



City of Hutto

MINUTES

City Council Meeting

Thursday, October 7, 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

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 Krystal Kinsey

Absent - MPT Tanner Rose

3. INVOCATION- Led by Piet Van Waarde – Shoreline Church

4. PLEDGE OF ALLEGIANCE

5. CITY COUNCIL COMMENTS

5.1. General Comments from City Council

Councilmember Robin Sutton: Extended her heartfelt condolences to the families of Aaliyah Martinez and Justin Hayes.

Councilmember Mandi Villarreal Salvo: Invited any member of the public that would like to comment on the topic of the credit card convenience fee that was approved and prescribed by the previous City Council. Councilmember Salvo asked that the item be added to the agenda two meetings from the October 7th meeting. This will allow residents an opportunity to reach out to their councilmembers if they are interested in sharing their input.

Councilmember Krystal Kinsey: Extended her appreciation to all attendees of the National Night Out Event including the members of the Police and Fire Departments. She also reminded everyone that OldeTyme Days Event was coming up on October 16th and encouraged everyone to shop and support locally.

5.2. City Council Liaison Reports

Councilmember Mandi Villarreal Salvo: Invited members of the community to attend the Parks Advisory Board meeting. The members of the community can share their ideas with the board. The next meeting will be Wednesday, October 13, 2021.

Councilmember Krystal Kinsey: Gave an update regarding the Diversity and Inclusion Commission. In the last meeting, they set objectives; specific to upcoming events, assessments and training. They have been doing some research and found that there are ten free online courses available to them. In an effort to arrange training

opportunities to the commission or council as a whole, Councilmember Kinsey has reached out to the Equity Office at the City of Austin. She is waiting to hear back from them. Also, there were two resignations. The commission is in receipt of new applications. The committee will need to meet before any appointments can be made.

6. PUBLIC COMMENT

Jimmy Pierce

7. CITY MANAGER COMMENTS

City Manager Hutmacher discussed the filming of an HBO mini-series that was hosted by the City of Hutto. The show is produced by Nicole Kidman. It brought a lot of people to the city. He stated that there should be more information available to us on the mini-series special in the upcoming future.

He also commended staff for a job well done at National Night Out. He felt that it was a great community event and thanked everyone that participated.

Lastly, City Manager Hutmacher briefly revisited the subject of the credit card fees. The city has antiquated technology on the utility billing system. The city is working with a third party company to improve the process. The company will be able to encrypt banking information so that customers can pay online with their bank information and avoid having to pay credit card fees. Both options will be available to customers.

8. PROCLAMATIONS

- 8.1. Proclamation No. 2021-013: Proclaiming October 23, 2021, Keep Hutto Beautiful Day.

9. CONSENT AGENDA ITEMS

- 9.1. Consideration and possible action on approving the September 2, 2021, City Council meeting minutes.
- 9.2. Consideration and possible action on approving the September 9, 2021, Special Called City Council meeting minutes.
- 9.3. Consideration and possible action on approving the September 16, 2021, City Council meeting minutes.
- 9.5. Consideration and possible action on Resolution No. R-2021-153 a Resolution accepting the infrastructure improvements for the subdivision known as Mustang Creek Phase 4.(Wade Benton)
- 9.6. Consideration and possible action on Resolution No. R-2021-154 a Resolution accepting the infrastructure improvements for the subdivision known as Mustang Creek CR 118 Arterial Phase 2. (Wade Benton)
- 9.7. Consideration and possible action on Ordinance No. O-2021-059 the proposed Unified Development Code (2020 Edition, as amended), Chapter 4 Section 10.410 Signs, to add and clarify language for temporary signage. (Second Reading) (Ashley Lumpkin)
- 9.8. Consideration and possible action on Ordinance No. O-2021-060 approving the proposed annexation of the Lidell-Walker Tracts, 263.008 acres, more or less, of land, and to establish the base zoning for the property as SF-1 (Single-Family Residential). (Second Reading) (Ashley Lumpkin).

Councilmember Gordon requested to withdraw 9.9, Councilmember Sutton requested to withdraw 9.4. There were no objections to those removals. A motion to approve consent agenda items 9.1., 9.2., 9.3., 9.5., 9.6., 9.7. and Item 9.8. as presented was made by Councilmember Villarreal Salvo. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)

- 9.4. Consideration and possible action on Resolution No. R-2021-152 a Resolution accepting the infrastructure improvements for the subdivision known as Durango Farms Phase 1. (Wade Benton)

Item 9.4. was tabled to allow additional time to review to ensure compliance with ADA guidelines.

- 9.9. Consideration and possible action on Resolution No. R-2021-156 authorizing the City Manager to execute a Settlement and Release Agreement with AmaTerra Environmental, Inc. (Dorothy Palumbo)

Councilmember Villarreal Salvo made a motion to approve Item 9.9. as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)

10. OTHER BUSINESS

- 10.1. Consideration and possible action regarding possible appointments, re-appointments, and/or removals to City Boards, Commissions, Task Forces, Economic Development Corporations, Local Government Corporations, and Tax Increment Reinvestment Zone Boards, City Council Liaisons, Area Government appointments, and Advisory Committees.

Discussion ensued. Councilmember Gordon asked that city staff provide appointment applications and include them in the meeting packet to allow them an opportunity to review them prior to the council meetings.

After discussion of item 10.1., proceeded to Resolutions - Item 12.2.

- 12.2. Consideration and possible action on Resolution No. R-2021-151 approving a fee waiver for the Library to forgive fines during the month of November in support of the Hutto Community Food Pantry. (Colleen Tierney)

Councilmember Sutton made a motion to approve Item 12.2. as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (6:0)

After the vote on item 12.2., the meeting proceeded with Other Business, Item 10.4.

- 10.4. Consideration and possible action on a request from the Diversity & Inclusion Commission for potential funding for the Treats on East event.

Commissioner Spoon and Commissioner Prieto of the Diversity and Inclusion Commission went before the City Council to request funding for the Treats on East event. Councilmember Villarreal Salvo made a motion to approve up to \$700.00 in funding. Councilmember Kinsey seconded the motion. The motion passed unanimously. (6:0)

Following the vote, the meeting proceeded to Other Business, Item 10.2.

- 10.2. Quarterly Update regarding On-Demand Engineering. (Ashley Lumpkin)
- 10.3. Presentation of Phase 1 Water Project Update. (Wade Benton)
- 10.5. Consideration and possible action on executing a professional services agreement with DCS Engineering, LLC to update the Water and Wastewater Impact Fee Study. (Ashley Lumpkin)
- Councilmember Villarreal Salvo made a motion to approve Item 10.5. as presented. Councilmember Sutton seconded the motion. The motion passed unanimously. (6:0)
- 10.6. Discussion regarding drainage ditches within the city. (Wade Benton)
- Discussion ensued. Another drainage ditch update to be provided in one month (11/4).
- 10.7. Consideration and possible action regarding amending the personnel policy.(Mayor Snyder)
- Discussion ensued. Following the discussion, City Manager, Warren Hutmacher, recapped the four policy items that will be added to the 11/4 agenda; Use of Force, Promotion/Transfer, Discipline and Hiring. A draft will be presented to the City Council for review or changes. Following the presentation, an opportunity for discussion will extend to the HPOA, PD or any other member of the community wishing to comment.
- 11.1. Consideration and possible action on Ordinance No. O-2021-062 amending the budget for the fiscal year of October 1, 2020, through September 30, 2021, in accordance with existing statutory requirements, appropriating and setting aside the necessary funds for additional expenditures. (First Reading) (Angie Rios)
- Added as a consent item for 10/21/21 meeting. Councilmember Villarreal Salvo made a motion to approve Item 11.1. as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)
- 12.3. Consideration and possible action on Resolution No. R-2021-152 directing the Economic Development Corporation to reimburse the city for expenditures paid for on behalf of the Economic Development Corporation. (Angie Rios)
- Councilmember Villarreal Salvo made a motion to approve Item 12.3. as presented. Councilmember Sutton seconded the motion. The motion passed unanimously. (6:0)
- 12.4. Consideration and possible action on Resolution R-2021-147A repealing Resolution R-2021-147; approving the Development Agreement for the Lidell-Walker Tracts, 263.008 acres, more or less of land; authorizing the City Manager to execute the Development Agreement; and providing an effective date. (Ashley Lumpkin).
- Councilmember Sutton made a motion to approve Item 12.4. as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (6:0)
- Following item 12.4., the meeting proceeded to item 11.2.
- 11.2. Consideration and possible action on Ordinance No. O-2021-058 opening a public hearing on the levy of assessments on property within Durango Farms Public Improvement District and approving levying special assessments for, and apportioning the costs of, certain improvements to property in and for the Durango Farms Public Improvement District; fixing a charge and lien against all properties within the district and the owners thereof; providing for the manner and method of collection of such assessments; making a finding of special benefit to property in the district and the real and true owners thereof; approving a service and assessment plan; providing a severability clause; and providing an effective date.(First Reading)(Dorothy Palumbo)

Public Hearing closed at 10:15 PM.

Following item 11.2., meeting proceeded to item 12.1.

- 12.1. Consideration and possible action on Resolution No. R-2021-157 determining costs of authorized improvements for the Durango Farms Public Improvement District and ordering the filing of an assessment roll with the City Secretary to make available to the public in compliance with Texas Local Government Code Chapter 372; calling a public hearing on the levy of assessments on property located within the Durango Farms Public Improvement District to pay such costs and directing the City Secretary to publish and mail notice of the public hearing in accordance with Texas Local Government Code Chapter 372; and related matters; and providing an effective date. (Dorothy Palumbo)

Councilmember Villarreal Salvo made a motion to approve Item 12.1. as presented. Councilmember Kinsey seconded the motion. The motion passed unanimously. (6:0)

Following item 12.1., meeting proceeded to item 12.5.

- 12.5. Consideration and possible action on Resolution No. R-2021-131 authorizing the City of Hutto's execution and entering into the Durango Farms Public Improvement District Financing and Reimbursement Agreement; ordering other matters in connection with the foregoing and providing an effective date. (Dorothy Palumbo)

Councilmember Villarreal Salvo made a motion to approve Item 12.5. as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)

- 12.6. Consideration and possible action on Resolution No. R-2021-144 approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for City of Hutto, Texas Special Assessment Revenue Bonds, Series 2021 (Durango Farms Public Improvement District Project).

Councilmember Gordon made a motion to approve Item 12.6. as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (6:0)

- 12.7. Consideration and possible action on Resolution No. R-2021-146 approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for "City of Hutto, Texas Special Assessment Revenue Bonds, Series 2021 (Cottonwood Creek Public Improvement District Improvement Area #1 Project).

Councilmember Villarreal Salvo made a motion to approve Item 12.7. as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)

13. EXECUTIVE SESSION – Entered 10:37

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).

- 13.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation and City Council Legal Requests.
- 13.2. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to the 2019 annexations.
- 13.3. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to the 2019 contract amendment with ACDI Clawson Disposal, Inc. for collection and disposal of solid waste and recycling services, and solid waste collection fees.
- 13.4. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Charge of Discrimination filed with the Equal Employment Opportunity Commission on July 30, 2021, by Chief Hall.
- 13.5. Receive legal advice pursuant to Texas Government Code Sections 551.071, 551.087, and 551.072 to deliberate and seek legal advice regarding economic development negotiations and real property in connection with project Darwin.

14. ACTION RELATIVE TO EXECUTIVE SESSION

- 14.1. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation and City Council Legal Requests.
No action taken.
- 14.2. Consideration and possible action on legal advice received pursuant to Texas Government Code Sec. 551.071 related to the 2019 annexations.
No action taken.
- 14.3. Consideration and possible action on legal advice received pursuant to Texas Government Code Sec. 551.071 related to the 2019 contract amendment with ACDI Clawson Disposal, Inc. for collection and disposal of solid waste and recycling services, and solid waste collection fees.
No action taken.
- 14.4. Consideration and possible action on legal advice received pursuant to Texas Government Code Sec. 551.071 related to Charge of Discrimination filed with the Equal Employment Opportunity Commission on July 30, 2021, by Chief Hall.
Councilmember Villarreal Salvo made a motion to approve Item 12.7. as presented. Councilmember Salvo seconded the motion. The motion passed unanimously. (6:0)
- 14.5. Consideration and possible action on legal advice received pursuant to Texas Government Code Sections 551.071, 551.087, and 551.072 to deliberate and seek legal advice regarding economic development negotiations and real property in connection with project Darwin.
No action taken.

15. ADJOURNMENT – 11:30PM

PASSED AND APPROVED this 21st day of October, 2021.

ATTEST:



Mike Snyder, Mayor



Grace Perez, Assistant City Secretary