MINUTES FOR REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
JULY 23, 2013

The Bastrop City Council met in regular session on July 23, 2013 at 6:15 p.m. at the Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Terry Orr and Council Members Ken Kesselus, Kay Garcia McAnally, Willie DeLaRosa and Dock Jackson.

ANNOUNCEMENTS

1. Call to Order

    Mayor Orr called meeting to order at 6:15 PM

2. Pledge of Allegiance and Invocation

    Pledge to the United States and Texas Flags led by Council Member Dock Jackson.
    Invocation led by Reverend Bob Long. Mr. DeLaRosa stated that he felt it would be a good idea to ask Boy Scouts to lead the pledge after school started. All members of the Council were in agreement.

3. Presentations

    None

4. Proclamations

    None

5. Announcements

    Mayor Orr announced that Council Member Joe Beal is absent from tonight's meeting. City Manager Mike Talbot introduced new City Engineer Wesley Brandon to the Council.

CITY MANAGER INFORMATIONAL UPDATE REPORT: Items for update, discussion and possible action:

A. Meetings and Events Attended:
    1. Chaired the Monthly Meeting of the Lost Pines Groundwater Conservation District on July 17, 2013
    2. Attended the Historic Landmark Commission Meeting on July 17, 2013

B. Update on City Projects
    1. Update on the Bob Bryant Park Water Facilities Improvements Project.
    2. Update on Long Term Water Supply.
    3. Update on the Construction of Sidewalks across the Rail Road Tracks on Chestnut Street.
    4. Water Consumption Report.
    5. Issuing bonds for the Bastrop Economic Development Corporation – Business Park Improvements.
    6. Update on the Top 10 Strategic Priorities for 2013 – 2016.
    7. FY-14 Budget Process
    8. Discussion regarding a request from the "Homecoming Committee" to use the Convention Center Parking Lot for Bus Shuttle Service.
    9. A Request from the Downtown Business Alliance to lease the lot at 921 Main Street.

10. Annual Sales Tax Holiday.

C. Update on City Business:
   1. Convention Center Activities
   2. Main Street Program Activities
   3. Commercial/Residential Construction Projects in the City
   4. YMCA Activities

D. Department and Board Reports.

E. Inviting input from Council related to issues for possible inclusion on future agendas, related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.

Mr. Talbot gave a general overview on his report. In regards to Item B.5 Mr. Talbot stated that the Bastrop Economic Development Corp. Board approved Resolution for the City of Bastrop to issue bonds on their behalf, for the JAMCo, Main Street Project, and Water Issues/Projects. Mr. DeLaRosa made a motion to support the BEDC issuance of bond package with a $3,000,000 cap. Mr. Kesselus seconded the motion. Motion passed unanimously.

Mr. Talbot addressed Item B.8. Bastrop Homecoming Committee has requested to use the Convention Center Parking Lot for a shuttle service for Homecoming Weekend. Mr. Talbot stated he felt it was a fair request since the shuttle service idea promotes tourism and public safety. Mr. Kesselus stated he would not want to commit to this in advance as it may prohibit someone from renting the facility, but had no problem this time. Ms. McAnally stated that she would like to see what the Convention Center charges for the rental of the parking lot. Mr. Talbot stated $250.00 per day. Mr. DeLaRosa, Mr. Jackson and Mr. Talbot offered to pay the fee, if it should apply. General discussion was held among Council and Mr. Talbot agreed to review the current policy regarding the parking lot. Mr. Jackson moved that the Homecoming Committee be allowed to use the Convention Center parking lot for the shuttle services the weekend of Homecoming. Mr. Kesselus seconded the motion. Motion passed unanimously.

Mr. Talbot addressed Item B.9 and gave an overview of the item. The Council instructed Mr. Talbot to move forward on the lease.

The Council and Mr. Talbot had a general discussion and update on City water wells, usage and recent rain fall.

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Members so requests.

A.1 Approval of meeting minutes of July 15, 2013 Regular Council Meeting and July 16, 2013 Utility/Workshop Minutes.

A.2 Re- Appointment by Mayor and confirmation by Council of members to various City boards/commissions/task forces bodies:

A. Bastrop Historic Landmark Commission
   1) Lisa Dougherty

B. Bastrop Housing Authority
   1) Anthony Robles

C. Parks Board
   1) Lee Harle

A.3 Approval of request to accept Phase I Public Improvements for Lot 1 and Lot 3 within Purcell Pointe Subdivision located on Highway 71 and Highway 95 with the City limits of Bastrop, TX

A.4 Consideration, discussion and possible action on amending the Variance granted to Bastrop River Company allowing alcohol in Fisherman's Park for the Stand-up Paddle Cup event to be held August 16-17, 2013.

Mr. Talbot requested that item A.4 be pulled from Consent Agenda and discussed in Executive Session.

A.5 Approval of a Resolution approving and adopting a revised Investment Policy for the City of Bastrop, TX, and making various provisions related to the subject.

A.6 Approval of SECOND READING of an Ordinance amending "Schedule III: Stop Signs" referenced in the Bastrop City Code Chapter 12 Traffic Control, Section 12.04.004, to include additional intersections at Farm Street and Fayette Street correspondingly Farm Street and Chambers Street to be controlled by supplementary stop signs, and providing an effective date. Mayor Orr read the caption.

A.7 Approval of SECOND READING of a proposed Ordinance of The City Council of the City of Bastrop, Amending Section A1.10.002 of the Fee Schedule in Appendix "A" of the Bastrop Code of Ordinances which provides for the areas of Bastrop Parks that may be reserved for use and the applicable deposit and reservations fee's and providing an effective date. Mayor Orr read the caption.

A.8 Approval of SECOND READING of a proposed Ordinance of the City Council of the City of Bastrop, amending Section 1.10.002 "Park Rules" and adding Section 1.10.003 "Commercial Use of Parks" to Article 1.10 "Parks" of Chapter 1 "General Provisions" and providing an effective date. Mayor Orr read the caption.

Mr. DeLaRosa made motion to approve Consent Agenda after removing item A.4 to Executive Session. Ms. Garcia McAnally seconded the motion. Motion carried unanimously

B. PUBLIC HEARINGS AND ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

B.3 Citizen Comments

Ms. Carolyn Banks addressed the Council to discuss the geese on the Riverwalk and Fisherman's Park and "Bastrop Springs". Ms. Banks stated that she had consulted with City of Bastrop Animal Control Officer regarding what appears to be an illness among the geese. They are suffering from "Angel Wings" which is caused by eating bread and bread type food. She feels that the geese are an important part of the river area and Fisherman's Park and would like to see something like feeders placed in the park so people could feed the geese proper food like cracked corn. She would also like to see signs placed there to inform the public about the dangers of feeding the geese bread. She also stated that 2 years ago the Council designated the "Bastrop Springs" a historical landmark and would like to see permanent signs placed there as well as getting the area cleaned up. Ms. McAnally stated that she had also heard about the problem with the geese and would like to see something done to protect the geese. Mr. Talbot explained that he is working with the Historic Landmark Commission on the issue of the Springs and will have a report for Council at the next regular meeting. Mayor Orr suggested that Mr. Talbot and Ms. McAnally work together on this issue and Mr. Kesselus suggested to Trey Job to present it to the Board at the next Parks Board Meeting. Ms. Banks indicated she would like to be a part of the solution and Mr. Talbot suggested she attend the next parks Board meeting. Mayor Orr thanks Ms. Banks.

C. OLD BUSINESS

D. NEW BUSINESS

D.1 Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports and Quarterly Investment Report for the period ending June 30, 2013.

Ms. Karla Stove, Chief Financial Officer, gave an overview of the Financial Reports and The Quarterly Investment Report. Ms. McAnally asked Ms. Stovall if she was happy with our expenditures. Ms. Stovall stated she was but we are watching some funds closely. Mr. Talbot stated the Water and Wastewater Fund and the Bastrop Power and Light Fund are running Tight and they are both being watched closely. Ms. Stovall explained that these funds have had unexpected expenditures and less revenue over the previous year. Discussion was held among Council, Ms. Stovall and Mr. Talbot.

Mr. DeLaRosa made the motion to accept these financial statements. Ms. McAnally seconded the motion. Motion passed unanimously.

E. EXECUTIVE SESSION

Mayor Orr Convened the Council into closed/executive session at 6:52 PM, as follows:

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

1. Section 551.071(1) (A) and Section 551.071(2) – Consultations with Attorney: (1) threatened and/or contemplated litigation, and (2) matters upon which the Attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.072 – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property.

E.2 Mayor Orr reconvened the Bastrop City Council from the closed executive session, back into open session at 7:06 PM to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items, as follows:

Mr. Talbot explained that Item A.4 was pulled from Consent Agenda to be discussed in Executive Session, as allowed by the agenda. He stated that the SUP Cup Special Event Applicant (Mr. Lee Harle) is requesting changes to his original "special event application variance" request. Mr. Harle stated he was changing the boundaries regarding where alcohol would be allowed to be taken and consumed in the City's park, saying that the consumption would be confined to the area between the Old Iron Bridge and The Brewhouse Pub. Mr. Harle states that he feels this would be a more controllable situation and would be easier for Police to help address any problems as they would be stationed at each entrance to the proposed area. He is requesting that the City alter its original variance granted for the event, as it relates to the liability insurance required by the City. He stated that his insurance provider said that the $ 5,000,000 Liability Insurance Requirement required by the City is excessive to cover Mr. Harle's needs and he feels that by reducing the area of the park in which alcohol will be allowed to be consumed, the City should agree to reduce the amount of liability insurance that the City is requiring. There was some discussion between the Council and Mr. Harle as to boundaries of Fisherman's Park vs. the Riverwalk area. Mr. Talbot pointed out that the City has had a long standing policy of not allowing alcohol in the City's parks and feels that is a good policy. Mr. Talbot explained to the Council that if they chose to take "no action" on this item, then the original decision by the Council in granting the variance, i.e., regarding the $5,000,000 insurance requirement, would stand. Ms. Brown confirmed this for the Counsel. No motion was made on this item, and therefore the Council took "no action" on this item.

Mayor Orr acted to then convene the Council into the second closed/executive session at 7:15 PM, as follows:

The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq,* to discuss the following:

1. Section 551.071(1) (A) and Section 551.071(2) – Consultations with Attorney: (1) threatened and/or contemplated litigation, and (2) matters upon which the Attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.072 – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property.

Mayor Orr reconvened the Bastrop City Council from the closed executive session, back into open session at 7:50 PM to discuss, consider and/or take any actions necessary related to the executive sessions notes herein, or regular agenda items above, and/or related items.

No further action was taken by the Council

F. ADJOURNMENT

Motion to adjourn the City Council Meeting was made by Mr. DeLaRosa at 7:51 PM. Seconded by Mr. Jackson. Motion passed unanimously.

APPROVED:

Terry Orr

Terry Orr, Mayor of City of Bastrop

ATTEST:

Traci Chavez

Traci Chavez, Interim City Secretary