MINUTES OF REGULAR MEETING
BASTROP CITY COUNCIL
January 13, 2015

The Bastrop City Council held a Regular Meeting on Tuesday, January 13, 2015 at 6:30 pm, in the Bastrop City Hall Council Chambers which is located at 1311 Chestnut Street in Bastrop, Texas. Members present were Mayor Ken Kesselus, Council Members Dock Jackson, Joe Beal, Kay Garcia-McAnally, Kelly Gilleland and Mayor Pro-Tem DeLaRosa.

1. CALL TO ORDER - At 6:30 pm, Mayor Kesselus called the meeting to order with a full quorum present.

2. PLEDGE OF ALLEGIANCE – Council Member Jackson led the pledges of allegiance to the United States of America and Texas Flags.

3. INVOCATION – Mayor Kesselus led the invocation with a Prayer for MLK Week.

4. PRESENTATIONS – Mayor Kesselus introduced Grace Carder a 4th Grade student at Emile Elementary who addressed the Council with her Student Character Trait presentation on "***Loyalty.***" She is an A+ student, a member of the Campus PE Girls Running Club, a third year UIL participant, and she will be representing Mina Elementary in the Oral Reading Competition. Her hobbies are singing, dancing, reading, art, and science. Grace was accompanied by her proud parents, Jeff and Laura Carder.

5. PROCLAMATIONS - In recognition of Martin Luther King Day on Monday, January 19, 2015, Mayor Kesselus read the Proclamation and presented it to Council Member Dock Jackson.

6. CITIZEN COMMENTS

7. ANNOUNCEMENTS

CITY MANAGERS INFORMATION REPORT FOR JANUARY 13, 2015 - Mayor Kesselus invited City Manager Talbot, who brought the following items to the Councils attention:

E. Update on the Proposed S.H. 71 Transportation Study- City Manager Talbot provided updates on the following reports as they were associated with the project. He advised the Council that the asbestos evaluation had been completed at the Advertiser Building and confirmed the Councils desire to donate the building to the "Veterans of Foreign Wars." There was no hesitation with the Councils confirmation for the City Manager to move forward on their request to donate the building. City Manager also discussed the Main Street Improvement Project and recommended the start date of January 2016. He advised the Council of his meeting with TXDOT engineers who indicated their subcontractor at Hunters Construction had signed the contract for the Tahitian Village Overpass project, which would commence around March 1, 2015.

F. Update on the Red Camera District Program.- City Manager Talbot addressed the Council and informed them of how the City will deal with the red light cameras that are currently in place at the intersections of Tahitian Village Overpass and the SH 71/ SH 95 Overpass. He did not foresee a need for the cameras by the middle/late 2015 due to the construction schedule and the term agreement between ATS and the City ends in October 2015.

I. City Council Planning Retreat – City Manager Talbot requested the Councils input on issues they would like to discuss at the City Council Retreat scheduled for January 31, 2015. Mayor requested that the Council submit their requests to the City Manager by Friday, January 16, 2015. The Council held a discussion with respect to the start and end times for the Council Retreat and Mayor requested a motion. Council Member made a motion not to set an end time and include the items covered at last year's retreat in addition to any new items. Mayor Pro-Tem DeLaRosa seconded the motion, motion carried by unanimous vote 5-0.

K. Update on the Comprehensive Plan Project – City Manager Talbot advised the Council that the development of the RFQ for selecting a firm to develop a "New Comprehensive Plan" was 75% complete. He stated the final RFQ would be presented for their consideration and approval.

M. Review and Discussion Regarding LCRA Plan for a "Day of Service". City Manager Talbot provided the Council that LCRA planned a "Day of Service" throughout the lower Colorado River basin on April 24, 2015 in celebration of their 80th Anniversary. City Manager Talbot acknowledged the need for replacing the light at the Historic Iron Bridge, however it may not be cost effective to the city. The Council held a discussion and authorized the City Manager to turn off the lights along the bridge as needed.

A. **CONSENT AGENDA** - All of the following items on the Consent Agenda were considered to be self-explanatory by the Council and will be enacted with one motion.

A.1 Approval of Minutes for the Workshop & Regular City Council meeting held on December 9, 2014.

A.2 Approval of the Contract for Election Services between the Elections Administrator of Bastrop County and the City of Bastrop for the May 9, 2015 Election.

A.3 Approval of an Agreement to Conduct a Joint Election between the City of Bastrop and Bastrop Independent School District for the May 9, 2015 Election.

A.4 Approval and Adoption of a Resolution calling for and Establishing the Procedures for a General Election to fill two Council vacancies for Bastrop, Texas.

A.5 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request for the 969 Preliminary Plat located on the corner of Highway 969 and Wilbarger Bend Road being approximately 51.02 acres out of the Josiah Wilbarger Survey #70 within Area A of the City of Bastrop, Texas Extra Territorial Jurisdiction (ETJ).

A.6 Consideration, discussion and possible action on the approval of the Bastrop Marketing Corporation's request for reimbursement of expenses.

In recognition of a Resolution, Mayor Kesselus read the agenda caption for item A.4, and followed with a request for a motion. **Mayor Pro-Tem DeLaRosa made motion to approve the items outlined in the Consent Agenda, Seconded by Council Member Beal and motion passed unanimously 5-0.**

B. PUBLIC HEARINGS, ORDINANCES & OTHER ITEMS ELIGIBLE FOR CONSIDERATION /ACTION:

B.1 **CONDUCT A PUBLIC HEARING**: A Public Hearing on a RESOLUTION of the City Council of Bastrop, Texas, authorizing the submission of a Texas Development Block Grant Program Application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the City Manager to Act as the City Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program.

At 7:17 pm, Mayor Kesselus open the Public Hearing and invited Public Works/Utility Director Job provided the meeting attendees additional insight of the Resolution. He invited citizen comments and with no response he closed the Public Hearing at 7:19 pm.

B.2 Consideration, discussion and possible action on approval of a RESOLUTION of the City Council of Bastrop, Texas, authorizing the submission of a Texas Development Block Grant Program Application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the City Manager to Act as the City Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. Upon reading the agenda caption, Mayor Kesselus requested a motion.

<u>MOTION</u> - Council Member Jackson made motion to approve the Resolution authorizing the submission of a Texas Development Block Grant Program Application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the City Manager to Act as the City Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. Seconded by Council Member McAnally and the motion passed with a unanimous vote 5-0.

C. OLD BUSINESS

D. NEW BUSINESS

D.1 Consideration, discussion and possible action regarding the contract between the City of Bastrop and the Bastrop Homecoming Committee regarding the operation of the Rodeo Arena at Mayfest Park.

Mayor Kesselus invited comments from the Council, public and members of the Homecoming Committee regarding the present and future operations of the Rodeo Arena at Mayfest Park. He also thanked Tanya Mathison and Lori Chapin for their comments in offering to assist with future events.

Natasha Roberts expressed the Bastrop Family Rodeo Clubs interest in hosting future events at the arena. They would take on the responsibility of the arenas maintenance and will look for way to incorporate community service into their events. She acknowledged their continued efforts to assist the local food bank from funds/donations received at their hosted events.

Council Member McAnally encouraged Ms. Roberts to seek HOT Funding for her organizations future events.

City Manager Talbot requested a written letter from the Homecoming Committee for the dissolution on the agreement that would allow us to work with other agencies and address issues as they may arise.

MOTION - Council Member Gilleland made the motion to approve the contract between the City of Bastrop and the Homecoming Committee regarding the operation of the Rodeo Arena at Mayfest Park. Seconded by Council Member McAnally; motion carried by unanimous vote 5-0.

D.2 Consideration, discussion and possible action on the management of the local access TV station

Mayor Kesselus requested to the Councils consideration regarding the management of the local access TV station. The Council held an insightful discussion and recognized the PEG channel to be a great community resource. Mayor Kesselus followed with a request for a motion.

MOTION - Council Member Beal made the motion to direct the City Manager to prepare a report for the Council regarding how the City Manager proposes to structure, operate, and manage the PEG Channel to be submitted at the City Council Meeting scheduled for January 27, 2015. Seconded by Council Member Gilleland and motion carried by unanimous vote 5-0.

Mayor Kesselus invited public comments. Bonita Coffey and Anne Beck commended the City Manager on his efforts and thanked him for his research. Bonita Coffey suggested the Councils consideration to appointing a five person Advisory Board who could help seek grant funding. Mayor Kesselus thanked them and stated he recognizes the opportunity, however this project has been placed for the City the Managers discretion.

At 8:00 pm, Mayor Kesselus called for a ten-minute recess and reconvened the meeting at 8:15 pm.

D.3 Consideration, discussion and possible action to create a requirement for sponsors of public events to post a deposit for cleaning up trash left on the streets after their event.

Mayor Kesselus and Council Member Beal expressed their concern with trash left after events held in the downtown area and the need to have this issue addressed. City Manager Talbot advised the Council that the

Special Events Application ad been updated to request the organizer clean up schedule and the list of volunteers. The Council held a discussion with consideration to possibly raising the Special Event Deposit to allow for cost associated to clean up. The Council requested the revision of the Special Event Ordinance.

D.4 Consideration, discussion and possible action on creating a policy that would allow the City's Utility Customers to select the option of donating $1.00 to help other Utility Customers facing disconnection.

Mayor Kesselus requested the Councils consideration to creating a policy that would allow the City's Utility Customers to select the option of donating $1.00 to help other Utility Customers facing disconnection. Mayor Kesselus invited City Manager Talbot to elaborate.

City Manager Talbot informed the Council that he and CFO Stovall had met to review and discuss the Mayors request, and they were in agreement that a "Donation Policy" needed to be created that would establish the parameters for a donation program. City Manager Talbot advised the Council that the Bastrop Utility Policy would also need to be amended to reflect their final decision. CFO Stovall has researched the steps for implementing the $1 donation on the utility bills and she has identified procedures needed to properly account for the collection and reporting of these funds.

The Council had a discussion which followed with Mayor Kesselus creation of a subcommittee to create the "Donation Policy" as recommended by the City Manager. Mayor Kesselus stated he would serve on the subcommittee and he identified the other members as Council Member McAnally, City Manager Talbot and CFO Stovall.

D.5 Consideration, discussion and possible action on the Amended Bylaws for the Bastrop Economic Development Corporation.

City Attorney Brown addressed the Council and presented the updated bylaws for the BEDC that reflected the recommended changes that were approved by the BEDC on January 12, 2015.

A discussion ensued with regard to the Mayors service on the BEDC that included the possible changes to the process of board appointments. The discussion continued and Council Member McAnally and Council Member Gilleland expressed their concerns. Mayor Kesselus requested a motion.

MOTION FAILED; 2-3 Vote – Council Member Beal made a motion to approve the amended bylaws for the Bastrop Economic Development Corporation. Seconded by Council Member Jackson; motion failed due to a lack of a majority vote. Yay– Beal, Jackson Nay– McAnally, DeLaRosa, and Gilleland.

After a lengthy discussion, Mayor Kesselus expressed his desire to have the option of serving on the BEDC Board or appointing someone in his stead. Mayor Kesselus followed with a request for a motion.

MOTION – Council Member Beal made a motion to recommend that the Bastrop Economic Development Corporation provide the administrative changes to Section 4.02 regarding the mandatory service by the Mayor. Seconded by Council Member McAnally and motion carried by unanimous vote 5-0.

D.6 Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the periods ending in October and November 2014.

Ms. Stovall gave an overview of the Financial Reports and requested the Councils consideration on her request for approval.

MOTION - Council Member Beal made the motion to approve the unaudited Monthly Financial Reports for the periods ending in October and November 2014. Seconded by Mayor Pro-Tem DeLaRosa and motion carried by unanimous vote 5-0.

E. EXECUTIVE SESSION

E.1 The Bastrop City Council will meet in a closed/executive session at 7:04 PM pursuant to the Texas Government Code, Chapter 551, *et seq,* to discuss the following:

1. SECTION 551.071(1)(A) & SECTION 551.071(2) – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.
2. SECTION 551.072 – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property
3. SECTION 551.086 - Certain Public Power Utilities: Competitive Matters

Mayor Kesselus stated there would be no executive session and requested a motion to adjourn.

F. ADJOURN - Council Member Gilleland moved to adjourn, seconded by Council Member Jackson and the motion was carried unanimously.

APPROVED: ______________________
Kenneth W. Kesselus, Mayor

ATTEST: ______________________
Elizabeth Minerva Lopez, City Secretary