



MEETING OF THE TEMPLE CITY COUNCIL

August 01, 2024

PRESENT

Mayor Timothy Davis
Mayor Pro Tem Jessica Walker
Councilmember Zoe Grant
Councilmember Susan Long
Councilmember Michael Pilkington

I. CALL TO ORDER

1. Invocation

Deputy City Secretary Liz Caraway voiced the Invocation.

2. Pledge of Allegiance

City Secretary Jana Lewellen led the Pledge of Allegiance.

II. PUBLIC COMMENTS

Citizens who desire to address the Council on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to three minutes. No discussion or final action will be taken by the City Council.

None.

III. SPECIAL RECOGNITIONS

3. Present 2024 TMCA Municipal Clerk's Office Achievement of Excellence Award to the Office of the City Secretary.

4. Present 2024 Texas Municipal Clerk's Central Texas Chapter Clerk of the Year Award to City Secretary Jana Lewellen.

Waco City Secretary Michelle Hicks and Belton City Clerk Amy Casey presented the 2024 TMCA Municipal Clerk's Office Achievement of Excellence Award to the Office of the City Secretary and presented the 2024 Texas Municipal Clerk's Central Texas Chapter Clerk of the Year Award to City Secretary Jana Lewellen.

IV. **BUDGET ITEMS**

5. 2024-0196-R Discuss proposed tax rate and:
 - (A) Consider adopting a resolution setting a proposed tax rate of \$0.6267;
 - (B) Consider adopting a resolution scheduling the public hearing on the proposed tax rate for 10:00 a.m. on August 22, 2024; and
 - (C) Consider adopting a resolution scheduling the adoption of the tax rate for 10:00 a.m. on August 22, 2024.

Moved by Susan Long, seconded by Jessica Walker
Approve Discuss proposed tax rate and:

- (A) Consider adopting a resolution setting a proposed tax rate of \$0.6267;
- (B) Consider adopting a resolution scheduling the public hearing on the proposed tax rate for 10:00 a.m. on August 22, 2024; and
- (C) Consider adopting a resolution scheduling the adoption of the tax rate for 10:00 a.m. on August 22, 2024.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Director of Finance Traci Barnard presented this item and provided a brief overview of the budget and tax rate adoption process, the FY2025 proposed budget calendar, the FY2025 tax rate and calculation and a tax rate summary from the last ten fiscal years.

V. **CONSENT AGENDA**

All items listed under this section, Consent Agenda, are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda at the request of any Councilmember and will be considered separately.

6. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington **Against:** 0 – **Final Result:** Pass

Minutes

(A) July 18, 2024 Employee Benefits Trust Meeting Minutes

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

(B) July 18, 2024 Regular Meeting Minutes.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

Contracts, Leases, & Bids

(C) 2024-0213-R Consider adopting a resolution authorizing the purchase of a chassis and body recondition from Industrial Power Truck & Equipment of Fort Worth in the estimated amount of \$363,905.70, as well as declare an official intent to reimburse the expenditures with the issuance of 2024 Limited Tax Notes.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

(D) 2024-0214-R Consider adopting a resolution authorizing the purchase of furniture for the Nathaniel Mitchell Service Center Building A project from Perry Office Plus of Temple in the estimated amount of \$300,000.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (E) 2024-0215-R Consider adopting a resolution authorizing the purchase of solar pedestrian lighting along S. 31st Street from Fonroche Lighting America of Forest Hill, Texas, in the amount of \$70,100.

Moved by Michael Pilkington, seconded by Zoe Grant
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (F) 2024-0216-R Consider adopting a resolution authorizing a services agreement with INRI, LLC of Kingwood for pavement marking services at the Airport in the estimated amount of \$61,682.12.

Moved by Michael Pilkington, seconded by Zoe Grant
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (G) 2024-0217-R Consider adopting a resolution authorizing an Interlocal Agreement with the Temple Independent School District to provide standby emergency medical services at varsity home football games for the 2024 football season.

Moved by Michael Pilkington, seconded by Zoe Grant
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (H) 2024-0218-R Consider adopting a resolution authorizing an increase of \$53,266 to the estimated annual expenditure for construction material testing allocated under the FY 2024

services agreement with Langerman Engineering Company, LLC of Waco, related to the Synergy Park – Lorraine Avenue Street and Utility Improvements project.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (I) 2024-0219-R Consider adopting a resolution authorizing contract amendment #3 to the professional services agreement with Kasberg, Patrick, & Associates, LP of Temple for bidding and construction phase services for the Synergy Park Improvements – Lorraine Avenue and Utilities Extension project in the estimated amount of \$271,700.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (J) 2024-0220-R Consider adopting a resolution authorizing a construction contract with Emerson Construction Company, Inc. of Temple for the construction of Synergy Park – Lorraine Avenue and Utility Improvements in the estimated amount of \$3,554,283.

Moved by Jessica Walker, seconded by Susan Long

Approve Consider adopting a resolution authorizing a construction contract with Emerson Construction Company, Inc. of Temple for the construction of Synergy Park – Lorraine Avenue and Utility Improvements in the estimated amount of \$3,554,283.

For: 4 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long

Against: 0 – **Final Result:** Pass

- (K) 2024-0221-R Consider adopting a resolution authorizing contract amendment #2 to the professional services agreement with Kasberg, Patrick and Associates, LP for design services related to the Avenue D Connections and Alleys Schematic and Final Design project in the estimated amount of \$68,900.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael

Pilkington

Against: 0 – Final Result: Pass

- (L) 2024-0222-R Consider adopting a resolution authorizing a construction contract with Clark Roofing and Construction of Waco for the replacement of the Fire Station #7 roof and exterior facade elements in the estimated amount of \$213,584.17.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael

Pilkington

Against: 0 – Final Result: Pass

- (M) 2024-0223-R Consider adopting a resolution authorizing change order #1 to the construction contract with Viking Construction of Georgetown, for pavement preservation services for the FY 2024 Overlay Program, in the deductive amount of \$89,086.17.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael

Pilkington

Against: 0 – Final Result: Pass

- (N) 2024-0224-R Consider adopting a resolution authorizing change order #5 to the construction contract with R. T. Schneider Construction Company, Ltd of Belton for the Downtown City Center, Phase 2 project in the estimated amount of \$302,377.50.

Moved by Susan Long, seconded by Jessica Walker

Approve Consider adopting a resolution authorizing change order #5 to the construction contract with R. T. Schneider Construction Company, Ltd of Belton for the Downtown City Center, Phase 2 project in the estimated amount of \$302,377.50.

For: 4 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long

Against: 0 – Final Result: Pass

- (O) 2024-0225-R Consider adopting a resolution authorizing contract amendment #1 to the services agreement with D&J Enterprises, Inc. of Auburn, Alabama, for debris removal services in the estimated amount of \$1,735,355.

Moved by Michael Pilkington, seconded by Zoe Grant

Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (P) 2024-0226-R Consider adopting a resolution authorizing the First Amendment to the wrecker service contract with Cen-Tex Wrecker Association, LLC of Temple, to extend the contract period through August 31, 2025.

Moved by Michael Pilkington, seconded by Zoe Grant
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (Q) 2024-0227-R Consider adopting a resolution authorizing a contract with Brockway, Gersbach, Franklin, and Niemeier, P.C. to perform the annual City of Temple audit in the estimated amount of \$104,700.

Moved by Michael Pilkington, seconded by Zoe Grant
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Ordinances - Second & Final Reading

- (R) 2024-0034-O SECOND & FINAL READING: Consider adopting an ordinance approving the Temple Parks & Recreation Department's Youth Programs Standards of Care and approving the 2024 – 2025 annual report.

Moved by Michael Pilkington, seconded by Zoe Grant
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Misc

- (S) 2024-0228-R Consider adopting a resolution authorizing budget amendments for fiscal year 2023-2024.

Moved by Michael Pilkington, seconded by Zoe Grant
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following: **For:** 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

VI. REGULAR AGENDA

Ordinances

7. 2024-0035-O FIRST READING – PUBLIC HEARING – FY-24-29-ZC: Consider adopting an ordinance approving a Conditional Use Permit (CUP) to allow a recreational vehicle (RV) park on approximately 30.9 acres of a 74.3 +/- acre property, located in the Maximo Moreno Survey, Abstract No. 14, in the City of Temple, TX, addressed as 16801 and 16803 NE H.K. Dodgen Loop.

Councilmember Grant made a motion to approve a Conditional Use Permit (CUP) to allow a recreational vehicle (RV) park on approximately 30.9 acres of a 74.3 +/- acre property, located in the Maximo Moreno Survey, Abstract No. 14, in the City of Temple, TX, addressed as 16801 and 16803 NE H.K. Dodgen Loop to include the addition of an acceleration and deceleration lane unless TxDOT does not allow.

Councilmember Mike Pilkington amended the motion to include the addition of an all-weather emergency lane. Councilmember Long seconded this amendment.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington **Against:** 0 – **Final Result:** Pass

Councilmember Grant made a motion to approve the amendment requiring an acceleration and deceleration lane unless TxDOT does not allow and an all-weather emergency lane. Mayor Pro Tem Walker seconded this motion.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington **Against:** 0 – **Final Result:** Pass

Senior Planner Jason Deckman presented this item and stated the applicant is proposing to develop approximately 30.9 +/- acres of this property for a recreational vehicle park. Currently, the property is undeveloped and zoned Agricultural, and the site is set back from the NE HK Dodgen Loop, along Elm Creek. Mr. Deckman stated the proposed park would offer 150 pad sites for different classes of vehicles – either towed trailers or drivable models. Mr. Deckman stated the site plan shows a new segment of Middle Road to be constructed with this project, that would provide access to NE HK Dodgen Loop. Mr. Deckman stated Chapter 31 prohibits permanent occupancy, and guests will be limited to stays of no more than six months. Mr. Deckman stated 5 notices

were mailed to surrounding property owners and as of this meeting, 1 notice in disagreement was returned. Mr. Deckman stated on July 15th, 2024, the Planning & Zoning Commission recommended approval by a vote of 7 to 0, with the added condition requiring a six-foot fence around the RV park and an eight-foot perimeter fence around the septic and drainage areas. Mr. Deckman stated staff recommends approval of the requested Conditional Use Permit (CUP) to allow a recreational vehicle (RV) park on 30.9 +/- acres, with a site plan shown as Exhibit A, and subject to the following conditions:

1. Requiring compliance with the Code of Ordinances, Chapter 31 - Recreational Vehicle Parks.
2. Requiring compliance with the Site Plan attached to this ordinance as Exhibit A.
3. Requiring approval of a subdivision plat, including but not limited to review of on-site septic designs, drainage and detention plans, traffic circulation, and applicable fire code.
4. Requiring a note to be added to the subdivision plat referencing this ordinance.
5. Requiring construction of an alternate design (minimum 41 feet at back-of-curb) for the connection to Middle Road shown as Drive E on the Site Plan, per the Subdivision Entrance Standards.
6. Requiring a minimum six-foot sidewalk along one side of Middle Road.
7. Requiring a floor plan for the clubhouse showing compliance with Chapter 31 to be submitted with the building permits.
8. Minor variations to the site plan required due to topography, drainage, or other factors may be approved by the Director of Planning and Development during review of building permits.
9. Significant modifications to the site plan will be subject to review and approval by the Planning & Zoning Commission and City Council.
- 10 Requiring a 6-foot internal fence around the RV park and an 8-foot perimeter fence around the septic and/or drainage areas shown on the site plan.

Mayor Davis opened the Public Hearing. Marie Beebe, Susan Bradford and Alan Lytle voiced concerns regarding traffic safety, crime, proximity to existing school, length of stay allowed, lack of acceleration and deceleration lanes along the proposed entrance and inadequate detention and retention ponds on the proposed site. Lina Chtay with Belton Engineering spoke on behalf of the applicant and stated the proposed RV park will be an upscale RV resort only allowing specific class of motorhomes to make reservations and will adhere to the 6 month maximum stay as required in Temple's UDC. Ms. Chtay also stated there were ongoing discussions with TxDOT regarding the acceleration and deceleration lanes and respectfully requested approval. After no additional comments or questions, the Public Hearing was closed. Council discussed enforcement regarding the length of stay, the need for acceleration and deceleration lanes, types of fencing and a secondary access road.

8. 2024-0036-O FIRST READING - PUBLIC HEARING – FY-24-4-ANX: Consider adopting an ordinance authorizing the voluntary annexation of 80.40 +/- acres of land situated in the Stephen Frazier Survey, Abstract No. 311 and the Stephen Frazier Survey, Abstract No. 329, in the City of Temple's south Extra-Territorial Jurisdiction (ETJ) generally located

south of FM 93 and west of Witter Lane identified as all, or portions, of Bell County Tax Appraisal Numbers 148512 and 79023 and addressed as 7948 & 8198 Witter Lane.

Moved by Susan Long, seconded by Michael Pilkington

Approve FIRST READING - PUBLIC HEARING – FY-24-4-ANX: Consider adopting an ordinance authorizing the voluntary annexation of 80.40 +/- acres of land situated in the Stephen Frazier Survey, Abstract No. 311 and the Stephen Frazier Survey, Abstract No. 329, in the City of Temple's south Extra-Territorial Jurisdiction (ETJ) generally located south of FM 93 and west of Witter Lane identified as all, or portions, of Bell County Tax Appraisal Numbers 148512 and 79023 and addressed as 7948 & 8198 Witter Lane.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

Senior Planner Shelby Smith presented this item and stated on March 13, 2024, a written request for voluntary annexation from property located at 7948 & 8198 Witter Lane. Ms. Smith stated prior to annexing an area of land, the City must offer the property owner a development agreement if the area would be eligible for an agreement under LGC Chapter 212, Subchapter G and appraised for ad valorem tax purposes as land for agricultural use, wildlife management use, or timber use pursuant to Texas Tax Code Chapter 23. The property owner was offered and rejected the offer for a development agreement on March 18, 2024. Ms. Smith stated the City and property owner have entered into written agreement for the provision of municipal services in the area. Before offering the proposed municipal services agreement to the property owner, the proposed agreement was circulated to all relevant City Departments to determine the services that would be provided on the effective date of the annexation, such as fire, police, solid waste disposal and code enforcement. No issues were identified by any of the reviewing departments. The property owner accepted the proposed agreement. The City is not required to provide a service that is not included in the agreement. The agreement was offered on April 24, 2024. Ms. Smith stated LGC § 43.0673 requires that the City hold one public hearing prior to adopting an ordinance annexing an area on the written request of a landowner. The City's Charter requires a second reading to adopt the annexation ordinance. The second reading will be held on August 15, 2024.

Mayor Davis opened the Public Hearing. Alan Lytle noted the additional traffic and city services if approved. After no additional comments or questions, the Public Hearing was closed.



Timothy A. Davis, Mayor

ATTEST:

A handwritten signature in blue ink that reads "Jana Lewellen". The signature is written in a cursive, flowing style.

Jana Lewellen, City Secretary, TRMC, CMC