

**BASTROP CITY COUNCIL
April 9, 2019**

The Bastrop City Council met in a Regular Meeting on Tuesday, April 9, 2019, at 5:00 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 Jones, Ennis, Rogers and Peterson. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney Alan Bojorquez.

EXECUTIVE SESSION - CALL TO ORDER

At 5:00 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

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

- 2A. City Council shall convene into closed executive session pursuant to Section 551.074 of the Texas Government Code to discuss the appointment of an Associate Judge.
- 2B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding status of Building Bastrop Codes.

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

No action taken.

REGULAR SESSION - CALL TO ORDER

At 6:31 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

PLEDGE OF ALLEGIANCE

The "Addams Family" Cast – Bastrop High School led the pledges.

INVOCATION

Grady Chandler, Police Chaplain gave the invocation.

PRESENTATIONS

- 7A. Mayor's Report
- 7B. Councilmembers' Report
- 7C. City Manager's Report
- 7D. Proclamation of the City Council of the City of Bastrop, Texas recognizing the month of April as National Sexual Assault Awareness Month for the City of Bastrop. **Presentation was made by Bernie Jackson, Family Crisis Center. The proclamation was read into record by Mayor Schroeder and received by Bernie Jackson, Family Crisis Center.**

- 7E. Proclamation of the City Council of the City of Bastrop, Texas recognizing April 18, 2019 as National Lineman Appreciation Day.
The proclamation was read into record by Mayor Schroeder and received by Curtis Ervin, Director of BP&L and staff.
- 7F. Proclamation of the City Council of the City of Bastrop, Texas recognizing April 14 - 20, 2019 as National Public Safety Telecommunicators Week for the City of Bastrop.
The proclamation was read into record by Mayor Schroeder and received by James Altgelt, Safety Director/Chief of Police and Interim Director of Downtown and Hospitality.
- 7G. Proclamation of the City Council of the City of Bastrop, Texas recognizing April 2019 as National Fair Housing Month.
The proclamation was read into record by Mayor Schroeder and received by Brandy Spencer, Executive Director, Bastrop Housing Authority.
- 7H. Receive presentation and hold discussion regarding proposed changes to the Hotel Occupancy Tax Ordinance from Justin Bragiel with Texas Hotel & Lodging Association.
Presentation was made by Justin Bragiel, Texas Hotel & Lodging Association.

STAFF AND BOARD REPORTS

- 9A. Receive Presentation and Update from the YMCA of Austin/Bastrop Branch.
Presentation was made by Terry Moore, Director of YMCA of Austin/Bastrop Branch.
- 9B. Receive Presentation and Update from the Bastrop Opera House.
Presentation was made by Lisa Holcomb, Executive Director, Bastrop Opera House.
- 9C. Receive Presentation and Update from the Bastrop County Historical Society.
Presentation was made by Kaye Sapikas, Director, Bastrop County Historical Society.

Mayor Schroeder recessed the Council Meeting at 7:42 p.m.

Mayor Schroeder called the Council Meeting back to order at 7:50 p.m.

CITIZEN COMMENTS - NONE

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Items 11A with the following amendment and 11B listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 11A. Consider action to approve City Council minutes from the March 26, 2019, meeting.

The amendment was to add action language to item 2A for the March 26, 2019 minutes as follows.

2A. City Council shall convene into closed executive session pursuant to Section 551.074 of the Texas Government Code to discuss Interview Process for an Associate Judge.

A motion was made by Council Member Peterson to have an interview process with a panel composed of the Mayor, Municipal Judge and Court Administrator and the panel will bring a recommendation back to Council, seconded by Council Member Jones, motion was approved on a 5-0 vote

11B. Consider action to approve second reading of Ordinance No. 2019-05 of the City Council of the City of Bastrop, Texas amending the City of Bastrop, Texas Code of Ordinances, Chapter 3 Building Regulations, Article 3.17 Flood Damage Prevention, Section 3.17.007 Administration to allow the City Manager to appoint a designee to serve as Floodplain Administrator; repealing conflicting provisions; providing for severability; proper notice and meeting; and establishing for an effective date.

INDIVIDUAL CONSIDERATION

12F. Consider action to approve Resolution No. R-2019-31 of the City Council of the City of Bastrop, Texas, approving the Pecan Park, Section 3E Final Plat, being 3.787 acres out of the Mozea Rousseau Survey, Abstract 56, located west of the extension of Trailside Lane, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

Presentation was made by Assistant Director of Planning, Jennifer Bills.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-31, seconded by Council Member Jones, motion was approved on a 5-0 vote.

12G. Consider action to approve Resolution No. R-2019-30 of the City Council of the City of Bastrop, Texas, approving the Pecan Park, Section 3D Final Plat, being 13.336 acres out of the Mozea Rousseau Survey, Abstract 56, located north of the extension of Childers Drive, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

Presentation was made by Assistant Director of Planning, Jennifer Bills.

A motion was made by Council Member Peterson to approve Resolution No. R-2019-30, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS

8E. Provide an update on the Chicken Relocation Project in Downtown Bastrop, Texas. **Update was provided by Safety Director/Chief of Police and Interim Director of Downtown and Hospitality, James Altgelt.**

INDIVIDUAL CONSIDERATION CONTINUED

- 12J. Consider Action to approve the first reading of Ordinance Number 2019-11 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, Chapter 2 Titled "ANIMAL CONTROL," Article 2.01 Titled "GENERAL PROVISIONS," Sections 2.01.001 Titled "DEFINITIONS"; amending the definitions of "Feral," "Livestock," "Poultry /Fowl," and Wild Birds" and 2.01.007 Titled "Injury or destruction of wild birds;" amending the provision amending the provision for the exclusion of certain birds from this section by adding chickens and repealing all prior ordinances that are in conflict herewith; as attached in Exhibit A; and providing for findings of fact, enactment, effective date, repealer, severability, and proper notice and meeting and move to include on the April 23, 2019 agenda for a second reading.

Presentation was made by Safety Director/Chief of Police and Interim Director of Downtown and Hospitality, James Altgelt.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-11 and to include on the April 23, 2019 agenda for a second reading, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 12B. Consider action to approve Ordinance No. 2019-08 of the City Council of the City of Bastrop, Texas, Master Ordinance establishing the City of Bastrop, Texas Water and Wastewater Utility System Revenue Financing Program; repealing all ordinances and actions in conflict herewith; and providing for the following: findings of fact; enactment; severability; effective date; and proper notice and hearing.

Presentation was made by Dan Wegmiller, Managing Director, Specialized Public Finance Inc. and Bart Fowler, McCall Parkhurst & Horton LLP.

A motion was made by Council Member Peterson to approve Ordinance No. 2019-08, seconded by Council Member Jones, motion was approved on a 5-0 vote.

- 12C. Consider action to approve Ordinance No. 2019-09 of the City Council of the City of Bastrop, Texas, authorizing the First Supplemental Ordinance to the Master Ordinance establishing the City of Bastrop, Texas Water and Wastewater Utility System Revenue Financing Program; authorizing the issuance of the City of Bastrop, Texas Water and Wastewater Utility System Revenue Bonds, Series 2019; approving an official statement, a paying agent/registrar agreement and other agreements relating to the sale and issuance of the bonds; and ordaining other matters relating to the issuance of the bonds; and providing for the following: findings of fact; enactment; severability; effective date; and proper notice and hearing.

A motion was made by Mayor Pro Tem Nelson to approve Ordinance No. 2019-09, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 12D. Consider action to approve Resolution No. R-2019-35 of the City Council of the City of Bastrop, Texas adopting a Purpose Statement for the International Code Review Process; and establishing for an effective date.

Presentation was made by Director of Planning, Matt Jones.

A motion was made by Council Member Jones to approve Resolution No. R-2019-35, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 12E. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-06 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit to allow a 400 square foot accessory structure on Tahitian Village, Unit 1, Block 19, Lot 598, 599, and 600, located at 149 Mahalo Court, an area zoned SF-9, Single Family 9, within the city limits of Bastrop, Texas; as shown in Exhibits A and B; setting out conditions; including a severability clause; establishing an effective date, and move to include on the April 23, 2019 Consent Agenda for second reading. **Presentation was made by Assistant Director of Planning, Jennifer Bills.**

Public hearing opened.

Public hearing closed.

A motion was made by Council Member Jones to approve the first reading of Ordinance No. 2019-06 and to include on the April 23, 2019 Consent Agenda for second reading, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 12H. Consider action to approve the first reading of Ordinance 2019-07 of the City Council of the City of Bastrop, Texas ("city") implementing a pilot program to authorize the sale of food from mobile food vendors within the City limits and to establish a mobile food vendor permit process for the pilot program; providing for findings of fact, purpose, expiration date; enactment, variance, repealer, severability, effective date, and proper notice and meeting. **Presentation was made by Director of Planning, Matt Jones.**

A motion was made by Council Member Jones to approve the first reading of Ordinance No. 2019-07 with the following amendment and include on the April 23, 2019 Consent Agenda for second reading, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

The amendment was to allow porter cans with a maintenance plan as defined by staff.

- 12I. Consider action to approve Resolution R-2019-36 of the City Council of the City of Bastrop, Texas authorizing the Mayor, Mayor Pro-Tem, City Manager, and City Attorney to communicate with the Office of the Governor and Texas Legislature on behalf of the City of Bastrop Texas; and establishing an effective date. **Presentation was made by City Manager, Lynda Humble.**

A motion was made by Council Member Ennis to approve Resolution No. R-2019-36, seconded by Council Member Jones, motion was approved on a 5-0 vote.

Mayor Schroeder recessed the Council Meeting at 9:14 p.m.

Mayor Schroeder called the Council Meeting back to order at 9:24 p.m.

- 12A. Consider action and approve Resolution No. R-2019-34 of the City Council of the City of Bastrop, Texas, making determinations regarding certain project-specific

Exceptions and/or Exemptions as provided by Emergency Ordinance 2018-1, Section 8 (Temporary Moratorium); and Emergency Ordinance 2018-2, Section 7 (Emergency Drainage Application Rules)

Presentation was made by Assistant Director of Planning and Zoning, Jennifer Bills.

A motion was made by Council Member Jones to approve Resolution No. R-2019-34 for 192 Shiloh Road, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

A motion was made by Council Member Jones to approve Resolution No. R-2019-34 for 291 Hoffman Road, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

A motion was made by Council Jones to approve Resolution No. R-2019-34 for TBD Kohala Lane, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS CONTINUED

8A. Update and discussion of current Legislative Session and its impact on local municipalities.

Update was provided by Mayor Schroeder.

8B. Hold discussion regarding Storm Drainage Design Manual & Ordinance as it relates to water quality.

Presentation was made by Director of Public Works & Leisure Services, Trey Job and discussion was held.

8C. Hold policy discussion regarding the current and proposed Street lighting standards.

Presentation was made by Director of Public Works & Leisure Services, Trey Job and policy discussion was held.

8D. Hold discussion regarding Parking Standards for Building Bastrop Codes.

Presentation was made by Director of Planning, Matt Jones and discussion was held.

8F. Continue discussion from the February 26, 2019 work session regarding the creation of rates and standardized contracts for future wholesale water and wastewater customers.

Presentation was made by City Manager, Lynda Humble and discussion was held.

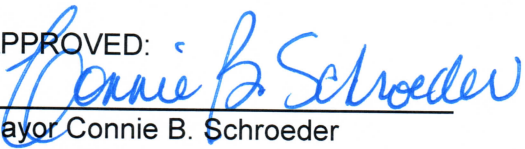
8G. Hold discussion regarding "grandfathered status" under Chapter 245 of the Texas Local Government Code.

Presentation was made by City Attorney, Alan Bojorquez and discussion was held.

ADJOURNMENT

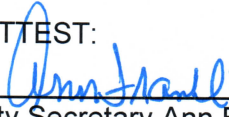
Adjourned at 11:47 p.m. without objection.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on April 23, 2019, by Council Member Peterson's motion, Mayor Pro Tem Nelson's second. The motion was approved on a 5-0 vote.