

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
TUESDAY, MARCH 19, 2019**

CALL TO ORDER

Mayor Cannon called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Mayor Chris Cannon
Jessica Bega, Mayor Pro Tem
Juan Gonzalez, Council Member
Susie Arreaga, Council Member
Mary Penson, Council Member
Sue Brashar, Council Member

Mayor Cannon certified there was a quorum.

Mayor Cannon asked that the record show that Council Members Lopez, Thomas and Beyer were all absent. He stated that Council Member Brashar had heard from Council Member Beyer and that he was at a conference, Council Member Thomas had an ill family member, and Council Member Lopez would not attend due to work.

Council Member Penson moved to excuse Council Members Beyer, Thomas and Lopez. Council Member Brashar seconds the motion. Motion carried 6-0.

Staff: Thomas L. Mattis, City Manager
Charles Cunningham, Finance Director
Amy Miller, Community Development Director
Melissa Lepiec, Planning Department

INVOCATION

Council Member Penson gave the invocation.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Mayor Cannon opened Public Comment.

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

CITY MANAGER'S REPORT

1. General Activity Report and/or Project Update.

City Manager Thomas Mattis stated that under New Business item 2, that was for discussion only. He stated there are several different issues and the common thread being these are all cases where we need the city to move to a more uniform and consistent procedure from staff's standpoint and a uniform and consistent policy that is endorsed by the City Council. He stated that Code Enforcement and the Police department were also working on a uniform approach for code violations and enforcement. He also spoke about the parades and the lack of understanding of how much it costs the city to manage these parades and that the taxpayers are supporting these events. He stated that they wanted to manage these events the right way, with safety being the biggest issue, and another thing to think about would be to require insurance. Mr. Mattis stated that these issues were all still being worked on and would be coming before Council soon. Mr. Mattis stated that another item that was coming up was the first appeal of the Building Official and the Historic Review Board about a project downtown from someone that went to the HRB and they denied his request. He stated it was in the ordinance that the owner had the right to appeal to the City Council and it would be on the next agenda.

NEW BUSINESS

Consideration of staff recommendation on an Action Plan Related to an Area in the Southeast Quadrant of the City Annexed in 2015 ("Annexed Area") and Related Matters.

Mayor Cannon stated that this was one step in many to consider in this annexation. He stated this had been an aggravating process for him personally because it was just an informational thing, but as usual any time the word annex is used it stirs a lot of stuff up. He stated that tonight they were moving forward with the motion of taking that next step, but not deciding anything other than staff moving forward with sending out the mailers and going through the process. He stated they would still need to receive that information and response back from the citizens and staff.

Mayor Pro Tem Bega stated that as the Mayor just mentioned, this was the first step in the process. She stated that they are looking at the recommendation before them and she imagined that beyond this there may be additional recommendations once staff has been able to reach out to all the citizens in the area.

City Manager Thomas Mattis spoke and stated that this was the recommendation the staff made, basically a three-part recommendation. He stated Council went through a very detailed discussion at the last meeting, and that the city would consider the annexation of area three and reach out to property owners in area three. He stated this annexation would be predicated on a settlement or a

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development agreement and then working on extending services to area two alone. He stated that at the last meeting they spoke of area two and three because that was what they have always been referred to and the original maps and data used in 2015 labeled them as such. He stated that in an effort to be consistent and keeping confusion to a minimum, this is why they continue to be labeled that way. He stated that the 1704 corridor is the area of anticipated eminent development and the lowest potential cost impact from an operating standpoint for the city to provide services there, while area three is basically the opposite of that. He stated that they did not think there was opportunity for significant development out there but that there are significant code enforcement issues and potentially high operating costs for the city. He stated the focus of the Council was trying to research what opportunities the city might have to be responsive to the citizens heard from at the time, and that most of those citizens expressed a desire to be dis-annexed. Mr. Mattis stated that the recommendation made is what is believed an appropriate balance between trying to be as responsive as we can to as many of those property owners and at the same time continue to protect the city's business interests. He stated that if the Council endorses this plan, they will start to reach out to those owners in area three and make sure to engage their interest in executing this development agreement or whatever agreement we come up with in exchange for this annexation.

Bill Carlson of 1415 FM 1704 spoke and stated this project impacted them in a big way and did not think the city was going about it the right way. He stated the original plan when they were annexed was to wait five years and just before the five years was up, they were going to get a lawyer and get everyone together and under statute 43 forcefully be de-annexed in which case in ten years the city could not touch them and give them back their money. He stated that they still intended to use statute 43 of the state code and be de-annexed. He stated that they had asked for a development agreement because the agreement would provide them relief and lets the city keep control of the development of the property. He stated that the property owners in his area were deed restricted for now, but that they could come back and with an a 80% voting they could sell their property to anyone. He stated he did not hear how the city would reach out to all of the property owners in area two, just area three, and couldn't understand why the city would not find it important to speak to all of the owners in area two. He stated that McVay Lane keeps getting overlooked and that residents had to drag their trash down one public road to another for trash services mandated by the city, and that the road needed to be improved so the trash truck could come around to pick up the trash. He asked the city talk directly to the land owners.

Council Member Brashar moved to consider passing the staff recommendation. Council Member Penson seconds the motion. Council Member Gonzalez abstained from voting. Motion carried 5 ayes-with 1 abstention.

(Discussion Only) AN ORDINANCE AMENDING CHAPTER 34, ARTICLE II, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, REGARDING PARADES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

This item was discussed under the City Managers report.

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EXECUTIVE SESSION

Adjourn into Executive Session Pursuant to Section §551.074 Personnel Matters: To Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee.

Mayor Cannon stated that the Executive Session would not be held due to not having all of the information turned in to him yet. He stated it would be moved to the second meeting in April.

ANNOUNCEMENTS

Mayor Cannon mentioned the Chamber Banquet coming up the following week on April 4th at the Rec Center.

ADJOURNMENT

Mayor Cannon adjourned the City Council Meeting at 7:33 p.m.

Chris Cannon, Mayor

ATTEST:

Amelia Sanchez, City Secretary