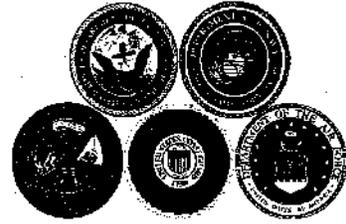


MINUTES
BASTROP CITY COUNCIL MEETING
Wednesday, November 12, 2014 at 6:30 pm



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

1. **CALL TO ORDER** – At 6:30 pm, Mayor Kesselus called the meeting to order. A quorum was present; Council Members Jackson, Beal, McAnally, Gilleland, and Mayor Pro-Tem DeLaRosa were in attendance.
2. **PLEDGES OF ALLEGIANCE**– Former Council Member Bill Peterson and Council Member Joe Beal held the honor to escort our **World War II Veterans** to the podium to lead the Pledges of Allegiance.
United States Army Air Corps – First Lieutenant, Eugene Wilkins
United States Army – Staff Sargent, Norman Crawford
United States Navy – Aviation Ordinance Man Second Class, Wayne Dayton
United States Navy – Radio Man Third-Class, James B. Kershaw
3. **INVOCATION** – “*A Military Chaplin’s Prayer*”
4. **PRESENTATION(S)** – Bastrop Art in Public Places Chairman, Deborah Johnson provided an overview of the People’s Choice Award Transformer Project and introduced Susan Cordova as the winner of the \$1,000 dollar award.
5. **PROCLAMATION(S)** – Mayor Kesselus read and presented the following Proclamations:
“*National Diabetes Month November 2014*” - Executive Assistant to the City Manager Traci Chavez
“*Celebrate Arbor Day on November 14, 2014*” - Parks Superintendent Jason Alfaro
6. **CITIZEN COMMENTS** – Citizen Frank Wise thanked the Council for the opportunity to express his support for a radar placement at Willow Street. He also extended his appreciation to the Bastrop Police Department for doing a great job.
7. **ANNOUNCEMENTS** – Mayor Kesselus thanked the Parks Department and Parks Superintendent Jason Alfaro for organizing the Arbor Day Event that was scheduled for Friday, November 14th at 10:00 am at Bob Bryant Park.

City Manager Talbot thanked the Council for his vacation. He informed the Council that the Bond refinancing went great and the City’s rates were even better than expected.

Council Member Gilleland extended an invitation to the upcoming “Team Up to Clean Up Event” scheduled for Saturday, November 15, 2014.

A. 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(s) so request.

- A.1 Approval of Minutes for the Regular Meetings held on September 23, 2014 and October 14, 2014.
- A.2 Approval of request to accept the Public Improvements for Orchard Parkway located south of State Highway 71, within the Pecan Park Subdivision inside the city limits of Bastrop, Texas. (McCollum)
- A.3 Approval of Bastrop Marketing Corporation’s request for reimbursement of expenses. (Stovall)
- A.4 Approval of the Twenty Percent Circus Contract from Carson & Barnes Circles from Hugo Oklahoma. (Job)

Mayor Kesselus pulled agenda Item A-2 and A-4 at Council Member Gilleland’s request for further discussion. Mayor Kesselus requested a motion.

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

SECOND – Council Member Gilleland seconded the motion.

VOTE– Motion passed unanimously 5-0; *Ayes: DeLaRosa, Gilleland, McAnally, Beal and Jackson.*

In review of Consent Agenda Item A.2, Planning and Development Director McCollum informed the Council that City Engineer Wesley Brandon and Public Works Director Trey Job and collaborated on the project and were recommending approval of the Public Improvement for Orchard Parkway within the Pecan Park Subdivision.

The Council held a discussion which was followed by Mayor Kesselus' request for a motion.

MOTION – Council Member Beal made the motion to approve the request to accept the Public Improvements for Orchard Parkway located south of State Highway 71, within the Pecan Park Subdivision inside the city limits of Bastrop, Texas.

SECOND – Council Member Jackson seconded the motion.

VOTE– Motion passed unanimously 5-0; *Ayes: Beal, Jackson, DeLaRosa, Gilleland, and McAnally.*

In review of Consent Agenda Item A.4, Public Works Director Job provided the Council a brief overview of the Agreement with Carson & Barnes Circus and requested their approval of the Carson & Barnes Circus Contract from Hugo Oklahoma.

The Council held a discussion which was followed by Mayor Kesselus' request for a motion.

MOTION – Council Member Jackson made the motion to approve the Carson & Barnes Contract from Hugo Oklahoma.

SECOND – Council Member Gilleland seconded the motion.

VOTE– Motion passed unanimously 5-0; *Ayes: Jackson, Gilleland, DeLaRosa, Beal, and McAnally.*

Mayor Kesselus requested to move Agenda Item D-1 up for discussion.

D. NEW BUSINESS

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION FOR ACCEPTANCE OF THE PRESENTATION OF THE BASTROP COUNTY HISTORICAL SOCIETY MUSEUM AND VISITORS CENTER OPERATIONS AND MAINTENANCE BUDGET FOR 2015. (WALDRON/STOVALL)

Ms. Libby Sartain held a presentation for the Council and requested their consideration and approval of the above referenced agenda item.

The Council held a discussion that was followed by Mayor Kesselus' request for a motion.

MOTION – Council Member Beal made the motion accept the Bastrop County Historical Society Museum and Visitors Center Operations and Maintenance Budget for 2015.

SECOND – Council Member Gilleland seconded the motion.

VOTE–Motion passed unanimously 5-0; *Aye: Beal, Gilleland, McAnally, DeLaRosa & Jackson*

At 7:04 pm, Mayor Kesselus called for an Executive Session.

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 Govt Code Vernons TX Code, annotated, the item below will be discussed in closed session. SEC.551.071 Consultations w/Attorney related to legal matters

At 7:50 pm, Mayor Kesselus closed the Executive Session and proceeded to Agenda Item B-1.

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

B.1 PUBLIC HEARING: Consideration, discussion and possible action on a **Variance to the Subdivision Ordinance, Chapter 10, Section 5.70 K to eliminate an additional 50' setback from the LCRA high voltage transmission lines or transmission towers for the entire Pecan Park Subdivision**, being +/- 311 acres within the A-56 Mozea Rousseau Tract A-1 and the A98 Nancy Blakey Surveys, located south of Highway 71 and south of Childers Drive within the city limits of Bastrop, Texas. (McCollum)

Mayor Kesselus opened the Public Hearing and invited the Planning and Development Director McCollum who provided a brief overview. She requested the Council's consideration to a variance request to the Subdivision Ordinance, as reflected on Chapter 10, Section 5 to eliminate the additional 50' set back from the LCRA high voltage transmission lines or transmission towers for the entire Pecan Park Subdivision.

The Council was provided a LCRA Easement near Hunters Crossing Map and an article written by Steven Salzburg "Do High Voltage Power Lines Cause Cancer."

Citizen Jacob Henry shared his opinion with the Council Members. Mayor Kesselus thanked Jacob Henry for his input and closed the Public Hearing.

Council held a discussion which was followed by Mayors' request for a motion.

MOTION – Council Member Beal made the motion to approve the variance to the Subdivision Ordinance, Chapter 10, Section 5.70 K to eliminate an additional 50' setback from the LCRA high voltage transmission lines or transmission towers for the entire Pecan Park Subdivision, being +/- 311 acres within the A-56 Mozea Rousseau Tract A-1 and the A98 Nancy Blakey Surveys, located south of Highway 71 and south of Childers Drive within the city limits of Bastrop, Texas.

SECOND – Mayor Pro-Tem DeLaRosa seconded the motion.

VOTE–Motion passed unanimously 5-0; *Aye: Beal, DeLaRosa, McAnally, Gilleland, & Jackson*

C. OLD BUSINESS – NONE

D. NEW BUSINESS

Mayor Kesselus moved Agenda Item D-3 up for discussion before Agenda Item D-2.

D.3 CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON THE PECAN PARK PRELIMINARY PLAT SECTIONS 4 AND 5 BEING +/-40.93 ACRES WITHIN THE MOZEA ROUSSEAU SURVEY A-56, LOCATED SOUTH OF CHILDERS DRIVE AND WEST OF PERKINS STREET WITHIN THE CITY LIMITS OF BASTROP, TEXAS. (MCCOLLUM)

Planning and Development Director McCollum gave an overview on the aforementioned agenda item and requested the Councils consideration and approval.

At 8:15 pm, Council Member McAnally stepped away from the Council Chambers and returned at 8:17 pm.

Public comments were made by citizen's Jacob Henry and Wally Namken in support of the variance request.

The Council held a discussion which was followed by Mayor Kesselus' request for a motion.

MOTION – Council Member Beal made the motion to approve the Pecan Park Preliminary Plat Sections 4 and 5 being +/-40.93 acres within the Mozea Rousseau Survey A-56, located south of Childers Drive and west of Perkins Street within the city limits of Bastrop, Texas..

SECOND – Council Member McAnally seconded the motion.

VOTE–Motion passed unanimously 5-0; *Aye: Beal, McAnally, DeLaRosa, Gilleland, & Jackson*

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2014 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE. (WALDRON)

Assistant Finance Director Waldron requested the Councils consideration and approval on the above reflected agenda item.

After a brief discussion by the Council, the Mayor requested a motion.

MOTION – Council Member McAnally made the motion to approve the First Reading of a proposed ORDINANCE of the City Council of the City of Bastrop Texas, amending the budget for the Fiscal Year 2014 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior Ordinances and actions in conflict herewith; and providing for an effective date. She requested the Second Reading be placed on the Consent Agenda.

SECOND – Mayor Pro-Tem DeLaRosa seconded the motion.

VOTE–Motion passed unanimously 5-0; *Aye: McAnally, DeLaRosa, Gilleland, Beal, & Jackson*

D.4 CONSIDERATION, DISCUSSION, POSSIBLE ACTION REGARDING THE POSSIBILITY OF GRANTING A YEAR-END REBATE TO BASTROP POWER AND LIGHT UTILITY CUSTOMERS. (DeLaRosa)

Mayor moved this for discussion during Executive Session.

At 7:04 pm, Mayor Kesselus moved into Executive Session to discuss Agenda Items D.4, E-1 (1), and E-1 (3).

At 7:55 pm, Mayor Kesselus reconvened into open session and requested a motion with respect to Agenda Item D.4; Consideration, discussion and possible action regarding the possibility of granting a year-end rebate to Bastrop Power and Light Utility Customers.

MOTION – Mayor Pro-Tem DeLaRosa made the motion to grant a seventy-five dollar (\$75) year-end rebate to the Bastrop Power and Light Utility customers, pursuant to the criteria established by the Council in 2012, in the form of a credit on the utility bill.

SECOND – Council Member Jackson seconded the motion.

Council Member Gilleland and Council Member McAnally were in agreement that this rebate should be for all B&PL customers and not as a reward.

Council Member Beal supported the motion on the floor for the Commercial and Residential customers that were in good standing with their utility bill.

Council Member Jackson made a motion to end the discussion and conduct the roll call. All the Council Members were in agreement to end the discussion and provide their vote on the motion.

VOTE–Motion passed with a majority vote of 3-2; *Aye: DeLaRosa, Jackson and Beal*
Nay: McAnally & Gilleland

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:

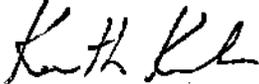
1. SECTION 551.071(1)(A) & SECTION 551.071(2) – CONSULTATION WITH ATTORNEY CONCERNING:
 - (1) POTENTIAL, PENDING, THREATENED, AND/OR CONTEMPLATED LITIGATION OR CLAIMS, INCLUDING BUT NOT LIMITED TO AND/OR
 - (2) MATTER UPON WHICH THE ATTORNEY HAS A DUTY AND/OR RESPONSIBILITY TO REPORT TO THE GOVERNMENTAL 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 551.086 – CERTAIN PUBLIC POWER UTILITIES; COMPETITIVE 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 7:50 pm, Mayor Kesselus reconvened in open session to discuss, consider, and/or take necessary action(s) related to the Executive Session noted herein; no action taken.

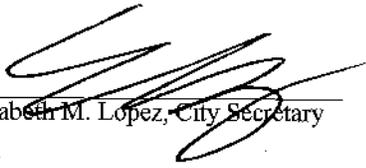
F. ADJOURNMENT - Mayor Kesselus requested a motion to adjourn the meeting. Mayor Pro-Tem DeLaRosa made the motion that was seconded by Council Member Gilleland and the meeting adjourned at 8:50 pm.

APPROVED:



Ken Kesselus, Mayor

ATTEST:



Elizabeth M. Lopez, City Secretary