

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
TUESDAY, JULY 2, 2019**

CALL TO ORDER

Mayor Cannon called the meeting to order at 7:01 p.m.

ROLL CALL

Present: Mayor Chris Cannon
Jessica Bega, Mayor Pro Tem
Juan Gonzalez, Council Member
Mary Penson, Council Member
Daniel Lopez, Council Member
Brad Jones, Council Member
Forest Dennis, Council Member
Sue Brashar, Council Member
Susie Arreaga, Council Member

Mayor Cannon certified there was a quorum.

Mayor Cannon asked for a motion to excuse Council Members Lopez for his absence at the June 18th meeting, stating that Council Member Lopez had notified him before the meeting that he would not be attending.

Mayor Pro Tem Bega moved to excuse Council Member Lopez's absence from the June 18th meeting. Council Member Brashar seconds the motion. Motion carried. 9-0.

Staff: Thomas L. Mattis, City Manager
Charles Cunningham, Finance Director
David Harrell, Planning Director
Joe Parten, Public Works Director
Amy Miller, Community Development Director
Beau Perry, City Engineer

INVOCATION

Council Member Brashar gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Cannon led the Pledge of Allegiance to the United States and Texas Flag.

PUBLIC HEARING

1. Public Hearing on the Proposed 2019 Five-Year Capital Plan.

Mayor Cannon recessed the Regular Meeting and opened the Public Hearing at 7:05 p.m.

With no one wishing to speak Mayor Cannon closed Public Hearing at 7:06 p.m.

PUBLIC COMMENT

Mayor Cannon opened Public Comments.

Joseph Perkins spoke and stated that Code Enforcement had towed his car illegally from his property. He stated the Police Department put a sticker on it and when he called the office, he was told he had two hours to remove the car and that he asked for three hours since he was at work. He stated he pulled his car into the driveway but that it was then towed anyway.

Laura Stough spoke and stated she was President of the Friends of the Elgin Library. She spoke about all the programs the library offers and that they partner with the Elgin ISD and support older adults, arts and crafts, and offer free computer use. She asked for continued support for the library.

Joy Casnovsky spoke and stated she wanted to voice her support for the plan for a downtown art program.

With no one else wishing to speak Mayor Cannon closed Public Comments.

PRESENTATION

1. Introduction of New City Employee.

City Manager Thomas Mattis introduced the new Planning Director, David Harrell.

2. Presentation of a Public Art Plan for Downtown Elgin.

Amy Miller, Community Development Director, spoke and stated that the Public Art Plan had been developed over the last eighteen months with significant community input through the Design Committee of the Main Street Board and introduced Emily Koller who Chaired that committee and would be providing a presentation.

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Ms. Koller spoke about the plan and how to get involved and spoke briefly on what public art is. She stated it could be temporary or permanent and include murals, sculpture, memorials or landscape architectural work, community art or performances and festivals. She stated the Committee is striving to work on one big project a year and continuing to do smaller, temporary installations. She stated that other projects may be proposed by artists, business or property owners but must meet the goals of the plan and be consistent with the guidelines.

CITY MANAGER'S REPORT

1. General Activity Report and/or Project Update.

City Manager Thomas Mattis stated that as had been previously discussed an effort was being made to increase our Code Enforcement activity with a focus on junk vehicles that seemed to have developed into a problem in the city and wanted to make sure to take a uniform and consistent approach. He stated it was important to understand that by the code and law a vehicle that does not have a valid registration, inspection sticker or valid license plates is by definition a junk vehicle and inoperable. He stated junk vehicles are declared a nuisance under section 4467 if visible from the public right of way. He stated that section 4468 discusses the process where an owner will be notified and given an opportunity to abate the nuisance. He stated that there might be some confusion if the vehicle is on private property but that it still qualifies as a public nuisance, so whether it is on private or public premises this would still apply. He stated that the owners are notified by mail and if the vehicles were in the street right of way and a traffic issue the enforcement is done by the Police Department and that Code Enforcement works on issues on private property.

CONSENT AGENDA

1. City Council Meeting Minutes - May 7, 2019, May 14, 2019, June 4, 2019 And June 18, 2019.

2. Departmental Monthly Reports – May

Council Member Brashar moved to approve the Consent Agenda with corrections to the minutes as presented. Council Member Lopez seconds the motion. Motion carried 9-0.

NEW BUSINESS

1. Discussion and Possible Action on Various Issues Associated with an Area in the Southeast Quadrant of the City Annexed in 2015 (“Annexed Area”) Including but not limited to Possible Direction to staff regarding a Capital Improvement Project to extend Wastewater Services and/or De-Annexation of certain properties therein.

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City Manager Thomas Mattis stated that this was an item that had been discussed at previous meetings and that staff needed some general policy direction to move forward. He stated this was an area annexed into the city in 2015 and funding was not set aside to extend all services as necessary and make the city compliant with the law. He stated that the entire area in area 2 and area 3 includes 95 land parcels which is about 212 acres, and that at the time of the annexations the primary objective at the time was to prevent further expansion of the City of Bastrop's jurisdiction but that was no longer an issue due to the latest legislative session and wouldn't be seeing any annexations by any city. He stated city services had been provided to the area at a level in compliance with the law. He stated issues had been found such as curbside trash collection and recycling that has not been done in a uniform manner and that those areas had continued to be annexed and stay in the city. He stated that Code Enforcement was also an issue and moving forward it would be enforced in this area. Mr. Mattis stated that the city has collected about \$156,000 city taxes in three years, but that of all the taxes people pay for every dollar of the property tax paid only .24 cents goes to the city. He stated after a lot of discussion and analysis the staff had made a recommendation back in March that we proceed with the proposal and reach out to the property owners out there, and as said from the beginning the best opportunity is to compromise between the property owners and the city. He stated that with that in mind staff made a recommendation that area 2 which is the 1704 corridor remain in the city due to the fact that development is anticipated in that area and low operational costs moving forward and area 3 was recommended for dis-annexation for a variety of issues.

Council Member Jones moved to proceed with the dis-annexation of Area 3. Council Member Brashar seconds the motion. Motion carried 9-0.

Council Member Brashar moved to proceed with Area 2 wastewater improvements. Mayor Pro Tem Bega seconds the motion. Motion carried 9-0.

2. AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING CHAPTER 42, SECTION 42-319 Et. Seq. CODE OF ORDINANCES, BY ADOPTING NEW LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENT PLAN AND BY AMENDING THE WATER AND WASTEWATER IMPACT FEES, AND; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Council Member Brashar moved to approve the new water impact fee of \$3790 and the new wastewater fee of \$2348. Council Member Penson seconds the motion. Motion carried 9-0.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE BRICKSTON MUD WASTEWATER SERVICE AGREEMENT WITH TEXAS BRIDLE TRAILS LLC AND BRICKSTON MUD MAKING CERTAIN FINDINGS RELATED THERETO.

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Council Member Penson moved to approve the Resolution as presented. Council Member Dennis seconds the motion. Motion carried 9-0.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING A CONSENT AGREEMENT WITH GREAT ESCAPES OPPORTUNITY ZONE FUND LLC AND MAKING CERTAIN FINDINGS RELATED THERETO

Council Member Brashar moved to approve the Resolution as presented. Council Member Lopez seconds the motion. Motion carried 9-0.

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS TO APPROVE AN AGREEMENT WITH COMPU-DATA INC. TO PROVIDE DOCUMENT IMAGING, DATA HOSTING AND RETRIEVAL SERVICES FOR CITY DOCUMENTS GENERATED IN THE CONDUCT OF DAY TO DAY ACTIVITIES; AND TO AUTHORIZE THE MAYOR TO EXECUTE SAID AGREEMENT.

Council Member Penson moved to approve the Resolution as presented. Council Member Lopez seconds the motion. Motion carried 9-0.

6. Review and Discussion of Property Owner Responsibilities relating to weeds, wild growth, and unsanitary conditions and direction to staff regarding City Policy for mowing/maintenance of Public Right-Of-Way Areas.

Council Member Dennis moved to direct staff to continue to enforce code policy, start with the list and begin to remove properties and notifying owners but still do one more mow in between. Council Member Brashar seconds the motion. Motion carried 9-0.

ANNOUNCEMENTS

Mayor Cannon mentioned that Ann Walker had passed, and the memorial service would be held on Friday.

ADJOURNMENT

Mayor Cannon adjourned the City Council Meeting at 9:18 p.m.

Chris Cannon, Mayor

ATTEST:

Amelia Sanchez, City Secretary