



City of Lorena
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Lorena, Texas 76655
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LORENA CITY COUNCIL
MONDAY, MARCH 21, 2022 - 6:30 P.M.
LORENA CITY HALL
107-A S. FRONTAGE ROAD, LORENA TEXAS

MINUTES

1. Call to Order/Roll Call.

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

Staff present were Tom Dickson, Monica Hendrix, Kyler Jones, Kevin Neal and Peter Rivas.

2. Pledge of Allegiance

Mayor Protem Kelly Yarbrough led the Pledge of Allegiance to the United States Flag and the Texas Flag.

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.
No visitors spoke and no questions were submitted.

4. Approval of Minutes:

a. March 3, 2022 *(Note the February meeting was postponed to this date due to icy weather conditions.)*

Shane Phillips pointed out that item number 13 had no vote on the minutes, there was a motion and second but no final vote. Hendrix will add the vote to the minutes which passed unanimously.

MOTION: Katrina George motioned to approve the minutes with the change to item number 13 to add the vote.

SECOND: Shane Phillips

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

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried.

5. Commission and Corporation Reports.

a. Economic Development Corporation

Kelly Yarbrough reported there was no meeting. Yarbrough explained that twice a year there is no meeting due to Spring Break and Christmas.

b. Planning and Zoning Commission

No meeting.

6. Discussion and possible action to close E. Center Street from Bordon Street to McBrayer Street on April 23, 2022 for the "Spring Fling" as requested by the Community Action League Lorena.

Kaye Swain was present and requested the street be closed from 9:45 am to 4 pm on April 23, 2022 for the Spring Fling. Swain says there will be ten confirmed retail booths and she has mailed out fifty more applications. Swain is expecting a strong showing. Swain said there will also be booths set-up inside the Wisteria Business.

Chief Dickson says he is fine with closing the street and that Kaye Swain is very familiar with the process given the number of times she has done this. The Lorena Volunteer Fire Department will also be serving hamburgers during the event.

MOTION: Shane Phillips motioned to close E. Center Street from 9:45 am to 4:00 pm on April 23, 2022 for the Spring Fling event.

SECOND: Katrina George

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

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried.

7. Discussion and possible action accepting the 2021 Fiscal Year Audit that was presented on March 3, 2022.

Monica Hendrix explained this agenda item was inadvertently left off the March 3rd meeting. The JRBT presented the audit and council has to accept the audit.

MOTION: Jeff Linnstaedter motioned to accept the 2021 Fiscal Year Audit.

SECOND: Katrina George

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

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried.

8. Discussion and possible action approving the McLennan County Joint Election agreement for the May 7, 2022 General Election.

Monica Hendrix explained this agreement is required because we are holding a joint election with McLennan County and other entities in the County. The cities cost for this election is just under \$800.00.

MOTION: Jeff Linnstaedter motioned to approve the joint election agreement.

SECOND: Shane Phillips seconded the motion.

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

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried.

9. Discussion and possible action on amending ordinance 03-0721 specifying an amount for the city manager's Public Official's bond.

Kevin Neal informed council of the requirement for a Public Official's bond. There is no amount set in the ordinance. Neal has asked several cities and other officials for a suggested amount and was told council should set the amount. Neal reminded council that a purchasing policy will be coming to the council in the near future and to keep in mind the amount that Neal will be allowed to approve without council consent. The Public Official's bond should be equal to the amount in the purchasing policy.

Katrina George spoke and has been doing research at other cities and how much the bond and purchasing power was for other cities. George said that most of those she found were old and the limits were \$5000.00 and \$10,000.00. George told council to keep in mind inflation and supply chain cost in today's market when figuring an amount to approve for purchasing power. Shane Phillips asked Neal what is a dollar amount that would be an immediate need. Neal answered he was thinking between \$15,000.00 to \$25,000.00. Neal also said anything over \$50,000.00 would need to go out for bid. Emily McKenzie asked if there was ever anything that was held up by not having a purchasing policy. Jeff Linnstaedter spoke and gave his opinion on the bond and asked if the city has any personal liability protection.

***NOTE: COUNCIL PAUSED THE MEETING AT 6:52 P.M. DUE TO TORNADO WARNINGS.
COUNCIL RECONVENED THE MEETING AT 7:12 P.M.**

Katrina George spoke and says she is comfortable setting the bond amount at \$20,000.00 and says that we could change it, if need be, once the purchasing policy is complete.

Shane Phillips says he was thinking more in the range of \$25,000.00.

MOTION: Shane Phillips motioned to amend Ordinance 03-0721 specifying \$25,000.00 as the bond amount for the city manager's Public Official's bond.

SECOND: Emily McKenzie

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

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried.

10. Discussion and possible action on amending ordinance 2018-0917-02 limiting the City's solid waste services to exiting customers' only for outside the city limits customers.

Kevin Neal explained the city is currently exploring all the options available for the city owned Solid Waste Department. Neal is preparing a Request for Proposal (RFP) in an effort to best evaluate whether or not the city should spend the funds required to keep and maintain the Solid Waste Department. With that being said, he feels that the city should not take on new garbage customers outside the city limits. It is the opinion of staff that if the City chooses to contract out our service to a private contractor that at that time the solid waste service be restricted to inside the city limits only. It becomes unethical for a city contracted service to be a competitive service when operated by a private contractor, that offers the same service. If the City chooses to keep the solid waste service under city operation, then this ordinance can be amended again to lift their striction on outside the city limits customers.

Emily McKenzie asked how many outside the city limit customers we currently have and was told approximately 80 to 90. McKenzie also asked if the move was to save the city money and Neal explained. McKenzie also asked about the previous purchase of the new

garbage cans and what will happen to them. Neal explained he will ask the new garbage collection company to use them until such a time that they need replacing.

Katrina George asked when Neal expects the RFP to be done and Neal is hoping to have the item on the April agenda. George then asked how long the process takes and Neal explained the advertising will be for 30-45 days.

MOTION: Shane Phillips motioned to amend Ordinance 2018-0917-02 limiting the city's solid waste services to existing customers' only for outside the city limits service.

SECOND: Katrina George

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

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried.

11. Discussion and possible action on amending restrictions that were put in place due to Covid-19.

Kevin Neal explained the city is still under restrictions that were put into place by policy due to the Covid-19 pandemic. Neal says the City administration had planned to lift the restrictions back in June of 2021 but started to see an upward trend in Covid-19 cases, so decided for safety the restrictions shouldn't be lifted. Then again in December of 2021 the idea of lifting the restrictions was looked at, but then in January of 2022 a new all-time record high case count was being experienced in McLennan County. Due to this fact the decision was made to wait until the Covid-19 case count returned to a more manageable level in McLennan County. City administration has been closely monitoring the trends of Covid-19 in conjunction with the McLennan County Health District and the information that they publish. The current 7-day average positivity rate as of March 15, 2022 is 4%.

The highest 7-day average positivity rate was on January 18, 2022 at 41%.

Neal is recommending if the restrictions are lifted it would be the recommendation of the Public Works Director and the City Manager that the policy for the restroom hours at McBrayer Park be amended from the current daylight to dusk 7 days a week 365 days a year to Monday through Friday 8:30 a.m. to 5:00 p.m. from March 21 to December. Other days and hours are available by reservation only. Neals says the hours recommended have been closely considered and the reasoning behind the them are as follows:

- 1. Public Works staff would open and close the restrooms. (under old policy the restrooms are opened by Public Works, and closed by Police Department)*
- 2. Police should remain focused on policing. (some nights the restrooms were not closed at all, and some nights not closed until early a.m. hours of the next day)*
- 3. When restrooms were left open more vandalism, mischief, and theft occurred.*
- 4. The restrooms are not climate controlled, so having them open during the winter season exposes the toilets, urinals, sinks, and plumbing to freezing conditions. By allowing the restrooms to be closed during the winter season the plumbing can be drained to avoid unnecessary damage and repair expenses.*
- 5. Restrooms would still be available it would just require a reservation of the pavilion.*
- 6. Public Works employees are subject to overtime and double time on holidays. Having Public Works staff tend to the restrooms not only drives the overtime costs up, it takes away from the time they spend with their families.*

Emily McKenzie asked is the hours recommended are just through Monday-Friday and Neal says yes. His reason is because the Police Department was closing the restrooms

after hours for the Public Works. Neal feels the Police Department should focus on Police Work. Neal says he would need to pay over-time to his employees to come back to lock the park. Kelly Yarbrough asked if the city could flex the time of the public works employees to handle this matter. Neal says he is short-staffed in Public Works.

Emily McKenzie spoke and feels the part restrooms should be open on the weekends for the people going to the park. Shane Phillips asked about vandalism at the park and Chief Dickson and Officer Rivas answered. Emily McKenzie asked Chief Dickson if the Police Department could continue to lock-up the park and Chief Dickson says they will do whatever they can to help out. Shane Phillips agrees to the months that Neal is requesting to protect the plumbing. Emily McKenzie asked if the date be moved to include Spring Break. Jeff Linnstaedter suggested March 1st.

MOTION: Katrina George motioned to lift the park restrictions.

SECOND: Shane Phillips

AMENDED MOTION: Emily McKenzie motioned to amend the motion to lift the park restrictions to include the park restroom hours 8:30pm to 5:00pm Monday-Sunday from March 1 through December 1.

VOTE ON AMENDED MOTION: George, Linnstaedter, Yarbrough, McKenzie and Phillips in favor.

AGAINSET: NONE

ABSENT: Mayor Tommy Ross

Motion carried.

VOTE ON ORIGINAL MOTION AS AMENDED BY EMILY MCKENZIE: George, Linnstaedter, Yarbrough, McKenzie and Phillips in favor.

AGAINSET: NONE

ABSENT: Mayor Tommy Ross

Motion carried.

12. Discussion only on policies for McBrayer Park and for a special event policy/application.

Kevin Neal presented a policy to the council for McBrayer Park for special events and use of the park. Neal explained the current policy is in need of updates. Neal has been putting together some draft applications and amending the policies for McBrayer Park. City staff is asking for the review of the drafts and would appreciate each and every Alderman to provide comments, suggestions, and feedback on these draft documents. Katrina George asked posting signs for parking on the grass. Kelly Yarbrough asked about NO SMOKING signs. Kelly Yarbrough also asked about waiving fees for non-profit organizations. Shane Phillips also agreed that non-profits could ask for a waiver and this would be at the discretion of the City Manager. Jeff Linnstaedter pointed out the amount of the insurance requirements, and to make sure it is high enough. After discussion, Neal suggested any changes be sent to him and he will bring back to council for approval.

13. Discussion and possible action approving the budgeted item invoice for the 2021 Chevy Tahoe for the Lorena Police Department.

Tom Dickson explained the purchase is a budgeted item and because the invoice is over the \$50,000.00 limit it must be approved by council. Dickson also pointed out the invoice amount is actually under the budgeted amount.

MOTION: Katrina George motioned to approve the budgeted item invoice for the 2021 Chevy Tahoe for the Lorena Police Department.

SECOND: Shane Phillips

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

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried.

14. Police Department Activity Report.

There were 347 calls, 9 arrest and 282 citations issued for February 2022.

Dickson says the department applied for K-9 body armor grant called "Running for Hero's" and was awarded the grant in the amount of \$1500.00.

Shane Phillips gave accolades to the PD for the incident that happened on Old Lorena Road over the weekend.

15. City Managers report.

a. Introduction of Lorena's new Public Works Director Kyler Jones

Kevin Neal introduced Kyler Jones as the new Public Works Director.

b. Special thank you to Theodore (Ted) Marshall and Coca Cola South West Beverage LLC for volunteering to pick up trash along Old Lorena Rd. on Saturday, March 5, 2022, and ask all members of council to sign a letter of appreciation that will be mailed to Mr. Marshall. (See attached letter)

Neal passed around pictures and a letter for council to sign thanking Ted Marshall and volunteers for picking up trash along Old Lorena Road.

c. Update on Public Works staff shortages.

Neal explained the Public Works department is still 2 people short and one is still on lite duty. Justin Spears tore his bicep and is still on restricted duty.

d. Update on RFP for solid waste services.

Reviewing the document and hopes to have this to the council no later than May.

e. Update on a purchasing policy.

Still working on the with Linda Klump who has been out of the office with family health issues.

16. Future Agenda Items.

Lorena Gateway Monument sign

McBrayer Park Policy

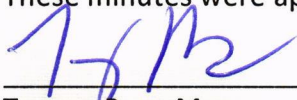
Request for Proposal for trash

Public Hearing for Street Improvements

17. Adjourn.

Due to no further business the meeting adjourned at 8:16 p.m.

These minutes were approved this 18th day of April 2022.



Tommy Ross, Mayor

Attest:



Monica Hendrix, City Secretary

