ELGIN CITY COUNCIL
REGULAR MEETING
CITY ANNEX COUNCIL CHAMBERS, 310 N MAINSTREET
TUESDAY, FEBRUARY 4, 2020

CALL TO ORDER

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

ROLL CALL

Present: Chris Cannon, Mayor
Jessica Bega, Mayor Pro Tem
Mary Penson, 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 that Council Member Lopez was absent. He stated Council Member Lopez notified him that he would not be attending tonight.

Council Member Penson moved to excuse Council Member Lopez. Council Member Arreaga seconds the motion. Motion carried 8-0.

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

Mayor Cannon recessed the Regular Meeting at 7:02 and opened the Public Hearing.

PUBLIC HEARING

1. Public Hearing on an Ordinance Amending Chapter 46, Article IV, Division 4 Code of Ordinances, City of Elgin, Texas, which Modifies Terminology & Removes a Manufactured Home Park and Industrialized Housing as a Use by Right in the R-3 Single Family, Two-Family, & Industrialized District. Also Amending Chapter 46, Article II, Division 5, Code of Ordinances, City of Elgin, Texas, which Modifies Terminology and Removes by Specific Use a HUD Code Manufactured Home Park in the R-1 Single Family District & R-2 Single Family (Two-Family) and Garage Apartment District, and Providing a Savings Clause and Repealing Conflicting Ordinances and Resolutions.

There were no speakers for this item.

2. 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 Official Zoning Map, To Wit: to Rezone As R-3 Single Family, Two Family, and Industrialized Housing District, the Property being Approximately 68.992 Acres of Land and being Described in Exhibit "A", Attached Hereto And Providing a Savings Clause and Repealing Conflicting Ordinances and Resolutions.

There were no speakers for this item.

3. Public Hearing On an Ordinance Amending Chapter 6, Article III, Unsafe Building Abatement, City Of Elgin, Texas, By Amending Section 6-57, Sections 6-59 Through 6-61, Section 6-63, Section 6-65, Section 6-66, Section 6-68 Through 6-70 And Repealing All Other Ordinances And Parts Of Ordinances In Conflict Therewith; An Providing A Savings Clause.

There were no speakers for this item.

4. Public Hearing on an Ordinance Amending Chapter 46, Article V, Division 4, Section 46-635 Code of Ordinances, City of Elgin, Texas, which Amends the Offsite Minimum Parking and Loading Requirements in the Downtown Historic District to No Minimum and Sets Maximum Parking Standards to Six (6) Parking Spaces, and Providing a Savings Clause and Repealing Conflicting Ordinances and Resolutions.

There were no speakers for this item.

5. Public Hearing on an Ordinance Amending Chapter 32, Article I, Section 32-3; Amending Chapter 32, Article III, Sections 32-103, 32-196, And 32-226; Amending Chapter 46, Article I, Section 46-1; Amending Chapter 46, Article II, Division 5, Section 46-138(A); Amending Chapter 46, Article V, Division 8, Sections 46-718 – 46-747; Adding Chapter 46, Article III, Section 46-183 – 46-184; Adding Chapter 46, Article V, Division 9 Wireless Communication Facilities (WCF); And Providing for a Savings Clause and Repealing Conflicting Ordinances or Resolutions.

There were no speakers for this item.

Mayor Cannon closed the Public Hearing at 7:08 p.m. and re-convened the Regular Meeting.

PUBLIC COMMENT

Mayor Cannon opened Public Comments.

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

CITY MANAGER'S REPORT

1. General Activity Report and/or Project Update.

City Manager Thomas Mattis spoke about the activity report that he sent to Council Members regarding the growth in residential developments beginning construction on County Line Road. He stated the County Line Road improvement was in the 5-Year Capital Plan, and it was time to start developing construction plans for the improvement project and authorizing the Engineer to begin those construction plans. He stated those plans would include the need to acquire additional right-of-way and it would take the better part of the year to get those plans and go out for bids.

CONSENT AGENDA

1. City Council Meeting Minutes - January 7, 2020 And January 21, 2020.

Council Member Brashar moved to approve the minutes with corrections to spelling of names. Council Member Penson seconds the motion. Motion carried 8-0.

NEW BUSINESS

1. AN ORDINANCE AMENDING CHAPTER 46, ARTICLE IV, DIVISION 4 CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, WHICH MODIFIES TERMINOLOGY & REMOVES A MANUFACTURED HOME PARK AND INDUSTRIALIZED HOUSING AS A USE BY RIGHT IN THE R-3 SINGLE FAMILY, TWO-FAMILY, & INDUSTRIALIZED DISTRICT. ALSO AMENDING CHAPTER 46, ARTICLE II, DIVISION 5, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, WHICH MODIFIES TERMINOLOGY AND REMOVES BY SPECIFIC USE A HUD CODE MANUFACTURED HOME PARK IN THE R-1 SINGLE FAMILY DISTRICT & R-2 SINGLE FAMILY (TWO-FAMILY) AND GARAGE APARTMENT DISTRICT, AND PROVIDING A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

City Manager Thomas Mattis spoke and stated that items 1 and 2 are related and staff is making a tweek in the code, which in this case are related to the Stone Creek Ranch and they requested R-3 zoning and staff realized under R-3 zoning Mobile Home parks were permitted.

Mr. Mattis stated that the Ordinance that is in the packet lists eliminating Industrialized Housing from R-3 zoning, but that today the City Attorney advised that Industrialized Housing must remain in the code under R-3 under state law.

David Harrell Planning Director stated that since the Ordinance included removing Industrial housing in it, he asked that they approve it on the condition that Industrialized Housing remain as a permitted use.

Council Member Penson moved to approve the Ordinance with Industrialized Housing as a permitted use within the R-3 category. Council Member Brashar seconds the motion. Motion carried 8-0.

2. 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 OFFICIAL ZONING MAP, TO WIT: TO REZONE AS R-3 SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT, THE PROPERTY BEING APPROXIMATELY 68.992 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

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

3. AN ORDINANCE AMENDING CHAPTER 6, ARTICLE III, UNSAFE BUILDING ABATEMENT, CITY OF ELGIN, TEXAS, BY AMENDING SECTION 6-57, SECTIONS 6-59 THROUGH 6-61, SECTION 6-63, SECTION 6-65, SECTION 6-66, SECTION 6-68 THROUGH 6-70 AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AN PROVIDING A SAVINGS CLAUSE.

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

4. AN ORDINANCE AMENDING CHAPTER 46, ARTICLE V, DIVISION 4, SECTION 46-635 CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, WHICH AMENDS THE OFFSITE MINIMUM PARKING AND LOADING REQUIREMENTS IN THE DOWNTOWN HISTORIC DISTRICT TO NO MINIMUM AND SETS MAXIMUM PARKING STANDARDS TO SIX (6) PARKING SPACES, AND PROVIDING A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

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

5. AN ORDINANCE AMENDING CHAPTER 32, ARTICLE I, SECTION 32-3; AMENDING CHAPTER 32, ARTICLE III, SECTIONS 32-103, 32-196, AND 32-226; AMENDING CHAPTER 46, ARTICLE I, SECTION 46-1; AMENDING CHAPTER 46, ARTICLE II, DIVISION 5, SECTION 46-138(A); AMENDING CHAPTER 46, ARTICLE V, DIVISION 8, SECTIONS 46-718 – 46-747; ADDING CHAPTER 46, ARTICLE III, SECTION 46-183 – 46-184; ADDING CHAPTER 46, ARTICLE V, DIVISION 9 WIRELESS COMMUNICATION FACILITIES (WCF); AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

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

6. A RESOLUTION ADDING AN ADDENDUM BETWEEN THE CITY OF ELGIN AND ARCH TECHNICAL SERVICES LLC, DBA ATS ENGINEERS, INSPECTORS, & SURVEYORS FOR ADDING FIRE CODE REVIEW AND FIRE INSPECTIONS.

Mayor Pro Tem Bega moved to approve the Resolution as presented. Council Member Penson seconds the motion. Motion carried 8-0.

7. A RESOLUTION OF THE CITY OF ELGIN, SUPPORTING AN APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR 2020 HOUSING TAX CREDITS FOR THE PROPOSED COTTAGES OF CEDAR RIDGE PROJECT; AND PROVIDING FOR RELATED MATTERS.

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

ANNOUNCEMENTS

Amy Miller mentioned Valentines Weekend in downtown Elgin, Sip, Shop and Stroll, as well as music.
Mr. Mattis mentioned the reception on Thursday for a special recognition for 3 employees for their career in the city.

ADJOURNMENT

Mayor Cannon adjourned the City Council Meeting at 7:56 p.m.

Chris Cannon, Mayor

ATTEST:

Amelia Sanchez, City Secretary