

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, DECEMBER 6, 2016
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET**

CALL TO ORDER

Mayor Chris Cannon called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Chris Cannon, Mayor
Juan Gonzalez, Mayor Pro Tem
Sue Brashar, Council Member
Mary Penson, Council Member
Jessica Bega, Council Member
Phillip Thomas, Council Member
Craig Fromme, Council Member

Absent: Susie Arreaga, Council Member
Keith Joesel, Council Member

STAFF

Thomas L. Mattis, City Manager
Chris Bratton, Police Chief
Buck LaQuey, Finance Director
Melissa Lipiec, Planning & Development Admin. Assistant
Owen Rock, ED Director
Michael Gonzalez, Parks Director
Gary Cooke, Planning Director
Amy Miller, Community Development Director
Sue Beckwith, Grant Development
Charles Crossfield, City Attorney

INVOCATION

Council Member Phillip Thomas gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Chris Cannon led the pledge of allegiance to the United States and Texas flags.

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PUBLIC COMMENT

None

PRESENTATIONS

None

CITY MANAGER'S REPORT

1. Review and consideration of Recreation Center Building Committee recommendation on City Recreation /Emergency Shelter.

City Manager Tom Mattis stated that they would be showing the Council the new plans for the rec center and that they were in the process of renegotiating the contracts and hoped to have those completed by the next meeting. Mr. Mattis introduced Michael Gonzalez, Parks Director who presented an updated version of the rec center.

2. Monthly Departmental Activity Reports

Mr. Mattis mentioned to the City Council a minor change to the cover sheets to each item on the agenda that includes the contact person for that item, and on the background portion provide more detail on the item for transparency especially for the public as well as budget information.

CONSENT AGENDA

All of the items on the consent agenda are considered to be self-explanatory by the Council and will be enacted with one motion, one second, and one vote. There will be no separate discussion of these items unless a council member removes an item from the Consent Agenda and places it on the New Business section for Discussion and action.

1. City Council Meeting Minutes – December 6, 2016 Regular Meeting
2. Approval of waiving the open container ordinance on Main Street from Lexington Road to Brenham Street; and on Second Street, First Street, Depot Street, Central Avenue, Austin Street, Brenham Street from Main Street to Avenue C; and on Avenue C from Brenham Street to 2nd Street on 2nd Thursdays January 12, February 9, March 9, April 13, May 11, June 8, July 13, August 10, September 14, October 12, November 9, December 14 from 5pm to 8pm for Sip Shop and Stroll.

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3. AN ORDINANCE TO READOPT AND CONTINUE CHAPTER 1, SECTION 1-27, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013, REGARDING A JUVENILE CURFEW IN CONFORMITY WITH SECTION 370.002 OF THE TEXAS LOCAL GOVERNMENT CODE; AND TO REPEAL CHAPTER 24, ARTICLE IV. - JUVENILE CURFEW; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Council Member Brashar moved to approve the consent agenda items. Council Member Fromme seconds the motion. Motion carried unanimously 7-0.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ELGIN AGRARIAN, LLC FOR THE RE-ZONING AND DEVELOPMENT OF CERTAIN PROPERTY AT THE INTERSECTION OF LEXINGTON ROAD AND LOUISE ROAD AS A PLANNED DEVELOPMENT DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO

Council Member Thomas moved to approve A Resolution authorizing the City Member to execute an agreement with Elgin Agrarian, LLC for rezoning property at the intersection of Lexington road and Louise road as a Planned Development District. Council Member Brashar seconds the motion. Motion carried unanimously 7-0.

2. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ORIGINALLY ZONE 23.1 ACRES OF LAND KNOWN AS THE ELGIN AGRARIAN COMMUNITY, IN ELGIN, BASTROP COUNTY, TEXAS, AS THE ELGIN AGRARIAN COMMUNITY PLANNED DEVELOPMENT DISTRICT (PDD); AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Council Member Brashar moved to approve An Ordinance amending the Zoning Map to zone 23.1 acres known as the Agrarian Community (PDD). Council Member Bega seconds the motion. Motion carried unanimously 7-0.

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3. AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF ELGIN, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016 SPECIFYING THE TERMS AND FEATURES OF SAID CERTIFICATES; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED PLEDGE OF SURPLUS REVENUES FROM THE OPERATION OF THE CITY'S WATERWORKS AND SEWER SYSTEM; APPROVING AN OFFICIAL STATEMENT; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID CERTIFICATES

Council Member Penson moved to approve An Ordinance authorizing the issuance of City of Elgin, Texas, combination tax and revenue certificates of obligation series 2016. Council Member Fromme seconds the motion. Motion carried unanimously 7-0.

4. AN ORDINANCE AMENDING CHAPTER 16, ARTICLE II, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013, REGARDING WEEDS, WILD GROWTH AND UNSANITARY CONDITIONS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

Council Member Thomas moved to approve An Ordinance amending Chapter 16 Article II, regarding weeds, wild growth and unsanitary conditions. Council Member Bega seconds the motion. Motion carried unanimously 7-0.

5. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING THE MEMORANDUM OF AGREEMENT, SERVICE MEMBERSHIP AGREEMENT WITH THE TEXAS CENTER FOR LOCAL FOOD AND THE CITY OF THE ELGIN ECONOMIC DEVELOPMENT CORPORATION AND MAKING CERTAIN FINDINGS RELATED THERETO

Council Member Brashar moved to approve A Resolution approving a memorandum of agreement with the Texas Center and the City of Elgin ED Corp. Council Member Bega seconds the motion. Motion carried unanimously 7-0.

6. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING THE EXPENDITURE OF \$25,000 BY THE ELGIN ECONOMIC DEVELOPMENT CORPORATION FOR DONALD KOSLOSKY 19 N. MAIN STREET BUILDING REMODELING PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO

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Council Member Penson moved to approve A Resolution approving the expenditure of \$25,000.00 by the Elgin ED Corp. for Donald Koslosky. Council Member Thomas seconds the motion. Motion carried unanimously 7-0.

7. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING THE EXPENDITURE OF \$25,000 BY THE ELGIN ECONOMIC DEVELOPMENT CORPORATION FOR J.D. HARKINS NEW BUILDING PROJECT LOCATED AT 618 HWY 95 NORTH AND MAKING CERTAIN FINDINGS RELATED THERETO

Council Member Penson moved to approve A Resolution approving the expenditure of \$25,000.00 by the Elgin ED Corp. for J. D Harkins. Council Member Fromme seconds the motion. Motion carried unanimously 7-0.

8. Consideration of a request to authorize the City Manager to negotiate a contract for engineering services with the highest ranked firm and/or consecutively ranked firms for engineering services for Texas Department of Transportation Alternatives Program Project, pedestrian connections from SH 95 to FM 1100, FM 1100 to Vicksburg Loop, and County Line Road from Bandera Woods to Austin Community College Elgin campus

Council Member Brashar moved to authorize the City Manager to negotiate a contract for engineering services for Texas Department of Transportation Alternatives Program Project. Council Member Bega seconds the motion. Motion carried unanimously 7-0.

Mayor Cannon stated he would skip down to the announcements before going into Executive Session.

XII. ANNOUNCEMENTS

Mr. Mattis mentioned the employee party on Friday and Mayor Cannon reminded everyone about the TML Region X meeting that the City of Elgin is hosting on December 14th at the Southside Bar BQ.

X. EXECUTIVE SESSION

The City Council may announce that it will adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code.

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Mayor Cannon recessed the meeting at 7:56 p.m.

Mayor Cannon called to order the Executive Session at 8:08 p.m.

Recess the Regular Council meeting and call to order Executive Session in a closed session.

1. Adjourn into Executive Session pursuant to Section § 551.071 Consultation with Attorney: to receive legal advice from the City Attorney regarding pending litigation, to wit: Brent Amos vs. City of Elgin HUD Housing Discrimination Complaint
2. Adjourn into Executive Session pursuant to Section §551.072 Deliberation Regarding Real Property and Section § 551.087 Economic Development: to receive a staff briefing and deliberate regarding a potential economic development project located within the City Tax Increment Reinvestment Zone (TIRZ)

XI. RECONVENE FROM EXECUTIVE SESSION

The City Council will return to open session for possible discussion and action as a result of the Executive Session.

Mayor Cannon reconvened into open session at 9:14 p.m.

XIII. ADJOURNMENT

Mayor Cannon adjourned the City Council meeting at 9:14 p.m.

APPROVED:



CHRIS CANNON

Mayor, Elgin, Texas

ATTEST:



AMELIA SANCHEZ

City Secretary