

MINUTES  
ELGIN CITY COUNCIL REGULAR MEETING  
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS  
404 NORTH MAIN STREET  
September 21, 2021

**CALL TO ORDER**

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

**ROLL CALL**

**Present:** Ron Ramirez, Mayor  
Sue Brashar, Mayor Pro Tem  
Arthur Gibson III, Council Member  
Jessica Bega, Council Member  
Thomas Ibis, Council Member  
Matthew Callahan, Council Member  
Forest Dennis, Council Member  
Susie Arreaga, Council Member  
Skyler Maldonado, 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  
Chris Noble, Police Chief  
Jennifer Stubbs, City Secretary  
David Harrell, Development Services Director  
Michael Gonzalez, Public Works Director

**INVOCATION**

Mr. Maldonado 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 The Proposed FY21-22 Annual Budget And Ad Valorem (Property) Tax Rate For The City Of Elgin

No one wished to speak under the Public Hearing Item.

**PUBLIC COMMENT**

Morgan Peavey, 1011 Hwy 71 W Bastrop, Texas, stated he was here tonight regarding building permits in the City of Elgin. He stated he had a building permit request denied and requested code information.

**CITY MANAGERS REPORT**

1. General Activity Report And/Or Project Update

Mr. Mattis stated there was a gas leak on Cleveland Street and several residents were evacuated. Mr. Mattis stated the leak is capped, and the situation has been addressed. He stated there are several new residential projects going on within the City and the projects must maintain compliance with the current rules.

**CONSENT AGENDA**

1. City Council Regular Meeting Minutes – September 7, 2021

The item passed on the consent agenda.

2. Consider Waiving The Open Container Ordinance On Main Street From Lexington Road To Brenham Street; And On 2nd Street, First Street, Depot Street, Central Avenue, Austin Street, Brenham Street From Main Street To Avenue C; And On Avenue C From Brenham Street To 2nd Street For Día De Los Muertos Celebration On Thursday, November 4, 2021 From 5pm To 10pm.

The item passed on the consent agenda.

3. A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING THE AWARD OF A PURCHASING AGREEMENT CONTRACT WITH WALLER COUNTY ASPHALT FOR ASPHALT COLD MIX D-ASPPM GRADE 4 HIGH PERFORMANCE

The item passed on the consent agenda.

4. A RESOLUTION TO ADOPT A WRITTEN INVESTMENT POLICY AND INVESTMENT STRATEGY REGARDING THE INVESTMENT OF CITY FUNDS TO BE EFFECTIVE OCTOBER 1, 2021

The item passed on the consent agenda.

Mayor Pro Tem Brashar made a motion to approve the consent agenda. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

### **NEW BUSINESS**

1. (Second Reading And Final Action) AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, FOR THE 2021-22 FISCAL YEAR; AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2021 TAX YEAR.

Mr. Mattis stated this is the property tax rate and there is a decrease in the overall tax rate. He stated if City of Elgin property owners do not see a change in their evaluation, these homeowners will see a reduction in City property taxes. Mr. Ibis stated that this is a tax rate increase. Mr. Mattis stated the overall revenue will increase but the tax rate will not increase and is not a tax increase to the taxpayers. Mr. Dennis stated he was on the School Board Bond Council, and they set an amount that would not increase taxes. Mr. Dennis stated the ballot has to say it will increase revenue even though the tax rate will not increase. Discussion followed. Mr. Dennis made a motion to approve the Ordinance as discussed. Ms. Arreaga seconded the motion. The vote was: Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes, Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- yes, Mr. Ibis- no. The motion carried.

2. (Second Reading And Final Action) AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Mattis provided brief comments and stated this is a 23-million-dollar budget. The largest increase in the General Fund is through new development and growth that the City is experiencing. Ms. Bega asked if Mr. Mattis would provide a brief highlight of the budget and what it provides to the growing City and to staff. Mr. Mattis stated the General Fund is a significant amount of money that focuses on the growing demands for services and increased staffing. The cost of maintaining existing staff, supplies, routine expenses, and services is about 85% of the budget. This budget is predicated on a tax rate decrease. Out of the property taxes received, the City of Elgin receives 22 cents out of every dollar. There are a few items of new funding represented in this budget that will go towards capital projects and debt planning. A half of a million dollars will be devoted towards streets maintenance. Discussion followed. Ms. Bega made a motion to approve the Ordinance as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- yes, Mr. Ibis- no, Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes. The motion carried.

3. AN ORDINANCE AMENDING CHAPTER 42, SECTION 42 THROUGH 40, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, REGARDING MONTHLY WATER AND SEWER RATES PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Mr. Mattis stated this is the \$8 increase that has been discussed previously. Mr. Ibis stated he thinks people are struggling and this is not the time to raise water and sewer rates. Mr. Mattis stated there will be a deficit in the utility fund if the rates are not increased. Discussion followed. Mayor Pro Tem Brashar made a motion to approve the Ordinance as discussed. Ms. Arreaga seconded the motion. The vote was: Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes, Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- no, Mr. Ibis- no, Mr. Dennis- yes. The motion carried.

4. AN ORDINANCE TO ESTABLISH A COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; TO AMEND ORDINANCE 2020-10-13-29 AND SUBSEQUENT AMENDMENTS TO THAT ORDINANCE; ESTABLISH CATEGORIES OF FEES AND CHARGES; REVISE EXISTING RATES; RECONFIRM EXISTING RATES; PROVIDE FOR A SAVINGS CLAUSE; REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE AS STATED HEREIN.

Mr. Mattis stated that staff has reviewed this Ordinance and does not recommend any adjustments or increases. There were questions by Council Members and staff provided information regarding the Library, Pool, Court, and Rec Center fees. Mayor Ramirez stated Elgin is cost comparative to similar and surrounding cities. He stated we are not requesting increases. Mr. Ibis asked about the higher water rate fee increase. Mr. Mattis stated this is a separate provision within the code and a separate ordinance. Mr. Dennis made a motion to approve the Ordinance as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes, Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- yes, Mr. Ibis-no. The motion carried.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS ESTABLISHING OFFICIAL CITY OF ELGIN HOLIDAYS FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; AND PROVIDING FOR RELATED MATTERS

Mr. Mattis stated this is the last item associated with the budget. This is the same schedule as last year and the number of holidays. Mr. Mattis stated that last year, the City added Juneteenth. Veteran's Day was removed but has been discussed in the past. Mayor Ramirez stated he was in favor of adding Veteran's Day to the schedule. Ms. Arreaga wants to remove Columbus Day and swap it with Veteran's Day. Ms. Bega asked if we could ask staff for input. Mr. Mattis stated we could ask for staff's input. Mayor Pro Tem Brashar stated some staff was upset about Veteran's Day not being on the schedule. Discussion followed. Mayor Pro Tem Brashar made a motion to swap out Veteran's Day with Columbus Day. Mr. Ibis seconded the motion. Mayor Pro Tem

Brashar stated she needed to add to approve the rest as stated. Mr. Ibis seconded the amendment to the motion. All voted in favor. The motion carried.

6. A RESOLUTION AUTHORIZING PROCEEDING WITH ISSUANCE OF CERTIFICATES OF OBLIGATIONS AND FURTHER DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF ELGIN, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021A

Mr. Callahan stepped away from the dais at 7:15 PM. Mr. Mattis provided a brief presentation on the Certificates of Obligations. He stated this item has been discussed previously. There are large demands from the growth that is occurring within the City. Mr. Callahan returned to the dais at 7:18 PM. Mr. Mattis stated the issues will not change if we wait. Most importantly, our inability to move forward has created damage by impacting City operations and employee morale. The Police Station is a major concern and has deteriorated even more. All the projects have been delayed 6 months to a year. The City has missed the opportunity to purchase adjacent City Hall property. The City can no longer purchase standalone buildings. Had the City issued COs earlier in the year, the tax rate would not have changed. There are bond issuance costs and interest rate increases. All the CO projects meet the definition and the requirements according to HB1869. Mr. Mattis recommends that the Council move forward now with the previously approved General Government Projects and Economic Development Funds. Discussion followed. Mr. Mattis stated if a CO Program is placed on the ballot and fails to be approved by the voters, the City cannot borrow funds in support of the projects for the next three years. The City will also lose \$5 million secured from County Line Road developers.

Public Comments:

Carlos Gandia, 1114 W 2<sup>nd</sup> Street, stated he moved here from Austin and selected Elgin because of the beautiful parks, activities, and the vibrant downtown. He stated he joined the Parks Advisory Board and wanted to increase the green space in Elgin. He stated the COs provide matching grant funds. Mr. Gandia stated he urges the Council to move forward for the benefit of residents.

Stephanie Lippke, 1112 N. Main, stated Texas has the largest CO debt in the Nation and she wants the voters to approve these projects. She stated County Line Road is not paid for if we take out 20 years of bond debt and pay interest. Ms. Lippke stated we need to focus on important infrastructure. Ms. Lippke stated she does not support the CO projects.

Dr. Jodi Duron, 1002 N. Ave C, stated she was here representing the School District, Elgin ISD. She thanked the Council for their service during the challenging times of growth. She stated the school has grown 350 students within one year and will continue to grow. The largest challenge since the start of school has been traffic on County Line Road. Dr. Duron stated there is an emergency now that needs to be addressed. The future of Elgin is right now, and we cannot put off tomorrow what we need to do today. She stated the ISD supports the City of Elgin CO projects.

Cathleen Menke, 211 Christensen Road, stated as a mother of three young children, she voices her support in favor of the CO projects. She stated she is very excited about the splash pad and that it would be a great improvement to the City.

James Sides, 12812 Wood Lily Trail, stated that he has served previously on the Parks & Rec Board and is President of the Elgin Youth Soccer Association. He stated that Parks are very important to the City and bring people to Elgin. The Parks provide opportunities for physical fitness and mental health. Mr. Sides stated he supports the other items on the list. He stated these developments and developers must pay a fee per lot if they are not building a park. This will cover the interests and obligations.

Grant Hennig, 1116 Robin Road, stated he believes in our voters and asked in May for these projects to go on the ballot. Mr. Hennig stated he wants these issues to go to the voters.

Joy Casnovsky, 534 Old McDade Road, stated she is upset, and she thinks we are the laughingstock of Bastrop County because we have projects right here, we can fund. She wants her son to have sidewalks to walk on to school. She stated she would like a splash pad, too. These are all projects that make this town a viable community. She stated people don't want to move to a town that does not have safe infrastructure. Ms. Casnovsky stated as a voter, she voted you all in to make these decisions and she urged the Council to vote yes on these projects.

Mayor Ramirez stated we cannot wait on these projects and that we must start. Mr. Callahan questioned why these projects did not go to the voters. Mayor Ramirez stated that his initial thought was that the City would put some of these items up for a vote in May. Things have developed much quicker than anticipated 6 months ago. Mr. Mattis stated to his knowledge the City of Elgin has never voted on COs. Mr. Mattis stated we could be the first City to take this to the voters. Mr. Mattis stated we can't wait, and we need to start now on these projects. Mayor Pro Tem Brashar stated she would have not supported this in a November election, because she would not want the City to compete with the School District. Ms. Bega stated we are in a reactive state when we should be in a proactive state. Ms. Bega stated this is a simple decision by Council. She stated we cannot wait, and we need to agree. Mr. Ibis questioned if the Elgin Public Library was brought to a vote. Mayor Ramirez stated it was. Mr. Ibis stated that the procedure should be to trust and go to the voters. Mr. Dennis stated the time is right and that the law is in our favor. Ms. Arreaga stated she agrees and that these projects can no longer wait. Mr. Maldonado stated he agrees to move forward, and we should work together as a Council. Mr. Gibson III agrees that we should act now, and we cannot fall further behind. Mayor Ramirez stated we are here to take care of the emergent needs of the City. Mr. Mattis stated given where we have been, he would urge the Council if the Council votes yes tonight, let's stay committed and strong. Mr. Mattis stated this is one step and there will be other projects in the future brought up to Council. Ms. Bega made a motion to approve the Resolution as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Ms. Bega- yes, Mr. Gibson III- yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- no, Mr. Ibis- no, Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes. The motion carried.

7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS SUPPORTING THE CITY OF ELGIN'S SUBMISSION OF AN EDA PUBLIC WORKS GRANT APPLICATION FOR TWO MILLION DOLLARS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTATION; AND ESTABLISHING AN EFFECTIVE DATE.

Stephanie Lippke, 1112 N. Main, stated this EDA application is asking for the same money as the 2021A COs and asked for fiscal responsibility.

Mr. Mattis stated this is another application for grant funds the City is qualified for. Mr. Rock came forward to the dais and provided brief comments. He stated this grant is for two million dollars instead of a million dollars. Discussion followed. Mr. Dennis made a motion to approve the Resolution as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes, Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- no, Mr. Ibis-yes. The motion carried.

8. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF THE ELGIN ECONOMIC DEVELOPMENT CORPORATION AND PARAVEL CAPITAL LLC AND AUTHORIZING THE MAYOR TO APPROVE THE CONTRACT

Stephanie Lippke, 1112 N. Main, stated she objected to this item because this land was purchased and is taking commercial land and repurposing it to multi-family units. She stated this is against what y'all started it for and that it does not bring in businesses.

Grant Hennig. 1116 Robin Rd, stated he is concerned we zoned this commercial. He stated that the numbers do not add up per acre and the complex will be too dense.

Mr. Rock provided comments and answered questions of the Council. Mr. Callahan made a motion to approve the item as presented. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

9. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF THE ELGIN ECONOMIC DEVELOPMENT CORPORATION AND TRINITY ELGIN PROPERTIES AND AUTHORIZING THE MAYOR TO APPROVE THE CONTRACT

Mr. Rock provided comments and answered questions of the Council. Mayor Pro Tem Brashar made a motion to approve the Resolution as presented. Mr. Maldonado seconded the motion. All voted in favor. The motion carried. Mr. Maldonado left the dais at 8:41 p.m.

10. RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPOINTING REPRESENTATIVES TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS

Mr. Mattis provided brief comments and stated this is to appoint two representatives. He stated typically elected officials serve on this policy-making board. Mayor Ramirez stated he would like to replace the previous Mayor and Mr. Dennis stated he would like to be on the board. Mr. Maldonado returned to the dais at 8:44 p.m. Mr. Callahan made a motion to add Mayor Ramirez and Mr. Dennis to the CAPCOG board. Ms. Bega seconded the motion. All voted in favor. The motion carried.

11. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING MEMBERS FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

Mr. Mattis stated this is a routine item and this is an entity the City of Elgin is a member of. He stated this is an item to formally nominate members. He stated Mr. David Glass is on the board and does not have to be renominated. Discussion followed. Mr. Ibis made a motion to table this item. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

12. RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING A REPRESENTATIVE TO THE TRAVIS CENTRAL APPRAISAL DISTRICT

Mr. Mattis stated this is the same item as 11 but with Travis County. Mayor Pro Tem Brashar made a motion to table this item. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

13. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH AMANDA CARTER OF ELGIN, TEXAS APPOINTING HER AS JUDGE OF THE CITY OF ELGIN MUNICIPAL COURT IN ACCORDANCE WITH THE CITY CHARTER; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

Judge Carter introduced herself and stated she has served as Judge since the end of 2016. Discussion followed. Mr. Ibis made a motion to approve the Resolution as presented. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

14. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN EMPLOYMENT AGREEMENT WITH CHRIS NOBLE REGARDING HIS APPOINTMENT AS CHIEF OF THE CITY OF ELGIN POLICE DEPARTMENT; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

Grant Hennig, 1116 Robin Road, stated he did not realize the job for Police Chief was posted. He stated there should have been an application process to promote diversity and inclusion.

Stephanie Lippke, 1112 N. Main, stated she had concerns about the application process and asked why the Public Safety Advisory Committee was not involved in the interview process.

Mr. Mattis stated there have been some false allegations regarding the morale and functions of the Police Department. He stated the majority of the City Council supports the City Manager and staff. Mr. Mattis stated this decision is made by the City Manager, is not a public discussion, or a decision made by the City Council. He stated due to the climate, it is indicative to make a commitment and that this action is necessary to move forward. Mayor Ramirez stated Chief Noble has done a fantastic job and has stabilized and added new tactics to the Police Department. Ms. Bega stated she supports Chief Noble and that she feels the same way. She stated that Chief Noble has a high level of engagement and visibility, which is important for staff. Ms. Bega made a motion



to approve the Resolution as presented. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

**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.

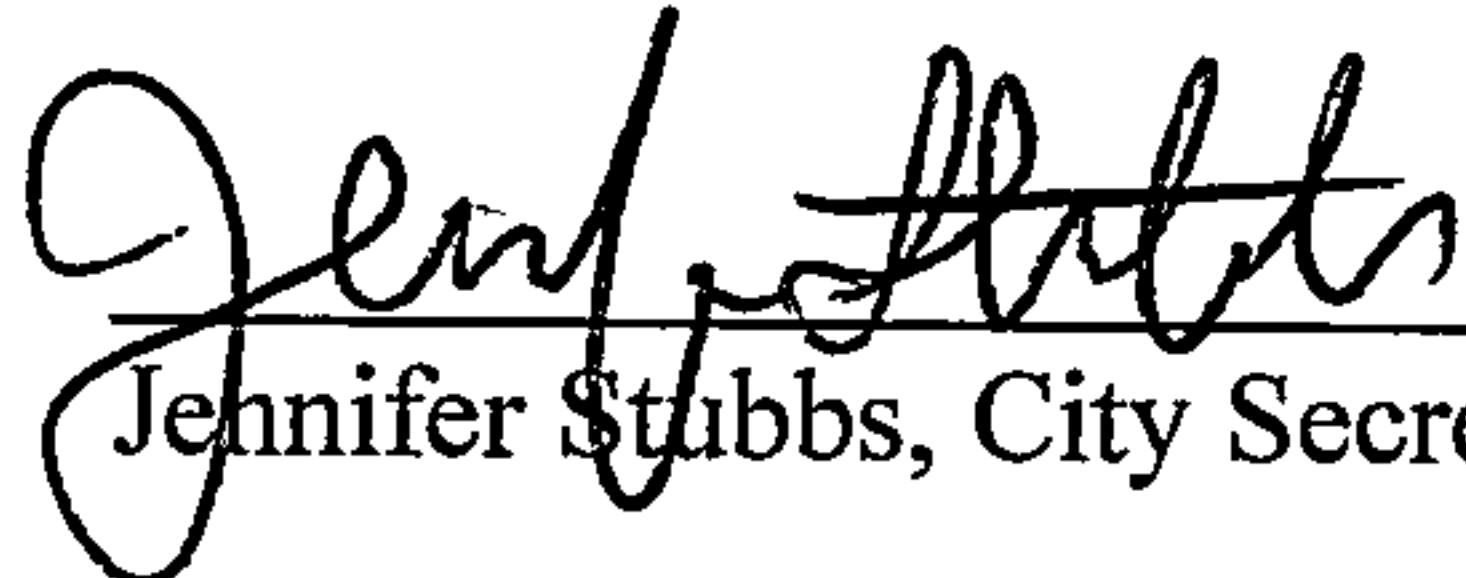
**ANNOUNCEMENTS**

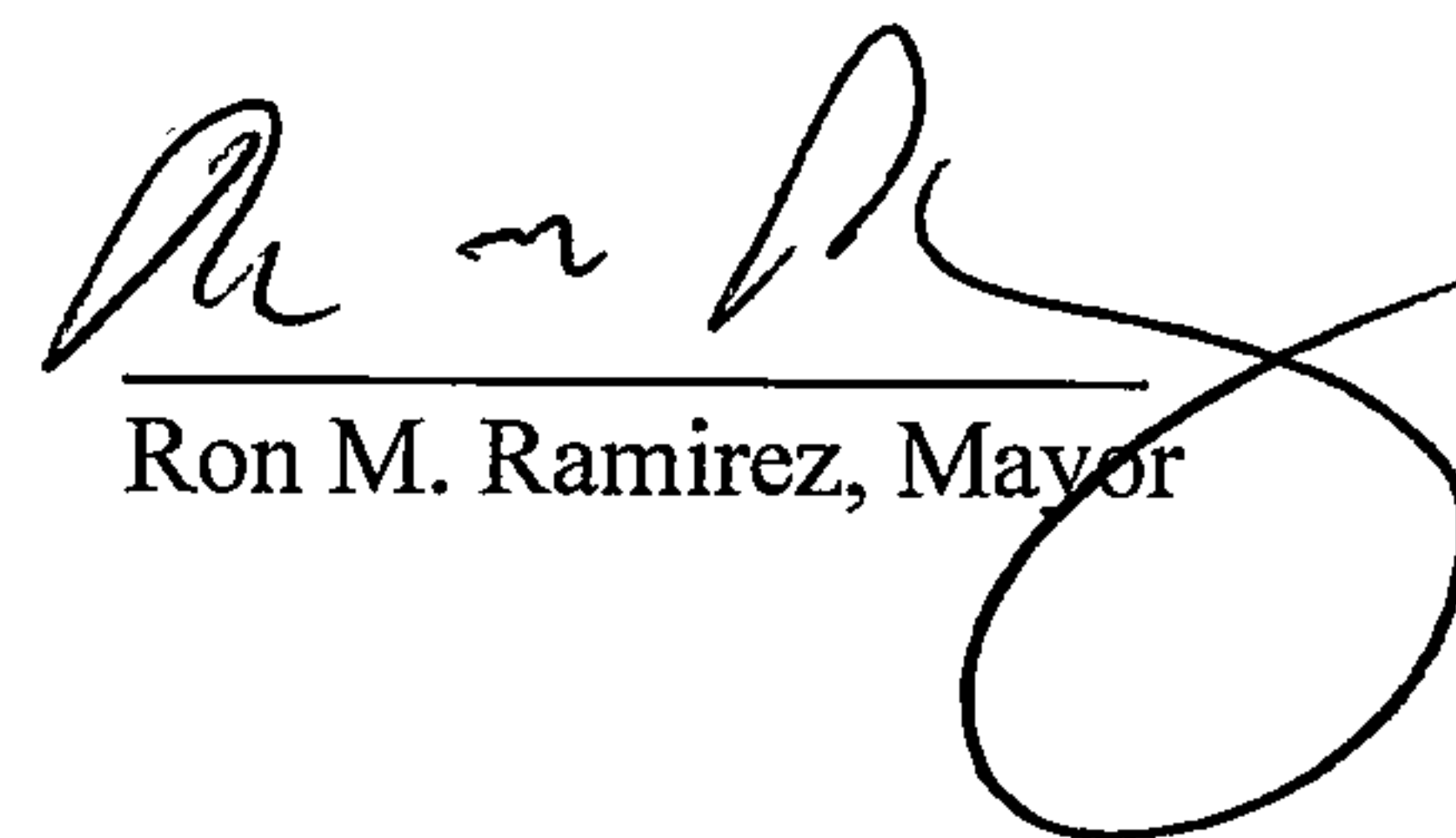
Mr. Mattis stated he appreciated everyone's support at tonight's meeting. Mr. Dennis asked about the COVID vaccines. Mayor Pro Tem Brashar stated the public can get booster shots at the Fleming Center. The Clinic will continue every Thursday and Friday until October 22<sup>nd</sup> from 3:00 to 7:00 p.m. Mr. Mattis stated the next Council Meeting will be held on October 12<sup>th</sup> and National Night Out will be held on October 5<sup>th</sup>.

**ADJOURNMENT**

Mayor Ramirez adjourned the meeting at 9:11 p.m.

ATTEST:

  
Jennifer Stubbs, City Secretary

  
Ron M. Ramirez, Mayor