

**REGULAR MEETING AND PUBLIC HEARING
OF THE GOVERNING BODY OF
THE CITY OF BLANCO**

**Meeting Minutes
June 13, 2023**

A regular meeting and special hearing of the City Council, City of Blanco, Texas was held on June 13, 2023, at 6:00 pm at the Byars Building, 308 Pecan Street, Blanco, Texas.

The meeting was called to order at 6:13 pm by Mayor Arnold, followed by roll call (Laurie Cassidy) announcing a quorum was present. The Invocation and Pledge of Allegiance were led by Rev. Bryn Caddell, Vicar. Council members present: Mayor Arnold, Mayor Pro-Tem Thraillkill and Council Members McClellan, Smith, Swinson, and Moses.

City staff present: Warren Escovy, Sasha Ricks, Laurie Cassidy, and Police Chief Scott Rubin.

Mayor Arnold made the following announcements:

- Still on Stage 2 Water Restrictions, be mindful of your water usage.
- Blanco County Burn Ban is OFF at this time.
- Preliminary report on Lavender Fest, attendance was up this year, estimated number of attendees was 35,000 to 37,000 people with 88% of the vendors returning from last year.

Public Comments:

- Rachel Lumpee, resident, comments read by Laurie Cassidy, City Secretary. Mrs. Lumpee thanked the Police Department for their hard work during Lavender Fest. She said she believes the current members of the commissions have done a great job and she hopes their hard work continues. She also stated she believes it would be a mistake to go out for RFQ for a new city attorney at this time as the city is facing a lot of issues including the Highway 281 expansion and the water plant construction and our current attorney is familiar with all that is going on and has provided excellent service these past few years.
- Wayne Gosnell, resident, spoke regarding new business item #9 RFQ for city attorney. He said he is not sure why this item is on the agenda. There could be two issues, the cost of attorney and/or the attorney himself. Mr. Tuggey is very responsive and knowledgeable of the issues ongoing in Blanco and his fee seems reasonable. If it is not broke, don't fix it.

PUBLIC HEARING (6:21 pm):

1. Approval of New Short-Term Rental permit, La Casita at 850 Cherry Street (Traweek, Lot 04 Pt of NW 1/3 of N ½ Acres .29), Blanco, Texas 78606, (Owner: Dustin L. Culak and Luz Vianey Gonzalez). -- **NO COMMENTS**

Proclamations:

- Mayor Arnold shared the First Responders Proclamation.

Staff Presentations:

- City Hall, Warren Escovy, City Administrator shared an update on the TxDOT relief route 281, the Mayor has met with TxDOT, discussing option and meeting their relief route team. Three budget workshops are planned to review next year's budget. The first one was today and the next one will be held on June 27 at 4:30 pm. Pavement restoration, 5-6% remaining, should be completed next week. Lavender Fest was hot but successful.
- Police Department, Chief Rubin presented the May Monthly Report. Chief spoke saying arrests, calls for service, and traffic enforcement were all up. Lavender Fest went well, one domestic disturbance call on Thursday at Old 300 (parking lot).

Consent Agenda: *The following items may be acted upon in one motion.* No separate discussion or action is necessary unless requested by the Mayor or a Council Member, in which those items will be pulled for separate consideration.

1. Approval of Minutes from the May 16, 2023, Special Meeting.

Amendments to Minutes:

NB #1, page 3, note that Mayor Pro-Tem Thraikill abstained from the vote.

OB #2, page 3, change "we *anticipate* modification" to "we **require** modification".

A motion was made by Mayor Pro-Tem Thraikill to approve the consent agenda item 1 as amended above, seconded by Council Member Smith, all in favor, motion carried unanimously.

New Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion, and Take Possible Action on Approval of New Short-Term Rental permit, La Casita at 850 Cherry Street (Traweek, Lot 04 Pt of NW 1/3 of N 1/2 Acres .29), Blanco, Texas 78606, (Owner: Dustin L. Culak and Luz Vianey Gonzalez). P&Z commission. Planning & Zoning Commission reviewed and recommends approval of this short-term rental permit. **A motion was made by Council Member McClellan to approve the new short-term rental permit, La Casita at 850 Cherry Street, seconded by Council Member Moses, all in favor, motion carried unanimously.**
2. Consideration, Discussion, and Take Possible Action on Violation of Dark Skies Ordinance, Upgrades on the Exterior Lighting done by PEC, (Council Member Smith). Attorney Tuggey asked for this item to be tabled for the next month. He has been speaking with general council and PEC is hearing about this from a lot of towns. Details to come in the near future, PEC may be rolling out new plan. Yett Park has a bright light that needs to be adjusted, recommend downward lighting. **A motion was made by Council Member Smith to table item, seconded by Council Member Moses, all in favor, motion carried unanimously.**
3. Consideration, Discussion, and Take Possible Action on Approval of Change Order 012 to the Water Treatment Plant Contract to Include removal and replacement of the existing 1" force main and replace it with a 2" force main that will discharge the waste into the City's wastewater collection system. This Change Order will Increase the Contract by \$66,364.23 and add 21 Days to the Completion of the Project (Ardurra, City Engineer). Part of the WTP improvements project included replacing the grinder pumps at the sludge pump station and installing a 2" force main to connect to the existing 1" force main. This Change Order is to remove and replace the existing 1" force main and replace it with a 2" force main.

Warren Escovy explained the three water treatment plant change orders. He recommended tabling these items for further research. Mayor wants to rethink these change orders. Byron, city engineer with Ardurra met with the Mayor last week and agrees to look into other options. **A motion was made by Council Member Moses to table item for future investigation of other options, seconded by Council Member Smith, all in favor, motion carried unanimously.**

4. Consideration, Discussion, and Take Possible Action on Approval of Change Order 013 to the Water Treatment Plant Contract to Include replacement of inadequate bentonite dosing system. This Change Order will Increase the Contract by \$51,102.94 and add 140 Days to the Completion of the Project (Ardurra, City Engineer). Mayor asked if there are other options to avoid Bentonite dosing. Byron, city engineer with Ardurra said this was approved through TCEQ. Old system was salvaged and stored off site. When they went to reinstall the old system, it was found to be in disrepair. The council discussed and questioned the 140 day time period. This is the lead time to obtain materials from the vendor. Plant is inoperable at this time. Old system is not usable as it is 30-40 years old. This Change Order was issued in March, why the delay in bringing to council?. Engineer packaged multiple change orders into one. Will need to go back to TCEQ for this change order and that will take 4-6 months. Any other vendors to speed this process up? No, single source provider. Tuggey suggested you approve this item without the 140 days. **Council Member Smith requested this item be moved to executive session for further discussion.**
5. Consideration, Discussion, and Take Possible Action on Approval of Change Order 014 to the Water Treatment Plant Contract to Include overage from original allowance of PEC electrical service. This Change Order will Increase the Contract by \$17,630.60 and add 57 Days to the Completion of the Project (Ardurra, City Engineer). Byron said the project's original allowance for PEC electrical service was \$10,000. The total cost for the new PEC electrical service for the project was \$27,630.60. There was a \$17,630.60 overage and was captured on pay application 19 on 08/31/2022. **A motion was made by Council Member Smith to approve Change Order 014. Mayor Arnold questioned the 57 days. Council Member Smith asked to move this item to executive session.**
6. Consideration, Discussion, and Take Possible Action on approval of Planning & Zoning Commissioners (term is July 1, 2023 to June 30, 2025--- 2 year term). Warren Escovy, City Administrator said the Planning & Zoning Commission met and reviewed all new applications. They recommend the approval of Candy Cargill and Cathleen Inman's applications. Council suggested they support P&Z's recommendations. **A motion was made by Mayor Pro-Tem Thrailkill to approve the current five commissions (Brandon Carlson, Lynn DeVincenzo, Marissa Mensik, Julie Alexander-Shacklett, and Andrew Forsberg), plus Candy Cargill, and Cathleen Inman, seconded by Council Member Moses, all in favor, motion carried unanimously.**
7. Consideration, Discussion, and Take Possible Action on approval of Blanco Historic Preservation Commissioners (term is July 1, 2023 to June 30, 2025--- 2 year term). Laurie Cassidy, City Secretary said the current Historic Preservation Commissioners are Hollis Boatright, William B. Cox, Pamela P. Capps, Gail McClellan, and Maria Mathis-Kruser, with one vacancy. Mayor Pro-Tem Thrailkill spoke about the confusion on the terms. The existing Historic Commissioners were each voted on by their peers to remain on the Commission. They also voted to recommend Jacqueline Milford-Flores as the sixth commission for the next two year term. Council Member Moses agreed there was some confusion. Per the UDC there are guidelines for the selection process.

A motion was made by Mayor Pro-Tem Thraikill to accept the Historic Commission recommendations, seconded by Council Member Moses, all in favor, motion carried unanimously.

8. Approval of CIAMAC Appointment to Fill Vacancy (Mayor Pro-Tem Thraikill). Mayor Pro-Tem Thraikill explained that we lost member Heinz Roesch who was the representative from the Planning & Zoning Commission therefore he is recommending his replacement from P&Z be Brandon Carlson, who is a valued member of the business community. **A motion was made by Mayor Pro-Tem Thraikill to ratify the list of CIAMAC committee members to include Brandon Carlson, seconded by Council Member McClellan, motion carried 4-1 with Council Member Moses opposed.**
9. Consideration, Discussion, and Take Possible Action on Authorization of City Administrator to go out for RFQ for City Attorney. Warren Escovy, City Administrator explained Council entered into agreement with current attorney Tuggey in December 2021. His current base rate is \$200 per hour. The basis that Council should consider when determining whether to go out for RFQ for a new attorney would be as follows: 1) accuracy of information provided which would include promptness, 2) relationship with council and staff, 3) integrity, honesty, and willingness to be helpful, and 4) cost of services. The administration recommends Council review the following three options and make a decision. 1) authorize city administrator to go out for RFQ for city attorney services, 2) don't authorize city administrator to go out for RFQ, or 3) authorize city administrator to negotiate a new contract with the city attorney lowering the base fee and looking at other cost savings. Council discussed the three options in detail. **A motion was made by Mayor Pro-Tem Thraikill to Not go out for RFQ for City Attorney, but to empower the City Administrator to reevaluate the City Attorney's fees and report back to council, seconded by Council Member McClellan, motion carried 4-1 with Council Member Moses opposed.**
10. Consideration, Discussion, and Take Possible Action on Authorization of City Administrator to go out for RFQ for IT Services. Warren Escovy, City Administrator, spoke, saying our IT services are adequate but by going out for RFQ we could look at ways to improve service, lower costs and provide better value for IT services. Staff recommends that the Council authorize the City Administrator to go out for RFQ for computer maintenance, server maintenance and IT support services. **A motion was made by Council Member Moses to authorize the City Administrator to go out for RFQ for IT Services, seconded by Council Member Swinson, all in favor, motion carried unanimously.**
11. Consideration, Discussion, and Take Possible Action on Amending Signer Dual Authorization between the City of Blanco and Texas Regional Bank. (Warren Escovy, City Administrator). Mayor Arnold shared that during the paperwork transition process for new signers it was discovered that we need to establish some better safeguards with our bank accounts. Any signer can currently withdraw any amount of money from current accounts. Past council/staff updates were not made by the bank. Sasha Ricks, Finance Director spoke with our bank regarding a couple of ways in which we can resolve these issues The first option is to utilize Positive Pay to authorize check verification. There is no additional fee for this service This involves finance sending a list of authorized payments to the bank that they can cross reference to clear each check written. Second option is a dual signer agreement, note on bank to notify bank management and city if someone tries to do a single signer transaction or transfer.

A motion was made by Council Member Smith to authorize our accounting department to add safe guard addendum to all bank accounts to require two signatures/approvals on any transaction at the bank level to guard online banking, to implement positive pay as discussed, and to authorize our City Administrator to look into possibility of bonding all signers, seconded by Council Member McClellan, all in favor, motion carried unanimously.

Warren requested Old Business item #1 be moved as next item.

1. Consideration, Discussion, and Take Possible Action on Approval of Contract between the City of Blanco and Texas Regional Bank to Secure Interest Rate of 3.15% on all Accounts Through December 31, 2023. Staff shared that in order to secure a 3.15% rate on our bank account the bank is asking for depository contract commitment until December 31, 2023. Staff's recommendation is to sign contract with Texas Regional Bank and request finance staff to keep only a minimum of \$250,000 at TRB and move the additional funds to Texas Class for further safety and better interest rate through Texas CLASS. **A motion was made by Council Member Moses to approve the depository contract with Texas Regional Bank and keep at least a \$250,000 balance in the account and move remaining funds to Texas CLASS, seconded by Council Member Smith, all in favor, motion carried unanimously.**
12. Consideration, Discussion and Take Possible Action on Preliminary Plan and Program for Relocation of City Hall. Mayor and City Administrator shared idea of moving city hall from its current location off the square to the old fire station two blocks off the Blanco historic square. Possible benefits of the move would allow the current location(s) to be rented to a business that could bring in retail sales tax. It would also allow for a new location that would have better parking and combine larger meeting spaces, more office space and possible additional rental space. Real estate evaluation has been done. The council discussed pros and cons. **A motion was made by Council Member Smith to continue to review our options for locations for City Hall provided we don't impact our current budget, seconded by Council Member Moses, all in favor, motion carried unanimously.**
13. Consideration, Discussion and Take Possible Action on Status and Program for Town Creek Stabilization Project. Tim Tuggey, City Attorney spoke requested guidance from council. A few months ago, per council request, a letter of interest was submitted to the Corp of Engineers. Council discussed. **A motion was made by Council Member Moses, to obtain pricing to update the engineering study plan, pursue funding, continue with the Corp of Engineers, outside of RFP, seconded by Council Member Smith, all in favor, motion carried unanimously.**
14. Consideration, Discussion and Take Possible Action on Amendments to City of Blanco Code of Ordinances Section 2.10.001 Meeting Rules of Conduct and Decorum and Section 2.10.002 Opening invocations before meetings (Council Member Moses). Council Member Moses said the goal is to update the invocation ordinance and meeting rules of conduct. Council discussed. **A motion was made by Council Member Moses to approve the redline amendments to the City of Blanco Code of Ordinance Section 2.10.002 Opening Invocation Before Meetings, as amended and replace *member of the clergy* with *eligible faith leader*, seconded by Council Member McClellan, motion passed 4-1 with Council Member Swinson opposed.**

Council Member Moses spoke about the current Code of Ordinances Section 2.10.001 Meeting Rules of Conduct and Decorum saying he believes the current ordinance violates the citizens first amendment rights. The council discussed the proposed revisions. **A motion was made by Council Member Moses to approve the redline changes to the City of Blanco code of ordinances section 2.10.001 meeting rules of conduct and decorum, which most importantly include removing the word *Council* from item number seven, seconded by Mayor Pro-Tem Thraikill, all in favor, motion carried unanimously.**

15. Consideration, Discussion and Take Possible Action to Approve Preparation and Program for Preliminary Analysis of Designated Infrastructure Projects. Mayor Arnold spoke with OJ Armstrong, CIAMAC committee chair who has been working with the Ardurra, the city engineer. Byron with Ardurra said they are currently getting assessment in order to create a capital improvement project (CIP) to identify segment(s) of roadway (9th Street from Elm Street to Greenlawn) and initiate a plan to assess the costs associated with each infrastructure project (water, sewer, paving) segment for the selected roadway. This would consist of developing a 20 or 30 year plan depending on funding. Total projected cost \$1.9 million. Council discussed. **A motion was made by Council Member Smith to approve the preparation and program to begin preliminary analysis of designated project and public workshop, seconded by Council Member Moses, all in favor, motion carried unanimously.**
16. Consideration, Discussion and Take Possible Action on Possible Formation, Organization and Operation of Ad Hoc or Regular City Committee(s) for Financial Transparency and Security, or other Committees (Council Member Smith). – **Mayor Arnold asked to move the item to executive session.**

Old Business: Consider, discuss, and take appropriate action on the following:

2. Consideration, Discussion, and Take Possible Action on Vapor Genius dba The Hill Country Vape & Smoke Appeal of Administrative Denial of Exterior Signage Plan. – **Mayor Arnold asked to move the item to executive session.**

Closed the regular meeting at 8:54 pm and convened into executive session.

Executive Session in accordance with Texas Government Code: in accordance with the authority contained in the Texas Government Code, Sections 551.071, 551.072, and 551.074.

1. Texas Government Code Sections 551.071 (Consultation with City Attorney), 551.072 (Real Estate) and Section 1.05, Texas Disciplinary Rules of Professional Conduct; Confer with City Attorney regarding Real Estate Properties at 3401 S. US Highway 281 and 503 Pecan Street, Blanco, Texas 78606.
2. Texas Government Code Sections 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct; Confer with City Attorney regarding Possible Formation, Organization and Operation of Ad Hoc or Regular City Committee(s) for Financial Transparency and Security, or other Committees.
3. Texas Government Code Sections 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct; Confer with City Attorney regarding Vapor Genius dba The Hill Country Vape & Smoke Appeal of Administrative Denial of Exterior Signage Plan.

4. Texas Government Code Sections 551.071 (Consultation with City Attorney), 551.072 (Real Estate) and Section 1.05, Texas Disciplinary Rules of Professional Conduct; Confer with City Attorney regarding Pharr Paradise Utility Easement Agreement.
5. Texas Government Code Section 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct. Confer with City Attorney regarding legal issues associated with the Water Treatment Plant Project; Bids, Contract. Award, and Notice to Proceed.
6. Texas Government Code Section 551.071 (Consultation with City Attorney), and Section 1.05, Texas Disciplinary Rules of Professional Conduct; Confer with City Attorney regarding TCEQ TPDES Permit and related issues.

Closed executive session at 10:16 pm and convened into regular meeting.


Items 1-6: No Action Taken

Adjournment:

A motion was made by Council Member Moses to adjourn the meeting, seconded by Council Member Smith, all in favor.

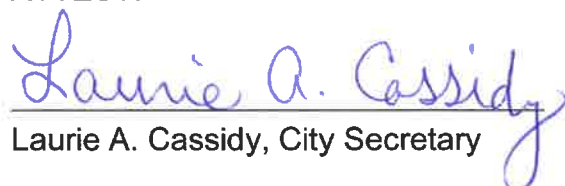
The meeting was adjourned at 10:18 pm.

Respectfully submitted,



Mike Arnold, Mayor

ATTEST:



Laurie A. Cassidy, City Secretary

These minutes were approved on the 11th day of July, 2023.

