

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING
CITY ANNEX COUNCIL CHAMBERS, 310 N MAINSTREET
TUESDAY, DECEMBER 3, 2019**

CALL TO ORDER

Mayor Cannon called the meeting to order at 7:01 p.m.

ROLL CALL

Present: Chris Cannon, Mayor
Jessica Bega, Mayor Pro Tem
Mary Penson, Council Member
Daniel Lopez, Council Member
Brad Jones, Council Member
Forest Dennis, Council Member
Sue Brashar, Council Member
Susie Arreaga, Council Member
Juan Gonzalez, Council Member

Mayor Cannon certified there was a quorum and all Members present.

Staff: Thomas L. Mattis, City Manager
Charles Cunningham, Finance Director
Michael Gonzalez, Parks Director
David Harrell, Planning Director
Doug Prinz, Public Works Director
Amy Miller, Community

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 HEARING

Mayor Cannon recessed the Regular Meeting and opened the Public Hearing at 7:03 p.m.

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Public hearing on an Ordinance amending Chapter 46 Subdivisions, Revised Code of Ordinances, City of Elgin, Texas, by amending Section 36.1 through 36.5, Section 36.29 through 36.31, Section 36.51, Section 36.52, Section 36.78 through 36.83, Section 36.110 through Section 36.112, Section 36.138, Section 36.140 through 36.143, 36.172 through 36.174, Section 36.202, Section 36.258, Section 36.281, Section 36.282, Section 36.284, Section 36.285, Section 36.288 through Section 36.310, Section 36.312, Section 36.313, Section 36.315, Section 36-338, Section 36.365 through 36.370, Section 36.399 through Section 36.401, Section 36.433, Section 36.513 through Section 36.515; deleting in their entirety Section 36.482, Section 36.483, Section 36.485, Section 36.486; adding Section 36.5 through Section 36.12, Section 36.25 through Section 36.28, Section 36.32 through 36.39, Section 36.53 through 36.59, Section 36.77, Section 36.113, Section 36.175 through Section 36.177; repealing all other Ordinances and parts of Ordinances in conflict therewith; and providing for a savings clause.

With no one wishing to speak during the Public Hearing Mayor Cannon closed the Public Hearing at 7:04 p.m.

PUBLIC COMMENT

Mayor Cannon opened Public Comments.

With no one wishing to speak Mayor Cannon closed Public Comments.

CITY MANAGER'S REPORT

1. Presentation and Discussion of the New City of Elgin Personnel Policy.

HR Manager Pam Sanders briefly discussed some of the proposed changes to the Personnel Policy and Mr. Mattis stated that it would be brought back at a meeting in January or February for adoption after Council had a chance to review.

2. Discussion and Possible Direction to Staff Regarding the Distribution of Community Non-Profit Support Funding as Included in the FY2019-20 Annual Operating Budget.

City Manager Thomas Mattis stated that they had spoken at the last meeting about establishing a policy for the distribution of the non-profit support funding. Mr. Mattis stated that Taylor, Bastrop and Smithville had been contacted and got feedback from them and there was no real uniform procedure. He stated a form was located that was used before but did not find the specific scoring criteria.

Mayor Canon stated that since this would be a discussion item and people were waiting outside, he was going to move to the presentation of the citizen of the quarter. Mayor Cannon introduced the fourth quarter recipient of the award to Dale Herrera, a member of the Fire Department, and thanked him for his service.

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Mr. Mattis continued with the discussion on the non-profits and stated he felt they could use the same criteria and then come up with a scoring mechanism and guidance from Council on who would be the decision makers for this. Council Member Brashar mentioned that at the last meeting it was decided that she, along with Council Members Gonzalez and Penson would be the committee and everyone agreed.

3. (Discussion Only) Appointment/Re-Appointment of Members to Committees/Commissions with Expiring Terms.

City Manager Thomas Mattis stated this was just a reminder of the re-appointments to the Council Committees that would be on the next agenda on January 7th.

4. Review and Discussion of Possible Amendment to the City Zoning Code to Eliminate Mobile Homes and/or Mobile Home Parks as a Permitted Use under R-3 Zoning.

Mr. Mattis stated that this item was a possible amendment to the City Code to eliminate Mobile Homes or Mobile Home Parks as a permitted use under R-3 Zoning. He stated they had discussed this before where there had been a little conflict in the sense the developers of the Stone Creek Ranch project are ready to take the conventional approach and annex their property to the city under the R-3 Zoning is what they need to build this development with the lot sizes that they predicated all of their plans on. He stated the city realized in the discussion process that R-3 Zoning category allows for mobile homes and mobile home parks. He stated he had spoken to the developer about how to address this and through that process and discussing it with the City Attorney, the Attorney felt like it is quite possible when the code was adopted that it was just a mistake and did not intend to allow mobile homes or parks in R-3. He stated the solution would be to amend the Zoning Code to eliminate that as a permitted use, and the project could then go forward. He stated there would need to be public hearings before starting the process, and staff recommended proceeding in this fashion but needed the Council to acknowledge that.

5. Departmental Monthly Reports – October.

There were no questions or discussion on the Monthly Reports.

CONSENT AGENDA

1. CONSIDER WAIVING THE OPEN CONTAINER ORDINANCE ON MAIN STREET FROM LEXINGTON ROAD TO BRENHAM STREET; AND ON 2ND 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 9, FEBRUARY 13, MARCH 12, APRIL 9, MAY 14, JUNE 11, JULY 9, AUGUST 13, SEPTEMBER 10, OCTOBER 8, NOVEMBER 12, DECEMBER 10 FROM 5 PM TO 8 PM FOR SIP SHOP AND STROLL.

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2. City Council Meeting Minutes - November 5, 2019 And November 19, 2019.

Council Member Brashar moved to approve the Consent Agenda. Council Member Lopez Seconds the motion. Motion carried 9-0.

Mayor Cannon moved down to item #5.

NEW BUSINESS

5. AN ORDINANCE AMENDING CHAPTER 46 SUBDIVISIONS, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY AMENDING SECTION 36.1 THROUGH SECTION 36.5, SECTION 36.29 THROUGH SECTION 36.31, SECTION 36.51, SECTION 36.52, SECTION 36.78 THROUGH 36.83, SECTION 36.110 THROUGH SECTION 36.112, SECTION 36.138, SECTION 36.140 THROUGH 36.143, SECTION 36.172 THROUGH 36.174, SECTION 36.202, SECTION 36.258, SECTION 36.281, SECTION 36.282, SECTION 36.284, SECTION 36.285, SECTION 36.288 THROUGH SECTION 36.310, SECTION 36.312, SECTION 36.313, SECTION 36.315, SECTION 36-338, SECTION 36.365 THROUGH 36.370, SECTION 36.399 THROUGH SECTION 36.401, SECTION 36.433, SECTION 36.513 THROUGH SECTION 36.515; DELETING IN THEIR ENTIRETY SECTION 36.482, SECTION 36.483, SECTION 36.485, SECTION 36.486; ADDING SECTION 36.5 THROUGH ADDING SECTION 36.5 THROUGH SECTION 36.12, SECTION 36.25 THROUGH SECTION 36.28, SECTION 36.32 THROUGH SECTION 36.39, SECTION 36.53 THROUGH SECTION 36.59, SECTION 36.77, SECTION 36.113, SECTION 36.175 THROUGH SECTION 36.177; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

Grant Hennig spoke and stated that the street lights were very bothersome and requested that Council try to mitigate street lighting with caps or some sort of topping on the street lights; and on sidewalks he noticed they were enlarging to 5 feet wide from 4 feet which is ADA requirement and cannot go below 5 feet as long as you have 60 inch radius to turn.

Council Member Brashar moved to approve the Ordinance as presented. Council Member Lopez Seconds the motion. Motion carried 9-0.

4. MODIFICATION TO AN APPROVED ANNEXATION DEVELOPMENT AGREEMENT THROUGH RESOLUTION 2015-08-04-09 OF THE CITY COUNCIL OF CITY OF ELGIN, TEXAS.

Council Member Penson moved to approve the Annexation Agreement as presented. Council Member Jones seconds the motion. Motion carried 9-0.

1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF ELGIN, TEXAS, AND THE ELGIN CHAMBER OF COMMERCE FOR EXPENDITURE OF HOTEL OCCUPANCY TAX FUNDS; AND PROVIDING FOR RELATED MATTERS.

No action was taken on this item.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A BUILDING LEASE AGREEMENT BETWEEN THE CITY OF ELGIN, TEXAS, AND THE ELGIN CHAMBER OF COMMERCE; AND PROVIDING FOR RELATED MATTERS.

Council Member Dennis moved to approve the Resolution to execute the lease agreement. Council Member Penson seconds the motion. Motion carried 9-0.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, CASTING ITS VOTES FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Council Member Penson moved to cast its 121 votes for David Glass. Council Member Brashar seconds the motion. Motion carried 9-0.

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS TO APPROVE AN AGREEMENT WITH APEX CONTRACTORS TO MAKE NEEDED REPAIRS TO THE ROOF OF THE HISTORIC ELGIN DEPOT MUSEUM; TO AUTHORIZE THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND MAKE CERTAIN FINDINGS RELATED THERETO.

Council Member Brashar moved to approve the Resolution as presented. Council Member Lopez seconds the motion. Motion carried 9-0.

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, TO APPROVE AN AGREEMENT WITH CONTROL PANELS USA INC. TO REPLACE THE CURRENT SCADA AND TELEMETRY SYSTEMS AND SERVICES FOR THE CITY OF ELGIN WATER SUPPLY SYSTEM; TO AUTHORIZE THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND MAKE CERTAIN FINDINGS RELATED THERETO.

Council Member Brashar moved to approve the Resolution as presented. Council Member Penson seconds the motion. Motion carried 9-0.

EXECUTIVE SESSION

1. Adjourn into Executive Session Pursuant to Section §551.087 Deliberation Regarding Economic Development Negotiations and Pursuant to Section §551.072 Deliberations about Real Property: A Real Estate Contract Between the City of Elgin Economic Development Corporation and Elgin Endeavors NH, LLC.

No Executive Session held.

ANNOUNCEMENTS

Mayor Cannon mentioned the Christmas parade on Saturday, the City Party next Friday, and a civics project at the school.

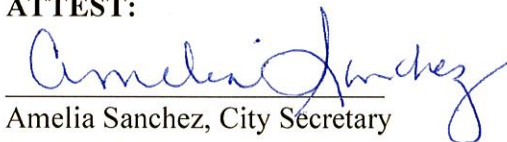
ADJOURNMENT

Mayor Cannon adjourned the City Council Meeting at 8:37p.m.



Chris Cannon, Mayor

ATTEST:


Amelia Sanchez, City Secretary