



City of Lorena

107-A S. Frontage Road

Lorena, Texas 76655

(254) 857-4641 Fax (254) 857-4118

NOTICE OF MEETING PUBLIC MEETING

LORENA CITY COUNCIL

MONDAY, MAY 15, 2023 - 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/389118933> and/or join the conference
call at (254) 655-5400; GUEST PIN :2021
The City Council Meeting will be opened to the public.

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

City Staff present were Monica Hendrix, Scott Holt, Kyler Jones, Linda Klump, Kevin Neal and Peter Rivas.

2. Pledge of Allegiance

Mayor Protem Kelly Yarbrough led the pledge.

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 comments.

4. Discussion and action on Resolution 2023-0515-01 canvassing the votes and declaring the results of the election.

Monica Hendrix informed council the certified official results were received from McLennan County elections today and they were as follows:

Tommy Ross for Mayor 101 votes

Shane Phillips for Mayor 47 votes

Katrina George and Brad Wetzell ran unopposed for the two alderman positions.

MOTION: Shane Phillips motioned to approve the resolution canvassing the votes and declaring the results of the election.

SECOND: Jason BlaneK

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

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried 5-0.

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

Monica Hendrix presented certificates of election to new council members Katrina George and Brad Wetzel and administered the Oath of Office to them. Kelly Yarbrough thanked outgoing Councilman Shane Phillips for his two years of service to the city.

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

Katrina George asked if anyone wanted to volunteer and Kelly Yarbrough stated she would continue as Mayor Pro-tem. George stated she doesn't have an issue with Yarbrough continuing unless someone else would like to.

MOTION: Katrina George motion for Kelly Yarbrough as Mayor Pro Tempore for a one-year term.

SECOND: Emily McKenzie

FOR: BlaneK, George, Yarbrough, McKenzie and Wetzel.

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried 5-0.

7. Approval of Minutes:

a. April 17, 2023

MOTION: Jason BlaneK motioned to approve the minutes.

SECOND: Katrina George

FOR: BlaneK, George, Yarbrough and Wetzel.

AGAINST: None

ABSTAIN: Emily McKenzie

ABSENT: Mayor Tommy Ross

Motion carried 4-1.

8. Committee and Corporation Reports:

a. Lorena Economic Development Corporation

No meeting due to lack of quorum. Will possibly meet on 5/22/2023.

b. Lorena Planning and Zoning Commission

Brad Wetzel reported P&Z met and approved the recommendation to the city council for the agenda items 9 and 10 for tonight's meeting.

9. Consider the request of J Squared Lorena Development, LLC, applicant, for approval of a Final Plat of Rosenthal Estates Phase II containing 93 single family residential lots and 2 non-residential lots being described as a 38.28 acre tract of land out of the Thomas Thatcher Survey, Abstract No. 847, McLennan County, Texas, and being part of the remainder of a called 107.7354 acre tract of land described in a deed to Lorena Development Joint Venture, recorded in Volume 1861, Page 494, Deed Records of

McLennan County, Texas, located east of IH-35 and adjacent to and north of Rosenthal Parkway.

City Planner Robert LaCroix informed council there is no requirement in the ordinance for a traffic impact analysis due to the number of lots in the subdivision. LaCroix informed council of the cash in lieu of parkland dedication because the amount of land required is less than three acres. The final plat meets all the requirements and is recommending approval with two conditions:

1. That the final engineering construction plans be approved by the City Engineer.
2. The City of Lorena requires parkland dedication or fees in lieu of for residential subdivision development. Parkland dedication for a residential subdivision plat is a minimum of one (1) acre of land per one hundred (100) of projected subdivision population calculated based upon 2.8 persons per dwelling unit. Based on the proposed 93 lots $\times 2.8 = 260.4$ divided by 100 = 2.604 acres of parkland required dedication. Refer to the City of Lorena Subdivision Ordinance Section 10.11 Parkland Dedication for the further details of fees in lieu of dedication.

Developer Josh Welch spoke and answered questions from the council. Emily McKenzie asked if the two non-residential lots on the plat are for drainage and easements and Welch said yes. McKenzie also asked about the 2.8 acres for parkland and Welch explained they are willing to do the cash in lieu of the land because the required amount based on the calculation format is less than three acres. The city does not want to accept parks less than three acres. McKenzie also asked about a home owner association and Welch says there will be an association in both phases. Kelly Yarbrough asked questions about the traffic study. Welch explained no traffic study is required by the city ordinance based on the number of lots however TxDOT requires one when tying into their road. TxDOT did give a comment that the road will need to be widened in that area but is not requiring the developer to do this at this time due to the bridge and other factors. TxDOT is doing their own study in the area and plans to improve the road in the future. TxDOT did not state when those improvements would be done. Jason Blane asked where the park money goes and Kevin Neal explained it goes into parkland projects in the general fund. Josh Welch complimented the staff for the handling of the subdivision plats and procedures and said they were great to work with and KPA was great as well.

MOTION: Katrina George motioned to approve the final plat for Rosenthal Estates Phase II with the conditions of approval of the final engineering plans by the city engineer and receipt of the fees required in lieu of parkland dedication.

SECOND: Jason Blane

FOR: Blane, George, Yarbrough and McKenzie

AGAINST: none

ABSTAIN: Brad Wetzel

ABSENT: Tommy Ross

Motion carried 4-1

- 10. Consider the request of Loera Land Investments, LLC, owner/applicant, for approval of a Final Plat of The Arches Phase II containing 51 single family residential lots and 6 non-residential lots (dedicated open space) being described as a 61.665 acre tract of land situated in the Erastus Yeaman Survey, Abstract No. 956, McLennan County, Texas, and being a portion of the remainder of that called 220.377 acre tract of land described in a deed to Loera Land Investments, LLC, a Texas Limited Liability Company, as recorded in McLennan County Clerks File Number 2018009246 of the official public records of**

McLennan County, Texas (O.P.R.M.C.T.) located on the north side of FM 2837 (Rosenthal Road) west of Birdie Lane.

City Planner gave staff report. Kevin Neal explained the TxDOT agreement with Loera. The Arches will require an acceleration lane and TxDOT requires the developer to donate the land and funds for the lane. Emily McKenzie asked if the six lots in the development dedicated for open space and drainage were contiguous and was told no they are not.

MOTION: Katrina George motioned to approve the final plat for The Arches Phase II with the conditions of approval of the final engineering plans by the city engineer and receipt of the fees required in lieu of parkland dedication and also that the TxDOT permit be approved for the driveway location on FM 2837 prior to the final approval of the engineering construction plans.

SECOND: Emily McKenzie

FOR: Blaneck, George, Yarbrough and McKenzie

AGAINST: none

ABSTAIN: Brad Wetzel

ABSENT: Tommy Ross

Motion carried 4-1

11. Discussion and Possible Action on appointment of a Lorena City Council member to the open Seat #2 of the Lorena TIRZ #1 East Board of Directors, for the remainder of the current term to expire in November 2023.

Due to Shane Phillips no longer serving on council, a new council member will need to be appointed. Shane Phillips explained the meeting are usually twice a quarter and the meeting are usually quick, 40 minutes or less. Kelly Yarbrough asked for volunteers.

Katrina George spoke and said she would serve if no one else wanted to serve.

MOTION: Emily McKenzie motioned to appoint Katrina George to the TIRZ board.

SECOND: Jason Blaneck

FOR: Blaneck, George, McKenzie, Yarbrough and Wetzel.

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried 5-0.

12. Discussion and possible action adopting ordinance number 2023-0515-01 establishing a paid quarantine leave policy in accordance with section 180.008 of the Texas Local Government Code.

Kevin Neal informed council in April of 2023 the City Council amended the City of Lorena's Covid Leave policy. This was done so in conjunction of the state funding for paid covid leave. Shortly after it was brought to the City's attention that Lorena had not yet adopted an ordinance in accordance with Section 180.008 of the Texas Local Government Code which mandates the City to establish a policy for paid quarantine leave for fire fighters, peace officers, detention officers, and emergency medical technicians. After many hours of research and review, to include review with the City Attorney, a proposed policy is being brought before council to establish a paid quarantine policy. This policy would be for all employees, not just the employees that are mandated by law. The decision was made to establish this policy for all employees due to the fact that all of our employees are equally exposed and at risk of potential exposure to communicable disease while on duty. This policy if adopted will be effective retroactively to April 17, 2023 to insure the City's compliance with local laws. Neal stressed this is not a COVID related policy this is for communicable disease.

MOTION: Emily McKenzie motioned to adopt number 2023-0515-01 establishing a paid quarantine leave policy in accordance with section 180.008 of the Texas Local Government Code.

SECOND: Brad Wetzel

FOR: Blane, George, McKenzie, Yarbrough and Wetzel.

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried 5-0.

13. Discussion and possible action awarding the 2022 Street Bond Project to Kasparian Underground LLC dba H&B Contractors in the amount of \$4,647,228.00 for Packages A, B, C, and Package D Add Alternate B.

On April 17, 2023 a public bid opening was held at the Lorena City Hall. Lorena received two bids for the 2022 street bond project. The low bidder was Kasparian Underground LLC. Also know as H&B Contractors. After the City's engineer tabulated the bid schedules for both completeness and accuracy a letter of recommendation letter was sent to the City recommending Kasparian be awarded the bid. With this bid the City will be able to complete all work bid. Attached to this write up is the recommendation letter from the City's Engineer, the bid tabulation sheet, and a snapshot look at the funding for this project provided by Linda Klump. Kevin Neal explained the bid covers all streets on the list with the exception of the internal drive at McBrayer Park.

MOTION: Jason Blane motion to award the 2022 Street Bond Project to Kasparian Underground LLC dba H&B Contractors in the amount of \$4,647,228.00 for Packages A, B, C, and Package D Add Alternate B.

SECOND: Brad Wetzel

FOR: Blane, George, McKenzie, Yarbrough and Wetzel.

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried 5-0.

14. Discussion and possible action authorizing the Mayor to enter into an agreement with McLennan County to be a subrecipient of \$225,000.00 of the ARPA funds awarded to McLennan County.

Kevin Neal informed council in 2021 the federal government allotted funds to the American Rescue Plan Act which can be used conjunction with other funding to complete things such as needed infrastructure improvements. The City of Lorena made a request to McLennan County for enough funding to install back-up generators at all water and sewer locations that currently do not have back-up generators. After receiving requests from many different entities, the County hired Tom Ray to come up with a method to prioritize and award funding based on the requests. On May 4, 2023 the City of Lorena received an email from McLennan County notifying us that we had been awarded \$225,000.00 towards our project to install back-up generators. This funding, if not used, will have to be returned to the County. \$225,000.00 is not enough funding to install a back-up generator at Lorena's main water well / pump station that provides the capability to serve all of our water customers in the time of a natural disaster such as winter storm Uri. Any costs above and beyond the \$225,000.00 would have to come from the utility fund capital project fund. At the time the City's Engineer did the cost estimate for this back-up generator the OPC was \$450,000.00. It would be very conservative to add 20% to the \$450,000.00 price due to recent inflation rates on both materials and labor. Neal would

like for council to decide whether or not to proceed with the subrecipient agreement for the \$225,000.00.

MOTION: Brad Wetzel motioned to authorize the Mayor to enter into an agreement with McLennan County to be a subrecipient of \$225,000.00 of the ARPA funds awarded to McLennan County.

SECOND: Jason BlaneK

Brad Wetzel then withdrew his motion and Scott BlaneK seconded the motion. The vote in favor to that motion was unanimous.

MOTION: Brad Wetzel motioned to motioned to authorize the Mayor to enter into an agreement with McLennan County to be a subrecipient of \$225,000.00 of the ARPA funds awarded to McLennan County as well as allocate any remaining balance of ARPA funds already acquired by the city be allocated to this project.

SECOND: Jason BlaneK

FOR: BlaneK, George, McKenzie, Yarbrough and Wetzel.

AGAINST: None

ABSENT: Mayor Tommy Ross

Motion carried 5-0.

15. Police Department Activity Report.

Scott Holt says the stats are in the packet. Holt informed council of National Peace Officer week and the memorial service on Thursday, May 18, 2023 at 10:00 a.m. in Waco. Holt thanked the department for all their commitment and service to the city.

16. City Manager Report:

1. Lorena VFD ALS certification

Neal reported the LVFD is now an advanced certification and praised them for their service to the community.

2. New employee Kaylee Davis

New employee started today and city is fully staffed.

3. Roadster Travel Center moving dirt

Finally moving dirt at site.

4. Shepards Heart Food Pantry under construction

Steel is going up for new building.

5. Burgers and Blessings May 20, 2023, 11A – 1P Journey Lorena

This is to recognize first responders and support staff members.

6. City Managers Vacation June 20th through July 4th

Reminder that he will be on vacation.

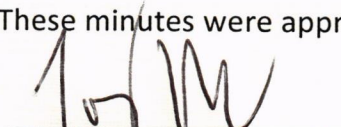
17. Future Agenda Items.

Workshops for council.

18. Adjourn

Due to no further business the meeting adjourned at 7:55 p.m.

These minutes were approved this 21st day of August 2023.


Tommy Ross, Mayor

Attest: 
Monica Hendrix, City Secretary