

**MINUTES
ELGIN CITY COUNCIL
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
TUESDAY, NOVEMBER 6, 2018**

CALL TO ORDER

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

ROLL CALL

Present: Mayor Chris Cannon

Jessica Bega, Mayor Pro Tem

Juan Gonzalez, Council Member

Susie Arreaga, Council Member

Mary Penson, Council Member

Daniel Lopez, Council Member

Phillip Thomas, Council Member

Sue Brashar, Council Member

Mayor Cannon certified there was a quorum. Council Member Brashar notified Mayor Cannon that Council Member Beyer would not be attending.

Council Member Brashar moved to excuse Council Member Beyer. Council Member Gonzalez seconds the motion. Motion carried 8-0.

Staff: Thomas L. Mattis, City Manager
Charles Cunningham, Finance Director
Patrick South, Police Chief
Sandy Ott, Library Director

INVOCATION

Council Member Penson gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Cannon led the Pledge of Allegiance to the United States and Texas Flag.

PUBLIC COMMENT

Mayor Cannon opened Public Comment. There was no one wishing to speak.

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PRESENTATION

1. Employee of the Fourth Quarter 2018.

Sandy Ott announced that Gary Olivas had been chosen as the Employee of the Fourth Quarter and presented him with a certificate.

2. Consideration of a request from Elgin ISD Superintendent Jodi Duron to adopt a set of Core Values for the community as established by the Elgin ISD.

Council Member Penson moved to adopt the Core Values for the community as established by the Elgin ISD. Council Member Brashar seconds the motion. Motion carried 8-0.

CITY MANAGER'S REPORT

1. Review and Discussion of Staff Report regarding Oversized/Overweight Vehicles utilizing Main Street or Loop 109.

City Manager Thomas Mattis stated that this staff report assesses the city's situation and is an attempt to address issues with oversized and overweight trucks that has been a problem for some time. He stated that TxDot has issued a temporary "no permits" restriction on Loop 109, which means trucks will only be routed on Loop 109 if the origin or destination is on that road and only with TxDot approval. He stated that in the last few months the city had experienced a significant increase in large trucks carrying oversized loads through downtown Elgin on Main Street or Loop 109 causing traffic disruption and damage to public facilities and private property. He stated that in response to the city's request TxDOT had issued a temporary "no permits" restriction on Loop 109, which meant for the time being that trucks would be routed on Loop 109 if their origin or destination is on that road and only with TxDOT approval. He stated it would be the City's responsibility to develop a compliant Truck Route plan. The City would prepare a preliminary Truck plan for TxDot review, they would coordinate with their Traffic Operations Division and after approval by TRF the Council would then adopt an Ordinance designating the Truck Route. He stated that the City would be responsible for purchasing and installing all necessary signage or other costs involved. Mr. Mattis stated that creating a new law was a very deliberate process and would take some analysis on the City's part but thought it is a fairly obvious choice as a first step in trying to address this issue. He stated that all that was needed tonight was an endorsement to move forward with the process.

Forest Dennis spoke and pointed out that on Taylor Road two thirds of the trucks that come through town go there too. He stated he moved here from Dallas twelve years ago and soon after realized they were on a designated route for eighteen wheelers and the trucks would come barreling down to the stop and at the island in front of their house.

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He stated they had always feared that the trucks would be unable to stop and wind up in their house. He stated that as the years have gone by the number of trucks has greatly increased, with rock haulers and flatbed loaders and that he has seen large permitted loads pass by. He stated they put together a group to approach city leadership and had many signatures, and that they had met with Council Member Brasher who then went to the Council. He stated that the eighteen wheelers need to be stopped as soon as possible to keep them out of the residential areas, Main Street and the Historic District.

Council Member Brasher moved to make a recommendation that staff continue to work on the No Truck Zone with TxDOT. Council Member Penson seconds the motion. Motion carried 8-0.

2. Review and Discussion of Staff Report regarding various issues associated with the Extension of Services to an area in the Southeast Quadrant of the City Annexed in 2015.

City Manager Thomas Mattis spoke and stated that in December of 2015 the City had annexed property on the southeast side of town consisting of 131 acres with a variety of land uses. He stated that there are substantial capital costs with the extension of sewer lines pending in that area and before the investment is made that everyone is on the same side. He stated the objectives tonight were to put the issue on the table for Council to begin the process of considering the various issues and that he did not expect a decision tonight. He stated that annexation laws had changed substantially since the time of annexation of this property. He stated at that time the City had a stronger controlling position and that is not the case anymore. Mr. Mattis stated that several things needed to be considered such as the costs for extending sewer services, and establishing standards such as Code Enforcement, since residents or properties have been subject to county/rural standards, as well as development standards such as platting, subdividing, setbacks, road construction, storm water drainage, and mandatory ROW donations, which are higher for projects within the city. He stated that a full review and discussion by the City Council of this annexation is recommended in order to provide clear direction to staff on how to proceed.

Mayor Cannon opened Citizen's Comments for this item at 8:15 p.m.

Ethan Machu spoke and stated there would be a problem with providing sewer to the area and that he was asking to be de-annexed. He stated it would save the city money, the residents would save on taxes for city services, and he would also ask that if they are de-annexed the taxes that they paid be refunded and a reasonable interest be paid.

Bill Carlson spoke and stated he worked in Code Enforcement, and worked with many developers and that there were a few things that came up that the Council may not be aware of in what they are trying to do. He stated that force mains and lift stations may have to be put in with high costs. He stated he was sharing information he gets from working with many different people and shared a flood plain map and spoke about increased rain fall rates. He stated that the 500 year flood plain would become a 100 year flood plain and would affect the property on 1704.

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He stated that people were discussing a memo sent by the City Manager and that he had not heard of anyone that did not want to be de-annexed. He stated the costs to develop this area would be at the Elgin resident's expense and they would never get this money back. He stated he did not want to be annexed and asked the Council to consider de-annexing and speak to more of the residents.

3. Consider appointing a Steering Committee to Develop a Historic Preservation Strategic Plan.

Mr. Mattis suggested skipping this item until the next meeting due to Amy Miller being out of town.

4. Quarterly Financial Reports – Fourth Fiscal Year Quarter 2018.

Mr. Mattis stated that the quarterly financial reports were included in the packet if anyone had any questions.

5. Departmental Monthly Reports - September

There were no questions or discussion on the monthly reports.

CONSENT AGENDA

1. City Council Regular Meeting Minutes – October 2, 2018 and October 16, 2018.

Council Member Brashar moved to approve the Minutes on the Consent Agenda. Council Member Thomas seconds the motion. Motion carried 8-0.

NEW BUSINESS

1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING ASSIGNMENT OF THE CONTRACT FOR SOLID WASTE DISPOSAL AND COLLECTION SERVICES WITH REPUBLIC SERVICES TO WASTE MANAGEMENT OF TEXAS INC. AND MAKING CERTAIN FINDINGS RELATED THERETO.

Council Member Penson moved to approve the Resolution as presented. Council Member Lopez seconds the motion. Motion carried 8-0.

2. (Draft) AN ORDINANCE OF THE CITY OF ELGIN, TEXAS SETTING THE PER DIEM AND RELATED COMPENSATION FOR THE MAYOR AND MEMBERS OF CITY COUNCIL; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; DECLARING AN EFFECTIVE DATE AND MAKING CERTAIN FINDINGS RELATED THERETO.

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Council Member Brashar moved to make the per diem rate of \$250 and \$150 flat with the pay rates taking effect for all positions after the May election and to table the Ordinance. Council Member Penson seconds the motion. Motion carried 8-0.

Mayor Cannon stated this Ordinance would be brought back at the next meeting with a Public Hearing scheduled at that time.

3. AN ORDINANCE AMENDING THE CODE OF ORDINANCES (2013 EDITION), CITY OF ELGIN, TEXAS, CHAPTER 46, ARTICLE IV, DIVISION 7, SECTION 46-394; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

Council Member Penson moved to approve the Ordinance as presented. Council Member Lopez seconds the motion. Motion carried 8-0.

A RESOLUTION OF THE CITY OF ELGIN, TEXAS STATING THE CITY'S INTENT TO CONTINUE PARTICIPATION IN THE CAPITAL AREA COUNCIL OF GOVERNMENTS REGIONAL AIR QUALITY PLAN AND SUPPORTING COMPLIANCE WITH FEDERAL AIR QUALITY STANDARDS.

Council Member Penson moved to approve the Resolution as presented. Council Member Thomas seconds the motion. Motion carried 8-0.

ANNOUNCEMENTS

Mr. Mattis mentioned that the Christmas party was on the 7th at the Rec Center.

Mayor Cannon stated that this year Hogeye was a huge success, and the city booth provided lots of information and a great presentation. He thanked the Police Department for helping people get around and staff for all the participation.

Council Member Penson mentioned that the First Baptist Church would be sponsoring Byron Mitchell and would be live in concert on November 17th which would be next Saturday at 6:00 pm and that she would like to see people attend.

ADJOURNMENT

Mayor Cannon adjourned the City Council Meeting at 9:20 p.m.



Chris Cannon, Mayor

ATTEST:



Amelia Sanchez, City Secretary