



# City of Hutto

## MINUTES

### City Council Meeting Thursday, April 15, 2021 at 7:00 PM City Council Chambers

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at [huttotx.gov](http://huttotx.gov)

1. **CALL SESSION TO ORDER:** 7:00 PM
2. **ROLL CALL**

Members of the Council present: Mayor Mike Snyder, Councilmember Robin Sutton, Councilmember Dan Thornton, Councilmember Mandi Villarreal Salvo, Councilmember Peter Gordon, Councilmember Tanner Rose.

3. **INVOCATION**  
Led by Councilmember Peter Gordon
4. **PLEDGE OF ALLEGIANCE**
5. **PUBLIC COMMENT**

- Heather Trower \*via phone
- Deborah Bonner \* via email
- Jerica Lawyer \* via email
- Lucas Evans

### **COUNCIL COMMENTS**

**Councilmember Sutton:** I have several items I want to talk about tonight. Couple of things I want to be addressed soon. The situation that Lucas talked about at the P&Z meeting, which we can't ignore what happened that night, we need to look at both sides, of what happened there. I've talked to Ashley, I've talked to Tony, I've talked to Jerica and I've talked to Randall about how they felt sitting up here in that situation, and that's not OK. It's not. For them to sit up here and feel like they're in danger, and Lucas I understand your passion and I get that and once I get a little bit further in my comments you'll understand that. These are people that volunteer their time and they should not sit up here and feel like their life is in danger.

Agenda items. I think agendas should be released on Fridays so that Council has time to review and request changes. There was no option tonight, for us to do possible appointments to boards or reappointments or renewals to city boards, commissions, task forces, EDC, LGC's. The next item I was thrown into last week was with Durango Farms, with a homeowner Charlotte Wallace, who was given a citation but was not able to access her land to clean it up. So, this is what I want from Durango.

I want to see Bob Wunch here, I want to have a deadline on that tree line, I want to have a deadline on that trench. I want a deadline on the PID when they give us that land back for our park that is OT3. I don't have Kevin to be here, I don't Wyatt to be here, I want Bob who made these promises. I also want to bring in discussion that there are no phones on the dais during sessions and have

that conversation as well. I want to say I'm extremely disappointed these items and Council comments were not on this agenda. I'm extremely disappointed that we did not have the appointments to boards reappointments of boards on this agenda. We can do better.

**Councilmember Villarreal Salvo:** Today was a really great day for Hutto with our K-Tonic Ground breaking that happened. It was really great to see not just City Council there but our Economic Development Corporation that worked on the project, City Staff as well as the Chamber of Commerce membership and leadership and residents that are here tonight were also there. To me that is a really beautiful hope for the direction we are going with the City with the entities all coming together for an event like that and working together and hopefully we see a lot more of that. It was really encouraging. Last week for my first little office hours I did with City Hall up here we had about 8 residents come in and sit down with me and just talk about issues going on in the community and getting some more clarity on stuff were here talking about during City Council meetings so that was really wonderful. I'm going to be doing that from every Friday from 3 to 5 so I hope to see more people. City staff is killing it with the neighborhood safety initiatives for signage, for stop signs, no outlet signage it's really been wonderful to see the get up and go with that. I received a lot of really good feedback and I know a lot of Council did as well regarding appointments for our Commissions, Boards and Task Forces, just how that process looks and I was really happy to see that feedback come in either via email, Facebook message, phone calls because it tells me people are interested and they're just trying to figure out how to get involved and that was really cool to see.

I do agree with Councilmember Sutton that we should be getting our agendas hopefully on Fridays before Council week because it's really difficult since we all have full time jobs to not get a weekend to digest everything and go over 600-page packets so hopefully that's something we can start seeing as more staff is getting hired back and we get more hands on deck but I just feel..I'm of the mind of if it doesn't make it...if we don't have all the stuff researched by Friday, we just push it to the next Council meeting. So that way we can have enough time to do our job and do our due diligence. So yeah, those are my comments for this week.

**Councilmember Gordon:** I just want to echo what's been said about the agendas. I've been calling for this is now my fourth request to have an action item on a future agenda to talk about having Council packet review meetings. Other City Councils do them, they are very successful they are very efficient they not only ensure that we have not only all the things we are expecting to have on the agenda but it also gives us an opportunity to ask questions of staff it makes the following actual meeting more productive because we've kinda asked all of our questions, we're not asking the questions here. There's a lot less likelihood of us postponing or tabling things because we've already kinda gotten our questions in to staff and they've been able to, they'll be able to research, so I've not been as direct as I probably should've been in the past. So now I'm requesting that on the next meeting we have an item on the agenda to discuss how we do this. Whether it's a separate meeting that we hold like some other councils do, like setting a set process that we as a Council possibly get the packet on Friday even if it's not ready to be published to the public, at least we've got it so we can see what's missing and so we can see what's there, kinda what that process is, I would ask that we would do that on our next meeting and have a discussion on that process.

## **6. CITY MANAGER COMMENTS**

6.1. Introduction of Lee Ann Huddleston

## **7. CONSENT AGENDA ITEMS**

- 7.1. Consideration and possible action on approving the April 1, 2021 City Council meeting minutes.
- 7.2. Consideration and possible action on approving the March 18, 2021 City Council meeting minutes.
- 7.3. Consideration and possible action on the proposed Cottonwood Creek Phase 2 Final

- Plat, 22.725 acres, more of less, of land, 101 single-family lots, located on Branson Boulevard. (Ashley Lumpkin)
- 7.4. Consideration and possible action on the proposed Hutto Crossing Industrial Park Lot 2 Block A Replat, 9.745 acres, more of less, of land, 2 commercial lots, located on Park Central Drive. (Ashley Lumpkin)
- 7.5. Consideration and possible action on the proposed Southgate Phase 3 Final Plat, 36.291 acres, more of less, of land, 149 single-family lots, located on Kaatz Lane. (Ashley Lumpkin)
- 7.6. Consideration and possible action on the proposed Star Ranch Commercial Block C Lot 4 Final Plat, 1.66 acres, more of less, of land, 1 commercial lot, located on Star Ranch Boulevard. (Ashley Lumpkin)
- 7.7. Consideration and possible action on the proposed Wilco Ranch Phase 2 Section 2 Final Plat, 25.236 acres, more of less, of land, 136 single-family lots, located on CR 119 (Ed Schmidt Boulevard). (Ashley Lumpkin)
- 7.8. Consideration and possible action on the proposed Wilco Ranch Section 3 Phase 2 Final Plat, 12.530 acres, more of less, of land, 65 single-family lots, located on CR 119 (Ed Schmidt Boulevard). (Ashley Lumpkin)
- 7.9. Consideration and possible action regarding Ordinance No. O-2021-023 Budget Amendment- CARES Act Reimbursement. (Finance)

*Item 7.3 – Lucas Evans spoke on this item.  
Item 7.9 tabled.*

*Councilmember Gordon pulled Item 7.3 for discussion.*

*Councilmember Villarreal Salvo made a motion to approve Items 7.1, 7.2, 7.4, 7.5, 7.6, 7.7, and 7.8 on the Consent Agenda as presented. Councilmember Thornton seconded the motion the motion passed unanimously (6:0).*

*Discussion ensued regarding Item 7.3. Councilmember Rose made a motion to approve item 7.3 as presented. Mayor Snyder seconded the motion. The motion passed unanimously (6:0).*

## **8. ORDINANCES**

- 8.1. Consideration and possible action on Ordinance No. O-2021-014 amending Ordinance No. O-18-07-19-9A Exhibit B Schedule 2 the Transportation Impact Fee Collection Rate Per Service Unit. (First Reading)(Samuel Ray)

*Councilmember Thornton made a motion to approve Ordinance No. O-2021-014 as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (6:0)*

*Councilmember Thornton made a motion to dispense of the second reading. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (6:0)*

- 8.2. Consideration and possible action regarding Ordinance No. O-2021-019 Amending the

Code of Ordinances Chapter 1, Article 1.02 City Council, adding Section 1.02.002 Mayor Pro Tem adding section 1.02.002, Mayor Pro Tem, to provide for the appointment of a Mayor Pro Tem in the event of a vacancy. (City Attorney)

*Discussion ensued.*

*-Krystal Kinsey spoke on this item.*

*Councilmember Gordon made a motion to table item 8.2 until May 6<sup>th</sup> meeting. Councilmember Sutton seconded the motion. The motion passed (5:1) with Councilmember Rose against.*

- 8.3. Consideration and possible action regarding Ordinance No. O-2021-020 Amending the Code of Ordinances Section 20.02.002 Partial exemption for ad valorem taxes imposed on the elderly to reduce the residence homestead exemption for persons age 65 or older, or surviving spouse, to \$30,000 beginning tax year 2021 and repealing the tax exemption beginning in tax year 2022. (City Attorney)

*Councilmember Sutton made a motion to approve Ordinance No. O-2021-020 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)*

- 8.4. Consideration and possible action regarding Ordinance No. O-2021-021 Amending the Code of Ordinances Section 20.02.003 Partial exemption for ad valorem taxes imposed on the disabled to reduce the residence homestead exemption for disabled persons or surviving spouses to \$30,000 beginning tax year 2021 and repealing the tax exemption beginning in tax year 2022. (City Attorney)

*Councilmember Gordon made a motion to approve Ordinance No. O-2021-021 as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (6:0)*

- 8.5. Consideration and possible action regarding Ordinance No. O-2021-022 Amending the Code of Ordinances Chapter 2, Article 2.02 Boards, Commissions and Authorities altering the appointment process of certain members of boards, commissions, and authorities appointed by the city council; removing the attendance requirement for such boards, commissions, and authorities; expanding the eligibility criteria for members of the parks advisory board and the historic preservation commission. (City Attorney)

*-Krystal Kinsey spoke on this item.*

*Councilmember Villarreal Salvo made a motion to approve Section 2.02.003 Appointments; vacancies only and table the rest for further conversation. Councilmember Thornton seconded the motion. The motion passed unanimously (6:0)*

*Councilmember Gordon made an amendment to the motion to keep Section 2.02.001 with the change that the limit on the Parks Advisory Board and Historic Preservation Board be limited to no more than two members from the ETJ. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (6:0)*

- 8.6. Consideration of a public hearing and possible recommendation on the proposed Unified Development Code (2020 Edition, as amended), Ordinance No. O-2021-024 Ordinance amendment to the Code of Ordinances (2014 Edition, as amended), Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter 4, Section 10.403, Bulk, Setbacks and Buffers. (Ashley Lumpkin)

*Councilmember Villarreal Salvo made a motion to approve item 8.6 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)*

*Councilmember Thornton made a motion to dispense of the second reading. Councilmember Sutton seconded the motion. The motion passed unanimously. (6:0)*

- 8.7. Consideration and possible action regarding Ordinance No. O-19-01-03-8A Amending the Code of Ordinances Chapter 22 Traffic and Vehicles, Article 22.03 Operation of Vehicles, Section 22.03.034 School Zones and Article 22.07 Traffic Schedules, Section 22.07.002 School Zones. (Mayor Snyder) – *No action.*

*Councilmember Gordon made a motion to move Item 10.1 up. There were no objections.*

10.1 Presentation of the State of The Court. (Honorable Lucas Wilson)

## **9. RESOLUTIONS**

- 9.1. Consideration of a public hearing and possible action on Resolution No. R-2021-051 supporting the proposed Low-Income Housing Tax Credit project by the Roers Companies on a tract of land zoned Planned Unit Development (PUD) Zoning District. (Ashley Lumpkin)

*Public Hearing  
Opened: 10:43 PM  
Closed: 10:43 PM*

*Councilmember Villarreal Salvo made a motion to approve Item 9.1 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)*

- 9.2. Consideration and possible action on Resolution No. R- 2021-054 authorizing the City Manager to execute a License Agreement between the City of Hutto, Texas and Durango Farms Homeowners Association, Inc. (City Attorney)

*Councilmember Gordon made a motion to approve Item 9.2 as presented. Mayor Snyder seconded the motion. The motion passed (4:2) with Councilmembers Sutton and Villarreal Salvo against.*

- 9.3. Consideration and possible action on Resolution No. R-2021-055 authorizing the City Manager to enter into an agreement for a Noise Abatement Study for the Brushy Creek Amphitheater.

*Discussion ensued*

*Councilmember Gordon made a motion to approve Item 9.3 as presented not to exceed \$41,025.00. Budget amendment back by May 6, 2021. Councilmember Thornton seconded the motion. The motion passed unanimously. (6:0)*

- 9.4. Consideration and possible action on Resolution R-2021-056 declaring the office of Councilmember, Place 5, vacant.

*Councilmember Rose made a motion to approve Item 9.4 as presented.  
Councilmember Sutton seconded the motion. The motion passed (5:1) with  
Councilmember Gordon against.*

## 10. OTHER BUSINESS

*Councilmember Sutton made a motion to move Item 10.4 up. There were no objections.*

- 10.4 Consideration and possible action on selecting a qualified replacement to fulfill the remainder of Council member Patti Martinez's remaining term.

*Mayor Snyder made a motion to appoint Mike Arismendez to fulfill the remainder of Place 5 term. Councilmember Thornton seconded the motion.*

*Discussion ensued.*

*-Nicole Calderone spoke on this item.  
-Jerica Lawyer spoke on this item.*

*The motion passed (4:2) with Councilmembers Sutton and Gordon against.*

- 10.2. Consideration and possible action regarding additional public safety training. (Mayor Snyder)

*Chief Hall was present for discussion.*

*-Christina Bastos spoke on this item.*

*Discussion ensued. No action taken.*

- 10.3. Consideration and possible action on a policy and procedure for the naming of City Parks, Recreational Areas and Facilities. (Anthony Host)

*Councilmember Villarreal Salvo requested that the Parks Advisory Commission reconvene their naming committee to name the Brushy Creek Park and Amphitheatre and to bring back proposed names by the end of the year. Councilmember Thornton seconded the motion. The motion passed unanimously. (6:0)*

## 11. EXECUTIVE SESSION – *CONVENED: 12:16 AM*

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 (Litigation/Consultation with Attorney), 551.072 (Deliberations regarding real property), 551.073 (Deliberations regarding gifts and donations), 551.074 (Deliberations

regarding personnel matters) or 551.076 (Deliberations regarding deployment/implementation of security personnel or devices) and 551.087 (Deliberations regarding Economic Development negotiations).

- 11.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 11.2. Receive Legal Advice pursuant to Texas Government Code Sec. 551.071 relating to pending litigation, to wit: Legacy Hutto, LLC. v. City of Hutto , pending in the District Court of Williamson County, Texas; Preston Hollow Capital, LLC v. Cottonwood Development Corporation, et al; pending in the United States District Court for the Western District of Texas, Austin Division and Longhorn Title Company v. Preston Hollow Capital, LLC, et. al; pending in the District Court in Williamson County, Texas.

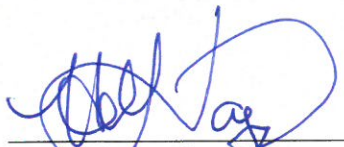
**12. ACTION RELATIVE TO EXECUTIVE SESSION – RECONVENED: 1:17 AM**

- 12.1. Consider and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 12.2. Consideration and possible action on Legal Advice received pursuant to Texas Government Code Sec. 551.071 relating to pending litigation, to wit: Legacy Hutto, LLC. v. City of Hutto , pending in the District Court of Williamson County, Texas; Preston Hollow Capital, LLC v. Cottonwood Development Corporation, et al; pending in the United States District Court for the Western District of Texas, Austin Division and Longhorn Title Company v. Preston Hollow Capital, LLC, et. al; pending in the District Court in Williamson County, Texas.

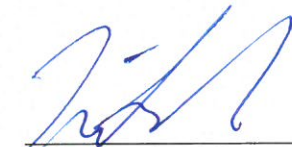
- No action taken.

**13. ADJOURNMENT - 1:17 AM**

ATTEST:

  
Holly Nagy, City Secretary



  
Mike Snyder, Mayor