



**ELGIN CITY CITY COUNCIL MINUTES**  
**September 3, 2024**  
**6:30 PM**

**CALL TO ORDER**

Mayor McShan called the meeting to order at 6:30 p.m.

**ROLL CALL**

Mayor McShan called roll call and stated that all council members were in attendance.

**Present:**

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

**Staff:**

Thomas L. Mattis, City Manager  
Michael Gonzalez, Public Works Director  
Amy Miller, Community Services Director  
Beau Perry, City Engineer/Dev. Services Director  
Pam Sanders, HR Director  
Sonia Browder, Media Specialist  
Todd Johnson, Commander  
Aaron Crim, Commander  
Dodie Navejas, UB Customer Services Manager  
Esmeralda Rangel, Assistant City Secretary

**INVOCATION**

Mr. Dennis 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 the Pledge of Allegiance to the Texas Flag.

**PUBLIC HEARING**

1. **Public Hearing on An ordinance granting a SPECIFIC USE PERMIT for OPERATION OF A childcare facility by the Elgin Independent School District on property located on a parcel of land known by the Bastrop County Central Appraisal District as Parcel 61102, located at 205 W. 2nd St (Elgin City, Block 37, Lot 3,4,5,6,7 & 8), City of Elgin, Texas, Bastrop County, and providing for a savings clause and repealing conflicting ordinances and resolutions.**

Mayor McShan read the caption to the public hearing item. No one wished to speak.

2. **Public Hearing on the Proposed FY2024-25 Annual Budget for the City of Elgin**

Mayor McShan read the caption to the public hearing item. No one wished to speak.

3. **Public Hearing On The Proposed FY24-25 Tax Rate**

Mayor McShan read the caption to the public hearing item. No one wished to speak.

## **PUBLIC COMMENT**

There were no public comments.

## **CITY MANAGERS REPORT**

1. **Planning and Zoning Commission Quarterly Report**

2. **Board of Adjustments Quarterly Report**

3. **Building Standards Commission Quarterly Report**

4. **General Activity Report and/or Project Update**

Mayor McShan stated that all boards submitted their report which are located in the agenda packet.

## **CONSENT AGENDA**

1. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE PROPOSALS 23, 24, AND 25 FOR VETERANS MEMORIAL PARK EXPANSION, AND MAKING CERTAIN FINDINGS RELATED THERETO.**

The resolution was approved on the consent agenda.

Ms. Casnovsky made a motion to approve the consent agenda. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

## **NEW BUSINESS**

1. **AN ORDINANCE OF THE CITY OF ELGIN, TEXAS REGARDING CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES IN THE DEPOT DISTRICT OF THE CITY OF ELGIN, TEXAS; PROVIDING A SEVERABILITY CLAUSE.**

Mr. Mattis stated that this was an item presented at a previous council meeting. Since that meeting, revisions have been made by the Main Street board in collaboration with citizens. Mr. Mattis also stated if any problems were to arise, the appropriate measures would be taken. Discussion followed.

Ms. Casnovsky made a motion to approve the ordinance. Ms. Love seconded the motion. All voted in favor. The motion carried.

2. **CONSIDERATION OF A REQUEST BY MI CELINE MERCARO TO WAIVE THE ITINERANT VENDOR LOCATION AND OPERATION DISTANCE PROHIBITION ALLOWING THE CREATION OF A VENDOR COURT IN ADDITION TO OVERFLOW PARKING ON A PARCEL OF LAND KNOWN BY THE BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL NUMBER 12934, LOT 86, J.S. SMITH ADDITION, LOCATED IMMEDIATELY WEST OF 611 SOUTH MAIN STREET (MI CELINE MERCADO). THE PROPOSED VENDOR'S COURT IS WITHIN ONE THOUSAND FEET (1000') OF AN EDUCATIONAL FACILITY (BOOKER T. WASHINGTON ELEMENTARY SCHOOL).**

Mr. Mattis stated that this property is requesting a variance that would allow them to use the parking lot on the property as a food court. He stated that in a usual zoning change procedure, notification would be provided to neighbors in the area but because of the type of variance being requested notification would not be needed. He also shared the Mayor's concern about not notifying others. Discussion followed.

Mr. Dennis made a motion to decline the resolution. Ms. Love seconded the motion. All voted in favor. The motion carried. The resolution was denied.

3. **AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR OPERATION OF A CHILDCARE FACILITY BY THE ELGIN INDEPENDENT SCHOOL DISTRICT ON PROPERTY LOCATED ON A PARCEL OF LAND KNOWN BY THE BASTROP COUNTY CENTRAL APPRAISAL DISTRICT AS PARCEL 61102, LOCATED AT 205 W. 2ND ST (ELGIN CITY, BLOCK 37, LOT 3,4,5,6,7 & 8), CITY OF ELGIN, TEXAS, BASTROP COUNTY, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Mr. Mattis stated that an application made by the school district for a special use permit went through the planning and commission process which included notification to neighbors and public hearing notifications. The planning commission requested certain conditions be met for approving the special use permit. The applicant has asked the council to table this item until the September 17th meeting to allow more time to properly address the commission's conditions. Discussion followed.

Mr. Rodriguez made a motion to table this item until the September 17th meeting. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried. This item was tabled until the September 17th meeting.

4. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE DEVELOPMENT AND CONSENT AGREEMENT WITH PRIMAVESTA LAND COMPANY LLC, AND MAKING CERTAIN FINDINGS RELATED THERETO.**

Mr. Mattis stated that this was an amendment to a previously approved development agreement due to a change in developer. The new developer is requesting an amendment to allow for a denser project. Mr. Perry provided additional clarifying information. Discussion followed.

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

**5. AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE**

Mr. Mattis stated that this is a procedure followed by the city charter for the first reading of the budget. He also stated that traditionally there have been two public hearings and readings provided for the budget with the second reading being the final approval.

Discussion followed.

Mr. Rodriguez made a motion to approve the ordinance as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Mr. Rodriguez - yes, Mr. Dennis - yes, Mayor Pro Tem Brashar - yes, Mayor McShan - yes, Ms. Casnovsky - no, Mr. Gibson - no, Mr. Swain - yes, Ms. Love - no. The motion carried on a 6 to 3 vote.

**6. AN ORDINANCE LEVYING TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2024-25 TAX YEAR**

Mr. Mattis stated that this was a standard procedure when approving the tax rate. All though this item does not require a public hearing there is one provided. Discussion followed.

Mayor Pro Tem Brashar made a motion to approve the ordinance and that the property tax rate be increased by the adoption of a tax rate of \$0.431104 for the M&O Rate per one hundred dollars of assessed value, which is effectively in total, a 13.72% increase in the tax rate. Mr. Dennis seconded the motion. The vote was: Mayor Pro Tem Brashar - yes, Mayor McShan - yes, Ms. Casvonsky - yes, Mr. Gibson - yes, Mr. Swain - yes, Ms. Love - yes, Mr. Callahan - yes, Mr. Rodrigez - yes, Mr. Dennis - yes. The motion carried on a 9 to 0 vote.

Mayor Pro Tem Brashar made a motion to approve the Ordinance and that the property tax rate be increased by the adoption of a tax rate of \$0.167681 for the debt rate per one hundred dollars of assessed value, which is effectively in total a 24.2% increase in the tax rate. Mr. Dennis seconded the motion. The vote was: Mayor Pro Tem Brashar - yes, Mayor McShan - yes, Ms. Casvonsky - yes, Mr. Gibson - yes, Mr. Swain - yes, Ms. Love - yes, Mr. Callahan - yes, Mr. Rodrigez - yes, Mr. Dennis - yes. The motion carried on a 9 to 0 vote.

**EXECUTIVE SESSION**

The City Council did not adjourn into executive session.

**RECONVENE**

**ANNOUNCEMENTS**

Mayor Pro Tem Brashar stated that the Veterans Park ribbon-cutting ceremony would be at 6 p.m. Mr. Mattis stated that Thursday at 3:30 p.m. would be the CARTS dedication ceremony.

**ADJOURNMENT**

Mayor McShan adjourned the meeting at 7:34 p.m.

ATTEST:

  
Theresa Y. McShan, Mayor

  
Esmeralda Rangel, Assistant City Secretary