

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
JANUARY 26, 2016**

The Bastrop City Council met in a Regular Meeting on Tuesday, January 26, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Mayor Pro Tem Willie DeLaRosa, and Council Members Dock Jackson, Gary Schiff, Kay Garcia McAnally and Kelly Gilleland.

CALL TO ORDER

Mayor Kesselus called the meeting to order at 6:30 p.m.

EXECUTIVE SESSION

1. The Bastrop City Council met at 6:33 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq.*, to discuss any or all of the following matters:

A. SECTION 551.071(1)(A) & SECTION 551.071(2) – Consultation with Attorney concerning: (1) potential, pending, threatened or contemplated litigation or claims, including but not limited to: *Pine Forest, et al, v. City, et al, Vandiver v Bastrop BOA; Watson v. City of Bastrop; SOAH* (Administrative Hearing) on *the City's LPGWD pending permit for City Well No. 1*; and/ or matters upon which the attorney has a duty and/or responsibility to report to the governmental body concerning same, and or any other matters posted on the agenda. Pursuant to Section 551.129, which provides that a governmental body may use a telephone conference call to conduct a private consultation in a closed meeting of the governmental body, one or more Attorneys representing the City may/will attend the above-referenced closed, executive session by telephone.

B. SECTION 551.072 – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property;

C. SECTION 551.0-74 – Personnel Matters: CITY MANAGER

2. The Bastrop City Council reconvened at 7:12 p.m. into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

PLEDGE OF ALLEGIANCE

Mike Talbot, City Manager led the Pledge of Allegiance and the Pledge to the Texas Flag.

INVOCATION

Mayor Kesselus gave the Invocation.

PRESENTATIONS

A. Update on TxDOT projects – TxDot Personnel

The presentation on the Highway 71 project was made by Dale and Diane Scholtz.

Questions/Answers

Q. As traffic travel south on Waters Street to College Street is traffic able to go under the overpass?
(Mayor Pro Tem DeLaRosa)

A. From downtown on Waters Street there is a one way frontage road which goes under. (Dale)

Q. Are sidewalks built into the bridges in the new plan? (Mayor Kesselus)

A. The designs have not been started yet but the plan is to have everything with pedestrian accessibility. (Dale)

B. Update on Bastrop Economic Development Corp. – Executive Director Shawn Kirkpatrick

Shawn Kirkpatrick provided the update.

- Bastrop Economic Development Corporation (BEDC) meeting was held earlier on January 11, 2016.
- Elliot Electric Supply provided a presentation regarding their project in the park which should be breaking ground as soon as the permit clears the Planning Department.
- Discussed 903 Main Street, public hearing scheduled for February 22, 2016 the potential disposition of this property.
- The BEDC made two recommendations to the Council regarding the on-site hotel for the Convention Center which were 1) the board could recommend to the Council to look into that or 2) The Council could send that down to BEDC. It was the voice of the board that if Council wanted the BEDC to look at it the Council would give that direction to the BEDC, no action was taken.
- Brief discussion on committees and how the BEDC use committees typically the board chair and board will appoint ADHOC committees related to the specific agenda items

PROCLAMATIONS - NONE**CITIZEN COMMENTS**

Becki Womble – Spoke regarding the promotion of the candidate forums. Gave thanks to the City of Bastrop's IT Department for the great job of live streaming and recording the forums.

Margaret Silbernagel – Spoke to encourage other City employees to get involved in the political process of the City. She asked that Council to pay attention to the citizens and give them what they deserve.

ANNOUNCEMENTS - NONE

- A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally and Dock Jackson - None**

A. CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests.

- A.1 **Consideration, discussion and possible action regarding approval of minutes from Special Workshop of November 17, 2015.**
- A.2 **Approval of Contract for Election Services between Bastrop County Elections Administrator and the City of Bastrop, Texas.**
- A.3 **Approval of a Bastrop County Agreement to Conduct a Joint Election between the City of Bastrop, Bastrop County Water Control and Improvement District No. 2, the Colony Municipal Utility District 1A, the Colony Municipal Utility District 1B, the Colony Municipal Utility District 1C, the Colony Municipal Utility District 1D, the Colony Municipal Utility District 1E, the Colony Municipal Utility District 1F, the Colony Municipal Utility District 1G and the Bastrop Independent School District for the May 7, 2016 Election**
- A.4 **Approval of a resolution calling for and establishing procedure for a General Election in Bastrop, Texas for the May 7, 2016 Election.**
- A.5 **Approval of the Final Plat of Home Place Subdivision being +/-5.098 acres out of the Stephen F. Austin Survey, Abstract No. 2 located on Lovers Lane in the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).**

Mayor Pro Tem DeLaRosa made the motion to approve the Consent Agenda, seconded by Council Member Schiff. The Consent Agenda was approved on a vote of 5-0.

B. PUBLIC HEARINGS, ORDINANCES, & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION

- B.1 **Second reading of an ordinance granting a zone change from SF9, Single Family Residential-9 and A/OS-Agricultural/Open space to PD, Residential Planned Development for approximately 90.91 acres within A11 Bastrop Town Tract, located north of the railroad tracks on the northwest corner of Riverwood/Hawthorne and Carter street within the City limits of Bastrop, Texas as part of the Piney Creek Bend; setting out conditions and establishing an effective date.**

Mayor Pro Tem DeLaRosa made a motion to deny the rezoning request, seconded by Council Member Gilleland.

A substitute motion was made by Council Member Schiff to instruct the developer to go back and reconsider the current plan and to come back to Council with revisions and a better plan than what is being presented, seconded by Council Member Gilleland. The motion was approved on a vote of 4-1. Mayor Pro Tem DeLaRosa voted nay.

Council Member Schiff volunteered to work with the City Manager and the developer to come up with a compromise plan.

Mayor Kesselus recessed the Council meeting at 9:27 p.m.

Mayor Kesselus called the meeting back to order at 9:35 p.m.

D. NEW BUSINESS CONTINUED**D.7 Presentation and Discussion Regarding The Proposed “Public Improvement District” For The XS Ranch Project.**

Presentation was made by Dan Wegmiller, Specialized Public Finance Inc.

B. PUBLIC HEARINGS, ORDINANCES, & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION CONTINUED**B.2 PUBLIC HEARING: Conduct a public hearing to receive citizens input on an amendment to the Zoning Ordinance, Chapter 14, Section 36.2, Zoning Use Charts and A-3, Definitions regulating the movement of existing building(s) structures(s). Adopting a Conditional Use Permit (CUP) process within residential zoning classifications for relocation and rehabilitation of such moved buildings and amend Chapter 3, Building Regulations, Article 3.16.002 and 3.16.006.**

The public hearing was conducted.

B.3 First reading of an ordinance of the City of Bastrop amending the zoning ordinance, Chapter 14, Section 36.2, Zoning Use Charts and A.3 Definitions Regulating the Movement of Existing Building(S)/Structure(S); adopting a conditional use permit process within residential zoning classifications for relocation and rehabilitation of such moved buildings; amending Chapter 3, “Building Regulations” Article 3.16.002 and 3.16.006; providing a severability clause; and providing an effective date.

Council Member Gilleland made the motion to approve the ordinance, seconded by Council Member Schiff. The motion was approved on a 5-0 vote.

C. OLD BUSINESS - NONE**D. NEW BUSINESS CONTINUED****D.8 Review And Discussion Regarding a Presentation by representatives of The 1832 Farmers Markets Regarding the 1832 Farmers Market Located on City Property Adjacent to the Bastrop Convention Center.**

The presentation was made by Erica Bradshaw.

D.1 Consideration, discussion and possible action on renting the property west of Bastrop Convention Center.

This item was withdrawn without objection.

D.2 Discussion regarding presence of three council members on the Bastrop Economic Development Corporation Board.

The discussion was had.

D.3 Consideration, discussion and possible action regarding clarification of appointment for Jimmy Crouch to the Construction Standards Board.

Direction was given to staff to ask Jimmy Crouch to resign from the Construction Standards Board.

- D.4 **First reading of an ordinance of the City Council of the City of Bastrop, Texas, amending Chapter 8 of the City Code, entitled “Offenses & Nuisances,” and revising certain definitions in Section 8.07.001, amending Section 8.07.003 entitled “Carrying in City Building Or Vehicle”, providing for publication; providing a severability clause; and providing an effective date.**

This item was withdrawn without objection.

- D.5 **Discussion on item presented at the January 23rd Council Retreat.**

This item was withdrawn without objection.

- D.6 **Consideration, discussion and possible action regarding items posted for discussion at the January 23, 2016 Council Planning Meeting:**

A. **Baron de Bastrop Video – Stan Ginsel and BEDC**

B. **Best practices for meetings – Katherine Ray**

C. **Council meetings**

D. **City Manager reports and questions:**

- **Water**
- **Waste water**
- **Traffic**
- **Comprehensive plan**
- **Priorities for City Manager and staff**
- **Issues related to the North Area of Town**
- **City Manager’s contract**
- **Staff Restructuring**
- **Volume of Open Meeting and Open Records Requests**
- **Police Department**
- **The Y contract**
- **Ally D and Main Street project**
- **Other outstanding issues and projects**

E. **Prioritized Items**

i. **Bond:**

- **fire station;**
- **street improvements;**
- **infrastructure improvement need for infill development; and**
- **other**

ii. **Possible extension/revision of the Bastrop Marketing Corporation**

iii. **Consideration of creating a Destination Marketing Organization**

iv. **Annexation Issues**

v. **City legal fees and consideration of hiring an in-house attorney**

vi. **Quality of Life Issues**

vii. **Consideration of issues regarding boards and commissions (other than diversity)**

viii. **Open Meetings Act and who gets to say what at Council meetings; Roles & Responsibilities of City Council and Mayor (review charter?)**

ix. **Applications of Rules for new projects and questions of whether we need to change any rules**

x. **Diversity on Boards, Commissions, committees, and task forces**

xi. **Team work between city council and staff**

This item was withdrawn without objection.

EXECUTIVE SESSION

The Bastrop City Council met at 11:30 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, Section 551.072, to discuss the following:

1. **SECTION 551.071(1)(A) & SECTION 551.071(2)** – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to water permits and supply and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda including contracts.

At 11:49 p.m. the Bastrop City Council reconvened into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

NO ACTION WAS TAKEN.

ADJOURNMENT

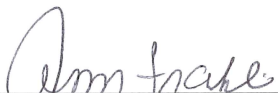
Council Member Schiff made the motion to adjourn at 11:50 p.m., Council Member Jackson seconded the motion which passed on a 4-0 vote. Mayor Pro Tem DeLaRosa was off the dais.

APPROVED:

ATTEST:



Mayor Ken Kesselus



City Secretary Ann Franklin