MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
November 16, 2021

CALL TO ORDER

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

ROLL CALL

Present: Ron Ramirez, Mayor
Sue Brashar, Mayor Pro Tem
Arthur Gibson III, Council Member
Jessica Bega, Council Member
Thomas Ibis, Council Member
Matthew Callahan, Council Member
Susie Arreaga, Council Member
Skyler Maldonado, Council Member

Absent: Forest Dennis, Council Member

Mayor Ramirez stated Mr. Dennis would not be in attendance. Mr. Maldonado made a motion to excuse Mr. Dennis. Mr. Callahan seconded the motion. All voted in favor. The motion carried. Mayor Ramirez stated there was a quorum.

Staff: Thomas L. Mattis, City Manager
Mysty Nauck, Acting Chief Financial Officer
Pamela Sanders, HR Director
Amy Miller, Community Development Director
Chris Noble, Police Chief
Jennifer Stubbs, City Secretary
David Harrell, Development Services Director
Michael Gonzalez, Public Works Director
Owen Rock, EDC Director
Beau Perry, City Engineer

INVOCATION

Mr. Ibis provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor Ramirez led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America and Pledge of Allegiance to the Texas Flag.

PUBLIC HEARING

1. 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 Planned Development District (PDD), 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.

Mr. Mattis provided comments. No one wished to speak under the Public Hearing Item.

2. Public Hearing On An Ordinance Amending Chapter 8 Business, Revised Code Of Ordinances, City Of Elgin, Texas, Deleting In Their Entirety Section 8.156, And Adding Section 8-157.107 Through 8-157.110, Repealing All Other Ordinances And Parts Of Ordinances In Conflict Therewith; And Providing For A Savings Clause.

Mr. Mattis provided comments. No one wished to speak under the Public Hearing Item.

PUBLIC COMMENT

Gena Carter, 1005 Red Town Road, stated she is representing the Elgin Chamber of Commerce Board of Directors. She thanked the Councilmembers for their service. She stated she supports the Certificates of Obligation Bonds and urged the Council to move forward with the city projects.

Grant Hennig, 1116 Robin Road, thanked the Mayor and Council for their public service. Mr. Hennig stated the Council should go back to the voters and that he is concerned with the high school needing a second exit. He stated he doesn't disapprove of the projects, but the voters should have a vote.

Ed Rivers, 229 Hickory Dr., stated that he understands the city is growing fast. He stated if we don't prepare, we will be in trouble. Mr. Rivers stated he believes the Council were elected by the citizens and they take their jobs seriously. He approves of the issuances of the CO bonds.

CITY MANAGERS REPORT

1. Review And Discuss Upcoming 2022 Appointments To City Boards & Committees

Mr. Mattis stated coming up in January will be a time to appoint and reappoint Boards & Committee members. Ms. Stubbs stated to be on the lookout for the applications that will be emailed to the Councilmembers on November 30th. She stated there are 24 spots that are up for renewal. The City Secretary encouraged citizens to apply by November 26th.

2. 4th Quarter FY2021 Investment Report

Mr. Mattis provided the report. Ms. Nauck stated the CDs were closed out and a new Logic account was created.

3. General Activity Report And/Or Project Update

Mr. Mattis stated this was everything on his report unless that Council had any questions.

CONSENT AGENDA

1. City Council Regular Meeting Minutes – October 12, 2021

The item passed on the consent agenda.

2. A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING THE AWARD OF A GRANT MANAGEMENT SERVICE PROVIDER CONTRACT FOR THE EDA FY 2021 AMERICAN RESCUE PLAN ACT - ECONOMIC ADJUSTMENT ASSISTANCE THROUGH THE EDA AND U.S. DEPARTMENT OF COMMERCE.

The resolution passed on the consent agenda.

3. A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING THE AWARD OF AN ENGINEERING SERVICE PROVIDER CONTRACT FOR THE EDA FY 2021 AMERICAN RESCUE PLAN ACT - ECONOMIC ADJUSTMENT ASSISTANCE THROUGH THE EDA AND U.S. DEPARTMENT OF COMMERCE.

The resolution passed on the consent agenda.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF ELGIN AND GOVOLUTION LLC FOR USE OF THEIR INTERNET BASED THIRD-PARTY PROPRIETY SOFTWARE FOR ONLINE TRANSACTIONS FOR CREDIT CARD AND ELECTRONIC CHECKING AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution passed on the consent agenda.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPROVING ELGIN PUBLIC SAFETY ADVISORY COMMITTEE AMENDED BYLAWS; REPEALING RESOLUTION NO. 2004-10-05-16

The resolution passed on the consent agenda.

6. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID ASSOCIATED WITH THE POTH BUILDING

RENOVATION PROJECT TO SPARKS ENGINEERING INC. OF SAN ANTONIO, TEXAS; AND MAKING CERTAIN FINDINGS RELATED THERETO

The resolution passed on the consent agenda.

7. A RESOLUTION TO ADOPT THE EVS 6110 VOTING SYSTEM

The resolution passed on the consent agenda.

8. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPROVING THE 2021 TOTAL AD VALOREM TAX LEVY FOR THE CITY OF ELGIN; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

The resolution passed on the consent agenda.

9. A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF ELGIN, TEXAS (CITY) AND MCCANN ADAMS STUDIO FOR PLANNING SERVICES.

The resolution passed on the consent agenda.

10. A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF ELGIN, TEXAS (CITY) AND T-MOBILE FOR THE HOMETOWN GRANT

The resolution passed on the consent agenda.

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

NEW BUSINESS

1. AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF ELGIN, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021A; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND OTHER AGREEMENTS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES; AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES

Mr. Mattis provided a brief update on the 2021 Certificates of Obligation that were passed earlier in the year. He stated both will address the needs of the city and will directly benefit the citizens of Elgin. He stated this is an exciting and a historic year ahead for the City of Elgin. Mr. Mattis congratulated Elgin ISD on a successful Bond Election. The City of Elgin will commence development of Capital Improvement Projects with $15 million in grant funding and construction to begin on three manufacturing companies. There will be an opening of Circle Brewing Company, Whataburger, Burger King, and Polo Loco Grocery. Mr. Mattis invited Chris Allen, Financial Advisor with RBC Capital Markets, up to the dais. Mr. Allen stated his company went out to the market today for the COs and ended up with $10,705,000 which will fund $12, 205,000 in projects.

He stated that the bid rate was for 2.81% for 25 years. Mr. Allen recommended approval of the rate and answered questions of the Council. Mayor Ramirez stated these items have to happen or should happen because of the growth that the city is experiencing. He stated the citizens have elected them to make hard decisions. Ms. Bega made a motion to approve the Resolution as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Bega- yes, Gibson- yes, Arreaga- yes; Maldonado- yes; Callahan- yes, Ibis- no, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes. The motion carried.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CITY OF ELGIN ECONOMIC DEVELOPMENT CORPORATION RELATING TO CITY OF ELGIN, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021A; AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis provided comments and answered questions of the Council. Mayor Pro Tem Brashar made a motion to approve the Resolution as presented. Mr. Maldonado seconded the motion. The vote was: Mayor Pro Tem Brashar- yes; Mayor Ramirez- yes, Bega- yes, Gibson- yes, Arreaga- yes; Maldonado- yes; Callahan- yes; Ibis- no. The motion carried.

3. 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 PDD PLANNED DEVELOPMENT DISTRICT THE PROPERTY BEING 68.992 ACRES OF LAND, OUT OF THE HENRY MARTIN SURVEY, ABSTRACT 518 IN TRAVIS CO., TX, SAID TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Mr. Mattis stated this is a zoning change for the Stone Creek Ranch Project and answered questions of the Council. Mr. Ibis made a motion to approve the Resolution as presented. Mr. Maldonado seconded the motion. All voted in favor. The motion carried.

4. AN ORDINANCE AMENDING CHAPTER 8 BUSINESS, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, DELETING IN THEIR ENTIRETY SECTION 8.156, AND ADDING SECTIONS 8-157.107 THROUGH 8-157.110, REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

Mr. Mattis provided comments and stated this is a code cleanup. He stated there were some general updates with the Ordinance. Mayor Ramirez invited Mr. Harrell up to the dais. Mayor Ramirez stated there were some comments made about stringent requirements put on the food truck vendors and asked if Mr. Harrell had looked at other cities or talked to the vendor permit holders. Mr. Harrell stated he had talked to Manor and Round Rock, and he had not talked to the itinerant vendor permit holders. Mr. Maldonado and Mayor Ramirez stated they would like to table this item. Mr. Maldonado made a motion to table this item. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO UTILIZE THE "CONSTRUCTION MANAGER AT RISK" DELIVERY METHOD FOR THE DESIGN AND CONSTRUCTION OF THE NEW CITY OF ELGIN POLICE DEPARTMENT STATION; AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated this item was to utilize a Construction Manager at Risk method for the construction of the new Police Station. He stated staff is familiar with this method and briefed the Council on this item earlier in the week. This is a legal requirement by the State to pass this Resolution to proceed. Mr. Mattis stated this makes no commitments of funds and only authorizes the opportunity to request for qualifications. Mr. Ibis made a motion to approve the Resolution as presented. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

6. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, PROVIDING A RECOMMENDATION OF A POLLING LOCATION WITHIN THE CITY OF ELGIN IN SUPPORT OF THE BASTROP COUNTY COUNTYWIDE POLLING PLACE PROGRAM AND PROVIDING FOR RELATED MATTERS

Mr. Mattis stated the County Commissioners in Bastrop County have created a program to consider county wide polling locations and they are asking for the City of Elgin's recommendation on a polling location. Mr. Maldonado stated he was in favor of approving of the Rec Center as the polling location. Mayor Pro Tem Brashar stated the Rec Center's main purpose is for an emergency type of event. Mr. Callahan stated there is plenty of parking at the Fleming Center and that would be a good option. Discussion followed. Mr. Ibis made a motion to choose the Rec Center as the polling location. Mr. Maldonado seconded the motion. The vote was: Ibis- yes, Mayor Pro Tem Brashar - no, Mayor Ramirez- yes; Bega- yes; Gibson- yes, Arreaga- yes, Maldonado- yes, Callahan- yes. The motion carried.

7. A RESOLUTION OF CITY OF ELGIN, TEXAS ADOPTING TEXAS TERM SHEET FOR OPIOID SETTLEMENT

Mr. Mattis stated this is for a settlement agreement for the opioid problem within the State of Texas. The settlement amount for the City of Elgin is $26,284. Mr. Mattis recommended that the Council pass the resolution. Mayor Pro Tem Brashar made a motion to approve the Resolution as presented and discussed. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

8. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE WATER STORAGE TANKS REPAINT PROJECT TO HOGAN'S, INC. OF VAN BUREN, MISSOURI; AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis provided comments and answered questions of the Council. Mr. Ibis made a motion to approve the Resolution as presented. Ms. Arreaga seconded the motion. All voted in favor. The motion carried.

9. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AND AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO AN EMERGENCY PREPAREDNESS PLAN IN ACCORDANCE WITH TEXAS SENATE BILL 3; AND MAKING CERTAIN FINDINGS RELATED THERETO.

Mr. Mattis stated this is an unfunded mandate that requires the city to prepare an Emergency Preparedness Plan (EPP) due to the winter storm from last year. Discussion followed. Mr. Ibis made a motion to approve the Resolution as discussed. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

10. 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

Mr. Mattis stated the City of Elgin has 124 votes to cast for the Bastrop County Board of Directors. Mr. David Glass is being supported by the School District. Mr. Maldonado made a motion to cast 124 votes for David Glass to the Bastrop Central Appraisal District Board of Directors. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

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

Mr. Mattis stated that the City of Elgin has 1 vote to cast for the Travis County Board of Directors. The School District is in support of Ms. Elizabeth Montoya. Mr. Ibis made a motion to cast 1 vote for Elizabeth Montoya to the Travis Central Appraisal District Board of Directors. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

12. Shenandoah Green Belt Ground Maintenance - Councilmember Callahan

Mr. Callahan provided some background on the situation in his neighborhood. Mr. Callahan stated that in the past 14 months, there has been no upkeep on the maintenance of the Shenandoah Green Belt. Previously, a gentleman who did not work for the city cleaned up the area with his tractor. This area is now overgrown, has become a place for coyotes, animal life, and other nuisances. Mr. Mattis stated in the past, the City Council went through several locations in the city and gave direction on which locations the city would maintain. Discussion followed. Mr. Gonzalez stated the area is city owned property. Mr. Mattis stated if it was city owned property, then the city would maintain the area. No action was taken.

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.

ANNOUNCEMENTS

Mayor Pro Tem Brashar said Happy Thanksgiving to those in attendance. Mayor Ramirez thanked everyone involved with Día De Los Muertos event. Mr. Mattis stated Mr. Dennis' wife is recovering well from her procedure and the next City Council meeting is on December 7th.

ADJOURNMENT

Mayor Ramirez adjourned the meeting at 8:18 p.m.

Ron M. Ramirez, Mayor

ATTEST:

Jennifer Stubbs, City Secretary