

**BASTROP CITY COUNCIL  
MINUTES OF REGULAR MEETING  
June 10, 2014 at 6:15 pm**

Pursuant to the Texas Government Code, Chapter § 551, the City Council of Bastrop, Texas held a Regular Meeting on the aforementioned date at the Bastrop City Hall Council Chambers located at 1311 Chestnut Street in Bastrop, Texas to consider the following matters:

1. **CALL TO ORDER** – A quorum being present; Mayor Ken Kesselus called the meeting to order at 6:15 p.m. Council Members Beal and Jackson were absent.
2. **PLEDGE OF ALLEGIANCE AND INVOCATION** – Mayor invited Sandra Chipley, Vice-President of the Bastrop Historical Society to lead the Pledge of Allegiance and prayer.
3. **PRESENTATIONS** - Bastrop Student Presentation on Character Education - “*Honor*”  
Mayor Kesselus welcomed Avery Koi who read her presentation on the Character Trait “Honor.” Avery will be an incoming Freshman at Bastrop High School. At Bastrop Middle School, Avery was President of the National Junior High Society, Treasurer of the Student Council, Treasurer of the 4-H, a Cheerleader and she enjoys playing tennis and volleyball. Her Mother Jackie Koi accompanied her.

**4. PROCLAMATIONS**

- a. “*Juneteenth Celebration on Saturday, June 21, 2014*”
- b. “*Volunteer Appreciation Month*”

In recognition of the Juneteenth Celebration on Saturday, June 21, 2014 and Volunteer Appreciation Month, Mayor Kesselus read the proclamations and presented them to the event coordinators who in turn thanked the Council for their support.

Council Member McAnally extended her appreciation to all the City’s volunteers for their commitment and service.

Mayor Kesselus made an informal Proclamation in recognition that our City Seal was created under Mexican Authority on June 6, 1832 and therefore acknowledges the City’s 182<sup>nd</sup> Birthday Celebration.

**5. CITIZEN COMMENTS** – Mayor invited citizen comments.

**JUNETEENTH** – Mayor welcomed former Council Member Mr. Bill Peterson who expressed his appreciation for the Council and City Staff’s support with the Juneteenth Event.

**BASTOP FILM COMMISSION** – On behalf of the Bastrop Film Commission, Ms. Debbie Moore thanked the Council and the City Staff for their efforts in making their filming event a success. Council Member McAnally stated she was delighted to have Cinema Texas film their commercial here in Bastrop – we pride ourselves in being a Film Friendly City.

**COUNCIL CHAMBER SOUND** – Mr. Gary Schiff offered his services as a consultant to evaluate and recommend equipment/system updates to address the lack of a balanced auditory sound within the Council Chambers.

**6. ANNOUNCEMENTS** – Mayor Kesselus acknowledged Council Member Beal and Jackson’s absence as excused.

Mayor Kesselus introduced City Manager Talbot who presented his City Manager’s Report for June 10, 2014. He invited input from the City Council related to issues for possible inclusion on future agenda’s related to items such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.

- DISCUSSION REGARDING THE COMPOSITE SCORING OF THE TOP PRIORITIES FROM THE MARCH 22, 2014 CITY COUNCIL PLANNING RETREAT (RANKING THE PRIORITIES) - City Manager Talbot provided a ranking list of priorities for 2015 that were outlined by the Council at their recent Retreat. The list reflects the following sixteen priorities:
  - (1) Update City’s Comprehensive Plan
  - (2) Develop a Short-Term and Long-Term Water Supply Strategy for the City of Bastrop
  - (3) Develop and Adopt Plan for Annexations/Utility Expansion
  - (4) Develop Plan for Fire Protection
  - (5) Continuing Benchmarking -Staffing Levels, Types of Services, Financial Metrics, Tax Rate, Indebtedness, and Succession Planning
  - (6) Explore a Plan for Affordable Housing within the City
  - (7) Consider Constraints Incentives for Infill Development
  - (8) Consider General Fund Level, Tax Rate, and Future Bonded Indebtedness for Infrastructure
  - (9) A) Annual Review of the City Manager’s Performance  
B) Complete Implementation of Form-Based Codes for City Zoning
  - (10) Review Police Staffing
  - (11) Clearly Communicated Reasonability Attainable List of City Council Priorities for the City Manager
  - (12) A) Propose Process for Implementation of Task Force Initiatives; Present to City Council  
B) Include/Emphasize the Hispanic Community
  - (13) Negotiate Agreement with Camp Swift for Bastrop Police Officer to Use Firing Range
  - (14) Appreciation of Mayor Terry Orr’s Service

- DISCUSSION REGARDING THE CITY OF BASTROP PUBLIC ACCESS CHANNEL - City Manager Talbot advised the Council that the City entered into a Franchise Agreement with Time Warner that required them to provide the City with a "Public Access Channel" identified in the City's name at no charge. The channel is strictly to provide the public with community information; funds can be received by the City or by a sponsor designated by the City as a "Public Information Program." In his research, the City Manager found that in 2002 and 2004 the Council had funded Upstart to operate the channel, film/play the City Council Meetings, and film/play "City Talk" with the City Manager. He recommended that if other governmental entities within the City who would like to have their meetings taped/broadcasted on the channel should incur the cost of the service.
- UPDATE OF THE BASTROP MAIN STREET/SIDE WALK IMPROVEMENTS PROJECT - City Manager Talbot advised the Council that City Staff continues to work on obtaining "Surface Access Agreements" from private property owners where part of the sidewalk is located on private property. The recurring issue about this project is the ability to park a vehicle in the area where an isle had been constructed a few years ago during the "Lighting Project" of Main Street. The Main Street Board discussed this concern at their meeting on June 4<sup>th</sup>, 2014, and they unanimously agreed that the size of vehicles permitted to park on the isle parking spaces must be limited and that additional white stripping be added to the end of the current striping to define the parking space.
- UPDATE ON THE FORM BASED CODES PROJECT - City Manager Talbot informed the Council that the Form Based Code Task Force met on June 5<sup>th</sup> to review the information that was generated by stakeholders during the initial meeting in May. The Form Based Code Task Force has requested a "Joint Workshop with the City Council on June 24<sup>th</sup>, 2014 starting at 5:30 a.m. to discuss the status of the project date, review the market study for the feasibility of Form Based Codes, and discuss the content and format of the workshop scheduled for July 2014.
- DISCUSSION REGARDING THE SPEED LIMIT ON BLAKELY LANE - City Manager Talbot advised the Council that staff had conducted a traffic speed analysis on Blakely Lane; speed/traffic counters were installed between May 30, 2014 and June 2, 2014. It appears there has been a slight increase in vehicular speed and traffic safety has remained constant with no accidents during this period. City Manager Talbot, City Engineer, and the Director of Public Works determined that the Traffic Impact Analysis (TIA) did not consider or recommend a speed limit for Blakely Lane and it appears to assume that stop signs would not be installed on Blakely Lane. At this time, Blakely Lane does not meet the classification of an Urban District and the Council can raise the speed limit to 40 or 45.

The Council held a discussion and agreed to raise the speed limit to 40 mph on Blakely Lane.

- DISCUSSION REGARDING THE CITY OF BASTROP'S PARTICIPATION IN THE "LOWER COLORADO RIVER BASIN COALITION" - City Manager Talbot advised the Council he had met with the Bastrop County Judge Paul Pape with regard to the importance of the City's participation in the "Lower Colorado River Basin Coalition." The Coalition currently participates in ongoing discussions between the Lower Colorado River Authority (LCRA) and Texas Commission on Environmental Quality (TCEQ) to determine what level the water in Lakes Travis and Buchanan must be before the water is released downstream. The current thought is that the water levels in these lakes will need to be raised substantially before water is released downstream, which would have an extremely negative effect on the water quality of the Colorado River. Joining the "Lower Colorado River Basin Coalition" would give the downstream parties a strong voice during future discussions.

Mayor Kesselus requested a motion.

**MOTION** – Council Member McAnally made the motion to issue a check for \$500 to join the Lower Colorado River Basin Coalition in addressing this important community issue.

**SECONDED** – Council Member Gilleland seconded the motion.

**MOTION PASSED** – Unanimous vote 3-0

- ROOF LEAKING IN THE BULDING AT THE FARMERS MARKET - City Manager Talbot advised the Council he would include an update on the roof leak at the Farmer's Market Building on his upcoming City Managers Report.
- 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 MINUTES FOR THE CITY COUNCIL MEETING HELD ON MAY 20 & 27, 2014.**
  - A.2 CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF THE SECOND READING OF A PETITION FOR A VARIANCE ALLOWING A PRIVATE WELL TO BE DRILLED WITHIN THE CITY LIMITS OF THE CITY OF BASTROP LOCATED AT 2200 CEDAR STREET BASTROP TX. 78602.**
  - A.3 CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF THE SECOND READING OF A PETITION FOR A VARIANCE ALLOWING A PRIVATE WELL TO BE DRILLED WITHIN THE CITY LIMITS OF THE CITY OF BASTROP LOCATED AT 1904 MAIN STREET BASTROP TX. 78602.**
  - A.4 BOARD APPOINTMENTS AND REAPPOINTMENTS BY MAYOR KEN KESSELUS AND CONFIRMATION BY THE BASTROP CITY COUNCIL MEMBERS ON THE APPOINTMENTS AND REAPPOINTMENTS OF THE FOLLOWING:**

**APPOINTMENTS**

1. Roger Osborn	Constructions Standards Board	1	2/ 2014-2016	Melissa McCollum
2. David Moore	Constructions Standards Board (Public Member)	3	2/ 2014-2015	
3. Chase McDonald	Constructions Standards Board (General Contractor)	4	2/ 2014-2016	
4. Andrew Coy	Housing Authority	2	1/ 2014-2015	Brandi Spencer
5. William Dildine (Nominee of HC-HOA)	Hunters Crossing Local Govt. Corp Board	4	3/ 2014-2017	Karla Stovall
6. Waiting to hear from Commercial Owners	Hunters Crossing Local Govt. Corp Board (Commercial Representative)	3	3/ 2014-2017	
7. David F. Bragg	Impact Fee Committee & Planning & Zoning Commission	8	3/ 2014-2017	Melissa McCollum
8. William Ennis	Impact Fee Committee & Planning & Zoning Commission	9	3/ 2014-2017	Melissa McCollum
9. Keith Goertz	Main Street Advisory Board	4	2/ 2014-2016	Nancy Wood
10. Bob Rogers	Municipal Sign Review Board & Zoning Board of Adjustment	Alt 2		M. McCollum

**RE-APPOINTMENTS**

1. Ted Schaefer	Cemetery Board	1	3/ 2014-2017	Karla Stovall
2. Mary Williams	Cemetery Board	2	3/ 2014-2017	
3. Gary Schiff	Economic Development Corp.	4	2/ 2014-2016	Dave Quinn
4. Willie DeLaRosa	Economic Development Corp	2	2/ 2014-2016	
5. The Honorable Chris Duggan	Ethics Commission	1	3/ 2014-2017	Mike Talbot
6. Marilyn Whites	Historic Landmark Commission	7	3/ 2014-2017	M. McCollum
7. Annette Hyder	Housing Authority	3	2/ 2014-2016	Brandi Spencer
8. Nettie M. Kimble	Housing Authority	4	2/ 2014-2016	
9. Phillip Woods	Housing Authority	5	2/ 2014-2016	
10. Michael H. Talbot	Hunters Crossing Local Govt. Corp Board	1	3/ 2014-2017	Karla Stovall
11. Darlene L. Louk	Hunters Crossing Local Govt. Corp Board	2	3/ 2014-2017	
12. Jim Kershaw	Hunters Crossing Local Govt. Corp Board	5	3/ 2014-2017	
13. Ken Kesselus	Hunters Crossing Local Govt. Corp Board	6	3/ 2014-2017	
14. Brandon Johnson	Hunters Crossing Local Govt. Corp Board	7	3/ 2014-2017	
15. Richard Kindred	Impact Fee Committee & Planning & Zoning Commission	6	2/ 2014-2017	M. McCollum
16. Rebecca Bennett	Library Board	1	3/ 2014-2017	Mickey Duvall
17. Lisa Crick	Library Board	9	3/ 2014-2017	
18. Bonnie Coffey	Main Street Advisory Board	5	2/ 2014-2016	Nancy Wood
19. Shawn Pletsch	Main Street Advisory Board	8	2/ 2014-2016	
20. Dan Hays-Clark	Municipal Sign Review Board & Zoning Board of Adjustment	2	2/ 2014-2016	Melissa McCollum
21. Michael Gibbons	Municipal Sign Review Board & Zoning Board of Adjustment	4	2/ 2014-2016	
22. Mark Gracey	Parks Board & Tree Advisory Board	3	2/ 2014-2017	Trey Job
23. Barbara Wolanski	Parks Board & Tree Advisory Board	5	2/ 2014-2017	

The Council held a discussion about Agenda Item A-4 and determined there were inconsistencies in the application format and a lack of backup information to confirm the appointments. After a continued discussion, the Council agreed to use one application form for all those seeking appointments and reappointments.

In agreement, Mayor Kesselus withdrew Agenda Item A-4 from the Consent Agenda and requested that the item be reconsidered at the July 8<sup>th</sup> City Council Meeting.

In response to the Council’s concerns, City Manager Talbot advised the Council that the application would be revised and it would be distributed to all new applicants and to current Board/Committee Members who were seeking reappointment.

Mayor Kesselus requested a motion to approve the Agenda Items A-1 through A-3 on the Consent Agenda.

**MOTION** – Mayor Pro-Tem DeLaRosa made the motion to approve items A-1 through A-3 on the Consent Agenda.

**SECONDED** - Council Member McAnally seconded the motion.

**MOTION PASSED** – Unanimous vote 3-0

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

**B.1 CONDUCT A PUBLIC HEARING TO RECEIVE CITIZENS INPUT ON REPLAT OF LOTS 21-33, BLOCK A OF HUNTERS CROSSING, SECTION FIVE B, LOCATED ON MOSSBERG LANE, CONSISTING OF 13 RESIDENTIAL LOTS AND 1 LANDSCAPE RESERVE/PUBLIC UTILITY EASEMENT, WITHIN THE HUNTERS CROSSING SUBDIVISION IN THE CITY LIMITS OF BASTROP, TEXAS.**

At 6:38 pm, Mayor Kesselus opened the Public Hearing.

Planning and Development Director McCollum informed the Council that the staff was recommending approval of the Replat of Lots 21-33, Block A of Hunters Crossing, Section Five B, located on Mossberg Lane, consisting of 13 Residential Lots and 1 Landscape Reserve/Public Utility Easement, within the Hunters Crossing Subdivision in the city limits of Bastrop, Texas.

Mayor Kesselus invited public comments, but with no responses, he closed the public hearing at 6:43 pm.

**B.2 CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON THE APPROVAL OF THE REPLAT OF LOTS 21-33, BLOCK A OF HUNTERS CROSSING, SECTION FIVE B, LOCATED ON MOSSBERG LANE, CONSISTING OF 13 RESIDENTIAL LOTS AND 1 LANDSCAPE RESERVE/PUBLIC UTILITY EASEMENT, WITHIN THE HUNTERS CROSSING SUBDIVISION IN THE CITY LIMITS OF BASTROP, TEXAS.**

Mayor Kesselus read the above agenda item and requested a motion.

**MOTION** – Mayor Pro-Tem DeLaRosa made the motion to approve the Replat of Lots 21-33, Block A of Hunters Crossing, Section Five B, located on Mossberg Lane, consisting of 13 Residential Lots and 1 Landscape Reserve/Public Utility Easement, within the Hunters Crossing Subdivision in the city limits of Bastrop, Texas.

**SECONDED** – Council Member McAnally seconded the motion.

**MOTION PASSED** – Unanimous vote of 3-0.

**ITEMS B-3 & B-4 WERE WITHDRAWN BY MAYOR KESSELUS**

B.3 CONDUCT A PUBLIC HEARING TO RECEIVE CITIZENS INPUT ON A REPLAT OF LOT 51, PINEY RIDGE SECTION 3, CONSISTING OF 2 RESIDENTIAL LOTS TOTALING +/-5.103 ACRES OUT OF PINEY RIDGE, SECTION 3, PARTIALLY WITHIN THE CITY LIMITS OF BASTROP, TEXAS AND LOCATED ON PINEY RIDGE DRIVE.

B.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE REPLAT OF LOT 51, PINEY RIDGE SECTION 3, CONSISTING OF 2 RESIDENTIAL LOTS TOTALING +/-5.103 ACRES OUT OF PINEY RIDGE, SECTION 3, PARTIALLY WITHIN THE CITY LIMITS OF BASTROP, TEXAS AND LOCATED ON PINEY RIDGE DRIVE.

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**EXECUTIVE SESSION:** *The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Ch.551 Government Code, Vernon's Texas Code, Annotated, the item below will be discussed in closed session. SECTION 551.071 – Consultations with Attorney related to legal matters*  
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**C. OLD BUSINESS** – No Items

**D. NEW BUSINESS**

**D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF THE UNAUDITED MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING APRIL 30, 2014.**

Chief Financial Officer Stovall gave a brief overview of the unaudited financial report for the period ending April 30, 2014 and requested the Council's consideration and approval.

Mayor Kesselus invited questions and comments; with no responses, he requested a motion.

**MOTION** – Mayor Pro-Tem DeLaRosa made the motion to accept the unaudited monthly financial report for the period ending April 30, 2014.

**SECONDED** – Council Member McAnally seconded the motion.

**MOTION PASSED** – Unanimous vote of 3-0

**D.2 APPROVAL OF BASTROP MARKETING CORPORATION'S REQUEST FOR REIMBURSEMENT OF EXPENSES.**

Chief Financial Officer Stovall requested the Council's consideration and approval of the aforementioned agenda item.

Mayor Kesselus invited questions and comments; with no response, he requested a motion.

**MOTION** – Council Member McAnally made the motion to approve the Bastrop Marketing Corporation's request for reimbursement of expenses.

**SECONDED** – Mayor Pro-Tem DeLaRosa seconded the motion.

**MOTION PASSED** – Unanimous vote of 3-0

**D.3 CONSIDERATION, DISCUSSION, POSSIBLE ACTION ON SELECTING FIRM TO COMPLETE THE CAMP SWIFT JOINT LAND USE STUDY (JLUS).**

Planning and Development Director Melissa McCollum informed the Council that the City had received 5 responses for the RFP. The Camp Swift Policy Committee comprised from members of BISD, County, City of Elgin and Bastrop reviewed the five RFP Responses for the Camp Swift Joint Land Use Study (JLUS) recommends award of contract to the "Matrix Design Group." They are extremely qualified consultants with significant experience in JLUS for multiple military installations.

Mayor Kesselus inquired about the funding for this project and City Manager Talbot responded the cost would be covered by the OEA Grant.

The Council thanked City Manager Talbot and City Staff for their efforts on this project. Mayor Kesselus invited questions and comments; with no response, he requested a motion.

**MOTION** – Mayor Pro-Tem DeLaRosa made the motion to select to the “Matrix Design Group” as the firm to complete the Camp Swift Joint Land Use Study.

**SECONDED** – Council Member McAnally seconded the motion.

**MOTION PASSED** – Unanimous vote of 3-0

**E. EXECUTIVE SESSION**

E.1 The Bastrop City Council will meet 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 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 21<sup>st</sup> 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.
3. **SECTION 551.074** – Personnel Matters

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 7:30 pm, Mayor Kesselus convened the Bastrop City Council into Executive Session and 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 9:20 pm.

The City Council authorized City Manager Talbot to reduce the application to the Groundwater District from 6,000 acre-feet to 2,000 acre-feet.

**MOTION** – Council Member McAnally made the motion to authorize City Manager Talbot to reduce the application to the Groundwater District from 6,000 acre-feet to 2,000 acre-feet.

**SECONDED** – Mayor Pro-Tem DeLaRosa

**MOTION CARRIES** – Unanimous vote 3-0

**F. ADJOURNMENT** - Mayor Kesselus adjourned the meeting at 9:22 pm.

APPROVED:   
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Ken Kesselus, Mayor

ATTEST:   
\_\_\_\_\_  
Elizabeth Minerva Lopez, City Secretary