



**CITY COUNCIL
MEETING MINUTES
NOVEMBER 7, 2019**

The Hutto City Council met in regular session on Thursday, November 7, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.

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 Scott Rose, Councilmember Mike Snyder, Councilmember Peter Gordon, Councilmember Patti Martinez and Councilmember Tanner Rose.

Members of staff that were present were Odis Jones, City Manager; 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; Emily Parks, Assistant to the City Manager; and Lacie Hale, City Secretary.

6. **PROCLAMATIONS**

6.A. Proclamation declaring November 30, 2019 as Shop Small Saturday

7. **PUBLIC COMMENT**

Roxanne Hill, owner of Camp Bow Wow, thanked City Manager Odis Jones for his dedication and hard work.

Robin Sutton, 505 East Street, shared her concerns with development and lack of care for the residents.

8. **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].

- 8.A. Executive Session, as authorized by Texas Government Code, Section 551.087, Deliberations regarding Economic Development, and Texas Government Code, Section 551.071, Consultation with Attorney, to discuss Project Expansion update.

Executive Session was held from 7:16 pm to 8:59 pm. No Council action was taken.

9. **ACTION RELATIVE TO EXECUTIVE SESSION**

- 9.A. Action item related to Project Expansion update.

Motion: Mayor Pro Tem Hines made a motion to approve the mediated settlement in Cause 19-1080-C26 City of Hutto vs. Wolverine. 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 with 7 ayes, 0 nays

Motion: Councilmember Gordon motioned to move item 14L next. 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 nays

- 14.L. Consideration and possible action on report regarding investigation for Place 3 Office of City Councilmember Mike Snyder.

Nicole Calderone shared it is far past the 30 days and is curious why there wasn't any information after 30 days. She also asked about the cost of the investigation and how submitted concerns are addressed by Council.

Robin Sutton, 505 East Street, shared that Councilman Snyder cares about the residents of Hutto.

Motion: Councilmember Tanner Rose made a motion to accept the report and close the investigation. Councilmember Martinez seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro Tem Tom Hines
Councilmember Scott Rose
Councilmember Peter Gordon
Councilmember Patti Martinez
Councilmember Tanner Rose

Action: The motion passed with 6 ayes, 0 nays

Councilmember Snyder recused himself because he is subject to the motion.

10. **CITY MANAGER COMMENTS**

10.A. Presentation of Monthly Financials and Travel Expenses (Michel Sorrell)

No Council action was taken.

Motion: Councilmember Tanner Rose motioned to pull up 14E and 14I before 10B. 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 nays

14.E. Report back from Planning and Zoning Commission regarding zoning notifications.

Dan Thornton of 111 Hilton Street addressed his concerns with building height. He suggested that any building over 4 stories should have a larger notification radius.

Nicole Calderone requested Council would consider notifying HOAs for any impacted neighborhoods.

No Council action was taken.

- 14.I. Discussion regarding sidewalks in Lakeside Estates.

Krystle Kenzie thanked Council for putting this item on the agenda and asked where the funding is coming from.

John Kline, of 433 Little Lake, thanked Council for listening and putting this on the agenda.

No Council action was taken.

- 10.B Presentation and video regarding the City of Hutto's Development Process. (Ashley Lumpkin)

Motion: Councilmember Gordon motioned to table 10.B. to a future meeting and post the video on the website. 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 nays

9. **CONSENT AGENDA ITEMS**

11.B. Consideration and possible action on a resolution authorizing the City manager to prepare a Municipal Service Plan for the proposed annexation of 10700 FM 1660 South, 156.136 acres, more or less, of land, the current site of both the City of Hutto existing South Wastewater Treatment Plant and the Saul House. (Ashley Lumpkin)

11.F. Consideration and possible action approving the minutes of the October 17, 2019 Regular City Council Meeting and October 24, 2019 Special City Council Meeting

11.G. Consideration and possible action on a resolution to approve a contract renewal between the City of Hutto and Texas Materials in regard to the purchasing of aggregate for City street bond projects, and general maintenance projects.

Motion: Councilmember Snyder motioned to pull 11.A., 11.C., 11.D. and 11.E. 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 with 7 ayes, 0 nays

Motion: Councilmember Tanner Rose motioned to approve 11.B., 11.F., and 11.G. on the consent agenda. 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 with 7 ayes, 0 nays

- 11.A. Consideration and possible action on the final reading of an ordinance regarding the proposed annexation of the Pfeiffer Tracts, 27.97 acres, more or less, of land, and to establish base zoning as B-1 (Local Business), located on FM 685. (Ashley Lumpkin)

Chris Fields, Developer's Representative, requested the item be pulled.

Motion: Mayor Pro Tem Hines motioned to table item 11.A. Councilmember Martinez seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro Tem Tom Hines

Nays Councilmember Scott Rose
Councilmember Mike Snyder
Councilmember Peter Gordon
Councilmember Patti Martinez
Councilmember Tanner Rose

Action: The motion failed with 2 ayes, 5 nays

Motion: Councilmember Tanner Rose motioned to approve 11.A. with an amendment to the zoning to be Ag. 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 nays

- 11.C. Consideration and possible action for the acceptance of infrastructure improvements for Hutto Crossing 4-9 (Tony Host).

Motion: Councilmember Tanner Rose motioned to approve 11.C. 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 with 7 ayes, 0 nays

- 11.D. Consideration and possible action on resolution authorizing the City Manager to approve funds for Fritz Park not to exceed \$4,927,029 (Jeff White).

Motion: Councilmember Gordon motioned to table 11.D. to the next meeting to get a cost breakdown. 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 nays

- 11.E. Consideration and possible action on the conditional acceptance of the street, sidewalk, sidewalk ramps, water, wastewater and drainage improvements of Cross Creek Phase 1

Motion: Councilmember Martinez motioned to accept the street, sidewalk, sidewalk ramps, water, wastewater and drainage improvements of Cross Creek Phase 1 with the condition that they will install three more pumps. 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

Nay Councilmember Tanner Rose

Action: The motion passed with 6 ayes, 1 nay

12. **RESOLUTIONS**

- 12.A. Consideration and possible action on a resolution expressing official intent to reimburse expenses related to constructing, acquiring, improving, renovating, developing and equipping, land, buildings and supporting infrastructure for public safety and communication facilities and constructing, improving, extending, upgrading and/or developing streets, roads and intersections at U.S. FM 1660 North and Limmer Loop, FM 1660 at U.S. 79, FM 1660 South at U.S. 79 and other City Roads (Michel Sorrell)

Motion: Councilmember Snyder motioned to table item 12.A. 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 nays

13. **ORDINANCES**

- 13.A. Public hearing, discussion, and possible consideration and approval of the first reading of an ordinance to create Reinvestment Zone No. Two, City of Hutto,

Texas, for the purpose of promoting redevelopment within the corporate limits of the City of Hutto.(Jessica Geray)

Public Hearing was held from 12:14 am to 12:14 am on November 8, 2019.No one spoke.

Motion: Mayor Pro Tem Hines motioned to approve item 13.A. Councilmember Martinez seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-Tem Tom Hines
Councilmember Scott Rose
Councilmember Peter Gordon
Councilmember Patti Martinez
Councilmember Tanner Rose

Nay Councilmember Tanner Rose
Councilmember Mike Snyder

Action: The motion passed with 5 ayes, 2 nays

13.B. Consideration of a public hearing and possible action on the second and final reading of an ordinance regarding the proposed annexation of Cottonwood Creek, 46.68 acres, more or less, of land, and to establish base zoning as SF-1 (Single Family Residential), located on CR 199. (Ashley Lumpkin)

Kevin Peirce, Developer's Representative, requested the item be tabled.

Motion: Councilmember Scott Rose motioned to table item 13.B. 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

Nay Councilmember Tanner Rose

Action: The motion passed with 6 ayes, 1 nay

13.C. Consideration and possible action on reading of an ordinance authorizing the issuance and sale of one or more series of City of Hutto, Texas General Obligation

Bonds, Series 2019C; authorizing the levy of an ad valorem tax in support of said bonds; approving an official statement, the form of a paying agent/registrar agreement and related agreements; establishing procedures for selling and delivering of one or more series of bonds; and other matters related to the issuance of the bonds. (Michel Sorrell)

Motion: Councilmember Snyder motioned to table item 13.C. 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 with 7 ayes, 0 nays

14. **OTHER BUSINESS**

Motion: Councilmember Tanner Rose motioned to move item 14.D. up on the agenda. 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 nays

14.D. Consideration of and possible appointments to City Boards and Commissions.
(Lacie Hale)

Motion: Councilmember Tanner Rose motioned to appoint David Westbrook to the Library Advisory Board. 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 nays

Motion: Councilmember Martinez motioned to appoint Daniel Thornton to the Parks Advisory Board. 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 nays

Motion: Councilmember Gordon motioned to appoint Christopher Adkins to the Ethics Review Commission. 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 nays

14.A. Consideration and possible action on EDC Investigation.

Nicole Calderone of 305 Mitchell shared that this seems like a bogus charge and asked how much longer this investigation will go.

Motion: Mayor Pro Tem Hines motioned to table this agenda item, asked to use an attorney who specializes in municipal law to clarify if the charter is right or if the code of ordinances is right, regarding the police chief, financial information for any audit that has been done, and whether the investigation is still ongoing. Councilmember Gordon seconded the motion.

Vote: Ayes Mayor Doug Gaul

Mayor Pro-Tem Tom Hines
Councilmember Scott Rose
Councilmember Peter Gordon
Councilmember Patti Martinez
Councilmember Tanner Rose

Nay Councilmember Tanner Rose
Councilmember Mike Snyder

Action: The motion passed with 5 ayes, 2 nays

14.B. Consideration and possible action regarding audio recording in Executive Session.

Robin Sutton of 505 East Street expressed that the most frustrating part about watching the recorded Council meetings is executive session. She encouraged more transparency.

Motion: Councilmember Snyder made a motion to direct staff to bring to the next regularly scheduled meeting a draft ordinance that will provide for the adoption of an audio recording for all executive sessions. The written ordinance also sets forth the procedures used to both record and secure. 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 nays

14.C. Discussion and possible action on Financial Disclosure. (Alecia Mayberry Mosadomi, Assistant City Attorney)

Nicole Calderone asked if this information will be privileged or available to the public.

Motion: Councilmember Snyder motioned that at the next City Council meeting staff will return with a written ordinance adopting the statute as provided in Councilmember Snyder's motion that was carried in the last meeting, setting December 15 as the deadline in which the first set of financial disclosures under the new ordinance are due, by everyone who is covered, including EDC Board members, EDC Coordinator, and

Planning and Zoning Commissioners, with the reporting period being the last 12 months and post online. 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 with 7 ayes, 0 nays

14.F. Consideration and possible action on Alarm Permit Ordinance.

Motion: Councilmember Scott Rose motioned to direct staff to review the ordinance, report back to the City Council with suggested changes, and include the revenue. 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 nays

14.G. Discussion and possible action on Council Protocols.

Nicole Calderone asked if the Council Protocols are available to the public and where can she find it.

Motion: Mayor Gaul motioned to have Councilmember Tanner Rose, Mayor Gaul, and Councilmember Gordon review the agenda process and bring back recommendations to the City Council. 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 with 7 ayes, 0 nays

14.H. Discussion and possible action on Police Metrics Update.

Motion: Councilmember Tanner Rose motioned to pull item 14.H. 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 nays

14.J. Review of upcoming agenda items.

Nicole Calderone would like the forensic financial audit to be on a future agenda.
Robin Sutton would like to see a release of public records on an upcoming agenda.

Motion: Councilmember Snyder motioned to table item 14.G. 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 nays

14.K. Consideration and possible action related to City Staff, Council travel and other financial matters.

Nicole Calderone shared that she hasn't seen enforcement of accountability and would like the Osborn Report released.

Motion: Councilmember Snyder motioned to hire an outside third-party independent firm that specializes in financial matters in forensic auditing to look into our spending habits of city council, city manager's office, and city in general to give a report for the past 12 months, that we can publish whatever it says to the citizens. Councilmember Tanner Rose seconded the motion.

Vote: Ayes Councilmember Scott Rose
 Councilmember Mike Snyder
 Councilmember Peter Gordon
 Councilmember Patti Martinez
 Councilmember Tanner Rose

Nay Mayor Doug Gaul
 Mayor Pro Tem Tom Hines

Action: The motion passed with 5 ayes, 2 nays

15. ADJOURNMENT

There being no further business to be heard, the meeting was adjourned at 2:24 a.m. on Friday, November 8, 2019.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

City Secretary

These minutes were approved on November 21, 2019.