

§STATE OF TEXAS
§CALDWELL COUNTY
§CITY OF LULING

THE CITY OF LULING CITY COUNCIL MET IN REGULAR SESSION ON THURSDAY, MARCH 10, 2022 AT 6:00 P.M. AT CITY HALL COUNCIL CHAMBERS LOCATED AT 509 E. CROCKETT STREET, LULING, TEXAS.

The following members: present:

Mike Hendricks	Mayor
Jackie Campbell	Council Member
Lee Rust	Council Member
Marc Taylor	Council Member
Raymond McGlothlin	Council Member
C J Watts	Council Member

Staff Members present:

Mark Mayo	City Manager
Martha C. Velasquez	City Secretary
James Rougeou	Finance Director
William Sala	Police Chief
Jessica Tucker	Rev. Collection Sup.

1. Call Meeting to Order.

Mayor Hendricks called the meeting to order and welcomed all the visitors.

2. Invocation and Pledge of Allegiance.

Dennis Toungate gave the invocation. We recited the Pledge of Allegiance to the American and Texas flag.

- 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 February 10, 2022 regular City Council meeting, Minutes of the Budget Workshops on February 17th.**
 - b. Consider/Approval of Accounts Payable.**
 - c. Consider/action on a resolution reviewing and adopting the City of Luling Investment Policy.**
 - d. Consider/action accepting from the City Secretary, a certificate of unopposed candidate for Council Member Ward 4 and Mayor at Large for the 2022 General Election.**
 - e. Consider/action approval of an Ordinance declaring unopposed candidate in the May 7, 2022 General Election, elected to office; canceling the election for contests with unopposed candidates; making various findings and provisions related to the subject and providing for an effective date.**

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 comments at this time.

5. **Presentation from the Luling Watermelon Thump Association regarding downtown closures and festival layout.**

Shelly Moore with the Luling Watermelon Thump Association came before the City Council and stated that everything is pretty much the same from last year. The parade route is the same. The staging route is the same. Downtown closures are the same. The 400 block of E. Davis is in front of the Oil Museum and they are always closed for the festival. They are hoping to bring back the second stage and second beer garden.

Shelly Moore stated that they have spoken with Police Chief Sala and Asst. Police Chief Pehl and have gone over everything and things look well. The Thump Association is proposing to close the 500 block at noon on Friday to set the stage and beer garden. Shelly stated that she has visited with all the operating business about the times they are proposing to close. She stated that all the businesses are happy to be part of the Watermelon Thump and they do not have a problem with being fenced in at noon on Friday with the exception of Dismukes Drug Store. Dismuke's is closed on Saturday and Sunday so we are just looking at Friday afternoon on the closing of the street.

She stated that she spoke with Susan Allen but not with Zac Allen. She stated that they are committed to working with the pharmacy.

There was discussion on closure at noon and fencing in the 500 block because of the pharmacy closure.

Following discussion it was decided that Shelly Moore come back next month after she has spoken to owner of pharmacy. It was decided that this agenda item would be put on April agenda.

Mayor Hendricks asked about the parking of the vendors, he stated that they couldn't park trailers in front of the city market parking lot.

6. **Presentation of Municipal Court Certification – Level II to Eva Angeles.**

Laundra Solinzy, President of the Texas Clerks Association, and Judge Bonnie Townsend presented Eva Angeles her Level II Court Certification. She also thanked the Council for the support that they give Eva so that she may continue her education.

7. **Consider/action reviewing and setting Library hours.**

Librarian, Mona Harmon stated that before the pandemic the library was open on Tuesday and Thursday's from 12-8 and now they only open from 12-6, and they would like to continue that because no one comes in after 6. She stated that the City is paying someone to be at the Library for 3 hours and there are some Saturdays that no one comes in, and some days 2 people. The average amount of customers we get is 3 per month. Mona stated that she has spoken to the ladies and she doesn't see that the Library needs to be open on Saturdays. Mona has made a list of some of the surrounding libraries that are closed on Saturdays and some that are open.

Council Member Jackie Campbell questioned the number of days that the library was open after 5. Council Member CJ Watts stated that she had also looked around to some of the libraries in our surrounding area that are open on Saturdays. Council Member Watts stated that the Library is a service to the Public and it

should be open in her opinion and there should be more programs. She stated that Lockhart's Library was open on Saturdays until 3 and they were offering programs during Spring Break. Gonzales is open until noon and Seguin is open until 5 on Saturdays and San Marcos is open on Saturdays and Sundays.

Council Member CJ Watts stated that she feels that the library should be open for the working people and she realizes that on Saturdays we may not have a lot of people coming in but this business is no different that any business downtown, you could sit there all day and have one person or no one come in.

Council Member CJ Watts stated that we have citizens that are paying memberships to go to other libraries in other cities and they shouldn't have to be doing that.

CJ stated that the Library and Swimming Pool do not make any money but they are a service to the public.

City Manager, Mark Mayo stated that the City Council sets the hours to the library.

Mayor Hendricks asked how many hours is the library open at this time; it is open 32 hours a week.

City Manager Mark Mayo asked what the Library Board thinks about the hours that the library currently holds open. Mark suggested that Mona being a list of the programs that you have lined up going forward.

Council Member CJ Watts made a motion seconded by Council Member Jackie Campbell to postpone this agenda until next month. The motion carried with all members present voting unanimously in favor of the motion.

8. Consider/action a Mutual Aid Fire Protection Agreement between the City of Luling Fire Department and Mid-County Fire/Release.

Fire Chief, Tom Harmon, stated that this is a different Mutual Aid Fire Protection Agreement this one pertains to structural fire and it is automatic aid and it cuts down the call to request, this is automatic. If we had a structure fire or vice a versa they would automatically come or we would go.

Council Member Jackie Campbell made a motion seconded by Council Member Lee Rust approving a Mutual Aid Fire Protection Agreement between the City of Luling Fire Department and Mid-County Fire/Release. The motion carried with all members present voting unanimously in favor of the motion.

9. Consider/action an ordinance adopting a budget for the ensuing fiscal year beginning April 1, 2022 and ending March 31, 2023 in accordance with the Charter of the City of Luling, Texas and repealing all ordinances or parts thereof in conflict herewith.

City Manager, Mark Mayo, stated that he would like to state that the reason this agenda item was placed on this month's agenda is that we needed to get the agenda out and the budget needs to be approved before April 1st (start of next fiscal year) and we did not have another date set to approve the agenda so this was placed in March's agenda.

Council Member CJ Watts made a motion seconded by Council Member Marc Taylor to postpone this agenda item until March 23, 2022 at 3:00 pm. The motion carried with all members present voting unanimously in favor of the motion.

10. Consider/action an Ordinance on Policies and Procedures for City Meetings.

City Manager, Mark Mayo, stated that the City Charter does not have a complete layout the only thing that it says in our Charter is that a special council meeting can be called by two council members. This ordinance does

not only address how something is put on the agenda but it deals with how the meeting and the procedures go through. Mark stated that he hopes the Council had an opportunity to read it and if anyone had any questions he is more than happy to answer them.

Council Member Lee Rust, stated that he had a comment about what had been proposed, regarding placement of agenda items to be considered by Council. It is recommended to place an item if requested by Mayor, by two council members and the Mayor or three council members. Currently what we have is a Council Member may present an agenda item for consideration to Council. Councilman Rust stated that there is a possibility this new rule could be utilized to severely circumscribe and restrict what matters of public interest come before the Council for consideration.

Mr. Rust said that he researched several attorney general opinions and reached out to TML and was provided an agenda guideline, he stated that this is why he is recommending removing notes 1), 2), and 3 and it be replaced with any member of the City Council or the City Manager may place an item on the agenda. (A compromise.)

City Manager, Mark Mayo, stated that he had our City Attorney look this over and put this together and these are ordinances all over the state. Mark brought up a reference point, (Mark stated he could explain this because has been a council member). Mark stated that a Council member could bring something up to the council with the mayor's approval or if there is an issue with the Mayor in place then 3 council members would be able to bring something to be put on the agenda and it wouldn't be a problem. Mark brought up an issue on last month's agenda where a Council member asked that something be placed on the agenda and Mark told them that this was not something we usually put on our agenda because it was not city business and didn't require official action. Mark stated that he received an answer from TML basically stating that it opened us up by endorsing a business. Mark passed out the email that he received from TML.

Council Member Rust stated that he feels that with this new ordinance they would lose the ability to place something on the agenda at Ward level.

Council Member Ray McGlothlin made a motion seconded by Council Member Jackie Campbell approving the ordinance on Policies and Procedures for City Meetings. The motion carried with all members present voting in favor of the motion with the exception of Council Member Lee Rust who opposed.

11. Consider/action request for proposals for Grant Application and Administrative Services (Grant Management Services and Engineering Services) For City of Luling, Texas – Improvements and Expansion to Industrial Park.

City Manager, Mark Mayo stated that as we move forward to apply for these grants we still have the diligence that the State requires us to put this out for evaluation and opportunity for every grant writer and engineer to make a presentation and submit to us.

Council Member Jackie Campbell made a motion seconded by Council Member CJ Watts approving request for proposals for Grant Application and Administrative Services (Grant Management Services and Engineering Services) for City of Luling, Texas – Improvements and Expansion to Industrial Park. The motion carried with all members present voting unanimously in favor of the motion.

12. Consider/action a Memorandum of Understanding with X-Bow to determine the suitability of the site location.

City Manager, Mark Mayo, stated that X-Bow is still looking at us and New Mexico to bring their business to us and they want to look at the proposed site location over by the Industrial Park and Airport. Mark said that the map Council has in front of them is a layout and that everything in yellow on the map is the proposed site for X-Bow. Mark stated that this MOU is good until July of this year. The second exhibit (Mark stated the

drawing is off a bit) is behind the police station and they would like to store equipment. He stated that this location is fenced and has cameras and the only way in to this location is with an Officer, and that they have been in discussion about this location.

Council Member Jackie Campbell made a motion seconded by Council Member Lee Rust approving a Memorandum of Understanding with X-Bow to determine the suitability of the site location. The motion carried with all members present voting unanimously in favor of the motion.

13. City Council will amended the order for the City of Luling General Election to be held on May 7, 2022 due to Caldwell County will hold election.

City Secretary, Martha Velasquez stated that we are amending the order for the City of Luling General Election held on May 7th because we are holding the election with the County. Last month when we called the election and did the order we had listed City hall as the place for Early Voting, it will now be at the Civic Center. The County will be holding our election; it will save us money and probably get more people being that it will all be in place instead of having our citizens go to different locations.

Council Member Jackie Campbell made a motion seconded by Council Member Lee Rust amending the order the City of Luling General Election to be held on May 7, 2022 due to Caldwell County holding election. The motion carried with all members present voting unanimously in favor of the motion.

14. Consider/action passage of an amended resolution of the City Council of the City of Luling establishing procedures for the City of Luling's General Election of 2022.

Martha Velasquez, City Secretary explained that the amended resolution was due to the judges that had been listed on the resolution will no longer be the judges now that we are moving election to the County. Election administrator, Kimber Daniels, will be using her Judges and Clerks.

Council Member Jackie Campbell made a motion seconded by Council Member Lee Rust approving the passage of an amended resolution of the City Council of the City of Luling establishing procedures for the City of Luling's General Election of 2022. The motion carried with all members present voting unanimously in favor of the motion.

15. Consider/action a contract for Election Services between the City of Luling and Caldwell County.

Council Member Jackie Campbell made a motion seconded by Council Member Lee Rust approving contract for Election Services between the City of Luling and Caldwell County. The motion carried with all members present voting unanimously in favor of the motion.

16. Consider/action a Quit Claim Deed for property.

Mark Mayo stated that a piece of property showed up and was accessed to the City out on Robin Lane. The City did not have any idea that this was turned to the City. We got together with the County and Linebarger and found out that it was mis-identification of this property. Back taxes are due and it is best if we turn it back to the County, put it on the sales and tax roll.

Council Member Jackie Campbell made a motion seconded by Council Member CJ Watts approving a Quitclaim Deed for property out on Robin Lane as presented. The motion carried with all members present voting unanimously in favor of the motion.

17. **Police Department Monthly Activity Report.**

Chief Sala stated that he is short 4 officers and no applications. They have reached out to CAPCOG. A lot of the cadets are already committed to other cities.

18. **Executive Session: The City Council will conduct an Executive Session in accordance with Section 551.086, Texas Government Code - Utility Competitive Matters - City of Luling Electric Utility System - Power Supply and Associated Competitive Matters.**

City Council went into executive session.

19. **Reconvene into Regular Session and Consider Action, if any on Items discussed in Executive Session.**

The City Council reconvened at 7:37 p.m. There was no action taken during executive session.

20. **Adjourn.**

There was no other business and the meeting was adjourned.

Approved: _____

Mike Hendricks, Mayor
City of Luling

Martha C. Velasquez
City Secretary