



City of Lorena
107-A S. Frontage Road
Lorena, Texas 76655
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NOTICE OF LORENA CITY COUNCIL MEETING & PUBLIC HEARINGS
MONDAY, AUGUST 15, 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 VIDEOCONFERENCE
AT THE FOLLOWING LINK and/or join the conference call at <https://meet.goto.com/411575077>
(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 Peter 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.

No visitors spoke at this time.

4. Approval of Minutes:

a. July 18, 2022

MOTION: Shane Phillips motioned to approve the minutes.

SECOND: Emily McKenzie

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

AGAINST: None

Motion carried.

5. Commission and Corporation Reports.

a. Economic Development Corporation

EDC Consultant Jason Mundo gave the EDC report. There was no meeting due to quorum issues. Mundo says the gateway monument resolution was sent to TxDOT and he discovered the coordinator of the project at TxDOT had retired and a new coordinator was assigned. Mundo is working with TxDOT for additional information needed and once complete a contract will be brought to the city for approval to move forward with construction.

Mundo also explained the roll that EDC had on the upcoming agenda item of Bright Farms. EDC spearheaded the effort to study for the creation of the Tax Increment Reinvestment Zone (TIRZ) back in 2014 and then in 2016 the TIRZ was created and in 2018-2019 the infrastructure was put into place. This infrastructure is the reason Bright Farms is here today. Mundo shared tax dollars amounts that will be generated by the development.

b. Planning and Zoning Commission

Monica Hendrix informed council that Planning and Zoning met and held public hearings on the Bright Farms Development and rezoning request and voted 5-1 to deny the request to rezone the property.

6. Presentation from Sean O'Neill of Bright Farms Development.

Sean O'Neil-Director of Development of Bright Farms and Kate Bowdler with Bright Farms Development and Sustainability team were present. Mr. O'Neil did a presentation of the development to the council and visitors present. O'Neil the land is currently agricultural use and will ultimately still be ag use with greenhouses that have glass roofs. This location will be the largest greenhouse that Bright Farms has built. There will be four greenhouses total once built out. Each greenhouse will be eight acres costing \$85 to \$90 million dollars to build. There will be 5-7 trucks coming in and out of the greenhouse and will be early in the morning and will distribute the lettuce within four hours of Lorena. Each greenhouse will employ 80 to 90 people from unskilled workers in the pack rooms to skilled maintenance works for the machines to managerial positions and ag "egg heads" that are smart college graduates that know the technology to grow the product. Water use will be recycled whenever possible. O'Neil explained there will be only one entrance off N. Old Temple Road so any traffic concerns would be on this road and the times of the traffic will be off peak times at 5:00 am and 1:00 pm for first shift and second shift will end around 8:00 pm. O'Neil addressed the lighting at night, says there will be blackout curtains on the greenhouse glass. There will be retention ponds for storm water runoff that is a requirement by ordinance. O'Neil also addressed employee pay scale and 401K plans. O'Neil hopes he has addressed all the neighboring property owners concerns that were brought up during the Planning and Zoning meetings. O'Neil also answered questions from the city council concerning the parking, trucks, hiring of local builders for the construction of the site and the involvement in the community.

7. Public Hearing: Conduct a Public Hearing and consider a recommendation from the Lorena Planning and Zoning Commission concerning an Ordinance 2022-0815-01 for the

amendment to the 2020 Lorena Comprehensive Plan to amend the Future Land Use Plan designation of approximately 104.738 acres from “Low Density Residential” to “Business Park” to authorize office and light industrial uses on land generally located adjacent to and South of Old Temple Road and East of I-35, McLennan County CAD property ID 131522, City of Lorena, McLennan County Texas; amending the Official Land Use Plan Map; providing for savings, severability; determining an open meeting; and establishing an effective date.

City Planner Robert LaCroix gave his staff report and explained the reason for the amendment/change to the 2020 Comprehensive Plan Future Land Use Map. The request does not comply with the existing Future Land Use Plan however, areas generally outside the incorporated city limits are usually left in an either low density rural land use such as agricultural or designated as future development. The Future Land Use Plan does not include future development or agricultural designations. A portion of this property, on the north end that lies within the City, is already zoned as Business Park. That area abuts Old Temple Road and will be a part of this overall proposed development. The intent is to create a light agricultural related manufacturing and growing operation on this property. LaCroix informed council at the August 8, 2022 Planning & Zoning Commission meeting, the Commission recommended denial of the Future Land Plan Amendment by a vote of 5-1.

Emily McKenzie asked about how much land that is being rezoned will not be used by Bright Farms and was told between 20 to 30 acres. McKenzie has concerns about what will be built on that land and was told the city does not know at this time. LaCroix informed McKenzie that the property owner is requesting the total 104.738 acres be rezoned.

Mayor Ross opened the public hearing at 7:25 p.m.

Ron Miller of 1480 Cooksey Lane spoke and wanted clarification on what land is being purchased and rezoned. Miller also requested that council strongly consider reimbursing the private property owners who paid for the paving of N. Old Temple Road.

Kenny Merritt, 853 Birdie Land spoke and is concerned about the reefer truck noise idling, heavier traffic and the light from the greenhouse late at night.

Art Nava, 745 Birdie Lane and also spoke on behalf of his neighbor Edna Simpson and is against the development. Nava is concerned about the one entrance for the entire development, increased truck traffic, noise from the trucks and what will be put on the other land that is not being purchased by Bright Farms. Nava asked is a traffic study will be done.

Terri Penrod, 493 Barnes Road spoke and is concerned about the business being in her backyard, the detention ponds located 25 feet from her property line, the noise in her backyard and the business decreasing her property values. She wants the council to strongly consider keeping the property residential.

Jose Loera, owner of the Arches Subdivision spoke and is against the rezoning. Leora is concerned about the trucks and truck traffic, noise, future of unknown use on the property near his development and the future lot sales near the Business Park Zoning District. Loera is concerned about the one entrance for the development and there is no parking for employees on the preliminary plan. Loera feels that once rezoned, the company will have control to do as they please with the property.

George Perez an investor with the Arches Development spoke and is very against the development. Perez has purchased 12 lots in the Arches Subdivision and says the homes

will cost between 1.2 to 1.8 million dollars. Perez says if the company/development behind their property is approved it will de-value the property in the Arches.

Bill Coleman, 606 Ver-lo spoke and is very much in favor to the development. Coleman explained he was a former member of the City Council and was past president of the TIRZ and one of the founding members when it was created. Coleman explained this type of business is exactly what they had in mind when the TIRZ was formed. A good clean environment to create 200 jobs and bring one million in tax revenues and was business of the year in Harrisburg Pennsylvania. This business will also bring good paying jobs to the area. Coleman reminded everyone that there were protest against the Bullhide Creek wastewater treatment plant and that he had to make the tough decision to move forward on that project and all the property values around the plant have held just fine. Coleman recommends for council to make the tough decisions and move forward with the project. Vrail George, 101 Granit Circle spoke and says he fully supports the Bright Farms coming to community and strongly suggest that you vote for this. George says he admits the business is not in his backyard and understands about living on dirt roads and country living, however Lorena needs the business and tax dollars to improve the roads and infrastructure and help relieve some of the tax burden on the citizens.

Richard Pickens, 817 Birdie Lane spoke says he has lived there for 32 years. Pickens is concerned about the property values around the development, specifically the Arches, the road maintenance, truck traffic, employee parking and doesn't think this is a good location for this business.

Bill Taverner, 103 S. McBrayer spoke and serves of the Lorena Economic Development Corporation. Taverner admits he was immediately attracted to the project when he heard about it and fully supports the business. Taverner spoke about where Lorena is and the fact that the city is going to grow whether we like it or not. Taverner says he feels the business is a good and clean business and doesn't feel that the buildings are ugly. Taverner encouraged the council to vote yes.

Brad Wetzel, 113 York and serves on the Lorena Planning and Zoning Commission and Lorena EDC as well as the 2020 Lorena Comprehensive and Strategic Planning committee. Wetzel says the project fulfills several goals and objectives that the community set in place during the formation of the plan. Wetzel says the project has been studied and has the potential to bring jobs and tax money to the city. Bright Farms will help service the debt obligations the city of Lorena already has. Wetzel is asking council to move forward with the project.

Brad Harrell, 14 Timber Ridge Trail spoke and stated he is a 25-year real estate broker in Waco. Harrell has been studying the area and where the growth is happening. Harrell represents Robert Braswell on this transaction. Harrell also represents Mitchell/Tully on the 88 acres along the Frontage Road. Harrell says Bright Farms has been nothing but accommodating during the process of this transaction. Harrell stated that Bright Farms has been studying the area for three years. Bright Farms will be a sustainable business for Lorena and encourages council to support the project. Emily McKenzie questioned why all the land is being rezoned and Harrell explained. McKenzie is concerned about what business may come to the land not being purchased and how it may affect the Arches Subdivision.

Shane Phillips spoke and gave his opinion about the project and how it will relieve the tax burden on the citizens of Lorena.

Kelly Yarbrough spoke and asked questions about the annexation and what may happen if the city does not annex the property.

Jason Mundo spoke and clarified the collections ponds on the plat are for storm water run-off.

Richard Pickens spoke again and asked questions about tax revenue. Pickens pointed out to the council that the Planning and Zoning Commission voted against the project and encourage the council to do the same.

Bill Coleman spoke again and stated that if the Planning and Zoning Commission would have had the Bright Farms representatives hear to explain the project they would have voted differently.

Mayor Ross closed the public hearing at 8:44 p.m.

After the public hearing closed there was discussion between the council members on the proposed project. Kelly Yarbrough had questions about what land is being rezoned because part of the property that is being purchased by Bright Farms is already in the city limits and zoned for Business Park. Kevin Neal explained. Shane Phillips spoke and gave his thoughts and feels this is a way for the council to shift some burden on the tax payers. Jason Blanek spoke and agrees that the council needs to shift the burden on tax payers and the only way to do that and bring commercial business to Lorena. Blanek also feels that Bright Farms will be a good neighbor to the surrounding citizens. Blanek stressed that this business will help pay the TIRZ bill and is a prime opportunity and something good for Lorena.

Katrina George spoke and encouraged citizens to go online and research Bright Farms and what they are as a company. You can tour the plants online and read articles in Forbes and the Washington Post about what a great company they are. George also feels that Bright Farms will be good neighbors. George also stated that she would vote to have a greenhouse in her backyard and talked about the noise complaints in McGregor with SpaceX and that a greenhouse would be better. George feels this is a phenomenal opportunity for our community.

Kelly Yarbrough spoke and talked about the businesses coming to the TIRZ and the tax dollars that the city can recoup for the expenses already incurred in creating the TIRZ. Yarbrough also mentioned the jobs this business will bring to Lorena.

Emily McKenzie spoke and concurs with everyone but requested to Braswell and Harrell to please consider the Loera Subdivision when selling the remaining 34 acres being annexed.

Jason Blanek also informed everyone that no tax abatements were offered to Bright Farms to come to Lorena.

MOTION: After discussion, a motion was made by Jason Blanek adopt Ordinance 2022-0815-01 for the amendment to the 2020 Lorena Comprehensive Plan to amend the Future Land Use Plan designation of approximately 104.738 acres from "Low Density Residential" to "Business Park" to authorize office and light industrial uses on land generally located adjacent to and South of Old Temple Road and East of I-35, McLennan County CAD property ID 131522, City of Lorena, McLennan County Texas.

SECOND: Kelly Yarbrough

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

AGAINST: None

Motion carried.

8. Public Hearing: Conduct a Public to consider approval of ordinance 2022-0815-02 of the City of Lorena, Texas annexing 104.738 acres of land, more or less, into the corporate

limits of the City, at the request of the property owner; approving a service plan for the annexed area; providing temporary zoning to the ARR-Agricultural Rural Residential District; making finding of fact; providing a severability clause; determining an open meeting; and establishing an effective date.

City Planner Robert LaCroix informed council that all the notices and publications were sent out as required for annexation and the public hearing must be held.

City Attorney Marianne Banks informed council that changes were made to the service plan attached to the annexation ordinance.

Mayor Ross opened the public hearing at 9:08 p.m. No visitors spoke and Mayor Ross closed the public hearing at 9:09 p.m.

Jason Blanek asked about the severability clause in the ordinance and the attorney explained that if anything in the ordinance is considered unconstitutional, it can be pulled out of the ordinance without changing the entire ordinance.

MOTION: Shane Phillips motioned to approve ordinance 2022-0815-02 annexing 104.738 acres of land into the corporate limits of the city, at the request of the property owner; approving a service plan for the annexed area; providing temporary zoning to the ARR-Agricultural Rural Residential District; making finding of fact; providing a severability clause; determining an open meeting; and establishing an effective date.

SECOND: Emily McKenzie

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

AGAINST: None

Motion carried.

9. Public Hearing: Conduct a Public Hearing to consider Ordinance 2022-0815-03 of the City of Lorena, Texas, amending the zoning code so as to rezone a 104.738 acre tract of land from ARR – Agricultural – Rural Residential District to BP - Business Park District; amending the zoning map; making findings of fact; providing for related matters; determining an open meeting; and establishing an effective date.

City Planner Robert LaCroix explained the notices and publications were sent out as required for annexation.

Mayor Ross opened the public hearing at 9:14 p.m.

Kenneth Merritt asked a question about what was happening now and was told that the property was annexed in last agenda item and now council is changing the zoning to BP. Ron Miller spoke and thanked the City Council for allowing everyone to speak tonight. Mayor Ross spoke and appreciated everyone showing up tonight and keeping their decorum during this meeting.

Mayor Ross closed the public hearing at 9:15 p.m.

MOTION: Katrina George motioned to approve Ordinance 2022-0815-03 of the City of Lorena, Texas, amending the zoning code so as to rezone a 104.738 acre tract of land from ARR – Agricultural – Rural Residential District to BP - Business Park District; amending the zoning map; making findings of fact; providing for related matters; determining an open meeting; and establishing an effective date.

SECOND: Shane Phillips

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

AGAINST: None

Motion carried.

10. Public Hearings:

Conduct a public hearing on the proposed 2022-2023 Fiscal Year Budget.

Mayor Ross opened the public hearing at 9:18 p.m. No visitors spoke and the hearing closed at 9:19 p.m.

Finance Officer Linda Klump spoke and there were a couple of changes to the budget one is an addition to a second School Resource Officer. Linda also spoke about the next public hearing of the proposed tax rate of .57145 which is the voter approval rate.

Conduct a public hearing on the proposed 2022 Tax Rate.

Mayor Ross opened the public hearing at 9:21 p.m. No visitors spoke and the hearing closed at 9:22 p.m. Mayor reminded council of the meeting on August 29, 2022.

11. Police Department Activity Report.

Sergeant Kraig Disney gave the report. There were 448 Calls by type and 7 arrest along with 415 citations issued in July 2022.

Officer Serrato has been assigned as the second School Resource Officer and has started working at the school.

Also, there is a vacancy in the Police Department and the job has been posted on the TML website. Chief Tom Dickson reported that nation wide there is a shortage of Police Officers and so hopefully someone will want to come to a small town to work.

12. City Managers report.

a. Update on recent Solid Waste Services interruptions.

Kevin Neal informed council of the solid waste truck went into limp mode a couple of weeks ago and was taken to the Peterbilt dealership. The problem is electrical and the said to expect a lengthy turn around. There were 10 different diagnostic codes that were alerted and none of them are related. We have hired a contractor to come in and run trash until the truck is repaired. There were no available trash truck rentals in the state of Texas. Unfortunately, this is an added expense.

There was also an accident involving the recycle trailer that was not the city employees' fault and no serious injuries occurred. The trailer was totaled and a new trailer was purchased. The truck pulling the trailer had minor damage.

b. Discussion about USPS and mail delivery.

Kevin Neal says he put this on the agenda and the request of staff here at city hall due to complaints about customers not receiving their water bills. Neal personally took the utility bills to the post office and followed the same procedures that staff follows each month when processing the bills. Neal stressed to the council and citizens to take a look at the size of the Lorena mailing address and see how large the 76655-zip code area actually is. Neal has noticed there are no new employees to help with the increased load they have due to all the new homes in the zip code area and to be patient with the postal service.

c. Lorena's RFP for Municipal Solid Waste Services public opening of sealed proposals is being held on Friday, August 19, 2022 at the Lorena City Hall at 12:00 p.m.

Neal reminded the council of the RFP opening on the 19th of August.

d. Update on Stage 1 of Drought Contingency that was implemented on 08-11-2022.

Neal informed the council the City of Lorena water comes from the Brazos River. The city implemented the drought contingency because the Brazos River Authority implemented theirs. We have a contract obligation to follow with the BRA.

13. Future Agenda Items.

Mayor Ross reminded council of the August 29th meeting.

14. Adjourn.

Due to no further business the meeting adjourned at 9:40 p.m.

These minutes were approved this 17th day of October 2022.

Tommy Ross
Tommy Ross, Mayor

Attest:

Monica Hendrix
Monica Hendrix, City Secretary

