

MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
February 1, 2022

CALL TO ORDER

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

ROLL CALL

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

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
Jennifer Stubbs, City Secretary
Michael Gonzalez, Public Works Director
David Harrell, Dev. Services Director

INVOCATION

Ms. Bega 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 Land From “R-3” Single Family, Two Family, And Industrialized Housing District & “C-3” Highway Commercial District To “A” Multiple Family Residential District Located On Parcels Of Land Known By The Bastrop County Appraisal District As Parcels 55724, 133717, 8701937, Parts Of 60525, & Parts Of 118920, Located Between Roy Rivers Rd., Lee Dildy Dr., & Saratoga Farms Blvd., Being More Described In Exhibit “A”; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Mr. Mattis stated the developers withdrew the request last week. He stated since there had been a publication in the paper and it would be appropriate to have a public hearing only. Mr. Mattis stated a petition had been submitted that protested the zoning change. As of right now, there is no project pending. Mr. Mattis stated he thinks the developers would come back with a new project.

David Massey, 105 Travers Stake Trail, stated he would like to see a traffic study done before a large project is approved.

Jeff Asmussen, 128 Forest Drive, suggested as the growth continues, he would like to request some amenities. He stated that the Villages has swimming pools and patios for residents. Mr. Asmussen stated he would like to see subdivisions that would require some play areas and parks. He stated this would help the residents and make the properties more valuable.

Grant Hennig, 1116 Robin Road, stated this apartment complex would cause more traffic and crime. He asked if there was enough water and wastewater to accommodate a multi-family complex. Mr. Hennig stated we need a plan in advance and we need to protect Elgin.

Danica Marjan, 112 Insider Loop, stated she would like to withdraw her request to speak.

Mayor Ramirez read the public comment submitted by Cynthia Aranda, 111 Cates Cove. She is a third generation Elginite who feels fear at the thought of the proposed apartment complex. She does not want to see her family and neighbors suffer negative consequences associated with this rezoning. Ms. Aranda stated the City of Elgin needs places for recreation, entertainment venue, eating establishments, shopping, and retail. First responders are being overwhelmed and our schools are being overloaded. Ms. Aranda strongly opposes the proposed rezoning.

Sarah Escobar, 102 Travers Stake Trail, stated she would like to withdraw her request to speak.

Michael Payne, 111 Jim Danoy Drive, stated he left Austin because of the noise and neighborhoods growing larger. Mr. Payne stated he did not see a reason for an apartment complex. In his experience, apartment complexes were poorly managed.

2. Public Hearing On An Ordinance Amending Chapter 46 Zoning, Article V Supplementary District Regulations, Division 5 Off-Street Automobile And Vehicle Parking And Loading, Code Of Ordinances, City Of Elgin, TX By Eliminating Minimum Parking Requirements And Setting Maximum Parking Requirements In Certain Areas Of The City; And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Mr. Mattis invited Ms. Miller up to the podium. Ms. Miller reminded the Council they approved not having a minimum parking requirement on the physical site in the Historic District where a building owner may be expanding or renovating a building. In 2021, in working with property owners, they were not able to make improvements because it was triggering a requirement for parking. Ms. Miller stated this created additional fees. Essentially, working with Development Services, we added properties to the Historic District that would not be required a minimum number of parking spaces.

Grant Hennig, 1116 Robin Road, stated he wanted the Council to consider the number one problem in surrounding cities is parking. He stated we need to protect the parking areas downtown.

PRESENTATION

1. PROCLAMATION FEBRUARY BLACK HISTORY MONTH

Mayor Ramirez read the proclamation and presented it to Ms. Gwen Johnson.

PUBLIC COMMENT

Courtenay Paris, 506 Lexington Road, stated she thinks Boards & Commissions should be residents of the City of Elgin or the ETJ. She stated the P&Z and the EDC have regulatory authority and they should be required to be residents.

Joseph McCarron, 306 E Brenham Street, asked what the significance of delinquent taxes is and if staff verifies this. He recommended that board members should not serve in any state, county, or city office.

Grant Hennig, 1116 Robin Road, stated he is concerned with consent item number 8. He asked if the Council would pull the consent item and consider this before giving a job to an elected official's family member.

CITY MANAGERS REPORT

Mayor Ramirez moved the City Manager's Report after the Consent Agenda.

1. Sheltering Event Report
2. General Activity Report And/Or Project Update

There was no discussion on this item.

CONSENT AGENDA

1. City Council Regular Meeting Minutes – January 18, 2022

The item passed on the consent agenda.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO ROY RIVERS ROAD EXTENTION AND PAVING OF INNOVATION WAY; AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution passed on the consent agenda.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE ELGIN SIDEWALK IMPROVEMENTS PROJECT, CDBG-DR CONTRACT NO. 7220042 TO LONE STAR SITEWORK, LLC; AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution passed on the consent agenda.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MCDONALD MUNICIPAL AND INDUSTRIAL FOR MANUAL AND AUTOMATIC TRANSFER SWITCHES AND MAKING CERTAIN FINDINGS RELATED THERETO

The resolution passed on the consent agenda.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO PROVIDE SIGNATURE FOR THE CITY CONCERNING THE ADDITION OF ANOTHER PARTY TO THE “ASSIGNMENT OF DEVELOPMENT AND CONSENT AGREEMENT” TO THE ELGIN MUNICIPAL UTILITY DISTRICTS #1 AND #2 FOR GBRK EDGEWOOD, LLC AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution passed on the consent agenda.

6. A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT FOR THE CITY TO CONTINUE RECEIVING ANIMAL SHELTERING SERVICES FROM BASTROP COUNTY

The resolution passed on the consent agenda.

7. A RESOLUTION TO DESIGNATE THE LOCAL RABIES CONTROL AUTHORITY FOR THE CITY OF ELGIN

The resolution passed on the consent agenda.

8. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS
AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT FOR AN EVENT
CONTRACTOR FOR THE ELGIN SESQUICENTENNIAL.

The resolution was removed from the consent agenda and moved before the City Manager's Report.

Ms. Bega made a motion to approve consent agenda items 1-7. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion was carried.

8. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS
AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT FOR AN EVENT
CONTRACTOR FOR THE ELGIN SESQUICENTENNIAL.

Mayor Ramirez stated the contractor to be hired was his daughter and he would recuse himself. Mayor Pro Tem Brashar stepped in his place. Mr. Mattis stated employment is separate from a private contractor and as a matter of law, there is a distinction between the two. Mr. Mattis stated this is not a violation of the city charter. This has been disclosed from the very beginning and there are no legal issues relative to this issue. Mr. Dennis stated this position was advertised. One applicant withdrew and another applicant took a position elsewhere. He stated this candidate is very qualified. Mr. Dennis stated there were only 3 applicants. Mr. Mattis stated this was posted online for 30 days. Ms. Bega stated this raised a red flag and might not be the right time to hire the Mayor's daughter. Ms. Bega recommended looking at a plan b. Mr. Ibis stated he agreed with Councilmember Bega. Mr. Maldonado asked if the attorney was consulted. Mr. Mattis said he was. Mr. Dennis made a motion to approve the resolution as presented. Mr. Maldonado seconded the motion. The vote was: Mr. Dennis-yes, Mayor Pro Tem Brashar-yes, Ms. Bega-no, Mr. Gibson-no, Ms. Arreaga-yes, Mr. Maldonado-yes, Mr. Callahan-no, Mr. Ibis-no. The motion failed.

CITY MANAGER'S REPORT

1. Sheltering Event Report

Mayor Ramirez took over as the presiding chair of the meeting. Mr. Mattis provided a report on the sheltering event. He stated 11 people spent the night. Food, water, and cots were provided. Mr. Mattis thanked What-A-Burger and HEB for their contributions. Mr. Mattis stated that staff learned a little bit to help moving forward.

2. General Activity Report And/Or Project Update

Mr. Ibis asked if the shelter needed to be opened up. Mr. Mattis stated we were prepared to respond. He stated if there is ice, it would not be right to have people drive to the shelter. It would be safer to bundle up at home. Mr. Mattis stated they would be prepared to open the shelter if the county reached out. Mayor Ramirez stated they would not open the shelter every time it gets cold.

NEW BUSINESS

1. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ST DAVID'S FOUNDATION FOR THE LIBRARIES FOR HEALTH GRANT

Mr. Mattis stated this was put on new business to discuss the item because it is great news. He stated our library staff was successful in getting this grant for \$96,000. Ms. Miller came up to the podium. She stated Ms. Labinger spearheaded this grant application. She stated this is a specific effort to provide mental health resources in response to the community's needs. Mr. Mattis thanked St. David's. Mr. Ibis made a motion to approve the resolution. Mr. Gibson seconded the motion. All voted in favor. The motion was carried.

2. AN ORDINANCE AMENDING CHAPTER 46 ZONING, ARTICLE V SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 5 OFF-STREET AUTOMOBILE AND VEHICLE PARKING AND LOADING, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY ELIMINATING MINIMUM PARKING REQUIREMENTS AND SETTING MAXIMUM PARKING REQUIREMENTS IN CERTAIN AREAS OF THE CITY; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Mr. Mattis stated this was the item Ms. Miller briefly discussed. This ordinance was reviewed by the Main Street Board. This is recommended for approval by staff and the Main Street Board. Mr. Ibis stated he felt we should not be restricting parking. Mr. Mattis stated we already were restricting parking and this amendment will loosen the restrictions. Mayor Pro Tem Brashar made a motion to approve the Ordinance as presented. Mr. Dennis seconded the motion. The vote was: Mayor Pro Tem Brashar-yes, Mayor Ramirez-yes, Ms. Bega-yes, Mr. Gibson-yes, Ms. Arreaga-yes, Mr. Maldonado-yes, Mr. Callahan-yes, Mr. Ibis- no, Mr. Dennis-yes. The motion was carried.

3. AN ORDINANCE ESTABLISHING GENERAL RULES AND PROCEDURES, INCLUDING APPOINTMENTS, TERM LIMITS, AND RELATED MATTERS FOR ALL BOARDS AND COMMISSIONS OF THE CITY OF ELGIN, TEXAS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

Mr. Mattis stated that this item is what was discussed at the worksession last week. Mr. Mattis stated that the TIRZ board was taken out of the Ordinance. Mr. Mattis stated a line was added that stated members could not serve on multiple boards except the Historic Review Board and the Main Street Board. Also, included in the updated Ordinance, all current members seeking reappointment must reapply. The Council agreed to push back the process and reappointments to June of every year. Mr. Mattis discussed some scenarios for establishing term limits. Making appointments now would mean 25 new appointments. Waiting until June 2023, there would be 12 new appointments. Discussion followed. Mayor Pro Tem Brashar made a motion to approve the Ordinance as presented. Mr. Dennis seconded the motion. The vote was: Mayor Pro Tem Brashar-yes, Mayor Ramirez-yes, Ms. Bega-yes, Mr. Gibson-yes, Ms. Arreaga-yes, Mr. Maldonado-yes, Mr. Callahan-yes, Mr. Ibis-no, Mr. Dennis, yes. The motion was carried.

4. AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CALLING A GENERAL ELECTION ON MAY 7, 2022 FOR THE PURPOSE OF ELECTING CERTAIN CITY OFFICIALS; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; MAKING PROVISIONS FOR THE CONDUCT OF SUCH ELECTION; CERTIFYING PROVISION OF REQUIRED ACCESSIBLE VOTING SYSTEMS AT EACH POLLING PLACE; AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION

Mr. Mattis stated this is a routine item calling the May 2022 Election. Mr. Maldonado made a motion to approve the Ordinance as presented. Mr. Ibis seconded the motion. All voted in favor. The motion was carried.

Mayor Ramirez stated this item was to provide a brief update on the Boards and Commissions. Mr. Mattis stated that the EDC bylaws are required to have two Council members serve on their board. Discussion followed. Ms. Bega made a motion to table the item. Mr. Gibson seconded the motion. All voted in favor. The motion carried. The Council agreed to look at some dates for a worksession.

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.

Mayor Ramirez stated the Council would not be retiring into Executive Session.

ANNOUNCEMENTS

Ms. Stubbs stated that Travis County has not posted the polling locations yet. Mr. Maldonado stated to remember pipes, plants, and pets during this winter freeze. Ms. Miller stated we still had 150th-anniversary yard signs available.

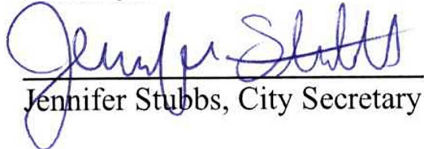
ADJOURNMENT

Mayor Ramirez adjourned the meeting at 8:16 p.m.



Ron M. Ramirez, Mayor

ATTEST:



Jennifer Stubbs, City Secretary