

**MINUTES OF REGULAR COUNCIL MEETING  
BASTROP CITY COUNCIL  
May 9, 2017**

The Bastrop City Council met in a Regular Meeting on Tuesday, May 9, 2017 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Kesselus, Mayor Pro Tem DeLaRosa and Council Members Schiff, Peterson, Jones and McAnally. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney David Bragg.

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

Mayor Elect Connie Schroeder led the Pledge of Allegiance to the American Flag.

Council Member Elect Bill Ennis led the Pledge of Allegiance to the Texas Flag.

**INVOCATION**

Pastor Paula Canby, Good Shepherd Lutheran Church gave the Invocation.

**PRESENTATIONS**

- 4A. Presentations acknowledging the service and contributions of outgoing Councilmember Kay McAnally.
- 4B. Presentations acknowledging the service and contributions of outgoing Councilmember Willie DeLaRosa.
- 4C. Presentations acknowledging the service and contributions of outgoing Mayor Ken Kesselus.

**RECEPTION FOR OUTGOING MEMBERS – RECESS MEETING FOR 20 MINUTES.**

- 4D. Presentation by the 9<sup>th</sup> Grade Students from the Colorado River Collegiate Academy regarding the need for a Youth Advisory Council.
- 4E. Presentation of Proclamation recognizing “Lupus Awareness Declaring Put on Purple Day.”
- 4F. Presentation of Proclamation declaring May “National Public Works Week.”
- 4G. Presentation of Proclamation declaring May 14 – 20, 2017 National Police Week in Bastrop, TX.
- 4H. Presentation of Video Response by City Manager Lynda Humble & City Attorney David Bragg providing additional information on the recent lawsuit settlements.
- 4I. Councilmembers’ Report

**Council Member Schiff –**

- **June 10, 2017, 7:30 p.m., at the Performing Arts Center, Eric Johnson's only Austin area tour stop will be in Bastrop.**
- **Have more meetings between the City Council and Planning and Zoning Commission/Impact Fee Advisory.**

**Council Member McAnally –**

- **The Just East of Weird Life Music Series continues on May 12, 2017 at Viejos Tacos Y Tequila.**
- **Pine Street Market Days will be happening on May 13, 2017 from 10:00 a.m. to 4:00 p.m.**

**Council Member Jones -**

- **Over the next few weeks would like the City Manager and City Attorney to bullet point information given to Council as to why Council makes decisions. It is important for the public to understand so there is a deeper knowledge regarding why the Council is doing what they are doing.**

**4J Mayor's Report**

- **Dates for runoff election will be Tuesday, June 6, 2017.**
- **Saturday, May 27, 2017 has been added to early voting.**
- **This is the first ever runoff election for the City of Bastrop.**
- **May 13, 2017, 9:00 – 12:00 at Fisherman's Park , Park Clean Up.**

**4K City Manager's Report**

- **City Staff met with TxDOT District Office to discuss a traffic device to be placed in front of the fire station to be used to move traffic in front of station when there is peak demand through the community. The City agreed to fund a radar detection that will determine when there is traffic blocking the door when an emergency vehicle needs to exit in the event of an emergency.**
- **The State has agreed to conduct a traffic study at the intersections of Chestnut and Main and Chestnut and Pecan. The State will be installing electronic equipment that will allow the two signal boxes to communicate collectively to determine when the traffic is in an off peak or high peak demand.**
- **The deadline for Boards and Commission applications have been extended to May 23, 2017.**
- **Capitol Wright Distributing has moved their location to Manor.**

**5. WORK SESSION/BRIEFINGS**

- 5A. Receive presentations from organizations applying for Tier III Hotel Occupancy Tax Funding.**

**Chamber of Commerce – Becki Womble**

**Bastrop Homecoming – Lori Chapin**

**Bastrop Juneteenth Celebration – Jerome Reese**

**Bastrop Opera House – Lisa Holcomb**

**Lost Pines Art League – Patricia Rendulic**

**Neighbors Kitchen and Yard – Rick Brackett**

**9. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 9C.** Consider action to approve Resolution R-2017-25 of the City Council of the City of Bastrop, TX to fund Organizations requesting Tier III funding from available reserves from Hotel Occupancy Tax Fund and establishing an effective date.  
**A motion was made by Mayor Pro Tem DeLaRosa to approve Tier III Level of funding at \$154,092, seconded by Council Member McAnally. Motion was approved on a 5-0 vote.**

**6. STAFF AND BOARD REPORTS**

- 6A.** Presentation from the Bastrop Main Street Program: Downtown, Texas Preservation Month & Image the Possibilities Tour.

**7. CITIZEN COMMENTS**

**Bonnie Coffey – Spoke to remind Council of “some fairly important words”.**

**Glen Johnson – Mr. Johnson read a paragraph from Section 3, Paragraph 10 of the Texas Lawyers Creed.**

**Betty Peterson - Spoke on Gill Branch.**

**CONSENT AGENDA**

**A motion was made by Mayor Pro Tem DeLaRosa to approve items 8A, 8B, and 8C, listed on the consent agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Schiff, motion was approved on a 5-0 vote.**

- 8A.** Consider action to approve minutes from the April 25, 2017 meeting.
- 8B.** Consider action to approve the second reading of Ordinance 2017-13 of the City of Bastrop, Texas updating and amending Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled “Impact Fees”, updating the land use assumptions, Capital Improvement Plan, and amending impact fees for water and wastewater utilities, and providing for an effective date.
- 8C.** Consider action to approve Resolution No. R-2017-22 of the City of Bastrop, TX establishing a protocol for the Consent Agenda and establishing an effective date.

**ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED**

- 9A.** Consider action to approve Resolution No. R-2017-23 of the City Council of the City of Bastrop, TX authorizing the purchase of 3.0610 acres of land described as Farm Lot 5 E M Street, Bastrop, Texas, in the amount of \$119,000 for purposes of establishing a park; authorizing the Mayor to execute all closing documents; and establishing an effective date.  
**Presentation was made by City Manager Lynda Humble and Council Member McAnally.**

**Resolution No. R-2017-23 was approved on a motion by Council Member McAnally, seconded by Mayor Pro Tem DeLaRosa. Motion was approved on a 5-0 vote.**

- 9B.** Consider action to approve Resolution No. R-2017-24 of the City Council of the City of Bastrop, TX designating the 3.0610 acres of land described as Farm Lot 5 E M Street, Bastrop, Texas, in the amount of \$119,000 for purposes of establishing a park; authorizing the Mayor to execute all closing documents; and establishing an effective date.  
**Resolution No. R-2017-24 was approved on a motion by Council Member McAnally, seconded by Council Member Schiff. Motion was approved on a 5-0 vote.**
- 9D.** Hold public hearing and consider action to approve the first reading of Ordinance 2017-14 of the City Council of the City of Bastrop, Texas granting an amendment to the Pecan Park Residential Planned Development (Ordinance #2015-15) for approximately 204.576 acres within the Mozea Rousseau survey, abstract number 56 located at the terminus of Childers Drive within the city limits of Bastrop, Texas as part of the overall Pecan Park Conceptual Plan; setting out conditions; establishing an effective date and move to include on the May 23, 2017 agenda for a second reading.  
**Presentation was made by City Manager Lynda Humble and Planning and Engineer Director Wesley Brandon.**  
  
**A motion was made by Council Member Schiff to approve the first reading of Ordinance No. 2017-14, seconded by Council Member Jones. Motion was approved on a 4-0 vote. Mayor Kesselus stepped away from the dais, and Mayor Pro Tem DeLaRosa presided over the meeting for this item.**
- 9E.** Hold public hearing and consider action to approve the first reading of Ordinance 2017-16 of the City Council of the City of Bastrop, Texas granting a Conditional Use Permit to allow a one-story church administration building, for 0.44 acres of Farm Lot 1, East of Main Street, located at 1208 Water Street, within the city limits of Bastrop, Texas; setting out conditions; establishing an effective date and move to include on the May 23, 2017 agenda for a second reading.  
**Presentation was made by Planning and Engineer Director Wesley Brandon.**  
  
**A motion was made by Council Member Schiff to approve the first reading of Ordinance No. 2017-16, seconded by Council Member Peterson. Motion was approved on a 3-1 vote. Council Member Jones voted nay. Mayor Kesselus stepped away from the dais, and Mayor Pro Tem DeLaRosa presided over the meeting for this item.**
- 9F. (No Item)**
- 9G.** Consider action to approve Resolution R-2017-26 of the City Council of the City of Bastrop, TX amending the Financial Management Policy for the City of Bastrop, Texas to include policy on Hotel Occupancy Tax Fund reserve balance; and establishing an effective date.  
**Presentation was made by Chief Financial Officer Tracy Waldron.**  
  
**Resolution No. R-2017-26 was approved on a motion made by Council Member Schiff, seconded by Mayor Pro Tem DeLaRosa. Motion was approved on a 5-0 vote.**
- 9H.** Consider action to approve Resolution No. R-2017-21 of the City Council of the City of Bastrop, TX authorizing reimbursement of legal fees to Council Member Gary Schiff incurred in his defense against Ethics Complaint No. 2016-2; providing a precedence for future reimbursements of legal fees related to Ethics Complaints of Council Members or Staff where there are no violation(s) found; repealing Resolution R-2017-13; and establishing an effective date.

Presentation was made by City Manager Lynda Humble.

**Resolution No. R-2017-21 was approved on a motion made by Council Member Peterson, seconded by Mayor Pro Tem DeLaRosa. Motion was approved on a 3-0 vote. Council Member Schiff recused himself. Council Member McAnally abstained.**

- 9I. Consider action to approve Resolution No. R-2017-19 of the City Council of the City of Bastrop, TX authorizing reimbursement of legal fees to Council Member Deborah Jones incurred in her defense against Ethics Complaint No. 2016-3; providing a precedence for future reimbursements of legal fees related to Ethics Complaints of Council Members or Staff where there are no violation(s) found; repealing Resolution R-2017-14; and establishing an effective date.

**Resolution No. R-2017-19 was approved on a motion made by Council Member Peterson, seconded by Mayor Pro Tem DeLaRosa. Motion was approved on a 3-0 vote. Council Member Jones recused herself. Council Member McAnally abstained.**

10. EXECUTIVE SESSION - NONE

11. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.  
Not Applicable.

12. ADJOURNMENT


**Council Member Schiff made the motion to adjourn the meeting at 10:00 p.m., seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 5-0 vote.**

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin