

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
SEPTEMBER 13, 2016**

The Bastrop City Council met in a Regular Meeting on Tuesday, September 13, 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, Peterson, Schiff and McAnally.

CALL TO ORDER

At 6:30 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present. Council Member Jones was absent.

PLEDGE OF ALLEGIANCE

Steve Adcock, Public Safety Director
Chief of Police led the Pledge.

INVOCATION

Mayor Kesselus gave the Invocation.

PRESENTATIONS

- A. Announcement of the winners for the "Culture Walk Concept Design", and presentation of cash prize.
Presentation was made by Deborah Johnson, Chair, Bastrop Art in Public Places
- 1st Winner – Falyn Mihalic, Landscape Architect, Houston, TX
- 2nd Winner – Sarah Gamble, Landscape Architect, Austin, TX
- B. Presentation by County Judge Paul Pape regarding alternate sites for the County shelter. One possible site is at Mayfest Hill Park.
Presentation was made by Judge Pape and Mike Fisher.

PROCLAMATIONS - NONE**ANNOUNCEMENTS**

- A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally
- B. Distribution of Items to Council (If Necessary) – Ann Franklin
- C. Items Targeted for Future Meetings.

7. CITIZEN COMMENTS

Glenn Johnson – Expressed concern for not being allowed to speak on executive session items at the Council meeting.

Becki Womble – Thanked Council for use of the Convention Center for "Bastrop Remembers" event.

Conor McAnally – Requested Council provide the Citizens with the schedule and timetable of finding a City Attorney and how it is going to be done.

CONSENT AGENDA - *All 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 so requests.*

- A.1** Approval of minutes from regular council meeting of January 26, 2016 and special called meetings of May 17, 2016, June 7, 2016 and August 16, 2016.

This item was withdrawn without objection.

- A.2** Approval of the statutory denial for a period of 180 days from the date of Council action on a Replat of Lot 1 within the Bastrop Station Addition, Lot 1A being +/-1.465 acres and Lot 1B being +/-1.635 acres out of the Nancy Blakey Survey, A-98, N.W. corner of Agnes and Childers within the city limits.

Council Member Schiff made the motion to approve the statutory denial for a period of 180 days from the date of Council action on Replat of Lot 1, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Jones was absent.

- A.3** Approval of the Final Plats for Woodrun Subdivision, Section Two, Phase I and Phase II. Section Two, Phase I being +/-24.927 acres and Phase II being +/-25.889 acres out of the Stephen F. Austin Survey Abstract No. 3, located on Smith Road approximately 2/3 of a mile from Reid's Bend within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).

Council Member Schiff made the motion to approve the final plats for Woodrun Subdivision, Section Two, Phase I and Phase II, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Jones was absent.

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

- B.1 PUBLIC HEARING** on the proposed closing of portions of the following unopened streets:

- 1) Mill Street (Blocks 20,21,97 and 98 generally running east/west from Paul C Bell/Pecan to Hill Street
- 2) South Street (Blocks 98,97) generally running east/west from old city limits to Hill Street/Lovers Lane
- 3) Paul C Bell/Pecan (Blocks 98, 99) generally running north/south from Mill Street to old city limits
- 4) Jefferson Street (Blocks 20, 21, 97, 98) generally running north/south from Jasper to South Street

The public hearing was conducted.

- B.2** First reading of an ordinance authorizing the vacation, abandonment, and conveyance of a portion of unopened Paul C. Bell Street, Jefferson Street, Mill Street, and South Street AT the intersection of Building Blocks 20, 21, 99, 98, and 97; authorizing the conveyance of a part of the north and south portion of Block 20 and providing for the terms and conditions of such; authorizing the City Manager to execute quitclaim deeds; and providing for an effective date.

Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Council Member Jones was absent.

- B.3** Public Hearing: Conduct a public hearing to receive citizens input on a request for a CUP, Conditional Use Permit to allow a distillery at 601 Chestnut Street, Suite #E. The property to be known as Copper Shot Distillery, consists of +/- 2.69 acres out of and a part of Building Blocks Nine (9) and Fourteen (14), West of Main Street, an area zoned DMU, Downtown Mixed Use within the City Limits of Bastrop, Texas
The public hearing was closed.
- B.4** First reading of an ordinance granting a conditonal use permit to allow a distillery at 601 Chestnut Street, Suite #E consisting of +/-2.69 acres out of and a part of Building Blocks nine and fourteen an area zoned DMU, Downtown Mixed Use within the City limits of Bastrop, Texas; setting out conditions; and providing an effective date.
Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- B.5** PUBLIC HEARING: Conduct a public hearing to receive citizens input on a request to adopt revised fees related to Planning and Development Department Fees, for building, subdivision and zoning applications.
The public hearing was closed.
- B.6** First reading of an ordinance granting an amendment to portions to the “Fee Schedule” Appendix “A” of the Code of Ordinances related to Chapter 3, Building Regulations, Chapter 10, Subdivisions, and Chapter 14, Zoning, and the articles within; providing a severability clause; and providing an effective date.
No action was taken on this item.
- B.7** PUBLIC HEARING: The City Council will conduct the second “Public Hearing “on the Proposed Property Tax Rate for the City of Bastrop for Fiscal Year 2017.
The public hearing was closed.
- B.8** PUBLIC HEARING: The City Council will conduct a “Public Hearing on the Proposed Budget for the City of Bastrop for Fiscal Year 2016-2017.
The public hearing was closed.
- C. OLD BUSINESS - NONE**
- D. NEW BUSINESS**
- D.1** Consideration, discussion, and possible action regarding calling a workshop session to discuss ways to create a five-year plan regarding recreational activities in Bastrop and coordination among all interested entities, including but not limited to the following: Bastrop Parks and Recreation Department (in reference to all facilities and programs); YMCA, Boys and Girls Club; Bastrop State Park (swimming pool and discontinued golf course); trail to state park from downtown; new Community Center/shelter at Jewel's Park and adjacent land; volunteer sports programs for baseball, basketball, etc; and BISD.
Council Member Schiff made the motion to schedule a workshop session for recreation led by Council Member Jones and organized with the interim City Manager, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a vote of 4-0. Council Member Jones was absent.

- D.2** Consideration, discussion and possible action on the City Council casting an official ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.
Council Member Schiff made the motion to direct the Interim City Manager, Marvin Townsend to put together suggested candidates and bring back to the Council on September 27, 2016. The motion passed on a 4-0 vote. Council Member Jones was absent.
- D.3** First reading of an ordinance on ratifying the property tax increase reflected in the annual budget for the Fiscal Year 2016-2017, beginning October 1, 2016 and ending September 30, 2017.
Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- D.4** First reading of an ordinance fixing the tax rate and levy for the City of Bastrop, Texas, for the purpose of paying the current expenses of the City for the Fiscal Year ending September 30, 2017, and for the further purpose of creating a sinking fund to retire the principle and interest of the bond indebtedness of the City; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing for an effective date.
Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- D.5** First reading of an ordinance setting the contractual rates paid to progressive waste solutions for residential and commercial garbage collection service performed by progressive waste solutions; amending the rate of residential and commercial garbage service charged to the citizens of Bastrop, Texas for administrative costs and solid waste disposal service rates; and providing an effective date.
Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion was approved on a 3-0 vote. Council Member McAnally abstained due to being off the dais during the discussion of this item. Council Member Jones was absent.
- D.6** First reading of an ordinance adding chapter 16 “Bastrop Convention And Exhibit Center” to the Bastrop Code of Ordinances; creating Article A16.01 “Bastrop Convention Center and Exhibit Center”, and adding Section A16.01.001 “Fee Schedule” to Appendix A to reflect fees for use; providing a severance clause; and providing an effective date.
Council Member Schiff made the motion to approve the ordinance on the first reading with the following amendments, seconded by Council Member Peterson. The amendment was to leave the fees as is at this time with the exception of leaving the \$1.00 charge for catering. The maker of the motion, Council Member Schiff later withdrew his motion.

Council Member Schiff made the motion to deny the ordinance and approve a published price list with the current rate schedule in place and to change the catering fee to \$.50 per plate, seconded by Council Member Peterson. (No ordinance was needed.)
- D.7** Consideration, discussion and possible action on the Preliminary Plat for Pecan Park, Section 3A being +/-12.181 acres within the Mozea Rousseau Survey A-56, located west of Childers Drive (proposed extension) and south of the 100’ wide LCRA easement within the city limits of Bastrop, Texas.

Council Member McAnally made the motion to approve the preliminary plat for Pecan Park, Section 3A, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Jones was absent.

- D.8** Consideration, discussion and possible action on the Preliminary Plat for Pecan Park Section 6A being +/-10.961 acres within the Mozea Rousseau Survey A-56, located east of Childers Drive (Childers Drive to be extended) and south of the 100' wide LCRA easement within the city limits of Bastrop, Texas.
No action was taken on this item.
- D.9** Consideration, discussion and possible action regarding the approval of four photographs by photographer Billy Moore depicting landscapes in the Bastrop area.
Council Member Schiff made the motion to approve the four photographs by photographer Billy Moore depicting landscapes in the Bastrop area, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- D.10** Consideration, discussion and possible action on Approving the proposed funding allocation for requesting Community Support Funding for Fiscal Year 2016-17.
Council Member Schiff made the motion to approve the proposed funding allocation for requesting Community Support Funding for Fiscal Year 2016-17, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 3-1 vote. Council Member McAnally voted nay. Council Member Jones was absent.
- D.11** Consideration, discussion and possible action on approving the proposed funding allocation for requested Hotel Motel Funding for Fiscal Year 2016-17 and addressing the average funding proposed calculation exceeding the organizations requested funding.
Council Member Schiff made the motion to approve 100% of requested amount for everyone other than Tough Mudder who would get \$18,989. The motion was approved on a 4-0 vote. Council Member Jones was absent.

E. EXECUTIVE SESSION

E1. The Bastrop City Council met at 9:33 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq.* to discuss the following:

- SECTION 551.071(1)(A)(B) & 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/or potential code enforcement, litigation related to subdivision development and water permit, and/or (2) matter upon which the Attorney(s) have a duty and/or responsibility pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to report to the governmental body, concerning these matters, and/or any other matters posted on the agenda.
- SECTION 551.074** – Personnel matters: search for City Manager and consideration of proposals for City Manager selection consultant.

E2. The Bastrop City Council reconvened at 10:00 p.m. into open (public) session to discuss, consider and/or take any actions necessary related to the executive session(s) items noted herein, or regular agenda items, noted above, and/or related agenda items.

ADJOURNMENT

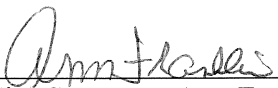
Council Member Schiff made the motion to adjourn the meeting at 10:03 p.m., seconded by Council Member Peterson. The motion was approved on a 5-0 vote.

APPROVED:

ATTEST:



Mayor Ken Kesselus



City Secretary Ann Franklin