



City of Lorena
107-A S. Frontage Road
Lorena, Texas 76655
(254) 857-4641 Fax (254) 857-4118

**NOTICE OF CALLED MEETING
LORENA CITY COUNCIL**

**THURSDAY, MARCH 3, 2022 - 6:30 P.M.
(RE-SCHEDEDULED FROM FEBRUARY 24, 2022)
LORENA CITY HALL
107-A S. FRONTAGE ROAD, LORENA TEXAS**

THE PUBLIC WILL BE ABLE TO JOIN THE MEETING BY VIDEOCONFERENCE
AT THE FOLLOWING LINK <https://meet.goto.com/742063421> and/or join
the conference call at (254) 655-5400; GUEST PIN :2021

The City Council Meeting will be opened to the public. To mitigate the spread of
COVID-19, social distancing will be recommended.

Questions and comments on items listed on the agenda may be emailed no later than NOON
on the day of the meeting to the City Secretary Monica Hendrix via email to
mhendrix@lorenatx.gov

MINUTES

1. Call to Order/Roll Call.

Mayor Ross called the meeting to order at 6:30 p.m. Council members present were Mayor
Tommy Ross, Mayor Pro tem Kelly Yarbrough, Katrina George, Jeff Linnstaedter, Emily
McKenzie and Shane Phillips.

City Staff present were Tom Dickson, Monica Hendrix, Kevin Neal, Dr. Robert Peevey and
Peter Rivas. Linda Klump called-in to the meeting via conference call.

2. Pledge of Allegiance

Mayor Tommy Ross led the Pledge of Allegiance.

3. Citizens questions or comments.

*At this time any person with business before the Council not scheduled on the agenda may speak to the
Council. Comments are limited to three (3) minutes, and this time is not transferable. Under the Texas
Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or
items that have not been properly posted on the agenda. This forum is limited to a total of 30 minutes.*

Mayor Tommy Ross inquired if there were any questions or comments sent to the City
Secretary Monica Hendrix and was told no. No visitors spoke.

4. Presentation of 2021 Fiscal Year Audit.

Katie King, CPA, CFE with Jaynes, Reitmeier, Boyd & Therrell, P.C. presented the 2021 Fiscal
Year Audit to the council. Financial Observations on the government-wide net position
shows an upward trend to just over 6.3 million. (See the attached power point). King says
the overall audit was clean and no material weaknesses were noted on the internal controls
and compliances. There were no material instances of noncompliance noted.

5. Discussion and possible action on Ordinance 2022-0224-01 amending the building permit fee schedules.

Mike Olson, Waco/Austin Area Manager with Bureau Veritas (BV) was present to explain the building permit fee schedule and answer questions. Olson explained the city is changing the fee schedule to cover the fees for inspections by Bureau Veritas. Olson also explained these fees are a pass through to the contractors. Some cities charge an additional fee for administrative fees. Shane Phillips asked what instigated the increase and Olson explained that BV was hit with ransom wear back in November 2021. Once BV was able to come back online, Olson went to the cities he represents and discovered the city had not updated our fee schedule to cover the BV expenses. Olson explained that in 2019 BV amended the fees charged to cities based on HB 852 which prohibits certain value-based building permits and inspection fees. Phillips then asked what the city spends annually on permits and inspections and Mayor Tommy Ross explained. The city received \$9171.35 and paid \$7860.76 to BV. In 2020 the city received \$12952.59 and paid \$7928.47. Mayor Ross explained the reason the city made money is due to the fact the Public Works Director Kevin Neal was inspecting back flow devices, fences, roofs, flatwork, and accessory buildings. Had BV inspected these things, the charge from them was more than the actual cost of the permit fee. Mayor Ross explained that now that Kevin Neal is the City Manager, he can no longer go out and do these inspections. Phillips asked about the contract with BV and was told we are not changing the contract with BV. We are only amending the ordinance that regulates the fees the city charges for the permits and inspections. Kelly Yarbrough asked where the fees are increasing? Olson explained that BV did not go up on their fees, the city never charged enough to cover the fees. Emily McKenzie asked if we are adopting the 15% and Olson explained it is in the proposed ordinance but does not have to be. Olson explained that other cities charge 5%, 10% and 12% for administration fees.

MOTION: After lengthy discussion a motion was made by Emily McKenzie to adopt Ordinance 2022-0224-01 amending the building permit fee schedule.

SECOND: Kelly Yarbrough

FOR: George, Linnstaedter, Yarbrough and McKenzie.

AGAINST: Phillips

Motion carried.

6. Discussion and possible action on 2021 Racial Profile report.

Chief Tom Dickson and administrative assistant Dr. Robert Peevey presented the report and explained how the numbers were calculated in the report. An analysis of the traffic stops made by the Lorena Police Officers shows no racial bias is indicated.

MOTION: Shane Phillips motioned to accept the 2021 Racial Profile report.

SECOND: Katrina George

FOR: George, Linnstaedter, Yarbrough, McKenzie and Phillips.

AGAINST: None

Motion carried.

7. Approval of Minutes:

a. January 17, 2022

MOTION: Kelly Yarbrough motioned to approve the January 17, 2022 minutes.

SECOND: Emily McKenzie
FOR: George, Linnstaedter, Yarbrough, McKenzie and Phillips.
AGAINST: None
Motion carried.

8. Commission and Corporation Reports.

a. Economic Development Corporation

Mayor Protem Kelly Yarbrough, City Council representative gave the report. Council members and EDC members met on February 15th in a joint workshop and discussed the Lorena Gateway Monument sign and working together moving forward. EDC consultant Jason Mundo updated the members on the progress of the TIRZ and what properties are being marketed. EDC also discussed the need to replace the vinyl on the Lorena billboard sign as well as recommending that EDC member Brad Wetzel attend the Chamber of Commerce meeting and presenting information about the EDC grants.

b. Planning and Zoning Commission

Monica Hendrix informed council the commission met prior to the council meeting tonight and are making the recommendation to approval the Final Plat of the Arches Subdivision. The vote was unanimous.

9. Discussion and possible action on a purchase order to US Underwater Services for tank repair and cleaning.

Kevin Neal explained there is a need for a new manway hatch on the tank due to severe corrosion. There is also sediment in the bottom of the tank and requires occasional cleaning. Neal says while the repairmen are here for the hatch, he will have the tank cleaned to save on the additional mobilization cost that would be charged if they made separate trips. The cost will be approximately \$7,200.00.

Katrina George is there a certain threshold of expenses that can be approved as City Manager and not come before council and Neal explained it is currently \$2500.00 but a new policy is being worked on by himself and Finance Officer Linda Klump.

MOTION: Kelly Yarbrough motioned to approve the purchase order to US Underwater Services for tank repair and cleaning.

SECOND: Shane Phillips
FOR: George, Linnstaedter, Yarbrough, McKenzie and Phillips.
AGAINST: None
Motion carried.

10. Discussion and possible action authorizing signatures for the city bank accounts.

Mayor Ross explained this is adding City Manager Kevin Neal to the city bank accounts and removing previous City Manager Joseph Pace. This will leave Mayor Tommy Ross, Mayor Protem Kelly Yarbrough and City Secretary Monica Hendrix on the accounts and add Mr. Neal.

Shane Phillips made the motion to remove Joseph Pace and add Kevin Neal to the city bank accounts.

SECOND: Emily McKenzie
FOR: George, Linnstaedter, Yarbrough, McKenzie and Phillips.
AGAINST: None
Motion carried.

11. Discussion and possible action on a TexPool resolution designating authorized representatives for the TexPool/TexPool Prime accounts.

Monica Hendrix explained this is the same action as above.

MOTION: Emily McKenzie motioned to remove Joseph Pace from the TexPool accounts and add Kevin Neal as an authorized representative.

SECOND: Katrina George
FOR: George, Linnstaedter, Yarbrough, McKenzie and Phillips.
AGAINST: None
Motion carried.

12. Discussion and Possible action to appoint EDC Director Kelly Yarbrough to Seat 4 of the Lorena TIRZ #1 East Board, a seat previously occupied and vacated by EDC Director Chad Hanson at the end of his term.

Mayor Ross explained there should be an EDC Director on the TIRZ Board and Kelly Yarbrough was nominated by the EDC Board to serve.

MOTION: Shane Phillips motioned to appoint EDC Director Kelly Yarbrough to Seat 4 of the Lorena TIRZ #1 East Board.

SECOND: Katrina George
FOR: George, Linnstaedter, McKenzie and Phillips.
ABSTAIN: Yarbrough
AGAINST: None
Motion carried.

13. Discussion and possible action on the approval of the Final Plat-Phase 1 of the Arches Subdivision.

Kevin Neal explained there is a punch list in the council packet that as of today. Neal explained this is a minor list of things that need to be completed. Jose Loera has agreed to post a \$50,000.00 cash bond to move forward with filing the plat.

Jose Loera spoke and appreciates the council holding the meeting and is very excited to move forward with building homes. Mayor Ross asked how long it would take to complete the punch list and was told about four weeks. Kelly Yarbrough had questions about repairing the street on Gibraltar and Kevin Neal explained. Mayor Ross thanked Kevin Neal for helping out with the engineer and John and planning to get this completed for the meeting tonight.

MOTION: Kelly Yarbrough motioned to approve the Final Plat-Phase 1 of the Arches Subdivision.

SECOND: Emily McKenzie
passed unanimously

14. Police Department Activity Report.

Tom Dickson reviewed the stats in the packet. There were 331 calls, 14 arrest and 215 citations issued. Dickson said the Lorena Fire Department has been busy with fires and reminded council the burn ban is still in effect. Emily McKenzie questioned why the carport for the police cars has not been completed and Dickson explained the cost for materials doubled from the approved bid. Dickson is working with the contactor for the project to come up with a different design that will come back before council for approval once complete. Dickson also informed council the Concept II rowing machine that the Police Department won in the essay contest was delivered today.

15. Future Agenda Items.

Mayor Ross informed council will not be at the March 2022 meeting. He will have the certificate of obligations for the streets and possibly a request for proposal for trash service. He also wanted to thank City Manager Kevin Neal for picking up trash the last two weeks and working those 12 hours days. Monica Hendrix explained there will be an agenda item to accept the audit that was approved tonight.

SECOND: Katrina George
FOR: George, Linnstaedter, Yarbrough, McKenzie and Phillips.
AGAINST: None
Motion carried.

12. Discussion and Possible action to appoint EDC Director Kelly Yarbrough to Seat 4 of the Lorena TIRZ #1 East Board, a seat previously occupied and vacated by EDC Director Chad Hanson at the end of his term.

Mayor Ross explained there should be an EDC Director on the TIRZ Board and Kelly Yarbrough was nominated by the EDC Board to serve.

MOTION: Shane Phillips motioned to appoint EDC Director Kelly Yarbrough to Seat 4 of the Lorena TIRZ #1 East Board.

SECOND: Katrina George
FOR: George, Linnstaedter, McKenzie and Phillips.
ABSTAIN: Yarbrough
AGAINST: None
Motion carried.

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MOTION: Kelly Yarbrough motioned to approve the Final Plat-Phase 1 of the Arches Subdivision.

SECOND: Emily McKenzie
FOR: George, Linnstaedter, McKenzie and Phillips.
AGAINST: None
Motion carried.

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Kevin Neal says he will bring a policy for the park and a recommendation to lift some of the restriction set in place due to COVID-19. Neal will also bring an ordinance to set the amount for the required public official's bond that is in his contract.

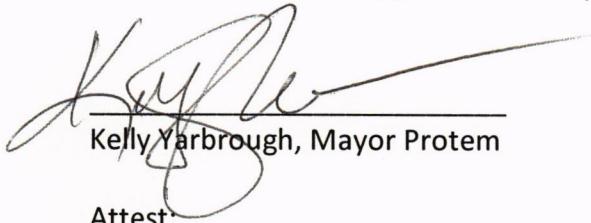
Another thing that will come to council possibly in April will be repairs to the bridge on S. Old Temple Road.

Shane Phillips asked about the voluntary annexation of the Braswell property to be put on a future agenda.

16. Adjourn.

Due to no further business the meeting adjourned at 7:51 p.m.

These minutes were approved 21st day of March 2022.



Kelly Yarbrough
Kelly Yarbrough, Mayor Protem

Attest:



Monica Hendrix
Monica Hendrix, City Secretary

