

MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
December 7, 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
Forest Dennis, Council Member

Absent: Skyler Maldonado, Council Member

Mayor Ramirez stated Mr. Maldonado would not be in attendance. Mr. Ibis made a motion to excuse Mr. Maldonado. Mayor Pro Tem Brashar 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
Michael Gonzalez, Public Works Director
Beau Perry, City Engineer

INVOCATION

Mr. Dennis 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 Chapter 44, Vegetation, Article II Landscaping, Division 3 General Requirements And Standards; And Providing For A Savings Clause And Repealing Conflicting Ordinances Or Resolutions.

Mr. Mattis provided comments. No one wished to speak under the Public Hearing 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 "A" Multiple Family Residential District, The Property Being Approximately 5.03 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.

3. 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 1.238 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.

PUBLIC COMMENT

Mayor Ramirez read a letter from Patrick Dudley, who stated his opposition to the proposal to the zoning change because of traffic issues and that this will negatively impact the downtown area's growth.

Debra Wahrmund, 905 Marvins Cove, stated she wanted to be on the same page about the Elgin Old Latin Cemetery. She stated the survey would be for 3/8th of an acre. Ms. Wahrmund thanked the Council for their support and offered any assistance.

CITY MANAGERS REPORT

1. Review And Presentation Of The Traffic Impact Analysis (TIA) Report For The Trinity Ranch Municipal Utility District (MUD)

Mr. Mattis stated this area is growing and will create traffic issues in all access points. He stated that the city has had a 30-year agreement with the Trinity Ranch Municipal Utility District and the developer will be required to complete a TIA. Mr. Perry presented and answered questions of the Council.

2. Monthly Reports By Department

Mr. Mattis provided the report. Mayor Ramirez asked about the Court numbers and thanked the Public Works staff for their hard work.

3. General Activity Report And/Or Project Update

There was no discussion on this item.

CONSENT AGENDA

1. City Council Regular Meeting Minutes – November 16, 2021

The item passed on the consent agenda.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD CHANGE ORDER NUMBER 1 TO TxCDBG CONTRACT NO. 7220042, FOR TRC COMPANIES OF AUSTIN, TEXAS; AND MAKING CERTAIN FINDINGS RELATED THERETO

The Resolution passed on the consent agenda.

3. 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 B; AND ON AVENUE C FROM BRENHAM STREET TO 2ND STREET ON 2ND THURSDAYS, JANUARY 13, FEBRUARY 10, MARCH 10, APRIL 14, MAY 12, JUNE 9, JULY 14, AUGUST 11, SEPTEMBER 8, OCTOBER 13, NOVEMBER 10, DECEMBER 8, 2022

The item passed on the consent agenda.

Mr. Dennis made a motion to approve the consent agenda. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

1. 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 1.238 ACRES OF LAND OUT OF A18 BURLESON, JONATHAN, ACRES 0.179; ELGIN CITY, BLOCK 10, LOTS 1, 2, 3, 4 & 5; AND 0.199 ACRES OF ADJACENT RIGHT-OF-WAY TO BE ACQUIRED BY THE APPLICANT FROM THE CITY, AS SHOWN IN THE ORDINANCE, SAID TRACTS BEING MORE PARTICULARLY DESCRIBED IN EXHIBITS "A" AND "D"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Mr. Mattis stated this is a PDD zoning application to approve the proposed Nana's House Assisted Living Facility. Part of the land is owned by the city and is unique piece of property that has been previously discussed. Mr. Mattis stated that part of this agreement includes that the owner will agree to convey frontage off the front of this lot so that we can maintain a wider Central Ave. Discussion followed. Mayor Pro Tem Brashar made a motion to approve the Ordinance as discussed. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

2. AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING ORDINANCE NUMBER 2021-09-21-27 THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING BUDGETARY APPROPRIATIONS IN SUPPORT OF THE ELGIN SESQUICENTENNIAL COMMITTEE; AND PROVIDING FOR A SAVINGS CLAUSE

Mr. Mattis stated this item is for the Council's consideration of amending the budget to provide funding to the Sesquicentennial Committee. Mr. Dennis discussed some of the projects that will take place throughout year which included, a history book project, essay contest, art show, and more. Discussion followed. Mr. Dennis made a motion to approve the Ordinance as discussed. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

3. AN ORDINANCE AMENDING CHAPTER 34, ARTICLE VI, DIVISION 3 PANHANDLING IN A PUBLIC PLACE AND CREATING A NEW CHAPTER 34, ARTICLE IV, DIVISION 4 LOITERING, CAMPING IN A PUBLIC PLACE, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY AMENDING CHAPTER 34 ARTICLE VI, DIVISION 3 AND BY ADDING NEW SECTIONS 34-258, 34-259, 34-260, 34-261, AND 34-262 REGARDING PANHANDLING, LOITERING, AND CAMPING IN A PUBLIC PLACE; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

Mayor Ramirez skipped this item and came back to this item after the discussion took place over item 2. Mr. Mattis stated this is an Ordinance to not allow camping in public parks and in public places. Mr. Mattis stated this is not targeting a specific group or that there is not a current problem today. Chief Noble stated that this is a guidance tool and gives the city the ability to educate and guide these citizens along. He said enforcement is a last resort. Discussion followed. Mayor Pro Tem Brashar made a motion to approve the Ordinance as discussed. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

4. Consideration Of A Request For Financial Support To Conduct A Land Survey To Determine The Location Of The Old Latin Cemetery In Relation To Elgin Cemetery On West 2nd Street

Mr. Mattis stated that he recommends tabling the item until February. Mr. Ibis made a motion to table this item until February. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

5. AN ORDINANCE AMENDING CHAPTER 44, VEGETATION, ARTICLE I IN GENERAL, DIVISION 3 GENERAL REQUIREMENTS AND STANDARDS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Mr. Mattis stated that this Ordinance is recommended by the Planning & Zoning Commission, and this would require all new homes to have at least underground irrigation in their front yards. Mayor Ramirez asked if this could be applied to new development only. Mr. Mattis stated this is only required for homes that are currently platted. Discussion followed. Mr. Dennis stated that this item deserves a little bit more thought. Mr. Dennis made a motion to table this item. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

6. 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 stated this Ordinance was tabled at the last meeting to adjust the code regarding peddlers, vendors, and solicitors permits. Mr. Mattis stated these changes are reflected to show today's environment. Mayor Ramirez stated that he didn't have a chance to review this and he would not mind tabling this item. Discussion followed. Mr. Callahan made a motion to table this item. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

7. 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 "A" MULTIPLE FAMILY RESIDENTIAL DISTRICT, THE

PROPERTY BEING APPROXIMATELY 5.03 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Mr. Mattis stated this is for a formal zoning change for a piece of property that is associated with the multifamily project the council approved a few meetings ago. Mayor Pro Tem Brashar made a motion to approve the Ordinance as discussed. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

8. AN ORDINANCE SETTING THE TIME AND PLACE OF THE REGULAR MONTHLY MEETING OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PROVIDING FINDINGS OF FACT; AND PROVIDING FOR A SAVINGS CLAUSE

Mr. Mattis provided comments and answered questions of the Council. Mr. Callahan made a motion to approve the Ordinance with the one correction to amend the November meeting to November 15th. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

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.

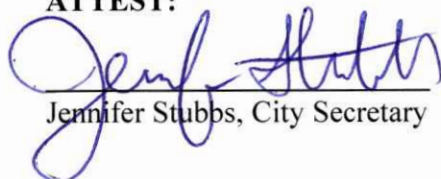
ANNOUNCEMENTS

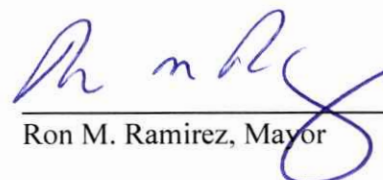
Mayor Ramirez wished those in attendance a Merry Christmas.

ADJOURNMENT

Mayor Ramirez adjourned the meeting at 8:31 p.m.

ATTEST:


Jennifer Stubbs, City Secretary


Ron M. Ramirez, Mayor