



City of Lorena
107-A S. Frontage Road
Lorena, Texas 76655
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NOTICE OF LORENA CITY COUNCIL MEETING
MONDAY, MAY 16, 2022 - 6:30 P.M.
LORENA CITY HALL
107-A S. FRONTAGE ROAD, LORENA TEXAS

THE PUBLIC WILL BE ABLE TO JOIN THE MEETING BY VIDEOCONFERENCING AT THE FOLLOWING LINK <https://meet.goto.com/863313685> 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, Jason Blanek, Katrina George, Emily McKenzie and Shane Phillips.

City Staff present were Tom Dickson, Monica Hendrix, Kyler Jones, Linda Klump and Petar Rivas.

2. Pledge of Allegiance

Mayor Ross led the pledge of allegiance to the United States flag and 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.

There were no visitor comments and no comments were sent to the city secretary.

4. Discussion and action on Resolution 2022-0516-01 canvassing the votes and declaring the results of the election.

City Secretary Monica Hendrix presented the resolution canvassing the votes for the May 7, 2022 General election. Those results were as follows:

Alderman at Large 2-year term, Jason Blanek 105 votes, Emily McKenzie 81 votes, Malisa Spivey 49 votes and Kelly Yarbrough 102 votes. Katrina George ran unopposed for the special election for Alderman at Large unexpired term for one year.

MOTION: Shane Phillips made the motion to approve Resolution 2022-0516-01 canvassing the votes and declaring the results of the election.

SECOND: Emily McKenzie

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

AGAINST: None

Motion carried.

5. Presentation of Certificates of Election to newly elected Council Members and Administer the oath of office to those elected.

City Secretary Monica Hendrix presented the Certificate of Elections to Jason Blanek, Katrina George, Emily McKenzie and Kelly Yarbrough and had them sign the statement of elected officials. Hendrix then administered the Oath of Office to the elected alderman.

6. Discussion and possible action appointing a Mayor Pro Tempore for a one-year term.

Mayor Ross informed council that Kelly Yarbrough has served for the past year and done a great job. He would recommend Kelly Yarbrough.

MOTION: Emily McKenzie motioned to appoint Kelly Yarbrough as the Mayor Protem for a one-year term.

SECOND: Katrina George

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

AGAINST: None

Motion carried.

7. Approval of Minutes:

a. April 18, 2022

MOTION: Katrina George motioned to approve the minutes.

SECOND: Jason Blanek

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

AGAINST: None

Motion carried.

8. Commission and Corporation Reports.

a. Economic Development Corporation

No meeting last week, will meet tomorrow.

b. Planning and Zoning Commission

Monica Hendrix informed council that P&Z met last Monday and voted unanimously to recommend approval of the Preliminary Plat of 13.28 acres where the Roadster Travel Center will be located.

9. Discussion and possible action on a recommendation from Lorena Planning and Zoning Commission for approval of the Preliminary Plat of I-35 Old Temple Road Addition, Mubin Maredia, applicant, , being a 13.28 acre tract of land and being all that tract of land located in the James Stewart Survey Abstract No. 815 in the City of Lorena, McLennan County, Texas, being part of that called 123.547 acres described in a deed to Alice Ann Rathe, Trustee for the Agnes Ann Barnes 2008 Trust No. 1 and Undivided One-Half Interest and John Edward Barnes, II Trustee for the Agnes Ann Barnes 2008 Trust No. 2 an undivided one-half interest as recorded in McLennan County Clerk's Document (M.C.C.D) 2018001711 of the Official Public Records of McLennan County Texas (O.P.R.M.C.T.), located east of IH-35 and adjacent to and north of Old Temple Road.

Mayor Ross questioned why this is coming back to council? Kevin Neal explained the council approved the Condition Use Permit (CUP) for the use on the property on July 19, 2021. This item approves the subdivision of the property. The 13.28 acres has been subdivided into two lots.

City Planner Robert LaCroix gave his staff report and explained the applicant is requesting approval of the preliminary plat to construct a travel center with a convenience store. The C-store is proposed to be approximately 11,000 square feet in area with an additional 3,500 square feet in area of retail/restaurant space. There are two gas canopy areas indicated on the concept plan, one that is parallel and in front of the main building indicates eight (8) pumps and the other canopy north of the building also has eight diesel pumps primarily for fueling large transport trucks. Access to the property is proposed from two driveways on I-35 Service Road and a single driveway on Old Temple Road.

The applicant has submitted the preliminary drainage analysis of the property as required for the Preliminary Plat. The plan is indicating the location of a detention pond at the south corner of the property. The proposed detention pond will need to be indicated on the Final Plat as a drainage easement maintained by the owner.

The preliminary utilities layout indicates the lots will have adequate domestic water and fire protection connected to the City's existing water main located in Old Temple Road. The preliminary engineering indicates the ability to connect to City's existing sanitary sewer system.

Old Temple Road is designated as an "arterial road" on the City's Master Thoroughfare Plan. As required by the Subdivision Ordinance, "**Substandard Street Improvements**", where an existing thoroughfare that does not meet the City's right-of-way or design standards abuts a proposed subdivision, the City may require that the entire right-of-way be dedicated and/or improved to the City's Design Standards, based upon factors including the impact of the proposed development on the road, safety to the traveling public, conditions and life expectancy of the road, the impact of the proposed subdivision on other roads, the timing of this development in relation to need for improving the road, the impact of the traffic on the road and City's roadway system as a whole. Any required improvements to substandard streets shall be limited to the effective frontage of the proposed development for half the width of the required roadway section. Section 7.01 (c)"

The applicant has submitted a revised TIA (Traffic Impact Analysis) that indicates the requirement to construct right-turn deceleration lanes on both north bound I-35 driveways. A left-turn deceleration lane on the Old Temple Road driveway is not needed according to the TIA. The rough proportionality will determine the amount of road improvements to be required by the applicant and that discussion will come at a later date with an agreement for those improvements.

Planning and Zoning is recommending to council approval of the preliminary plat with a vote of 5-0. LaCroix says the Preliminary Plat meets the City's criteria for approval with the following conditions:

1. *That the detention pond be indicated as a "Drainage Easement Maintained by the Owner" on the Final Plat.*

2. *That the requirements of the TIA (Traffic Impact Analysis) and the proposed improvements to Old Temple Road has required by the Subdivision Ordinance, "Substandard Street Improvements" be adhered to prior to the approval of the Final Plat.*

Property owner Mubin Maredia spoke and explained they are waiting to hear how much of the road they will be responsible to improve. Maredia also said the site plan will be filed for review soon.

Jason Blanek had question about the 3.73 acres adjacent to the property and if it would be land locked with this layout or would they still have access to the property. Kevin Neal says it will have access through TxDOT right-of-way off of the Frontage Road. Robert LaCroix explained they will have a joint drive-way with an easement that will split the driveway.

Emily McKenzie wanted clarification on the Old Temple Road improvements. She is questioning if we approve this tonight, will there still be future discussion about the improvement to Old Temple Road and was told yes. Robert LaCroix explained that is what the conditions are on approval of tonight and that a final plat will still need to be approved. Kevin Neal explained the engineers are still working back and forth on the rough proportionality amounts for improvements to the road.

Kelly Yarbrough questioned who will own the 3.73 acres that is shown on this plat and if there will be a drainage pond on that acreage. Neal explained the previous owners will still own that property but the drainage pond for the development will be on the same site as the travel center.

MOTION: Shane Phillips made the motion to approve the Preliminary Plat.

SECOND: Kelly Yarbrough

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

AGAINST: None

Motion carried.

10. Presentation of March 31, 2022 Budget Reports and Summary of Cash and Investments.

Linda Klump reviewed the reports with the council. On the Cash and Investments Klump pointed out the increases in the accounts and also the slight increase in the interest rates on the pooled investments. Mayor Tommy Ross asked how long the city typically runs CD's and Klump explained they are staggered out 6-8-month intervals to keep up with average market rates. Klump reviewed the budget documents and explained the fund balances versus the revenue balances. The large increase in February on Other Revenues is a forfeiture that the Lorena Police Department received on a case that they were a part of from around 2010. Mayor Ross asked what the forfeiture money can be spent on and Chief Dickson explained it can only be spent for law enforcement support. Some money has been spent on new tasers for the entire police force as well as new radios. Dickson says he is looking to purchase new equipment to enhance the warning system. Katrina George questioned if the money could be spent on structural items and was told yes. Dickson is getting updated bids for the covered parking project that was put on hold due to the increase in materials from the original bid. Blanek asked if there was a time-frame that the money needs to be spent. Emily McKenzie asked if council has to approve the money being spent and was told yes. So far, the Police Department has collected approximately \$415,000.00 from this forfeiture.

Klump continued to explain the other fund accounts and explained the balances. Council had no question and thanked Linda for her hard work.

*****NOTE**

Council needed to revisit item 9. The motion was made to approve the preliminary plat. The motion should have been to approve the preliminary plat with the conditions on the staff report.

MOTION: Shane Phillips made the motion for reconsideration of the vote on item number 9.

SECOND: Emily McKenzie

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

AGAINST: None

Motion carried.

MOTION: Shane Phillips motioned to approve the preliminary plat with the two conditions recommended by staff. (See above)

SECOND: Jason Blanek

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

AGAINST: None

Motion carried.

11. Discussion and possible action on Resolution 2022-0516-02 amending the Lorena Investment Policy and designating investment officers.

Mayor Ross explained this item is to appoint/designate by name the investment officers.

Linda Klump explained there are also some house keeping changes to the policy as well that were recommended during their training.

MOTION: Emily McKenzie moved to approve the resolution amending the Lorena Investment Policy and designate Kevin Neal and Linda Klump as the investment officers.

SECOND: Kelly Yarbrough

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

AGAINST: None

Motion carried.

12. Discussion and possible action approving bridge maintenance to the city owned bridge located in the 1500 block of South Old Temple Road.

Kevin Neal explained that TXDOT is the regulating authority for bridges in the State of Texas.

After the most recent inspection of the South Old Temple Road bridge, TXDOT says the city MUST make repairs to the bridge. Staff is recommending for City Council to approve the repairs to the bridge, and fund the repair cost out of the general fund capital project fund.

Staff is also recommending that this project be bid as an addendum to the street improvement project to assure the city gets the best overall price for the project. Neal says if this project is bid individually, the cost will be much higher due to its relatively small scope.

Kelly Yarbrough asked if there was a timeframe/deadline for those repairs to be made. Neal explained they gave us six months. Neal says given the fact they are going out for bid for the street improvements, they are extending that time. The city will continue to communicate with TXDOT on the timeframe to prevent any possible fines.

MOTION: Emily McKenzie motioned to approve the bridge maintenance.

SECOND: Katrina George

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

AGAINST: None
Motion carried.

13. Discussion and possible action for selecting the streets to be resurfaced with bond funds.

Tommy Ross explained there is a list of streets in the council packet that will be repaired. Council approved the 5.2 million last month and all of that money will be used for street rehabilitation. Neal informed council that speaking with the engineers and keeping them informed, the cost asphalt has inflated nearly 50%. When the engineers looked at this project and based on the timeline to get things moving through the government process, there was a 20% contingency added. Neal says there was another 20% contingency added to the cost based on engineering cost and inflation. Neal is requesting what streets on the list are a priority to the council and what order to be repaired. Linda Klump explained that bond council wants to know what amount the council wants to spend. Klump reminded council they approved an amount up to 5.2 million. There was a question if all these streets on the list would be done at the same time and Kevin Neal explained if the money doesn't stretch that far, staff would come back to council to prioritize the order for repairs.

MOTION: After further discussion a motion was made by Shane Phillips to set the bond amount at 5.2 million and the streets to be repaired as listed by staff and the hierarchy of meeting that \$5 million dollar list.

SECOND: Jason Blanek

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

AGAINST: None

Motion carried.

14. Discussion and possible action to cast votes for nominees for the McLennan County Rural Transit District Board of Directors.

Mayor Ross informed council that McLennan County is requesting for someone to serve on the board and that each city has 20 votes to split between the nominees.

MOTION: Kelly Yarbrough motioned to cast 10 votes for Katrina George-Lorena, 7 votes for Brittany McLean-Robinson and 3 votes for Jason Lanier-Beverly Hills.

SECOND: Shane Phillips

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

AGAINST: None

Motion carried.

15. Discussion and possible action amending Covid-19 restrictions on soliciting permits.

Kevin Neal explained that this item has been before council when the park restrictions was discussed, however the motion was to only lift the park restrictions. Emily McKenzie asked if she makes a motion to lift the covid restrictions, would it cover other restrictions that may have been missed. Neal said he believes it will.

MOTION: Emily McKenzie motioned to lift the COVID restrictions for the City of Lorena.

SECOND: Katrina George

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

AGAINST: None

Motion carried.

16. Police Department Activity Report.

Chief Tom Dickson presented the report. There were 321 Calls by type, Total arrest by violation were 13 and 197 citations written in April 2022.

17. City Managers report. Kevin Neal introduced new public works employee Tom Saxon.

- a. **Discussion on upcoming animal control budget (see pages 2 and 3 for additional information)**

Neal presented the upcoming animal control budget to council and explained how the Human Society of Central Texas calculates the budget each year.

- b. **Update on Lorena/Spring Valley Water Public Utility settlement /agreement.**

Spring Valley is in the engineering stage and very close to running the water line down Pilgrim Lane and hoping to have project completed in two months.

- c. **Update on special events application (waiting on Alderman Yarbrough's comments)**

Neal is working on the policy and application and waiting on council comments.

- d. **Save the date June 11, 2022 for Saturday in the Park hosted by the Lorena Chamber of Commerce**

Neal reminded council of the Saturday in the park on June 11th and hopes council can attend and support the chamber.

- e. **Update on purchase order RCFB95 for the F-350 pickup truck for Public Works.**

Neal explained that he has been in contact with Buy Board and the Ford dealership that is supposed to order the truck through Buy Board. The Super Duty platform for Buy Board is closed right now and will not open until fall, and could not give him a date when they will open. Neal explained this will carry this line item in the budget over to the next budget year and will not affect the budget negatively but actually put the city ahead by one payment. The purchase order will remain open until such time he received a Vin number from Ford.

18. Future Agenda Items.

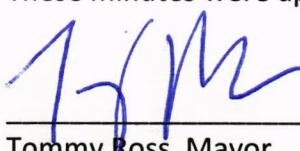
Mayor wants council to go into executive session in June to discuss water and future development.

Tom Dickson would like to see the travel policy reimbursement updated. Dickson says the last update was 2010.

19. Adjourn.

Due to no further business the meeting adjourned at 8:04 p.m.

These minutes were approved this 20th day of June 2022.



Tommy Ross, Mayor

Attest:



Monica Hendrix, City Secretary

