



**CITY OF HUTTO, TEXAS
CITY COUNCIL
MEETING MINUTES
March 26, 2020**

A Special Called Meeting of the City Council of the City of Hutto, Texas was held on March 26, 2020 in the Council Chambers, City Hall, 500 W. Live Oak, Hutto, Texas 78634, for which proper notice was given.

1. **CALL SESSION TO ORDER.** With a quorum of the members present, Mayor Gaul called the meeting to order at 7:01 p.m.

2. **ROLL CALL**

Members of the City Council present were Mayor Doug Gaul, Mayor Pro Tem Tom Hines, Councilmember Scott Rose, Councilmember Mike Snyder, Councilmember Peter Gordon, Councilmember Patti Martinez, and Councilmember Tanner Rose.

Members of staff that were present were Charles W. Daniels, Interim City Manager; Byron Frankland, Assistant City Manager; Michele Sorrell, CFO and Assistant City Manager (by telephone); Stacy Schmitt, Assistant to the City Manager and Appointed City Secretary; and Dorothy Palumbo, City Attorney (by telephone).

3. **INVOCATION.** The Invocation was given by Byron Frankland, Assistant City Manager.

4. **PLEDGE OF ALLEGIANCE.** Mayor Gaul opened the meeting with the Pledge of Allegiance and the Texas Pledge.

5. **PROCLAMATIONS**

There were none presented.

A motion was made by Councilmember Tanner Rose to move the City Manager Comments/Public Comments before the City Council Comments. Councilmember Snyder seconded the motion.

<u>VOTE:</u>	Ayes	Mayor Doug Gaul Mayor Pro Tem Tom Hines Councilmember Scott Rose Councilmember Mike Snyder Councilmember Peter Gordon Councilmember Patti Martinez Councilmember Tanner Rose
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ACTION: The motion carried unanimously by a vote of 7 ayes to 0 nay.

7. CITY MANAGER COMMENTS

In light of COVID-19 emergency, in person gatherings of the public should be avoided. Therefore, the Open Meetings requirement was suspended by the Governor and the City instituted that public comments would be submitted by email and would be read aloud during the meeting. The emails were read aloud by Stacy Schmitt, Interim City Secretary.

Comments from Jonathan Wilson related to a pipeline project he is working on and that the work is considered “essential” and will continue working. He is concerned for the health of his family members and himself.

Comments regarding recent employee layoffs specifically the library and concerns with the Animal Control Office were submitted by: Amanda Ewell, Jennifer Darter, Katherine Senn, Phyllis Rahan, Daniel Vasquez, Sue Love, Tabby Blewett, Caitlin Thornhill, Lauren Rank.

General comments and concerns regarding recent employee layoffs were submitted by: Josh McAdams, Chavala Merit, Chris Everett, Ilishia Adler, Steven Adler, Diane Salisbury, Beth Capehart, Jim Smith, Magie Schwartz, Aaron Lovinggood, Veronica Johnson, Miranda Jacobs-Boswell, Stephanie Marie Perez, Heather Johnson, Kyrra Daniel, Tanya Pierce, Doug Douglas, Donna Simmons, Heather Welch, Mercedes Cook, Marci Wagner, Terra Ray, Sharon Parker, M. Hew, Stephanie Mazurkiewicz, Kristen Harrington-Andrews, Becky French, Mike Glass, Terje Revenew.

6. CITY COUNCIL COMMENTS

Councilmember Snyder stated that he has contacted Williamson County Elections Division for the number of qualified voters in Hutto and certified the numbers for a recall election of Mayor Gaul and Mayor Pro Tem Hines. He stated is dissatisfaction in their leadership of the City.

Councilmember Gordon commented that with these employee layoffs, he is in favor of reducing Council pay or suspending the pay to \$0 for 6 months.

Councilmember Scott Rose stated his concerns with the lack of information provided to Council prior to implementing the layoffs. He would recommend changing the status from laid off to furloughed so the employees could receive additional benefits. He requested that this be placed on the next agenda.

Councilmember Tanner Rose made a motion with a second Councilmember Scott Rose to table all items on the agenda. Councilmember Tanner Rose withdrew the motion with agreement from Councilmember Scott Rose.

Councilmember Martinez stated her concerns that Council was not provided an opportunity to give input on the layoffs and most of the information she received was after-the-fact. She was very displeased that Council had not been consulted.

Councilmember Snyder also commented that a Task Force for Finance be created at the next Council meeting.

Mayor Gaul recommended that they hold a special called meeting on Monday, March 30, 2020 at 6:00 p.m. relative to the budget and discussions would be between Council and Staff. Councilmembers were all in agreement to the date and time.

8. CONSENT AGENDA ITEMS

- 8.A. Consideration and approval for the February 6, 2020 Regular City Council Meeting minutes.

Agenda item tabled to the Special Called Council Meeting on March 30, 2020 at 6:00 p.m.

- 8.B. Consideration and approval for the February 27, 2020 Special Called City Council Meeting minutes.

Agenda item tabled to the Special Called Council Meeting on March 30, 2020 at 6:00 p.m.

9. ORDINANCES

None were presented for consideration.

10. RESOLUTIONS

- 10.A. Consideration and possible action on a resolution to accept the 2018-2019 Comprehensive Annual Financial Reports and Audit. (*Michel Sorrell*)

Agenda item tabled to the Special Called Council Meeting on March 30, 2020 at 6:00 p.m.

- 10.B. Consideration and possible action on a resolution adopting a revised investment policy. (*Michel Sorrell*)

Agenda item tabled to the Special Called Council Meeting on March 30, 2020 at 6:00 p.m.

11. OTHER BUSINESS

There was no Other Business to consider.

12. EXECUTIVE SESSION

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].

- 12.A. Receive legal advice from the City Attorney in accordance with Texas Government Code § 551.071(1) involving the Declarations of Local, State and National Disaster, Emergency Orders, and related regulatory issues concerning COVID-19 and as related to City of Hutto municipal operations.
- 12.B. Receive legal advice from the City Attorney in accordance with Texas Government Code § 551.071(1) about pending litigation, to wit: *Brushy Creek, Ltd. V. City of Hutto*, Cause No. 19-1497-C395 (395th Judicial District Court, Williamson County, Texas).
- 12.C. Receive legal advice from the City Attorney in accordance with Texas Government Code § 551.071(2) about legal issues relating to current and former development agreements.

There was no Executive Session held.

13. ACTION RELATIVE TO EXECUTIVE SESSION

13.A. Discuss and consider the Declarations of Local, State and National Disaster, Emergency Orders, and related regulatory issues concerning COVID-19 and as related to City of Hutto municipal operations.

There was no action taken.

13.B. Discuss and consider current status of pending litigation concerning *Brushy Creek, Ltd. V. City of Hutto*, Cause No. 19-1497-C395 (395th Judicial District Court, Williamson County, Texas), and provide direction and authority relating to the same, to the City Manager and City Attorney, including, without limitation, respecting retaining counsel and witnesses.

There was no action taken.

13.C. Discuss and consider current and former development agreements and provide direction to the City Manager and City Attorney, respecting current and former development agreements including, without limitation, a certain Master Development Agreement dated September 20, 2019, between the City of Hutto and Legacy Hutto, LLC and a certain Multi-Party Development Agreement dated October 1, 2019, by and among the City of Hutto, Perfect Game Incorporated, Legacy Hutto, LLC, and Sports Facilities Development, LLC, both agreements relating to the development of a public sports and mixed-use district consisting of approximately 242 acres within the City.

There was no action taken.

A motion was made by Councilmember Scott Rose to move directly to item 14.A. and table all remaining items on the agenda. Mayor Pro Tem Hines seconded the motion. The motion carried by a vote of 6 ayes to 1 nay (Councilmember Snyder).

14. **SUPPLEMENTAL EMERGENCY AGENDA ITEM** Emergency Addition to Agenda pursuant to Section 551.045(b) of the Texas Government Code.

14.A. Consideration and possible action on an Ordinance of the City of Hutto, Texas continuing the Mayor's Declaration of Disaster Order and providing an effective date.

Motion: A motion was made by Councilmember Scott Rose to approve Ordinance No. O-2020-004 extending the Mayor's Declaration of Disaster, to include a revision to Section 11. G. regarding Animal Control to allow for reinstatement by the City Manager. Councilmember Gordon seconded the motion.

Amended Motion: Councilmember Gordon made a motion to amend the previous motion to include that the declaration be renewed every 7 days. Councilmember Snyder seconded the motion.

Vote: (on amended motion) Ayes Councilmember Scott Rose
Councilmember Mike Snyder
Councilmember Peter Gordon
Councilmember Patti Martinez

Nays Mayor Doug Gaul
Mayor Pro Tem Tom Hines
Councilmember Tanner Rose

Action: The motion carried by a vote of 4 ayes to 3 nays.

Vote: (on original motion which is to include the amendment)
Ayes Mayor Doug Gaul
Mayor Pro Tem Tom Hines
Councilmember Scott Rose
Councilmember Mike Snyder
Councilmember Peter Gordon
Councilmember Patti Martinez
Councilmember Tanner Rose

Action: The motion carried unanimously by a vote of 7 ayes to 0 nay.

15. **ADJOURNMENT.** There being no further business to be heard, Mayor Gaul adjourned the meeting at 9:32 p.m.

Respectfully submitted,

CITY OF HUTTO, TEXAS

/s/
Doug Gaul, Mayor

ATTEST:

/s/
Stacy Schmitt, Interim City Secretary

These minutes were approved on May 7, 2020.

