed during this time.

Mayor Hendricks stated that he was going to allow Derek to address agenda item #7 and then he would talk about both events about permits and applications that would need to be filled out. Mayor stated that what ever decision he makes tonight the Governor could come back and shut the decision down.

7. **Consider/action a request from Luling Main Street to host a public event on Saturday, March 13, 2021 under the current COVID-19 protocols.**

Derek Hall, Main Street Director, stated that there are a lot of questions and there is a lot to consider. Derek stated that if he wasn't advocating this event that the downtown businesses would be upset with him. The downtown businesses need these events.

Derek stated that in the packet that he sent to the Council he wrote out what his plans are for having this event. Derek stated that he knows that they are taking a gamble if they plan and Governor shuts them down. He understand the Mayor's stance on this request. Derek Hall stated that this would be like the Cookies and Carols which was held last year. Derek stated that he believes they can hold this event safely.

He believes that the changes that they have made like canceling the cook-off and other events that they have scaled back on would make it safe for them to hold the Rajun Cajun event.

Derek mentioned that some cook-offs are still happening in some surrounding areas. He mentioned that the Chisholm Trail and Poteet Festival were going to be held this year. He also understands that some of the festivals and cook-offs have been canceled. Derek stated that he would like some feed back from the Council on the plans that they presented to hold the event or any questions that the Council had at this time.

Council Member Wayne Tresner stated that his only concern is that as far as a country we have come along way and hospitalizations are going down, but we are a long way from where we have to be for everyone to be safe. He said that he read through the packet that Derek put together for the Rajun Cajun event and he saw where they wrote down that the committee would set an example by wearing mask but that the majority of people attending the events probably would not be wearing mask and he would hate for this to turn out to be a super spreader and numbers go back up. He said that he doesn't really believe that they could mandate the mask because then that would open up problems with the police if or when someone choose not to wear the mask.

Council Member Jackie Campbell stated that she doesn't believe there could be social distancing with alcohol being a part of the festival,(she stated she is not against the drinking) because wearing mask would go out the window. Council Member Jackie Campbell stated that she would hate for the City of Luling to become a super spreader because of these events being held at this time. She said that she liked the ideas that were put together to try and have this event but in her opinion this is not the time.

Council Member CJ Watts stated that she had sat down and talked to Derek and understands what they are trying to do with holding these events. Her only concern is that she wouldn't have a problem holding these events if there were more people vaccinated. She stated that now there was a new variant that has showed up in Hays and Comal county and that is very close to our community. CJ stated that having said all that she does understand that we have to jump start this and open back up but is this the time?

Council Member Melanie Doyle stated that she agreed with everything that has been said and asked if there was a way that they could put up a gate and you could limit the number of people coming into the festival. Derek stated that they never have put up a gate it is a free for all. He said that they did not advertise in the newspaper of our surrounding communities. The only advertising they will make is on their Facebook page.

City Manager Mark Mayo stated that he went to one of the Thump meeting and talked about the piece of paper that we will be handing out tonight both to Rajun Cjaun and Watermelon Thump representatives later tonight. Mark mentioned that we had just gotten this form back from our city attorney.

Mark stated that as for the events that were mentioned like the Rodeo and Chisolm Trail events still being held, they are scaling back on the events, it will not be like previous years. Mark said that he had spoken to Lew White, (Mayor of Lockhart) Hoppy Haden (Caldwell County Judge), and City Manger (Lockhart) Steve Lewis and they are scaling back on some of the events and that the carnival will not be held this year.

Mark said that he realizes that we need to open back up and that business need these events like the organizations need to hold these events, but he would hate to tell them to spend money to hold the events and then the Governor could come back and cancel all events if the hospitalization numbers go up and Covid numbers go up. Mark stated that the Governor Order specifically states no outdoor events over 10 people and if an event over 10 people is going to happen it has to have the Mayors approval. This is a heavy burden to put on the Mayor.

Mayor Hendricks stated that he remembers a little less than a year ago they were talking about the Rajun Cajun event and this so called virus that we didn't understand anything about and if it was going to affect small towns and here we are several thousands deaths later here we are in a world that we don't understand. Mayor stated that like several mention tonight the vaccines are coming out and numbers are going down. He hopes that when the organizations fill the form out they will consider postponing the event to a later date in the year. He stated that he could flip a coin and say yes to the event and a person in Luling dies and citizens would ask why did the Council and Mayor agree to have these events and if he said no they will say the Mayor doesn't allow us to have these events, but he airs on the safety side. He would like for you to fill out the permit application forms and bring them back by next week so they can make a decision. He stated that on the forms it states to bring back 4 weeks prior to event, they are waving that part of the application.

Mayor Hendricks stated that he hates to say no we can't have a Thump or Rajun Cajun because he realizes we have to open Luling back up to some events, but the Mayor stated that he is not ready to make a decision tonight.

Shelly Moore asked if it would be okay if it they took longer than a week to get the form back to the Mayor and the Mayor said that it would fine.

Mayor stated that this is the form that will need to be filled out from here on out until the pandemic is over for any and all events held outdoors that would have more than 10 people in attendance.

8. **Consider/action on the Luling Main Street's request to sell alcoholic beverages under a Texas Alcoholic Beverages Commission special 3 day Wine and Beer Permit downtown and to authorize the City Manager to issue an authorization letter in connection with their application.**

Council Member Jackie Campbell made a motion seconded by Council Member Wayne Tresner to approve the request to sell alcoholic beverages under a Texas Alcoholic Beverages Commission special 3 day Wine and Beer Permit downtown and to authorize the City Manager to issue an authorization letter in connection with their application with the contingency that the event is approved by the Mayor and allowed to be held. (the City Manger will issue authorization letter) The motion carried with all members present voting unanimously in favor of the motion.

9. **Ashley Flores will give an update on the Luling Oil Museum.**

Ashley Flores stated that they are finished with Luling Oil Museum renovations, and Council needs to stop by and look at it and she will give them a tour if they haven't been yet.

10. **Consider/action approval of the Luling Area Chamber of Commerce Budget for 2021. Hotel/Motel tax proceeds.**

Ashley stated that she knows the power point was long but she wanted to put in as much information as possible for the Council to see what is happening at the Chamber of Commerce. She asked if the Council had any questions of her?

Council Members and Mayor complimented Ashley on a great job on the power point she put together. It was well put together.

Council Member CJ Watts made a motion seconded by Council Member Wayne Tresner approving the Luling Area Chamber of Commerce Budget for 2021 Hotel/Motel tax proceeds. The motion carried with all members present voting unanimously in favor of the motion.

11. **Chief of Police, Bill Sala, will give his report of Racial Profiling for 2020.**

Chief Sala gave the Council his Racial Profiling report for 2020 as required by the state law of Texas. He stated that failure to do so could cost him a fine and could possible cost him his license.

The reporting has changed with everything being reported whether there is a ticket or warning issued written or verbally. Chief Sala stated that the form use to be a one page now it is an eight page form, not including all the other that reports have to be submitted. The report the Chief submitted to the Council is 30 pages long. Chief Sala stated that the 1257 traffic stops were made last year. Chief Sala stated that he issued an executive order right after COVID hit limiting traffic stops to hazard stops only and that is why there is only 1257 traffic stops.

The racial break down on race by state law is black (175), white (579), hispanic or latino (488), alaskian or native american (1), asian or pacific islander(22) and the gender break down 799 male and 458 female.

Chief Sala stated that he has not had any racial profiling complaints made for the year and no use of force issues that have come up for the year on traffic stops. Chief Sala stated that this is the report that was filed with the state as of February 7, 2021. Chief Sala stated that 600 agencies out of 2,750 agencies have not filed racial profiling reports some for several years and some have never filed but the City of Luling is not one of those cities. He stated that he has filed one every year since he has been here.

12. **Police Department Monthly Activity Report.**

Chief Sala stated that they have filled the position of dispatch. They have hired Daniel Gonzales and he hopes that this will be permanent. He stated that if it keeps going like it has been, then they hit a homerun with this hire.

13. **Adjourn.**

There was no other business and the meeting was adjourned.

Approved: _____

Mike Hendricks, Mayor
City of Luling

Martha C. Velasquez
City Secretary