

THE LEVELLAND CITY COUNCIL MET IN A REGULAR MEETING ON MONDAY, THE 9<sup>th</sup> DAY OF JANUARY 2023, AT LEVELLAND CITY HALL, R. O. DENNIS COUNCIL CHAMBERS, 1709 AVENUE H, WITH THE FOLLOWING MEMBERS PRESENT:

Barbra Pinner	Honorable Mayor	Present
Jim Myatt	Council Member	Present
Mary Engledow	Council Member	Present
Breann Buxkemper	Mayor Pro Tem	Present
Michael Stueart	Council Member	Present
Matt Wade	City Attorney	Present
Brandon Anderson	City Manager	Present
Andréa Corley	City Secretary	Present

The meeting was called to order at 5:02pm.

The Pledge was led by Mayor Barbra Pinner and the Invocation was given by Council Member Jim Myatt.

*Statements by Citizens:*

There were no statements by citizens.

**FIRST ITEM OF BUSINESS:**

*Consider and take necessary action to approve the minutes of the December 19, 2022, regular meeting.*

Motion by Breann Buxkemper

Seconded by Michael Stueart

To approve the minutes of the December 19, 2022, regular meeting.

Motion carried unanimously.

**SECOND ITEM OF BUSINESS:**

Administer the Oath of Office to Municipal Court Judge.

City Secretary Andréa Corley administered the Oath of Office to newly appointed Municipal Court Judge Shawn Wilson.

No Action Taken.

**THIRD ITEM OF BUSINESS:**

*Consider and take necessary action on Resolution No. 2023-01 to order and establish procedure for the May 6, 2023, City of Levelland Uniform General Election.*

The City of Levelland general election date will be Saturday, May 6, 2023.

Resolution No. 2023-01 calls for a General Election for the election for one Council member from District B and one from District D.

The resolution addresses the filing dates for the candidates, early voting, designated polling place, dates and times.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Resolution 2023-01 to order and establish procedure for the May 6, 2023, City of Levelland Uniform General Election

Motion carried unanimously.

#### **FOURTH ITEM OF BUSINESS:**

*Consider and take necessary action to approve Ordinance No. 1068 calling for an election for the reauthorization of a one-fourth of one percent sales and use tax to continue providing revenue for maintenance and repair of municipal streets pursuant to Texas Tax Code Chapter 327.*

In May of 2007, Levelland voters approved a one quarter percent increase in the sales tax to be used for street maintenance. The Street Maintenance Sales Tax was created by the Texas legislature in 2001 to provide cities an additional source of revenue to pay for street maintenance. As long as it is within the 2 percent local limit, cities may adopt a one-eighth or one-quarter percent sales tax to be used for street maintenance. In 2007 Levelland voters adopted a one-quarter Street Maintenance Sales Tax in order to help keep property taxes down as the City took on additional debt to pay for the reconstruction of Alamo Road and Ellis Street to serve the two new campuses that LISD had constructed on Alamo Road and Ellis Street.

This particular sales tax, unlike the other sales taxes the City collects, must be authorized by the voters every four (4) years. Once passed the sales tax is only good for four years then it expires. But on the positive side, each time the tax is set to expire the voters can reauthorize it for another four years. In May 2019 our local voters reauthorized the one-quarter percent Street Maintenance Sales Tax with 91.90% voting for it. It has nearly been four years since that reauthorization and unless it is reauthorized by the voters the tax will expire at the end of October of this year.

Last year the one-quarter cent Street Maintenance Sales Tax generated \$566,905 which was used for seal coat and other street maintenance activities. The total Street Department budget

is approximately \$900K in years where we perform seal coat maintenance (it is approximately \$600K this year with no seal coat budgeted). If this revenue is lost, the property tax rate would need to be increased approximately \$.095 or about 18%, to make up this revenue loss. In addition, we must remember that with property taxes, property owners would be paying all the property taxes. With a sales tax, however, much of it is paid by visitors that come to Levelland and does not fall strictly on the local taxpayer. It makes economic sense to keep the Street Maintenance Sales Tax so that our visitors, who also use our streets, are helping to maintain them which reduces the burden of the local taxpayer.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Ordinance No. 1068 calling for an election for the reauthorization of a one-fourth of one percent sales and use tax to continue providing revenue for maintenance and repair of municipal streets pursuant to Texas Tax Code Chapter 327 on a first reading.

Motion carried unanimously.

#### **FIFTH ITEM OF BUSINESS:**

*Consider and take necessary action to allocate funding for the Levelland Main Street Façade Grant Program.*

In 2020 the City Council increased our Chapter 380 façade grant tool to allow for reimbursement of downtown investment by building owners, to “up-to” \$2,000 in reimbursable funds. It is an application process, by which there are no guarantees to the applicants until the grants have been submitted and approved by the Main Street Board and The Levelland City Council.

2020 – five applications approved; four reimbursements given – Totaling: \$6,600.00

- Atchison’s Jewelry and Gifts - \$600.00
- Bill Ashley State Farm - \$2,000.00
- Billy Price Furniture Mini-Mall - \$2,000.00
- Phil and Anna Ricker Properties:
  - \*706 Ave H – \$2,000.00
  - \*708 Ave H – work not completed; no money awarded

2021 – six applications approved: four reimbursements given – Totaling: \$7,957.98

- Wild West Salon - \$1,957.98
- Lou Dee’s Floral & Gifts - \$2,000.00
- T & S Antique and Craft Mall - \$2,000.00
- Out of This World, LLC - \$2,000.00

The council had agreed to fund up to \$10,000.00 in 2020 and \$11,535.19 in 2021. Since only, \$14,557.98 was reimbursed of the \$21,535.19 approved, we are coming to you to ask you to fund up to \$12,000 in façade grants for 2022-2023.

Once the board has reviewed the applications and made their recommendations, these will come back to City Council for final approval.

Motion by Michael Stueart

Seconded by Mary Engledow

To approve requests for initial funding under the Main Street Façade Grant Program as recommended by the Levelland Main Street Advisory Board.

Motion carried unanimously.

**SIXTH ITEM OF BUSINESS:**

*Consider and take necessary action on requests for transfer of ownership of the gazebo from the Levelland Chamber of Commerce to the Levelland Main Street Program.*

In November of 2022, the Levelland Chamber of Commerce Board of Directors, voted to approve the transfer of ownership of the gazebo to the Levelland Main Street Program.

Pursuant to a prior conversation between the Chamber Director and the Main Street Manager, it was posed that for the convenience of citizens using the gazebo, and the frequency of Main Street use for downtown events and promotions, this action would make things more streamlined. Currently the chamber uses the gazebo for one event per year, which the City and Main Street would continue to work with them on and the Main Street Program uses it monthly.

Motion by Breann Buxkemper

Seconded by Michael Stueart

To approve a request for transfer of the gazebo from the Levelland Chamber of Commerce to the Levelland Main Street Program.

Motion carried unanimously.

**SEVENTH ITEM OF BUSINESS:**

*Consider and take necessary action on the Levelland Community Development Corporation Fiscal Year 2022-2023 Park Projects.*

In July of 2022, the Levelland Community Development Corporation (LCDC) a Type B sales tax fund approved the funding in the amount of \$45,000 for a new pavilion at LG Griffin Park, and \$30,000 to construct new pavilions at George C Price Park for a total of \$75,000.

Per by-laws, a 60-day waiting period must be in place before any construction can be begin. The approval tonight will begin the mandatory 60-day waiting period and will end March 10,2023. Once the waiting period is over construction can begin on the projects. Staff will get quotes and do their due diligent during the 60-day waiting period to streamline the process and get ahead of any potential delays.

Motion by Breann Buxkemper

Seconded by Michael Stueart

To approve the start of the 60-day waiting period for the 2023 LCDC projects LG Griffin Park Pavilion in the amount of \$45,000, and George C Price Park Pavilions in the amount of \$30,000.

Motion carried unanimously.

**EIGHTH ITEM OF BUSINESS:**

*Consider and take necessary action to approve capital purchase for the Cemetery.*

Last year during budget work sessions a commercial mower for the Parks and Cemetery Department was approved to help keep our properties in excellent shape and keep our mower fleet from aging further. All the Parks and Cemetery Department's small equipment is Kubota for reliability, longevity, and organization of the grounds fleet. Staff recently received a Buyboard quote from Terry County Tractor in the amount of \$17,461.70

<b>TERRY COUNTY TRACTOR</b>	<b>BUYBOARD</b>
KUBOTA 72" SIDE DISCHARGE Z TURN MOWER	\$ 17,461.70

Motion by Michael Stueart

Seconded by Breann Buxkemper

To approve the Buyboard quote from Terry County Tractor out of Brownfield, Tx in the amount of \$17,461.70 for a 72" Kubota Z turn mower.

Motion carried unanimously.

**NINTH ITEM OF BUSINESS:**

*Consider and take necessary action to authorize staff to initiate competitive procurement process for vehicles included in the Enterprise Fund of the FY 2022-2023 Budget.*

Our current budget includes vehicles and equipment which will need to be competitively purchased as required by law. As in the past, the purchase of the equipment is usually spread throughout the fiscal year, but due to procurement lead times, some items may have a limited window to be able to get them here before the fiscal year ends. Accordingly, we need to be prepared to initiate the procurement process in a timely manner. This process does not authorize

the purchase of any vehicles or equipment, but it gives staff the ability to begin the pricing and procurement process. Vehicles included in the budget include:

Water Department:	Pickup Truck (\$35,000)
Wastewater Department:	Pickup Truck (\$35,000)
Sanitation Department:	Pickup Truck (\$42,500)

Bids received will be brought before council so you can make a final selection regarding these purchases

Motion by Breann Buxkemper

Seconded by Jim Myatt

To authorize staff to initiate competitive procurement for vehicles included in the Enterprise Fund of the FY 2022-2023 Budget.

Motion carried unanimously.

**TENTH ITEM OF BUSINESS:**

*Consider and take necessary action on allowing staff to work with Hockley County in accepting bids for the jointly owned ambulance.*

In reaching back out to the Levelland EMS and Pat Vigil, I was advised that their offer was no longer on the table, and they would be stripping the rest of the decals from the City/County Owned unit to give back to us. At this time, I believe it is in our best interest to publicly bid the vehicle out with the concurrence of the County and split the proceeds.

Motion by Michael Stueart

Seconded by Breann Buxkemper

To approve allowing Staff to work with the County to publicly bid out the old ambulance and split the proceeds.

Motion carried unanimously.

There being no further business, the meeting was adjourned at 5:38pm.

Respectfully Submitted,

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Andréa Corley, TRMC  
City Secretary

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Barbra Pinner, Mayor