

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
August 14, 2018**

The Bastrop City Council met in a Regular Meeting on Tuesday, August 14, 2018, at 3:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Ennis, Rogers and Peterson. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney Alan Bojorquez.

CALL TO ORDER

At 3:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

Council Member Jones arrived to the meeting at 5:45 p.m.

The City Council met at 3:33 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

EXECUTIVE SESSION

- 1A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to deliberate and seek legal advice regarding the operation of Hunters Crossing Public Improvement District and Whiteaker, et al v. Forestar Group, Inc. et. al, Cause No. 423-5020, filed in the 423rd Judicial District, Bastrop County, Texas, along with 14 other property owner lawsuits making identical claims against the same 12 named defendants in which the City and the Hunters Crossing Local Government Corporation are listed among the defendants and are currently pending in the Bastrop County district courts.
- 1B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding legal advice related to the July 28th Community Bus Tour with the Planning & Zoning Commission of Capital Improvement Projects/Developments and drainage sites, and the status of evaluating and updating the city's regulatory program, including public comment and citizen input into the new subdivision ordinance, pending revisions to zoning and sign codes, and uniformity of the permitting process, and goals for stormwater plans and improvements.

The Bastrop City Council reconvened at 6:06 p.m. into open (public) session.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION

No action taken.

Mayor Schroeder recessed the Council Meeting AT 6:06 P.M.

Mayor Schroeder called the meeting back to order at 6:30 PM

PLEDGE OF ALLEGIANCE

Madison Rosales, Teania McIntyre, Shay Baldwin, and Maya Baldwin, Junior Police Academy

INVOCATION

Chaplain Robert Wellington, Police Chaplain

PRESENTATIONS

- 6A. Receive Presentation from the YMCA of Austin - Bastrop Branch.
Terry Moore, Director of YMCA of Austin – Bastrop Branch.
- 6B. Mayor's Report
- 6C. Councilmembers' Report
- 6D. City Manager's Report

ITEMS FOR INDIVIDUAL CONSIDERATION

- 11A. Hold public hearing and consider action to approve the first reading of Ordinance No. 2018-12 of the City Council of the City of Bastrop, Texas, rezoning 0.398 acres of Bastrop Town Tract, Abstract 11 and 2.046 acres of Building Block 12 East of Water Street from C-2, Commercial 2 to CMU, Commercial Mixed Use Character Zone and extend the Downtown Bastrop From-Based Code Regulating Plan Area, located within the northeast Block of SH 95 and Chestnut Street, within the city limits of Bastrop, Texas, as shown in Exhibit A; including a severability clause; and establishing an effective date, and move to include on the August 28, 2018 consent agenda for second reading.

Presentation was made by Assistant Planning Director, Jennifer Bills.

Public hearing was opened.

SPEAKERS

Mona Williams
1105 C.P. Johnson Ln
Bastrop, TX
512 496-0594

Kendrick William
1105 CP Johnson Ln
Bastrop, TX

Kenneth Williams
1105 CP Johnson Ln
512 914-5318

Ishmael Harris

613 Rebecca Ln
Bastrop, TX 78602
512 653-7562

Applicant

Employee of QuickTrip
Michael Ward

Public hearing was closed.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2018-12 and include on the August 28, 2018 consent agenda, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 11B. Hold public hearing and consider action to approve the first reading of Ordinance No. 2018-15 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit for a religious institution use for Bastrop Bible Church, on 0.145 acres of Building Block 5 east of Water Street, located at 606 Pecan Street, within the city limits of Bastrop, Texas; as shown in Exhibit A; setting out conditions; including a severability clause; and establishing an effective date, and move to include on the August 28, 2018 consent agenda for a second reading.

Presentation was made by Assistant Planning Director, Jennifer Bills.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2018-15 and include on the August 28, 2018 consent agenda, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 11C. Hold public hearing and consider action to approve the first reading of Ordinance No. 2018-16 of the City Council of the City of Bastrop, Texas, rezoning 0.70 acres of lot 67, within the Bastrop Town Tract Abstract 11, from Form-Based Code Character Zone CMU – Commercial Mixed Use, to MF-1 – Multifamily 1, located at 1706 Farm Street, within the city limits of Bastrop, Texas; as shown in Exhibit A; including a severability clause; and establishing an effective date and move to include on the August 28, 2018 consent agenda for second reading.

Presentation was made by Assistant Planning Director, Jennifer Bills.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2018-16 and include on the August 28, 2018 consent agenda, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 11D. Consider action to approve the first reading of Ordinance No. 2018-14 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2018 in accordance with existing statutory requirements; appropriating the various amounts herein; as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; providing for an effective date and move to include on the August 28, 2018, consent agenda for a second reading.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Council Member Peterson to approve the first reading of Ordinance No. 2018-14 and include on the August 28, 2018 consent agenda, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 11E. Consider action to approve Resolution No. R-2018-59 of the City Council of the City of Bastrop, Texas, awarding a contract, attached as Exhibit A, for the installation of holiday lighting to Décor IQ in the amount of One Hundred Nine Thousand Five Hundred Twenty Five and 00/100 Dollars (\$109,525.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Presentation was made by Managing Director of Public Works & Leisure Services, Trey Job.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. 2018-59 approving an amount not to exceed \$136,900 with the two additions listed below, seconded by Council Member Jones, motion was approved on a 5-0 vote.

The two additions:

- **Lighting of authentic tree east of town**
- **Lighting of trees west of the old iron bridge (The gateway into the community.)**

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Items 10A listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 10A. Consider action to approve minutes from the July 24, 2018 regular meeting and August 7, 2018 Hearing on Tax Rate.

CITIZEN COMMENTS - NONE

WORK SESSION/BRIEFINGS

- 7A. Review revised Community Support Application based on Council feedback received at the July 24th meeting.
Presentation was given by Chief Financial Officer, Tracy Waldron.

- 7B. Receive briefing on the City Manager's submitted budget for FY 2019 as required by the City's Charter.
This item was withdrawn from the agenda.

STAFF AND BOARD REPORTS - NONE

EXECUTIVE SESSION

The City Council met at 8:36 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 12A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding legal advice related to the status of reviewing and updating the city's regulatory program, including public comment and citizen input into the new subdivision ordinance, pending revisions to zoning and sign codes, capital improvements plan, uniformity of the permits process, and limited stay of processing certain permits, authorizations and approvals, and drainage improvements.

The Bastrop City Council reconvened at 9:31 p.m. into open (public) session.

13. Conduct a Public Hearing and take any necessary or appropriate action on matters posted for consideration in closed / executive session.
Council Member Ennis made the motion to approve the first reading of Emergency Ordinance No. 2018-1 and final reading of Emergency Ordinance No. 2018-2 as follows, seconded by Council Member Peterson.

Approve the first reading of Emergency Ordinance No. 2018-1 of the City of Bastrop, Texas, enacting a temporary moratorium staying the acceptance and processing of certain permits in the city limits and extraterritorial jurisdiction, providing for findings of fact, definitions, applicability, purpose, enactment, duration, extension, exceptions and exemptions, determination and appeals, repealer, severability, enforcement, effective date, and proper notice and meeting.

Approve Emergency Ordinance No. 2018-2 of the City of Bastrop, Texas, enacting additional requirements mandating data related to drainage and flooding for the acceptance, processing and approval of certain permits in the city limits and extraterritorial jurisdiction, providing for findings of fact, applicability, purpose, enactment, effective date, and proper notice and meeting.

Public hearing was opened.

Public hearing was closed.

The motion was approved on a 5-0 vote.

ADJOURNMENT

Adjourned at 9:50 p.m. without objection.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on August 28, 2018, by Council Member Ennis motion, Mayor Pro Tem Nelson's second. The motion was approved on a 4-0 vote. Council Member Jones was off the dais.