

**BASTROP CITY COUNCIL
MINUTES OF REGULAR MEETING
January 14, 2014 at 6:15 pm**

Pursuant to the Texas Government Code, Chapter § 551, the City Council of Bastrop, Texas held a Regular Meeting on Tuesday, **January 14th, 2014 at 6:15 p.m.** at the Bastrop City Hall Council Chambers located at 1311 Chestnut Street in Bastrop, Texas to consider the following matters:

1. **CALL TO ORDER** - Mayor Terry Orr called the meeting to order at 6:15 p.m. A full quorum was present: Council Members Ken Kesselus, Kay Garcia McAnally, Dock Jackson, Willie De La Rosa and Mayor Pro-Tem Joe Beal.
2. **PLEDGE OF ALLEGIANCE AND INVOCATION** – Council Member Dock Jackson led the Pledge of Allegiance and Grady Chandler led the prayer.
3. **PRESENTATIONS**
 - A. Bastrop Student on Character Education “Loyalty”
 - B. First Annual Adult Entrepreneur Business Plan Competition to introducing the winner, Jennifer Johnson & Johnson's Bakery and presenting the prize package.
 - C. Welcome & “Oath of Office” for new Police Chief Steve Adcock.
4. **PROCLAMATIONS** – Council Member Dock Jackson Proclaimed January 19 - 20, 2014 as “Dr. Martin Luther King Weekend.”

5. **ANNOUNCEMENTS**

RESIGNATION - To meet our City Charter requirements, Council Member Ken Kesselus resigned from his position as Council Member for Place 5 to vie for the Mayor’s position. He will remain on the City Council until a replacement has been selected during the Special Election on May 10, 2014.

FISH FRY - Mayor Pro-Tem Joe Beal reminded everyone of the Fish Fry to be held during Spring Break on March 9 – 15th, 2014 at Maxine’s.

There were no citizen comments; therefore Mayor Orr introduced City Manager Mike Talbot who presented his bi-weekly City Manager’s report dated January 14, 2014, he offered additional insight on the following items:

#12 Utility Committee Meeting Scheduled for January 21, 2014: City Manager Talbot offered a courteous reminder on the First Quarterly Utility Meeting for 2014 with a presentation for the Council’s consideration on the implementation of an AMI Program to meter the City’s water and electric consumption.

City Manager Talbot will be working a Resolution to be presented at the City Council Meeting on January 28, 2014 as requested by City Council Members per Willie DeLaRosa.

#13 Purchase of Police Vehicles for the Police Department: The Council had approved the purchase of three vehicles in the FY2014 Budget. The Police Departments submitted their recommendation of the vehicle of preference that meets departmental and personnel needs for the Council’s consideration.

Council Member Ken Kesselus requested a Task Force to address the Downtown Parking.

A. CONSENT AGENDA

All of the following items on the Consent Agenda 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(s) so request.

- A.1 Approval of meeting Minutes for the Regular Council Meetings held on December 10, 2013.
- A.2 Consideration, Discussion and Possible Action on the **SECOND READING** of a proposed **REVISION TO AN ORDINANCE** of the City Council of the City of Bastrop, Texas, **AMENDING Section 3.06.041**

titled "CROSS-CONNECTION CONTROL PROGRAM"; Chapter 3 "BUILDING REGULATIONS", in the Code of Ordinances of the City of Bastrop; Establishing Fines and Penalties for Violations; Providing Enforcement; Providing a severability clause; and providing an effective date.

- A.3 Update Meeting Room Policy at the Bastrop Public Library.
- A.4 Approval of Bastrop Marketing Corporation's request for reimbursement of expenses.
- A.5 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for River Oaks Subdivision, Section 2, Replat of a Portion of Lots 3, 4 and 33 consisting of approximately 1.204 acres within the Extra Territorial Jurisdiction (ETJ) of Bastrop, Texas.
- A.6 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Administrative Plat of Kaiser Oaks consisting of approximately 5.3009 acres out of Bastrop Town Tract A-11 within the one mile Extra Territorial Jurisdiction (ETJ) of Bastrop, Texas.
- A.7 Board appointment by Mayor Terry Orr and confirmation by the Bastrop City Council Members on the appointment of ROBIN F. DRAKE as PLACE ONE Board Member to the Constructions Standards Board; a TWO-YEAR term to commence on January 2014 through January 2016.

Upon reading agenda item A. 2; Mayor Orr requested a motion to approve the consent agenda item(s). Council Member Willie DeLaRosa made a motion to approve the consent agenda items A.1 through A.7. Seconded by Council Member Dock Jackson and motion carried unanimously. Vote was taken and motion passed 5-0.

Mayor Orr noted that the minutes reflect the Citizen Comments had been moved to the beginning of the Meeting Agenda to avoid having citizen's/guests attend the entire meeting to address the City Council. He invited the citizen's comments and asked if there were any problems. Assistant City Counselor Samantha Friedman noted the change had seemed to be working fine.

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

- B.1 CONDUCT A PUBLIC HEARING TO RECEIVE CITIZENS INPUT ON A REPLAT OF LOT 1, BASTROP WEST COMMERCIAL, SECTION 2, LITTLE COLONY SUBDIVISION, BEING +/-1.402 ACRES WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

At 7:02 p.m., Mayor Terry Orr opened the Public Hearing to discuss the above caption. Planning and Development Director, Melissa McCollum held a brief discussion on the above agenda caption and introduced Scott West with West Group who spoke on behalf of the property owner. In response to one citizen's comment with regard to the location of the property, Mrs. McCollum responded by pointing out the location on a map. There were no additional citizen comments; therefore Mayor closed the Public Hearing at 7:06 p.m.

- B.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A REPLAT OF LOT 1, BASTROP WEST COMMERCIAL, SECTION 2, LITTLE COLONY SUBDIVISION, BEING +/-1.402 ACRES WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

At 7:02 p.m., Mayor Terry Orr opened the Public Hearing to discuss the above caption. Planning and Development Director, Melissa McCollum gave a brief insight on the above agenda caption and introduced Scott West with West Group who spoke on behalf of the property owner. There were no Citizen Comments; therefore Mayor closed the Public Hearing at 7:06 p.m.

Council Member Willie DeLaRosa made a motion to approve a Replat of Lot 1, Bastrop West Commercial, Section 2, Little Colony Subdivision, being +/-1.402 acres within the city limits of Bastrop, Texas. Seconded by Council Member Kay Garcia-McAnally and motion carried unanimously with a vote of 5-0.

C. OLD BUSINESS – No items for consideration.

D. NEW BUSINESS

D.1 Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Report for the period ending **October 31, 2013.**

Upon Chief Financial Officer Karla Stovall's presentation of the monthly financial report, City Council Member Kay Garcia-McAnally made a motion to approve the unaudited Monthly Financial Report for the period ending October 2013. Seconded by Council Member Willie DeLaRosa and motion was carried by a unanimous vote of 5-0.

D2 Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Report for the period ending of **November 30, 2013.**

Chief Financial Officer Karla Stovall gave a brief presentation of the monthly financial report, City Mayor Pro-Tem Joe Beal made a motion to approve the unaudited Monthly Financial Report for the period ending November 2013. Seconded by Council Member Willie DeLaRosa and motion was carried by a unanimous vote of 5-0.

City Manager Mike Talbot expressed his appreciation to CFO, Karla Stovall and Public Works Director, Trey Job for gathering and compiling information to present our City Council Members.

E. EXECUTIVE SESSION

E.1 The Bastrop City Council met 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) and SECTION 551.071(2) – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to “Pine Forest Investments Group, LLC v The City of Bastrop, et al, cause No. 29,052, In the 21st Judicial District Court of Bastrop County, Texas,” 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.
2. SECTION 551.072– Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property.

E.2 The Bastrop City Council will reconvene 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.

At 7:20 pm, Mayor Orr convened the Bastrop City Council into Executive Session. Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take action(s) necessary related to the Executive Session noted herein at 9:50 pm.

The City Council Members held a brief discussion, at which time Council Member Kay Garcia-McAnally made a motion to accept the City Manager Talbot's recommendation; Authorizing City Manager Talbot to make the necessary repairs to a water line serving Mr. Anderson's residential property, now that the city has been able to obtain the necessary easements and access agreements from all related parties. Seconded by Council Member Dock Jackson and motion carried unanimously with a vote of 5-0.

F. ADJOURN

At 9:52 pm, Council Member Willie DeLaRosa made the motion to adjourn the meeting. Seconded by Council Member Kay Garcia McAnally and motion was carried unanimously, vote of 5-0.

APPROVED:

ATTEST:



Terry Orr, Mayor



Elizabeth Minerva Lopez, City Secretary