

**MINUTES OF REGULAR COUNCIL MEETING  
BASTROP CITY COUNCIL  
APRIL 12, 2016**

The Bastrop City Council met in a Regular Meeting on Tuesday, April 12, 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 DeLaRosa, and Council Members, Dock Jackson, Kelly Gilleland, Kay Garcia McAnally, and Gary Schiff.

**CALL TO ORDER**

At 6:30 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present.

**PLEDGE OF ALLEGIANCE**

Richard Smarzik led the Pledge of Allegiance and to the Texas Flag.

**INVOCATION**

Council Member McAnally gave the Invocation.

**PRESENTATIONS**

**A. Presentation of the new City of Bastrop website – Andres Rosales**

Andres Rosales presented the new City of Bastrop website.

**PROCLAMATIONS – NONE**

**CITIZEN COMMENTS**

Anne Beck – Suggested having an assistant city manager; asked that the Council not just build a gym but a recreation building and if the money is not there for a recreation building then put it to a vote before the citizens in the form of a bond; and DMO-as long as the consultant will lead and offer either a City department position and/or an independent board controlled by the Mayor and Council she is in favor.

Herb Goldsmith – Spoke regarding the representation and voting by Council on the BEDC; enquired whether or not the bylaws could be amended regarding the Council vote and representation on the BEDC; stated that he believes the City Charter should be left alone due to one amendment to the Charter locks out any further changes for a minimum of two years.

**ANNOUNCEMENTS**

- A. **Donation of sculpture at City Hall– Trey Job – Withdrawn from the agenda.**
- B. **Items Targeted for Future Meetings.**
  - a. **April 19, 2016**  
**Utility Board Meeting and Possible bond election, bond sales and charter changes special meeting.**
  - b. **Date is to be determined**  
**Workshop meeting to gather information from citizens and Council regarding the content of a request for proposal for a consultant to assist with the process of creating a DMO**

**City Manager's Informational Report for the March 8, 2016 City Council Meeting:**

**I. Meetings and Events Attended:**

- A. Attended the Form Based Code – North Area Task Force Meeting on April 7, 2016.**

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**II. Update on City Projects and Issues:**

- A. Discussion and Review of Water Usage for the period of April 1, 2016 through April 10, 2016.**

- B. Discussion and Review of the Upcoming 2016 BP MS Houston to Austin Bike Ride to be held on April 16 – 17, 2016.**

MS Bikeathon – April 16 and 17, 2016

- C. Update on the Chestnut Fire Station Renovation Project.**

- D. Update on the Antique Lights being installed in Fisherman's Park.**

The lighting project at Fisherman's Park as of April 8, 2016 is 85% complete.

- E. Update on the Gills Branch Wastewater Improvements Project.**

- F. Update on the Texas Department of Transportation "Tahitian Village Overpass Project."**

- G. Update on Constructing New Restrooms in Fisher's Park.**

- H. Update on the DMO and the development of a RFQ.**

Meeting to start the process of putting together a "Request for Qualifications" will be held on April 21, 2016.

- I. Update on the Bus Shelter Project.**

- J. Update on the Comprehensive Plan**

- K. Update on the "HUD Shelter Grant" Building.**

The City Manager has been evaluating a monolithic building along with the sprung building for structure. His determination is that the monolithic building would be the one that the Council should possibly consider. The City Manager provided a picture of a recreation multi-use room building. The building would be available to the public for various types of functions plus classrooms with elements that must meet the FEMA grant requirements. The preliminary cost budget is \$2.2 million.

Council Member Schiff asked the question as to whether the size of the current proposed building could be scaled back in order to bring the budget down to have it meet the amount of the grant and still have a building that is meaningful for the community.

The decision regarding the building must be made at the meeting of April 19, 2016.

- L. Discussion and Review Regarding the City Owned Lot Adjacent to the Convention Center.**

- M. Special City Council Meeting of April 19, 2016.**

Direction was given to the City Manager to do what he can to maintain or stay close to the \$.60 tax rate for the bond package.

- N. Discussion and Review of Repairs to the Opera House.**

The Opera House representatives brought the electrical system for the opera house up to Code. The City Manager stated that he feels the need to move forward to get the roof on the building and he anticipates bringing the estimate before the Council on April 26<sup>th</sup> or May 10, 2016.

Direction was given to the City Manager to make sure that water is not running off of the adjacent building onto the Opera House before repairing the roof.

- O. Sales Tax Collection for the month of April 2016**
  - P. Update Regarding the Form Based Code North Area Task Force.**
  - Q. Management/Administrative Activities**
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**III. Other City Activities:**

- A. City of Bastrop Convention Center Activities.**
  - B. The City of Bastrop Main Street Program.**
  - C. Planning Department – Inspection Report.**
  - D. Update on the YMCA Program**
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Direction was given to the City Manager to:

- Define the purposes of the building for the shelter.
- Contact the YMCA representatives to see if they would be interested in a partnership with the City of Bastrop.

Deborah Jones – Suggested putting the shelter on the north side of town.

Belinda Goertz – Suggested that Council keep their focus on health as well not just recreation and to not close the door to partnering with the YMCA.

**D. NEW BUSINESS**

- D.6 Consideration, discussion and possible action on the approval of an ordinance authorizing the issuance of the City of Bastrop, Texas General Obligation Refunding Bonds; levying an ad valorem tax in support of the bonds; establishing procedures for selling and delivery of one or more series of the bonds; and authorizing other matters relating to the bonds.**

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

- A. CONSENT AGENDA - *All of the following items 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 requests.***

- A.1 Consideration, discussion and possible action regarding approval of minutes from Regular Council Meeting of March 22, 2015 and Special Workshop of March 29, 2016.**

- A.2 Consideration, discussion and possible action on the second reading of an ordinance amending the Bastrop City Code, Chapter 1, Article 1.10 Parks, Section 1.10.002 (h) and Chapter 8, Article 8.02, Sec. 8.02.002 (a) concerning administrative approval for the sale, possession and consumption of alcoholic beverages in city parks and certain other areas, allowing for Council to grant such waivers when necessary; providing a severability clause; and establishing an effective date.**

- A.3 Approval of Bastrop Marketing Corporation's request for reimbursement of funds for February 2016 in accordance with the agreement to be spent on advertising and marketing the City of Bastrop area.**

- A.4** Consideration, discussion and possible action on acceptance of an interlocal agreement with Bastrop County for the joint reconstruction work related to Homonu Court, Olla Drive, and Pahala Court in which the County agrees to contribute a maximum of \$60,536 towards the project.
- A.5** Approval of the statutory denial, for a period of 180 days from the date of Council action on a request for 512 House Group Subdivision being a +/- 0.907 acre tract out of the Stephen F. Austin Survey Abstract No. 3, located east of Phelan Road within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).
- A.6** Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending February 29, 2016.

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

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

- B.1 PUBLIC HEARING:** Consideration, discussion and possible action on the Replat of Lot #1, Woehl Subdivision Amended Plat being +/-0.429 acres. The replat will create three single family residential lots within the city limits of Bastrop, Texas.  
The public hearing was closed.

Council Member Schiff made the motion to approve the replat of lot number one, seconded by Council Member McAnally. The motion was approved on a vote of 4-1. Mayor Pro Tem DeLaRosa voted nay.

- B.2 PUBLIC HEARING:** Consideration, discussion and possible action on a Variance to the Subdivision Ordinance, Section 5.50.1 B Corner lots shall be not less than 25% greater than interior lots and Section 5.50.1 C Corner lots shall have a minimum width not less than 20% greater than the minimum required by zoning classification but in no case shall corner lots have a width of less than 75 feet. The proposed Magnolia Gardens is +/-0.467 acres within Farm Lot 8, East of Main Street, also known as 704 Magnolia Street, northwest of the intersection of Magnolia and Water Street with the city limits.  
The public hearing was closed.

Council Member Jackson made the motion to postpone this item to April 26, 2016, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a vote of 5-0.  
Direction was given to the staff to:

- Determine if there are any precedence.
- Bring before Council the two options and how they work.
- Have the City absorb the cost of any notices or publications as a result of postponement.

**Mayor Kesselus recessed the Council Meeting at 8:45 p.m.**

Mayor Kesselus called the meeting back to order at 8:51 p.m.

**C. OLD BUSINESS - NONE**

**D. NEW BUSINESS CONTINUED**

- D.8 Consideration, discussion and possible action on approving an engineering services proposal from BEFCO Engineering for the Alley "D" improvements.**  
Council Member Schiff made the motion to approve the engineering services proposal of 74 spaces from BEFCO Engineering, seconded by Council Member Gilleland. The motion was approved on a vote of 5-0.
- D.5 Consideration, discussion and possible action on approving a new Mission and Vision Statement for the City of Bastrop that will replace current Mission/Vision Statement and will be incorporated and used in the City's Comprehensive Plan.D.1 Appointment by Mayor, subject to confirmation by City Council of Joel Edward Bauman to Alternate 1 on the Construction Standards Board of Adjustments.**  
Council Member Schiff made the motion to approve the mission and vision statement for the City of Bastrop, seconded by Council Member Gilleland. The motion was approved on a vote of 4-1. Mayor Pro Tem DeLaRosa voted nay.
- D.7 Discussion, consideration and possible action on the Preliminary Plat for XS Ranch River Camp, Section 1 located north of the Colorado River and southwest of CR157 within Area A of the City of Bastrop, Texas Extra Territorial Jurisdiction (ETJ).**  
Mayor Pro Tem DeLaRosa made a motion to approve the preliminary plat for XS Ranch River Camp, seconded by Council Member Jackson. The motion was approved on a vote of 4-0. Council Member Schiff recused himself.
- D.1. Appointment by Mayor, subject to confirmation by City Council of Joel Edward Bauman to Alternate 1 on the Construction Standards Board of Adjustments.**  
Mayor Pro Tem DeLaRosa made the motion to approve the appointment of Joel Edward Bauman to Alternate 1 on the Construction Standards Board of Adjustments, seconded by Council Member Gilleland. The motion was approved on a vote of 5-0.
- D.4 Consideration, discussion and possible action for the first reading of an ordinance of the City of Bastrop, Texas adopting a water conservation plan in accord with Texas Commission On Environmental Quality And Texas Water Development Board regulations; providing severability and an effective date.**  
Council Member Schiff made the motion to approve the first reading of the ordinance, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a vote of 5-0.
- D.2 Consideration, discussion and possible action approving the City of Bastrop Parks & Recreation Department to enter into an agreement for facility usage for eleven weeks to provide open play at Mina West Gym facility.**  
This item was postponed to April 26, 2016.
- D.3 Discussion, consideration and possible action on the Preliminary Plat for Woodrun Subdivision, Section Two, Phase I, II, III and IV being +/-84.897 acres out of the Stephen F. Austin Survey Abstract No. 3 within Area A of the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).**

This item was postponed to April 26, 2016.

**E. EXECUTIVE SESSION – NOT HELD**

1. **SECTION 551.071(1)(A) & SECTION 551.071(2) – Consultation with Attorneys, by telephone and/or in person concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to water permits and supply, status of settlement of pending suit(s), threatened litigation, or claims, 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.**

This item was withdrawn.

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

This item was withdrawn.

**ADJOURNMENT**

Mayor Pro Tem DeLaRosa made the motion to adjourn the meeting at 10:05 p.m., seconded by Council Member Schiff. The motion was approved on a 5-0 vote.

APPROVED:



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Mayor Ken Kesselus

ATTEST:



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City Secretary Ann Franklin