

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
APRIL 26, 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, and Gary Schiff. Kay Garcia McAnally arrived at 7:10 p.m.

CALL TO ORDER

At 6:33 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present.

PLEDGE OF ALLEGIANCE

Shawn Kirkpatrick led the Pledge of Allegiance and to the Texas Flag.

INVOCATION

Mayor Pro Tem DeLaRosa gave the Invocation.

PRESENTATIONS

**A. Update on Bastrop Economic Development Corp. and Youth Career Day–
Executive Director Shawn Kirkpatrick**

Shawn Kirkpatrick introduced Jean Riemenschneider. Ms. Riemenschneider gave the presentation on the Bastrop Youth Career Day. The Youth Career Day will take place on May 18, 2016 from 9:00 a.m. to Noon and there will be an adult job fair in October of 2016.

B. Presentation by Main Street Board regarding a future DMO

Bill Ennis presented the Main Street Board's recommendation for the DMO.

PROCLAMATIONS – NONE

CITIZEN COMMENTS

Kevin Woehl – Spoke in opposition of the re-subdivision at 709 Hill Street. Mr. Woehl stated that the elected officials should uphold the voices of the constituents.

ANNOUNCEMENTS

A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally and Dock Jackson

Director of Planning and Zoning Department, Melissa McCollum stated:

- Chapters 1-4 are currently available on the web.
- The public may enter their email address on the web in order to receive notices regarding the Comprehensive Plan.
- The public is able to leave comments on the web.

B. Items Targeted for Future Meetings.

May 17, 2016

Canvassing of the May 7, 2016 election results and ceremony to celebrate the contributions of the 2015-2016 Council and welcoming the new Council as it organizes for a new year.

D. NEW BUSINESS**D.8 Consideration, discussion and possible action regarding the future use and/or the disposition of the City owned lot at 921 Main Street.**

The discussion was held on the future use and/or the disposition of the City owned lot at 921 Main Street.

SPEAKERS

Dan Hays-Clark, Co-Chair of Design Committee for Main Street – Presented a committee proposal for a Central Plaza at 921 Main Street.

Debbie Moore – Stated that:

- Studies show that if there is a respite in the downtown area people tend to stay longer.
- There is a substantial interest in keeping this property as a gathering space.
- She hopes that before a decision is made there will be time for citizen and downtown business owner input.

Richard Smarzik – Stated that the property needs a roof whether it is sold or not.

REQUEST

- A list of problems with the property at 921 Main Street.

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 meetings of April 12, 2016 and special called meeting of April 19, 2016.

A.2 Consideration, discussion and possible action on acceptance of the Quarterly Investment Report for the period ending in March 31, 2016.

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

B. PUBLIC HEARINGS, ORDINANCES, & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION - NONE**C. OLD BUSINESS**

C.1 Consideration, discussion and possible action for the second 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. (From the April 12TH meeting Item D.4)

Council Member Gilleland made the motion to approve the second reading of the ordinance adopting a water conservation plan, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a vote of 5-0.

- C.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, being the northwest of the intersection of Magnolia and Water Street with the city limits. (From the April 12TH meeting Item B.2)**

Council Member Schiff made the motion to approve the variance to the subdivision ordinance, section 5.50.1 B, seconded by Council Member McAnally. The motion was approved on a vote of 5-0.

REQUEST

- City Manager to look at the idea of moving the Form Base Code to the north side of town and working it into the budget.

D. NEW BUSINESS CONTINUED

- D.2 **Consideration, discussion and possible action on the adoption of a resolution establishing the City of Bastrop agrees to provide full-time employment to the firefighters that are grant funded by the assistance to firefighters grant program at the conclusion of the grant period.**

This item was postponed to May 10, 2016.

- D.3 **Consideration, discussion and possible action approving the first reading of an ordinance amending Section 1.15.035; “Ethics Ordinance” in the Code of Ordinances of the City of Bastrop; providing a severability clause; and providing an effective date.**

Council Member Schiff made the motion to approve the first reading of the ordinance amending section 1.15.035 in the Code of Ordinances of the City of Bastrop, seconded by Council Member McAnally. The motion was approved on a vote of 5-0.

- D.4 **Consideration, discussion and possible action regarding potential charter amendments to the City of Bastrop’s City Charter.**

Mayor Pro Tem DeLaRosa made the motion to instruct the City Manager to work with the City Attorney to draft language for the Charter amendment regarding the citizen’s vote will be required to sell water and/or electric utilities, seconded by Council Member Gilleland. The second was later withdrawn by Council Member Gilleland, who made the second. Council Member Schiff seconded the motion. The motion passed on a vote of 5-0.

Mayor Kesselus recessed the Council Meeting at 8:20 p.m.

Mayor Kesselus called the Council Meeting back to order at 8:28 p.m.

- D.4 **CONTINUED**

Council Member Gilleland made the motion to include in the charter amendment language that would accomplish not allowing Council Members to be a voting member on any board/committee/commission that they serve on, seconded by Council Member McAnally. This motion was later withdrawn by the maker of the motion.

SPEAKERS

Herb Goldsmith – Stated

- BEDC has an Adhoc Committee looking at the bylaws. The bylaws will decide how many council members are on the commission and their voting position.
- There was a warning that if amending the charter is looked at once it becomes more involved there will need to be a charter review. There should be a transparent charter review.

Richard Smartzik – Asked if the citizenry can't serve on more than one board (according to what is found by the City Attorney.) why would this not apply to the Council? (The City Manager stated that the prohibition of citizens not being allowed to serve on more than one board is not in the Code.)

Council decided to schedule a workshop to have the City Manager and the Chairman and Director of the BEDC speak to Council as well as allowing the citizens to weigh in on the charter amendment items.

- D.5 **Consideration, discussion and possible action on the first reading of a proposed ordinance by the City Council of the City of Bastrop Texas, amending the budget for the Fiscal Year 2016 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior ordinances and actions in conflict herewith; and providing for an effective date.**

Council Member Jackson made the motion to approve the first reading of the ordinance amending the budget for the FY 2016, seconded by Council Member Schiff. The motion was approved on a 5-0 vote.

- D.6 **Consideration, discussion and possible action regarding potential “Capital Improvements Projects” currently under review the City Council.**

The discussion was held and Council agreed to set a joint workshop meeting for June 7, 2016 to discuss the charter and bond issues.

- D.7 **Consideration, discussion and possible action on authorizing the City Manager to construct an eight-inch [8”] water main, commencing from Old Austin Highway down Hasler Shore Road to Bob Byrant Park and connecting into the ground storage tanks located in BOB Byrant Park.**

Mayor Pro Tem DeLaRosa made the motion to authorize the City Manager to construct an eight-inch water main, seconded by Council Member Jackson. The motion was approved on a 7-0 vote.

- D.1. **Appointment by Mayor, subject to confirmation by City Council of William (Bill) Ennis to Place 7 on the Bastrop Arts in Public Places.**

Mayor Pro Tem DeLaRosa made the motion to appoint William (Bill) Ennis to Place 7 on the Bastrop Arts in Public Places board, seconded by Council Member Schiff. The motion was approved on a vote of 5-0.

E. EXECUTIVE SESSION

E1. The Bastrop City Council met at 9:10 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq*, 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, claims, and/or settlement/mediation, including (*but not limited to*) *the following*: municipal water supply, pending and potential code enforcement, , appeal of denials of requests for variance(s) from zoning code and Zoning Board of Adjustment actions/orders, litigation related to subdivision development, City statutory compliance issues, and/or (2) matter upon which the Attorney(s) have a duty and/or responsibility to report to the governmental body, concerning these matters, and/or any other matters posted on the agenda.
2. **SECTION 551.072** – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property
3. **Section 551.087** – To discuss, evaluate or deliberate regarding commercial, financial, business or other information that the City has received related to economic development opportunities or prospects in or near the territory of the City.
4. **SECTION 551.086** – To discuss Certain Public Power Utilities: Competitive Matters – Bastrop Power and Light Budget, and/or related electric public power utility information and matters.

This item was not discussed.

Council Member McAnally left the Executive Session meeting at 9:30 p.m. due to personal matters.

The Bastrop City Council reconvened at 9:45 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.

ACTION

City Manager Talbot stated that Council discussed items 1 through 3 and no further action was required.

ADJOURNMENT

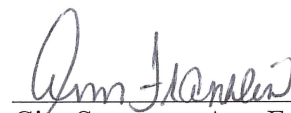
Council Member Jackson made the motion to adjourn the meeting at 9:49 p.m., seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member McAnally was off the dais.

APPROVED:



Mayor Ken Kesselus

ATTEST:



City Secretary Ann Franklin