

M I N U T E S
BASTROP CITY COUNCIL MEETING
Tuesday, December 9, 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** - Mayor Kesselus recognized the great efforts of the Form Based Code Task Force and invited Herb Goldsmith to read the Pledges of Allegiance.
3. **INVOCATION** – The Reverend Grady Chandler – Pentecostals of Bastrop
4. **PRESENTATION(S)** – a) Bastrop Student Character Trait Education “Perseverance”– Mayor Kesselus invited Aubrie Hanna who thanked the Council and presented her thoughts on the importance of “Perseverance.” She enjoys Playing soccer and volleyball and her favorite subject is accompanied by her parents Melissa and Pat Hanna. Aubrie was accompanied by her proud parents Melissa and Pat Hanna. The Council thanked her for her presentation. Council Member Jackson and Mayor Kesselus reiterated a part of her speech that stressed the importance of never giving up and to continue trying until you are satisfied.
b) The Bastrop Economic Corporation, the Bastrop Power & Light, and the Bastrop Main Street Program presented checks to the winner of the Second Annual Adult Entrepreneur Business Plan Competition, Cindy Cordova, owner of Cherry Blossoms Spa. The Council congratulated Cindy Cordova and wished her great success.
5. **PROCLAMATION(S)**
6. **CITIZEN COMMENTS**
7. **ANNOUNCEMENTS**

City Manager’s Informational Report for December 9, 2014: Items for update, discussion & possible action:

- F. Update on the Bastrop County Grant Program for the Construction of a “Shelter Facility” – City Manager Talbot informed the Council that all the materials required to apply for the \$1.5 million dollar grant for a “Shelter Facility” were submitted to the Bastrop County on December 4, 2014.
- K. City Council Planning Retreat- City Manager Talbot requested the Council’s direction if they would like to acquire the services of a facilitator for the upcoming City Council Retreat scheduled for Saturday, January 31, 2015. The Council opted not to hire a facilitator and utilize the City Manager’s expertise on structuring the retreat.
- L. Update on the Comprehensive Plan Project - City Manager Talbot informed the Council of his progress in the development of the RFQ and anticipates submission for their review and input by December 15, 2014.
- E. Review and Discussion Regarding a Letter of Support from the City of Bastrop to Participate and be a Member of the B.E.S.T Health Coalition – City Manager Talbot informed the Council that the City had been invited to participate and be a member with the Bastrop County, Elgin, Smithville and various non-profit entities in the B.E.S.T Health Coalition. The Coalition works on diabetes prevention awareness in Bastrop County and they are planning on applying for “Building Healthy Communities Grant: from the American Planning Association.

Mayor Kesselus’ requested a motion.

MOTION – Council Member Beal made the motion to authorize the City Manager to write a letter of support from the City of Bastrop to participate and become a member of the B.E.S.T. Health Coalition.

SECOND – Council Member McAnally seconded the motion.

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

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- 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 Workshop Session on Wednesday, November 12 & November 18, 2014 and the Regular Meetings on Wednesday, November 12, 2014 and on Tuesday, November 25, 2014.
 - A.2 **SECOND READING:** Consideration, discussion and possible action on the Second Reading of an ORDINANCE granting an amendment to portions of Chapter 3, “Building Regulations” and Chapter 5 “Fire Prevention and Protection” Chapters of the Code of Ordinances to update and replace portions of Chapter 3 and Chapter 5 to use the 2009 International Building Code (IBC) and code family as produced by the International Code Council and adopt the 2011 National Electric Code (NEC) as produced by the National Fire Protection Agency relating to the building regulations and fire prevention and protection within the City of Bastrop, Texas for both residential and commercial construction; providing a severability clause; and providing and effective date. (McCollum)

- A.3 SECOND READING: Consideration, discussion and possible action on the Second Reading of an Ordinance amending the Budget for the Fiscal Year 2014-2015 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. (Talbot)
- A.4 SECOND READING: Consideration and possible action with respect to the Second Reading of a "RESOLUTION Expressing Official Intent to Reimburse Certain Expenditures" of the City of Bastrop, Texas.
- A.5 Consideration, discussion and possible action to approve the statutory denial, for a period of 180 days from the date of Council action on this request, for the Administrative Plat of Burluson Crossing Subdivision, to create two commercial lots at the southeast corner of Duff Drive and Blakey Lane located within Burluson Crossing Shopping Center in the city limits of Bastrop, Texas. (McCollum)
- A.6 Consideration, discussion and possible action to approve the proposed tax rebates for Historic Landmarks. (McCollum)

Mayor Kesselus read the captions A-2, A-3, and A-4 in recognition of the second readings and requested a motion.

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

SECOND – Council Member McAnally seconded the motion.

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

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.551.071Consultations w/Attorney related to legal matters*

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, Rural Subdivision Design Requirements Section 6.110.4 Lot Size, to allow the lots to be a minimum of one (1) acre in size within Sections 2 and 3 of WoodRun Subdivision. The property is located north of Smith Road within the City of Bastrop, Texas 1 mile Extra Territorial Jurisdiction (ETJ).. (McCollum)

At 7:10 pm, Mayor Kesselus opened the Public Hearing and invited the Planning and Development Director McCollum who advised the Council that staff was recommending approval of the variance for Sections 2 and 3 of the WoodRun Subdivision to have a minimum of one-acre lot size. All other subdivision requirements will be met. The continuation of Section 2 and 3 will complete the WoodRun Subdivision.

Public Comments were made by Sid Lanier, Laura Sear and Agnes Raz during the Public Hearing on the Variance to the Subdivision Ordinance.

Mayor Kesselus closed the Public Hearing at 7:37 pm. The Council held a discussion which was followed by Mayor's request for a motion.

MOTION – Council Member Beal made the motion approve the variance for Sections 2 and 3 of the WoodRun Subdivision to have a minimum of one-acre lot size that will complete the WoodRun Subdivision.

SECOND – Council Member Gilleland seconded the motion.

VOTE–Motion passed with a vote of 4-1; *Aye: Beal, Gilleland, McAnally, & Jackson Abstain: DeLaRosa*

C. OLD BUSINESS

D. NEW BUSINESS

- D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE ACCEPTANCE OF THE UNAUDITED MONTHLY FINANCIAL REPORT AND QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2014. (STOVALL)

Chief Financial Officer/ ACM Stovall requested the Councils approval of the unaudited monthly Financial Report and Quarterly Investment Report for the period ending on September 30, 2014. Mayor Kesselus requested a motion.

MOTION – Council Member Beal made the motion to approve the unaudited monthly Financial Report and Quarterly Investment Report for the period ending on September 30, 2014.

SECOND – Council Member Gilleland seconded the motion.

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

- D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION FOR THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS (COUNTY, LIMITED DISTRICT, COMMISSION, OR DISTRICT BOARD OR PARKS AND RECREATION COMMISSION, ETC.) REQUESTING THE MEMBERS OF THE 84TH LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT INCREASES FUNDING FOR THE TEXAS RECREATION & PARKS ACCOUNT AND LARGE COUNTY AND MUNICIPALITY RECREATION AND PARKS ACCOUNT LOCAL PARK GRANT PROGRAMS, AND THE TEXAS STATE PARK SYSTEM. (TALBOT)

City Manager Talbot deferred agenda item to Council Member Jackson who requested the Councils support of a Resolution that would help increase funding our City and County Parks. Mayor Kesselus followed with a request for a motion.

MOTION – Dock Jackson made the motion to approve a Resolution by the Bastrop City Council requesting the Members of the 84th Legislative Session of the State of Texas to support Legislation that increases funding for the Texas Recreation and Parks Account, Local Park Grant Programs, and the Texas State Park System.

SECOND – Mayor Pro-Tem DeLaRosa seconded the motion.

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

At 7:52 pm, Mayor Kesselus moved into Executive Session to discuss all the items outlined under the Executive Session.

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) and/or 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 – Administration
4. 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.

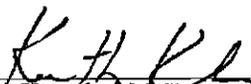
At 9:39 pm, Mayor Kesselus reconvened in open session to discuss, consider, and/or take necessary action(s) related to the Executive Session noted herein. City Manager Talbot recommended that the Council authorize Mayor Kesselus to execute an Interlocal Agreement with the BISSD and Bastrop County to address pending real property issues in Pine Forest Unit #6.

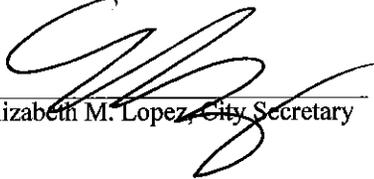
Motion – Council Member Beal made the motion to authorize Mayor Kesselus to execute an Interlocal Agreement with the BISSD and Bastrop County to address pending real property issues in Pine Forest Unit #6 pursuant to the recommendation of Mr. Bundren.

Second – Council Member Gilleland seconded the motion.

Vote–Motion passed with a vote of 4-0; *Aye: McAnally, Gilleland, DeLaRosa, and Beal* (Council Member Jackson was not present and remained outside the Council Chambers)

F. ADJOURNMENT - Mayor Kesselus requested a motion to adjourn the meeting. Motion made by Council Member Beal and seconded by Council Member McAnally followed by well wishes on a Merry Christmas and the meeting adjourned at 9:41 pm.

APPROVED: 
Ken Kesselus, Mayor

ATTEST: 
Elizabeth M. Lopez, City Secretary