



ELGIN CITY CITY COUNCIL MINUTES

May 7, 2024

6:30 PM

CALL TO ORDER

Mayor McShan called the meeting to order at 6:31 p.m.

ROLL CALL

Mayor McShan announced there was a quorum. She stated that Mr. Callahan would not be in attendance. Mayor Pro Tem Brashar made a motion to excuse Mr. Callahan. Mr. Swain seconded the motion. All voted in favor. The motion was carried.

Present:

Theresa Y. McShan, Mayor
Arthur Gibson III, Council Member
Joy Casnovsky, Council Member
YaLecia Love, Council Member
Chuck Swain, Council Member
Matthew Callahan, Council Member
Al Rodriguez, Council Member
Forest Dennis, Council Member
Sue Brashar, Mayor Pro Tem

Staff:

Thomas L. Mattis, City Manager
Jennifer Stubbs, City Secretary
Pam Sanders, HR Director
Amy Miller, Community Services Director
Beau Perry, City Engineer/Development Services Director
Belen Pena, Finance Director
Chris Noble, Chief of Police
Michael Gonzalez, Public Works Director
Sonia Browder, Media Specialist

INVOCATION

Mayor McShan provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor McShan led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America and Pledge of Allegiance to the Texas Flag.

PUBLIC HEARING

1. **Public Hearing on an Ordinance amending the Official Zoning Map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances City of Elgin, Texas, 2013 and making this amendment a part of said Zoning Map to wit: To rezone land from "R-1" Single Family Dwelling District to "R-2" Single Family and Duplex Dwelling District located on parcels of land known by the Bastrop County Appraisal District as Parcel 11006, located at the corner of East 2nd Street and Taylor Lane (Abstract 20 Christian, Thomas, Acres 0.4500) being described in Exhibit "A", attached hereto and providing for a savings clause and repealing conflicting ordinances and resolutions.**

Mayor McShan read the caption of the Public Hearing. Mr. Mattis stated that this was a rezoning request by the property owner. He stated that there was no PDD or development plan. Mr. Mattis stated that the Planning & Zoning Commission recommended denial of the request.

Juan Martinez, 104 Taylor Lane, stated that there were problems with the road. He stated that drainage was not installed across the street.

Sandy Menley, 163 S. Westbrook Ln, expressed her concerns with the drainage issues at the property and urged the council to deny the request.

Ruby Sims, 730 Second Street, expressed her concern with the drainage issues and requested denial.

Mayor McShan closed the public hearing.

2. **Public Hearing on An Ordinance Amending The Official Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone Approximately 5.012 Acres Of Land From "R-1" Single Family District To "PDD" Planned Development District, Located On A Parcel Of Land Known By The Travis County Appraisal District As Parcel Number 920526 Lying In And Being Situated Out Of The Henry Martin Survey, Abstract 518, In Travis County, Texas, And Being A Portion Of That Certain 105.254 Acre Tract Of Land Conveyed To Elgin Rolling Meadows, LLD Located On The Corner Of County Line Road And Carlson Lane, Said Tract Being More Described In Exhibit "A"; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Mayor McShan read the caption of the Public Hearing. Mr. Mattis stated that this was a proposed PDD and provided additional comments. There were no public hearing comments.

3. **Public Hearing On A Resolution Of The City Of Elgin Texas Authorizing The City Manager To Execute A Strategic Partnership Agreement With Triada Municipal Utility District And Making Certain Findings Related Thereto**

Mayor McShan read the caption of the Public Hearing. Mr. Mattis stated that this was a proposed Strategic Partnership Agreement as a part of the Triada Municipal Utility District and provided additional comments. There were no public hearing comments.

PUBLIC COMMENT

There were no public comments.

PRESENTATION

2. National Historic Preservation Month Proclamation

Jake Carter, 534 Old McDade Road, provided an update about the Mary Christian Burleson Home. Mayor McShan read the proclamation and presented it to various partners of the Mary Christian Burleson Home.

1. Appreciation for Poll Workers in the City of Elgin, Texas

Mayor McShan thanked the poll workers and provided a small token of appreciation.

CITY MANAGERS REPORT

1. FY 23-24 City of Elgin Q2 Investment Report

There were no questions or comments from Council.

2. Planning & Zoning Commission (PZC) Quarterly Report

There were no comments or questions from Council.

3. General Activity Report and/or Project Update

Mr. Mattis stated that he was able to attend a Badge Pinning Ceremony for ten new officers. Commander Johnson provided some information about the swearing-in ceremony.

CONSENT AGENDA

1. CONSIDER REQUEST TO WAIVE OPEN CONTAINER ORDINANCE FOR THE LUNA MARKET HELD ON FRIDAY, JUNE 7TH, 2024, FROM 5:00PM TO 10:00PM IN ELGIN MEMORIAL PARK MAIN PAVILION

The request was approved on the consent agenda.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #4 FOR VETERANS MEMORIAL PARK EXPANSION, AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution was approved on the consent agenda.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MARGO SAWYER FOR PUBLIC ART FOR VETERANS MEMORIAL PARK EXPANSION, AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution was approved on the consent agenda.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE PROFESSIONAL SERVICES FEES WITH AGILE INTERIORS RELATED TO THE ELGIN POLICE DEPARTMENT STATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution was approved on the consent agenda.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE PROFESSIONAL SERVICES FEES WITH BAIRD/WILLIAMS CONSTRUCTION, LTD RELATED TO THE ELGIN POLICE DEPARTMENT STATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution was approved on the consent agenda.

6. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE PROFESSIONAL SERVICES FEES WITH FGM ARCHITECTS INC. RELATED TO THE ELGIN POLICE DEPARTMENT STATION PROJECT; AND

MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution was approved on the consent agenda.

7. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER 7 FOR THE COUNTY LINE ROAD IMPROVEMENT PROJECT PHASE I AND MAKING CERTAIN FINDINGS RELATED THERETO**

The resolution was approved on the consent agenda.

8. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER 8 FOR THE COUNTY LINE ROAD IMPROVEMENT PROJECT PHASE I AND MAKING CERTAIN FINDINGS RELATED THERETO**

The resolution was approved on the consent agenda.

9. **City Council Regular Meeting Minutes-April 2, 2024**

The minutes were approved on the consent agenda.

Mr. Dennis made a motion to approve the consent agenda. Mr. Gibson III seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

1. **AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID ZONING MAP TO WIT: TO REZONE LAND FROM "R-1" SINGLE FAMILY DWELLING DISTRICT TO "R-2" SINGLE FAMILY AND DUPLEX DWELLING DISTRICT LOCATED ON PARCELS OF LAND KNOWN BY THE BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL 11006, LOCATED AT THE CORNER OF EAST 2ND STREET AND TAYLOR LANE (ABSTRACT 20 CHRISTIAN, THOMAS, ACRES 0.4500) BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Mr. Mattis provided comments. Mayor Pro Tem Brashar stated that she asked that the Council honor how the P&Z Commission voted. Discussion followed. Mayor Pro Tem Brashar made a motion to deny the ordinance as presented. Ms. Love seconded the motion. Mr. Mattis stated the the new provision of the code says that they cannot make this request for a year if denied. The motion was: Mayor Pro Tem Brashar-yes, Mayor McShan-yes, Ms. Casnovsky-no, Mr. Gibson III-yes, Mr. Swain-yes, Ms. Love-yes, Mr. Rodriguez-yes, and Mr. Dennis-yes. The motion carried.

2. **AN ORDINANCE AMENDING THE OFFICIAL MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE APPROXIMATELY 5.012 ACRES OF LAND FROM "R-1" SINGLE FAMILY DISTRICT TO "PDD" PLANNED DEVELOPMENT DISTRICT, LOCATED ON A PARCEL OF LAND KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCEL NUMBER 920526 LYING IN AND BEING SITUATED OUT OF THE HENRY MARTIN SURVEY, ABSTRACT 518, IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN 105.254 ACRE TRACT OF LAND CONVEYED TO ELGIN ROLLING MEADOWS, LLC LOCATED ON THE CORNER OF COUNTY LINE ROAD AND CARLSON LANE, SAID TRACT BEING MORE DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Mr. Mattis stated that this was a small commercial development proposed PDD and provided details about the project. Mr. Perry answered questions of the Council. Ms. Love made a motion to approve the ordinance. Mr. Gibson III seconded the motion. All voted in favor. The motion carried.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSENT AND DEVELOPMENT AGREEMENT WITH QUALICO DEVELOPMENTS (U.S.) INC. AND TRIADA MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO.

Mr. Mattis provided a presentation over the proposed Triada Municipal Utility District. Mayor McShan left the dais at 7:38 p.m. Mayor McShan returned to the dais at 7:41 p.m. Mr. Perry answered questions of the Council. Discussion followed.

Taylor Christian, 317 McClendon Drive, stated we would need to increase water lines. There should be additional data provided to help make these decisions.

Mr. Rodriguez made a motion to approve the resolution. Mr. Dennis seconded the motion. The motion was: Mr. Rodriguez-yes, Mr. Dennis-yes, Mayor Pro Tem Brashar-yes, Mayor McShan- yes, Ms. Casnovsky-yes, Mr. Gibson III-no, Mr. Swain-yes, Ms. Love-no. The motion carried.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING AN AGREEMENT WITH QUALICO DEVELOPMENTS FOR WHOLESALE WATER SERVICE FOR THE TRIADA MUNICIPAL UTILITY DISTRICT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

Mr. Mattis stated that there were two separate agreements, one for water and one for wastewater. Mr. Rodriguez made a motion to approve the resolution. Mayor Pro Tem Brashar seconded the motion. The motion was: Mr. Rodriguez-yes, Mr. Dennis-yes, Mayor Pro Tem Brashar-yes, Mayor McShan- yes, Ms. Casnovsky-yes, Mr. Gibson III-no, Mr. Swain-yes, Ms. Love-no. The motion carried.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING AN AGREEMENT WITH QUALICO DEVELOPMENTS FOR WHOLESALE WASTEWATER SERVICE FOR THE TRIADA MUNICIPAL UTILITY DISTRICT; AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated that this item was to approve the contract for wholesale wastewater service. Mr. Swain made a motion to approve the resolution. Mr. Dennis seconded the motion. The motion was: Mr. Swain-yes, Ms. Love-no, Mr. Rodriguez-yes, Mr. Dennis-yes, Mayor Pro Tem Brashar-yes, Mayor McShan-yes, Ms. Casnovsky-yes, and Mr. Gibson III-no. The motion carried.

6. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AMENDING THE MASTER AGREEMENT WITH AQUA WATER SUPPLY TO ADD THE TRIADA DEVELOPMENT SUBJECT TO TRANSFER TO THE ELGIN CCN FROM AQUA WATER CCN AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis provided comments and stated that the cost would be a pass through cost. Ms. Casnovsky made a motion to approve the resolution. Mayor Pro Tem Brashar seconded the motion. The vote was: Ms. Casnovsky-yes, Mr. Gibson III-no, Mr. Swain-yes, Ms. Love-no, Mr. Rodriguez-yes, Mr. Dennis-yes, Mayor Pro Tem Brashar-yes, and Mayor McShan-yes. The motion carried.

7. A RESOLUTION OF THE CITY OF ELGIN, TEXAS CONSENTING TO THE DISANNEXATION OF 34.72 ACRES OF LAND, MORE OR LESS, IN SUPPORT OF THE TRIADA MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated that items 7 and 8 are complimentary . He stated that Eagle's Landing Phase 5 sold the land to the Triada MUD. Mayor Pro Tem Brashar made a motion to approve the resolution. Ms Casnovsky seconded the motion. The motion was: Mayor Pro Tem Brashar-yes, Mayor McShan- yes, Ms. Casnovsky-yes, Mr. Gibson III-no, Mr. Swain-yes, Ms. Love-no, Mr. Rodriguez-yes, and Mr. Dennis-yes. The motion carried.

8. A RESOLUTION OF THE CITY OF ELGIN, TEXAS CONSENTING TO THE INCLUSION OF LAND WITHIN TRIADA MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis provided comments about this resolution during the previous item. Mr. Dennis made a motion to approve the resolution. Mayor Pro Tem Brashar seconded the motion. The motion was: Mr. Dennis-yes, Mayor Pro Tem Brashar-yes, Mayor McShan- yes, Ms. Casnovsky-yes, Mr. Gibson III-no, Mr. Swain-yes, Ms. Love-no, and Mr. Rodriguez-yes. The motion carried.

9. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BAIRD/WILLIAMS CONSTRUCTION FOR AN AMENDMENT TO THE GUARANTEED MAXIMUM PRICE FOR THE NEW CITY OF ELGIN POLICE DEPARTMENT STATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated that this was a Change Order for the Not to Exceed Contract for the Police Station. This change order will be a new street by the police station. Mr. Swain made a motion to approve the resolution. Mr. Rodriguez seconded the motion. All voted in favor. The motion carried.

10. AN ORDINANCE SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON UPDATED LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR THE CITY OF ELGN, TEXAS PROVIDING FINDINGS OF FACT; AND PROVIDING FOR A SAVINGS CLAUSE.

Mr. Mattis stated that this was a formality to update the City's Impact Fees. Mr. Swain made a motion to approve the resolution. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

11. Boards and Commissions Appointments

This item was tabled.

EXECUTIVE SESSION

1. Adjourn into Executive Session pursuant to Section §551.071 Consultations with Attorney; to deliberate with legal counsel regarding pending or contemplated litigation: Citation Cause #2621-21 State of Texas vs. City of Elgin

Mayor McShan adjourned the Regular Meeting into Executive Session at 8:33 p.m.

RECONVENE

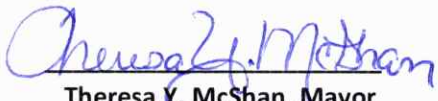
The City Council returned to the dais at 9:13 p.m. The City Council reconvened at 9:15 p.m. No action was taken.

ANNOUNCEMENTS

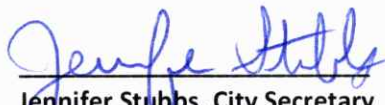
Ms. Casnovsky stated that the Elgin Music Festival was this weekend and Sip, Shop, and Stroll was this week. Mayor Pro Tem Brashar stated that Juneteenth was having a Silent Auction at the Chamber of Commerce. Mr. Mattis stated that there was Trivia Night at Millie's on Thursday evening. Mayor McShan thanked those who attended the Prayer Breakfast.

ADJOURNMENT

Mayor McShan adjourned the meeting at 9:17 p.m.


Theresa Y. McShan, Mayor

ATTEST:


Jennifer Stubbs, City Secretary