

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING & PUBLIC HEARING
TUESDAY, MARCH 3, 2015, 7:00 P.M.
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET**

CALL TO ORDER

Mayor Marc Holm called the meeting to order at 7:10 p.m. with all members present except Council Member Keith Joesel.

Marc Holm, Mayor
Chris Cannon, Mayor Pro-Tem
Keith Joesel, Council Member (absent)
Sue Brashar, Council Member
Edward Maldonado, Council Member
Juan Gonzalez, Council Member
Mary Penson, Council Member
Jessica Bega, Council Member
Craig Fromme, Council Member
Kerry Lacy, City Manager
Lucretia Alvarez, City Secretary
Charlie Crossfield, City Attorney

INVOCATION

Council Member Mary Penson gave the invocation.

REGULAR MEETING was recessed at 7:12 p.m. and the PUBLIC HEARING was called to order at 7:12 p.m.

PUBLIC HEARING

1. Conduct a public hearing to consider whether the property located at 423 West Brenham Street, Elgin, Texas 78621 is an unsafe building in violation of the City of Elgin's Code of Ordinances and whether such Property should be ordered to be demolished in accordance with the City's ordinances.

Gary N. Cooke, Planning and Development Director

Public hearing was called to order at 7:12 p.m., and with no public comments the public hearing was closed at 7:13 p.m.

2. Conduct a public hearing to consider whether the property located at 111-113 Reyna Street, Elgin, Texas 78621 is an unsafe building in violation of the City of Elgin's Code of Ordinances and whether such Property should be ordered to be demolished in accordance with the City's ordinances.

Gary N. Cooke, Planning and Development Director

Public hearing was called to order at 7:13 p.m., and with no public comments the public hearing was closed at 7:14 p.m.

3. Conduct a public hearing to consider whether the property located at 602 Alley A, Elgin, Texas 78621 is an unsafe building in violation of the City of Elgin's Code of Ordinances and whether such Property should be ordered to be demolished in accordance with the City's ordinances.

Gary N. Cooke, Planning and Development Director

Public hearing was called to order at 7:14 p.m., and with no public comments the public hearing was closed at 7:15 p.m.

4. Conduct a public hearing for a proposed zoning change request from William E. Rivers for his property located at 121 Anderson Drive from R-1 residential to C-3 commercial.

Gary N. Cooke, Planning and Development Director

Public hearing was called to order at 7:15 p.m., and with no public comments the public hearing was closed at 7:18 p.m.

Mayor Marc Holm Closed the PUBLIC HEARING and reconvened the REGULAR MEETING at 7:18 p.m.

PUBLIC COMMENT

Jeanette Shelby, 409 North Main Street, Elgin supports agenda item 7 to bring more people to the downtown area and generate more residents downtown as well. As a realtor with current prospective property buyers, investors express to her they would like to see the downtown properties succeed and would invest even more with the downtown area improvement plans approved. Downtown businesses have a better chance of growing alongside a brighter looking park area downtown.

Lynn Cottle, 104 Terra Drive, Elgin has inquiries on agenda item 7 in regards to the art orchard and the demonstration garden. She has concerns regarding the number of trees, the lack of tables, the maintenance that will be required, and the cost going into this area for the number of people who may use it. She prefers to see the money spent on street repairs.

Ed Rivers, 22 North Main Street, Elgin supports agenda item 7 on behalf of the Main Street Board and the Historical Review Board, as well as a business owner and property owner. He expressed that this plan will go through changes as this is an ongoing project which will have various funding along the way.

Renee Girling, 650 County Road 468, Elgin supports agenda item 7 as a business owner, property owner, and Main Street Board member. She and her husband believe this as a great opportunity to develop the downtown area in a way for both the downtown and Elgin community to continue to grow.

PRESENTATIONS

1. Elgin recognized as a Nationally Accredited Texas Main Street Program.
Amy Miller, Community Development Director

Elgin has earned this distinguished honor every year since it became a Main Street community in 1998. Amy thanked those present and recognized them for their support of the Main Street Program. Ed Rivers, Jeanette Shelby, Renee Girling, and Gena Carter serve in various capacities on the board and committees.

REPORTS

1. Monthly Reports for January 2015
Kerry Lacy, City Manager
2. Presentation of Elgin Police Department 2014 Racial Profiling Report
Chris Bratton, Chief of Police

Dr. Del Carmen will be correcting the tables for any data mistakes. Chief Bratton stated they deal with many travelers through our city, and they hope to create better tracking for visitors versus citizens on the report. The greatest number of arrests were made from warrants for Municipal Court. Probable cause consent forms are offered in both English and Spanish. In all, 1263 contacts were made for violations, but 99 percent of the time they do not know the specific race of the drivers until they approach the car. Officers perception of race is by visual check, as most Hispanic names until recently were registered in the state of Texas as Caucasians. Hiring in Elgin is competitive being close to Austin, but we are actively looking for a diversity of applicants.

CONSENT AGENDA

Mayor Pro-Tem Chris Cannon made a motion to approve the Consent Agenda as presented, Council Member Craig Fromme seconded, and motion approved unanimously.

1. Approval of minutes of the regular council meeting February 3, 2015.
Lucretia Alvarez, City Secretary
2. Approval of minutes of the special council meeting February 10, 2015.
Lucretia Alvarez, City Secretary
3. Approval of open container ordinance waiver request from Drive-a-Senior for Taste the Town on Main Street from Second Street to Depot Street on Thursday, April 30, 2015 from 5:30 p.m. until 9:00 p.m.
Lucretia Alvarez, City Secretary
Amy Miller, Community Development Director
4. Approval of an appointment of Brad Kilgore to the Parks and Recreation Advisory Board for a two year term that expires December 31, 2017.
Michael Gonzalez, Parks and Recreation Program Manager
5. Approval of Ordinance Number 2015-03-03-09 amending Ordinance Number 2014-03-04-02 providing for a 2% increase in the rate Republic Services charges for collection of solid waste as authorized and approved in the original contract with the City of Elgin.
Kerry Lacy, City Manager

ORDINANCE NO. 2015-03-03-09

AN ORDINANCE AMENDING ORDINANCE 2014-03-04-02 ESTABLISHING NEW RATES FOR THE COLLECTION OF WASTE DISPOSAL FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS BASED ON THE ANNUAL CONSUMER PRICE INDEX ADJUSTMENT TO THE REPUBLIC SERVICES CONTRACT FOR COLLECTION OF SOLID WASTE FOR THE CITY OF ELGIN.

UNFINISHED BUSINESS

1. Discussion and action adopting an Ordinance 2015-03-03-10 in accordance with, Chapter 46, Section 46-3 Elgin City Code of Ordinances for a zoning change request for Micah and Michelle Erwin for 414 East 8th Street for a specific use permit for three (3) years.
Gary N. Cooke, Planning and Development Director

Mayor Pro-Tem Chris Cannon made a motion to approve Ordinance 2015-03-03-10 as presented, Council Member Sue Brashar seconded, and motion approved unanimously.

ORDINANCE NO. 2015-03-03-10

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE PROPERTY BEING LOT 3A, BLOCK H, IN THE GARRETT'S SECOND ADDITION, LOCATED AT 414 EAST 8TH STREET, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO S-P FOR A SPECIFIC USE PERMIT FOR A MEADERY.

2. Discussion and action adopting an Ordinance 2015-03-03-11 in accordance with, Chapter 46, Section 46-3, Elgin City Code of Ordinances for a zoning change for Roseanne Cullen for property located at 515 North Highway 95 from C-3 commercial to R-1 residential.

Gary N. Cooke, Planning and Development Director

Council Member Sue Brashar made a motion to approve Ordinance 2015-03-03-11 as presented, Mayor Pro-Tem Chris Cannon seconded, and motion approved unanimously.

ORDINANCE NO. 2015-03-03-11

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE PROPERTY BEING IN THE THOMAS CHRISTIAN A20 SURVEY, 1.4810 ACRES, LOCATED AT 515 NORTH STATE HIGHWAY 95, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM C-3 HIGHWAY COMMERCIAL TO R-1 RESIDENTIAL.

NEW BUSINESS

1. Discussion and action after the public hearing to determine whether the property located at 423 West Brenham, Elgin, Texas 78621 is an unsafe building and a public nuisance in violation of the City's Code of Ordinances and to consider approval and adoption of an Ordinance 2015-03-03-12 to order the demolition of the property.

Gary N. Cooke, Planning and Development Director

Council Member Sue Brashar made a motion to approve Ordinance 2015-03-03-12 as presented, Council Member Craig Fromme seconded, and motion approved.

7 ayes, 0 nays, Gonzalez abstained, Joesel absent.

ORDINANCE NO. 2015-03-03-12

AN ORDINANCE MAKING FINDINGS OF FACT; FINDING A STRUCTURE OR BUILDING TO BE DILAPIDATED, SUBSTANDARD, UNSAFE, AND UNFIT FOR HUMAN HABITATION; FINDING THE STRUCTURE TO BE A PUBLIC NUISANCE AND A HAZARD TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY; ORDERING THE NUISANCE TO BE ABATED; ORDERING THAT THE PROPERTY BE DEMOLISHED; AND MAKING OTHER PROVISIONS.

2. Discussion and action after the public hearing to determine whether the property located at 111-113 Reyna Street, Elgin, Texas 78621 is an unsafe building and a public nuisance in violation of the City's Code of Ordinances and to consider approval and adoption of an Ordinance 2015-03-03-13 to order the demolition of the property.
Gary Cooke, Planning and Development Director

Mayor Pro-Tem Chris Cannon made a motion to approve Ordinance 2015-03-03-13 as presented, Council Member Mary Penson seconded, and motion approved.
7 ayes, 0 nays, Gonzalez abstained, Joesel absent.

ORDINANCE NO. 2015-03-03-13

AN ORDINANCE MAKING FINDINGS OF FACT; FINDING A STRUCTURE OR BUILDING TO BE DILAPIDATED, SUBSTANDARD, UNSAFE, AND UNFIT FOR HUMAN HABITATION; FINDING THE STRUCTURE TO BE A PUBLIC NUISANCE AND A HAZARD TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY; ORDERING THE NUISANCE TO BE ABATED; ORDERING THAT THE PROPERTY BE DEMOLISHED; AND MAKING OTHER PROVISIONS.

3. Discussion and action after the public hearing to determine whether the property located at 602 Alley A, Elgin, Texas 78621 is an unsafe building and a public nuisance in violation of the City's Code of Ordinances and to consider approval and adoption of an Ordinance 2015-03-03-14 to order the demolition of the property.
Gary N. Cooke, Planning and Development Director

Mayor Pro-Tem Chris Cannon made a motion to approve Ordinance 2015-03-03-14 as presented, Council Member Sue Brashar seconded, and motion approved.
7 ayes, 0 nays, Gonzalez abstained, Joesel absent.

ORDINANCE NO. 2015-03-03-14

AN ORDINANCE MAKING FINDINGS OF FACT; FINDING A STRUCTURE OR BUILDING TO BE DILAPIDATED, SUBSTANDARD, UNSAFE, AND UNFIT FOR HUMAN HABITATION; FINDING THE STRUCTURE TO BE A PUBLIC NUISANCE AND A HAZARD TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY; ORDERING THE NUISANCE TO BE ABATED; ORDERING THAT THE PROPERTY BE DEMOLISHED; AND MAKING OTHER PROVISIONS.

4. Discussion and action to consider adopting an Ordinance 2015-03-03-15 for a proposed zoning change request from William E. Rivers for his property located at 121 Anderson Drive from R-1 residential to C-3 commercial.
Gary N. Cooke, Planning and Development Director

Council Member Sue Brashar made a motion to approve Ordinance 2015-03-03-15 as presented, Council Member Craig Fromme seconded, and motion approved.
7 ayes, 0 nays, Gonzalez abstained, Joesel absent.

ORDINANCE NO. 2015-03-03-15

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3 CODE OF ORDINANCES, CITY OF ELGIN, TEXAS AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE PROPERTY BEING LOT 1, BLOCK 2, IN THE JACK ANDERSON ADDITION, LOCATED AT 121 ANDERSON DRIVE, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-1 RESIDENTIAL TO C-3 HIGHWAY COMMERCIAL.

5. Discussion and action to consider approving the Investment Policy for the City of Elgin.

Buck LaQuey, Finance Director

Laura Schwartz, Purchasing Agent and Finance Assistant

Mayor Pro-Tem Chris Cannon made a motion to approve the Investment Policy for the City of Elgin, Council Member Jessica Bega seconded, and motion approved.

8 ayes, 0 nays, 1 absent.

6. Discussion and action to consider approving an extension of the Depository Contract with Prosperity Bank for one year.

Buck LaQuey, Finance Director

Laura Schwartz, Purchasing Agent and Finance Assistant

Mayor Pro-Tem Chris Cannon made a motion to approve the extension of the Depository Contract with Prosperity Bank for one year, Council Member Jessica Bega seconded, and motion approved.

8 ayes, 0 nays, 1 absent.

7. Discussion and action to consider accepting Master Plan for Union Pacific property in Downtown Elgin from McCann Adams Studio.

Amy Miller, Community Development Director

Mayor Pro-Tem Chris Cannon made a motion to accept the conceptual Master Plan for the Union Pacific property in Downtown Elgin from McCann Adams Studio, City of Elgin, Council Member Sue Brashar seconded, and motion approved.

8 ayes, 1 nay Gonzalez, 1 absent.

EXECUTIVE SESSION

None

RECONVENE

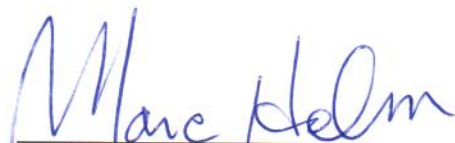
None

ANNOUNCEMENTS

- Keep the families in your thoughts for the car accident fatalities of two Elgin teenagers.
- Senator Watson and Representative Cyrier both called to support the community in tragic loss.
- Several surrounding schools paused for silence in respect for the students lost in the accident.
- Little League fundraiser is Saturday.
- Counties are not solely allowed to create a TIRZ, but municipalities are.
- Easter Egg Hunt will be at Thomas Park.
- Daylight savings time changes this weekend.
- Super Heroes Run Saturday morning fundraiser for Juvenile Diabetes Research Foundation.
- Chamber of Commerce lunch will be on Thursday.

ADJOURNMENT

Mayor Marc Holm adjourned the meeting at 8:55 p.m.


MARC HOLM
Mayor of Elgin, Texas

ATTEST:


LUCRETIA ALVAREZ
City Secretary of Elgin, Texas



LUCRETIA ALVAREZ
City Secretary