



**CITY COUNCIL
MEETING MINUTES
DECEMBER 19, 2019**

A Special Session of the City Council of Hutto, Texas was held on Thursday, December 19, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634, for which proper notice was given.

CALL SESSION TO ORDER

Mayor Gaul called the session to order at 7:00 p.m.

ROLL CALL

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

Members of staff that were present were Michel Sorrell, Assistant City Manager; Byron Frankland, Assistant City Manager; Paul Hall, Chief of Police; Michel Sorrell, Chief Financial Officer; Ashley Lumpkin, Executive Director Infrastructure & Development Services; Jessica Bullock, Director of Economic Development; Stacy Schmitt, Assistant to the City Manager; and Lacie Hale, City Secretary.

INVOCATION

Invocation was given by Pastor James Skorzewski from Christ the Rock Church.

PLEDGE OF ALLEGIANCE

Mayor Gaul led the Pledge of Allegiance and the Texas Pledge.

CITY COUNCIL COMMENTS

No comments were given.

PUBLIC COMMENTS

Christine Welburn, at 500 Chris Kelley Boulevard, spoke regarding the news broadcast about Hutto filing suit with the Attorney General's office. She felt like the City of Hutto is trying to hide something. She read an excerpt from the Public Information Act.

Robin Sutton, of 505 East Street, finds it hard to believe that the Mayor did not know that there were that many lawsuits against the Attorney General's office reading public information. The City needs to clean house and move forward.

Kevin Grimm shared that each councilmember is 1/7 of the power and knowing what is going on. Each Councilmember needs to step up and take their part. There are things that probably aren't right, but we need to take care of them. Protect the people in this town but also the people who work around here. He wants to be involved. If you aren't part of the solution, you are part of the problem.

Motion: Councilmember Snyder motioned to move executive session up on the agenda followed by agenda items 11M, 11N, and 10E. Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

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. Executive session, as authorized by Texas Government Code, Section 551.074, deliberations regarding Personnel Matters, update on Chapter 3.16 investigation regarding the office of City Manager.

Executive Session was held from 7:12 pm to 9:25 pm.

Motion: Councilmember Gordon motioned to move agenda item 11N before 11M. Councilmember Snyder seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

11.N. Consideration and possible action regarding consulting agreement with City Manager.

Paul Martin shared that once something is done, put it to bed. If it passes, accept it and move on.

Motion: Councilmember Snyder motioned to exercise the 30-day notice to end the consulting agreement with the City Manager. Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

11.M. Consideration and possible action regarding the City Managers Contract.

Paul Martin asked Council to keep in mind that they made a commitment and they need to stick with it. It can open the city up to a lawsuit.

Motion: Councilmember Snyder motioned to place the City Manager on administrative leave with pay through December 31, 2019. Councilmember Tanner Rose seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

10.E. Consideration and possible action on a resolution regarding general personnel matters within the City.

Motion: Councilmember Tanner Rose motioned to accept the Resolution as written, to freeze hiring and firing. Councilmember Gordon seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

Motion: Councilmember Snyder motioned to amend the motion to add consultants to the Resolution. Councilmember Gordon seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

CITY MANAGER COMMENTS

7.A. Presentation of City Financials for the Month of November 2019 as required by the fiscal and budgetary policy. (Michel Sorrell)

Motion: Councilmember Snyder motioned to table item 7A to the next meeting. Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

CONSENT AGENDA ITEMS

8.A. Consideration and possible action on the proposed Titan Innovation Business Park Lot 5 Preliminary Plat, 12.06 acres, more or less, of land, one commercial lot, located on Schneider Boulevard. (Ashley Lumpkin)

8.B. Consideration and possible action approving the minutes of the December 5, 2019 Regular Council Meetings and the December 12, 2019 Special Council Meeting.

Motion: Councilmember Martinez motioned to pull 8C from the consent agenda. Councilmember Tanner Rose seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

Motion: Mayor Pro-tem Hines motioned to approve items 8A and 8B on the consent agenda. Councilmember Tanner Rose seconded the motion.

Vote: 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 passed with 7 ayes, 0 nay

8.C. Consideration and possible action to amend the October 17, 2019 City Council minutes. (Lacie Hale)

Motion: Councilmember Martinez motioned to approve the minutes with an amendment to remove Councilmember Martinez from the votes. Councilmember Scott Rose seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

ORDINANCES

- 9.A. Consideration and possible action on the proposed Unified Development Code (UDC) ordinance amendment to the Code of Ordinances (2014 Edition, as amended), Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter 2 Section 10.201 General Rules by adding notification language. (Ashley Lumpkin)

Motion: Mayor Pro-tem Hines motioned to accept the second reading of the Unified Development Code (UDC) ordinance amendment to the Code of Ordinances (2014 Edition, as amended), Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter 2 Section 10.201 General Rules by adding notification language. Councilmember Gordon seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

- 9.B. Consideration and possible action on the first reading of an ordinance amending the Fiscal Year 2018-19 Budget to reflect organizational changes, revision and addition of Capital Improvement Projects, and other miscellaneous adjustments. (Michel Sorrell)

Motion: Councilmember Scott Rose motioned to approve 9B as presented. Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

- 9.C. Consideration and possible action on the first reading of an ordinance amending the City of Hutto Code of Ordinances (2014 Edition), Article 1.05, Municipal Court. (Leah Ness)

Motion: Councilmember Scott Rose motioned to approve item 9C.
Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

RESOLUTIONS

- 10.A. Consideration and possible action on a resolution expressing official intent to reimburse expenses related to constructing, improving, extending, expanding upgrading and/or developing streets, roads and intersections, reimbursement for the purpose of planning, designing, constructing, purchasing, improving, expanding and equipping public safety and communication facilities, and reimbursement for the purpose of constructing, acquiring, improving, renovating, developing and equipping, land, buildings and infrastructure for parks and recreational purposes. (Michel Sorrell)

Motion: Councilmember Snyder moved to approve item 10A as written with the exception of money ear marked for communication facilities. Mayor Pro-tem Hines seconded the motion.

Vote: 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 passed with 7 ayes, 0 nay

- 10.B. Consideration and possible action regarding Covered Bridge Development Agreement and Pro Rata Agreement (Jessica Geray)

Patrick Dertien, the managing member with the entity that owns Covered Bridge project, shared the efforts made to address those who have expressed concerns about the project.

Jon Klein of 433 Little Lake Road shared his frustrations about the market study and considered options for the large intersection. Neighbors are going to oppose until they see something that makes sense and the market supports it. Let's talk about the residents that pay taxes and will live here the rest of their lives.

Kelly Louis of 126 Dana Drive had a few questions if the PID was approved. She expressed concerns about the density, traffic, safety, and schools. Supports a senior living facility to help with density.

Krystal Kinsey questioned the information and numbers provided in the Council packets. The documents are overwhelming and asked how it can be approved with so many discrepancies.

Dana Woodcock of 206 Dana Drive read a statement that many neighbors have come together to create an agreeable solution and resolution that accommodates all walks of life in the community.

Jorde Matthews of 314 Estate Drive stated this whole project has been a mess from the beginning. Gave a brief history that questioned if this project is what is best for the citizens. Not sure of why there is an urgency to push this through.

Chris Fields, with the Developer of the Covered Bridge Project, explained that this process has been very frustrating.

Sharon Smith, Attorney for the project, clarified legal items that came up during public discussion.

Motion: Councilmember Snyder motion to table 10B to January 2, 2020.
Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

- 10.C. Consideration and possible action regarding the resolution of the City of Hutto, Texas, authorizing and creating the Covered Bridge Public Improvement District within the City of Hutto Pursuant to Chapter 372 of the Texas Local Government Code. (Jessica Geray)

Jon Klein of 433 Little Lake shared that to hear that residents are overstepping their bounds is a slap in the face. Residents are trying to figure it out and the development is being rushed. They will continue to oppose until there is a compromise among everyone.

Krystal Kinsey shared that she is trying to understand why this PID would be approved if there is no economic benefit. Residents are not in support of this. Senior living facility should be considered.

Jorde Mathews shared that they are asking to take the time do it right, not kill this project.

Rick Rosenberg, financial advisor to the developer, clarified a few things about the PID that has been brought up during public comment. Explained that the PID is just creating a boundary on a map, no financing.

Patrick Dertien, with the development, shared that all they are asking is to create the PID.

Motion: Councilmember Scott Rose motioned to table agenda item 10C and 10D to January 2, 2020, with bringing back all the correct documentation for Council to review. Councilmember Snyder seconded the motion.

Vote: 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 passed with 7 ayes, 0 nay

- 10.D. Consideration and possible action on a resolution of the City of Hutto, Texas, determining the costs of certain authorized improvements to be financed through the Covered Bridge Public Improvement District; approving a Preliminary Service and Assessment Plan, including a Proposed Assessment Roll; directing the filing of the Proposed Assessment Roll with the City Secretary; approving the Publication of Notices of Public Hearings to consider an Ordinance levying assessments on property located within the Public Improvement District that is specially benefitted by the improvements being financed; directing the City Secretary to publish and mail notice of the Public Hearing; resolving other matters incident and related thereto; and providing an effective date. (Jessica Geray)

Item was tabled.

Motion: Councilmember Gordon motioned to change the order of agenda items to 11C, 11B, and 11F. Councilmember Martinez seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Councilmember Snyder

Councilmember Peter Gordon
Councilmember Patti Martinez
Councilmember Tanner Rose

Action: The motion passed unanimously with 7 ayes, 0 nay.

Motion: Councilmember Snyder motioned to table item 11D until a PID Policy is discussed. Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

Motion: Councilmember Snyder motioned to table item 11E, 11I, and 11K to the second meeting in January. Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

OTHER BUSINESS

11.A. Consideration of and possible removal and appointments to City Boards, Commissions and Local Government Corporations. (Lacie Hale)

Motion: Councilmember Tanner Rose motioned to appoint Dan Thornton to the River Creek Local Government Corporation and the Cottonwood Development Corporation. Councilmember Martinez seconded the motion.

Vote: 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 passed with 7 ayes, 0 nay

11.B. Discussion and possible action on Board and Commission Council Liaisons.

Motion: Mayor Gaul motioned to direct staff to create an ordinance to bring back to Council designating liaisons. Councilmember Gordon seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

11.C. Consideration and possible action on special task force and committees.

Motion: Mayor Pro-tem Hines motioned to create two task force components one for technology communications and the other for ADA. Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

Motion: Councilmember Martinez motioned amend the motion to include a scope and objectives of the tasks are brought back to Council. Councilmember Snyder seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

- 11.D. Discussion regarding Public Improvement District assessment, collection and disbursement under third party structure. (Michel Sorrell and Jessica Geray)

Item was tabled.

- 11.E. Consideration and potential action regarding funding the settlement of City of Hutto v. Wolverine lawsuit.

Item was tabled.

- 11.F. Discussion and Possible Action on Construction of Sidewalk for Lakeside Estates Subdivision. (Samuel Ray)

Krystal Kinsey shared that neighboring sidewalks are 3 feet and the ADA requirement is 36 inches, so it may help with costs. Noted that it could be a benefit from the Covered Bridge Development.

Jorde Matthews thanked Council for putting this on the agenda. Reiterated that they would be happy with 3 feet sidewalks to help with savings. Residents would like to see progress immediately and fine with phasing it.

Motion: Mayor Gaul motioned to direct City Engineer to come to back Council on what can be done with design and construction for \$250,000. Councilmember Martinez seconded the motion.

Vote: 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 passed unanimously with 7 ayes, 0 nay.

- 11.G. Update of expanded audit.

No action was taken.

- 11.H. Discussion and possible action regarding process and allocation and disbursement of budgeted \$1.8 million in approved City of Hutto employee's raises.

Nicole Calderone liked the staff recommendation to do a Comp Study. She advocated a salary adjustment be evaluated for Animal Control Officers. She asked if the city manager had an evaluation done in December 2018.

No action was taken.

- 11.I. Consideration and possible action on recordings of executive session.

Item was tabled.

- 11.J. Consideration and possible action on EDC investigation.

Nicole Calderone thanked Chief Hall for coming to the dais to give an update. This investigation was launched by a few EDC members and she wants to know who launched this investigation. Regarding all the investigations, she asked where the investigation into Council is.

No Council action was taken.

- 11.K. Consideration and possible action regarding Alarm Permit Ordinance.

Item was tabled.

- 11.L. Consideration and possible action on appointment of interim City Manager.

Motion: Councilmember Martinez motioned to enter into a contract with SGR to appoint Charles Daniel, Interim City Manager, at a rate of \$120 an hour and a \$2,000 monthly housing allowance, starting January 2, 2020. Councilmember Gordon seconded the motion.

Vote:

Ayes	Mayor Doug Gaul
	Mayor Pro-tem Tom Hines
	Councilmember Scott Rose
	Councilmember Mike Snyder
	Councilmember Peter Gordon
	Councilmember Patti Martinez

Nay Councilmember Tanner Rose

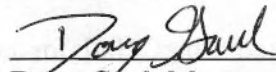
Action: The motion passed unanimously with 7 ayes, 0 nay.

ADJOURNMENT

There being no further business to be heard, the meeting was adjourned at 2:20 a.m. on Friday, December 20, 2019.

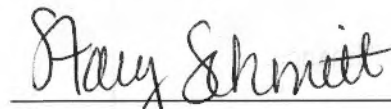
Respectfully submitted,

CITY OF HUTTO



Doug Gaul, Mayor

ATTEST:



City Secretary



These minutes were approved on January 2, 2020.