



City of Hutto

MINUTES

City Council Meeting
Thursday, May 5, 2022 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 www.huttotx.gov

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

2. **ROLL CALL**

Members of City Council present: Mayor Mike Snyder, Councilmember Robin Sutton, Councilmember Mandi Villarreal Salvo, Mayor Pro Tem Dan Thornton, Councilmember Krystal Kinsey, Councilmember Debbie Holland and Councilmember Peter Gordon.

Absent: None

Members of staff present: Issac Turner, Interim City Manager; Matt Wojnowski, Assistant City Manager; Stacy Schmitt, Assistant to City Manager; Angela Walton, Interim City Secretary; Padma Patla, Director of Engineering, Wade Benton, Consultant, Ashley Lumpkin, Executive Director of Business and Development; Cristian Rosas-Grillet, Legal Counsel and Gracie Perez, Assistant City Secretary

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE**

5. **CITY MANAGER COMMENTS**

Isaac Turner, Interim City Manager:

The Parks and Recreation Advisory Board has started a butterfly garden at Hutto Lake Park.

Anyone who is interested in participating with that, go to pard@HuttoTx.gov, to get involved. Tomorrow at 6:30 pm here at City Hall, will be the Cowboys and Moms Date night. So if you're inclined to do that, it's something special for Mother's Day weekend. Please come.

We're having another City summer camp, so if you would like to register for that, you can go to our webpage at Huttotx.gov.

And finally, there will be a Sunset Block Party Bash Friday, May 27th from 6:00 pm to 9:00 pm at Fritz Park.

6. PROCLAMATIONS

- May – Motorcycle Safety and Awareness Month – accepted by Jacob Patterson
- Annual Professional Municipal Clerks Week – May 1 – 7, 2022 – accepted by Angela Walton, City Secretary, and Gracie Perez, Assistant City Secretary

7. CITY COUNCIL COMMENTS

7.1. General Comments from City Council

Mandi Villarreal – Salvo:

I just wanted to thank you and City staff, whoever thought of doing that proclamation on motorcycle safety. My father, when I was a teenager was involved in a near-fatal accident. He was a motorcycle rider and almost died. I had a good friend of mine less than a month ago, died on a motorcycle accident here in Austin. As something that we really need to pay attention to and be aware of, his drivers, those were non-motorcycle drivers and that something that I guess just hit home with me tonight. So thank you.

I'd like to say thank you to City Manager Turner for working to expedite the lights on our basketball pavilions and Assistant City Manager Wojnowski. I don't know if I'm saying that right. I'm trying. I know that that's something that was a priority from the Council as well as the community. You all have pushed that forward for the parks that we do have and the pavilion lights. So thank you guys for taking that on and being serious about it.

And secondly, I'd like to let the community, remind you that Black Families of Hutto is starting all their preparations for our Juneteenth Celebration, and its going to be at Adam Orgain Park this year, which is very exciting. We have our park named after our first settler here in Hutto and a slave. We are able to celebrate Juneteenth in that park this year which I think is pretty cool.

And then finally, Happy Cinco De Mayo to all of my family out here in Hutto. This is a celebration primarily in Pueblo, Mexico. The rest of Mexico doesn't really celebrate it, but here in America it's definitely become a celebration of Hispanic culture and heritage, of which I am. And I'm very excited to share that with the rest of the 54% of the Hispanic community here in Hutto. So that's why I'm wearing my attire tonight. If you have any questions, this is actually what I wore when I got engaged. So it's definitely a very exciting day for Hispanic people to share our culture. So thank you. And I hope you all have a fun Cinco De Mayo.

Robin Sutton:

At the last meeting, if those of you kind of hung out or watched the last agenda item, I did call to question something that is to honor City Council expectations. This City Council actually adopted these to date on February 17th, after going through a strategic planning session.

I want taxpayers to know how much they paid for that session, just so they know the magnitude of what we adopted and what we're committing to our citizens. You, the taxpayer, me, the taxpayer and the rest of us paid \$14,000 for that two-day facilitator. You also paid for \$700 in food. What came of that is our pillars, which we will be sharing more about later.

And I know we kind of shared this and City Manager Turner kind of went through it, but I think maybe the magnitude of what we adopted didn't hit home to the Council members that adopted it.

The first one is discuss respectfully, which is the one I called out. That means take turns. Don't interrupt. Don't use accusatory or inflammatory language, respect someone else's stance to focus on the problem, not the person. Three stay on your sacred ground. Don't shrink. Don't puff up. Three, I'm sorry, four, think before you speak, be responsive, not reactive. Five, no back-channeling. Six, don't go to bed angry after a Council meeting.

I attempted to call attention to item one at our previous meeting after our City Manager was silenced and repeatedly goes on ignored during Council meetings, and disrespectful conversation ensued. It was met by one individual's judgment on what is deemed disrespectful and what isn't with no time to think before they spoke. No other Council member weighed in on it. All seven of us adopted this criteria, but yet I was the only one that stood up finally and said, this is not what we adopted, this is not what the taxpayers paid for.

If we aren't going to take this seriously, and those who are going to take these seats, don't take it seriously, we wasted, what, almost \$20,000 of your money. So I just want everybody to know moving forward so when it happens and hopefully other Council members will speak up and say, hey, I'm going to draw attention to number one and number two of your expectations sitting on this Council and the commitment that you've made to the citizens of Hutto.

That's all I got to say. Thank you.

Debbie Holland:

I just want to take this moment to thank you for this opportunity to once again, serve the citizens of Hutto from the dias. This will be my last Council meeting. This is a serious responsibility and I do not take it lightly.

The City of Hutto has had many challenges in the past five years. There is a light at the end of the tunnel, but we must keep our focus on what our responsibility as a Council member is one, there is no room for personal agendas on this dias. This is not a political opportunity. It's about the citizens of Hutto and it is our responsibility to serve them. We have the responsibility to make things right where the City has been broken. If we don't get it right, we will be given the opportunity to face that problem. Again, we are all accountable, past and present Council members, staff, and citizens. Let's not forget our role in this equation. And let's remember where our role as a Council member starts and stops. We hired the City Manager and that manager is responsible for the staff, not us.

I encourage the Council to take every opportunity to continue your training as an elected official. None of us know it all. There is always room for improvement. Social media can be a huge benefit for getting the message out, but equally it is a divisive and detrimental aspect of the world that we live in today. I would caution Council and citizens to be a bit more thoughtful in your words, and in your actions, we are in this together. We will win, or we will lose.

I will step down this evening from this position as the election is on Saturday, but I will not step away. I will continue as a citizen of Hutto and I will continue to work for the success of our community. I will be watching. Thank you.

7.2 City Council Liaison Reports

Robin Sutton:

Yeah, we actually had the opportunity to have an HPC meeting, historic preservation meeting and there is a property at 102 West Pecan street that is actually applying for a certificate of appropriateness. What they want to do is build a new retail structure there, and it was approved. But however, there are expectations that need to continue to happen as far as the facade improvements to make sure it looks appropriate for the area.

And also with the exiting of Mr. Allen, DeAnne Worley was named chair of the HPC.

Krystal Kinsey:

I just wanted to give an update on the community survey on, I believe everything was given the green light, thumbs up. So hopefully we're opening up that here soon. I think that they're going to be due or the deadline is going to be in June. There is quite a bit of the D&I focus on a lot of those questions.

So the D&I chairman sat in on some of those meetings and helped to formulate some of those questions. So I am really excited to see that and kind of what actually comes to that. So I did just want to give an update from that for the diversity inclusion committee. Thank you.

Peter Gordon:

I've got one for a P & Z. They met this past week but just want to announce that we do have a new opening. So Randall Clark has resigned from P & Z. And so we do have an opening. If anyone's interested, I encourage you to apply.

And then also I just was again, impressed with the professionalism and everything that they went through. They're asking really good questions, being very detailed and denying plats when they don't meet the criteria. And they're not afraid to say nope, do it again.

So I thought that it was just very impressive that they're, I think they're working really hard. They're representing the citizens well, representing the City.

8. PUBLIC COMMENT

None.

9. CONSENT AGENDA ITEMS

- 9.1. Designation of Water and Sewer Certificate of Convenience and Necessity (CCN) Amendments with Jonah Special Utility District (SUD) (Wade Benton, Interim City Manager Isaac Turner)
- 9.2. Consideration and possible action on Ordinance No. O-2022-018 prescribing certain fees for the City of Hutto, Texas, amending all applicable ordinances and other instruments; providing for a schedule of fees and charges. (First Reading)(Angie Rios)
- 9.3. Consideration and possible action on Ordinance No. 2022-021 amending Chapter 1, Article 1.07, Division 2, Part II, of the Code of Ordinances to provide for a completeness review period for special event permit applications. (Cristian Rosas- Grillet, Kristi Robich)
- 9.4. Consideration and possible action on Resolution R-2022-017 authorizing the City to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Hutto and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits (Matt Wojnowski, Legal)
- 9.5. Consideration and possible action on Resolution No. 2022-043 condemning bullying and cyberbullying. (Councilmember Robin Sutton)

Councilmember Villarreal Salvo requested pulling Item 9.4 and Councilmember Sutton pulled Item 9.5 from the Consent Agenda.

Councilmember Villarreal Salvo made the motion to approve the balance of the Consent Agenda, and Councilmember Kinsey seconded. Motion passed 7,0.

At this time, Councilmember Sutton requested and motioned moving Item 13.1 from Executive Session up in the agenda. Mayor Snyder seconded. Motion failed 2,5.

- 9.4. Consideration and possible action on Resolution R-2022-017 authorizing the City to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Hutto and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits (Matt Wojnowski, Legal)

After brief discussion, Councilmember Gordon made the motion to approve Resolution R-2022-017, and Councilmember Villarreal Salvo seconded. Motion passed 6,1.

- 9.5 Consideration and possible action on Resolution No. 2022-043 condemning bullying and cyberbullying. (Councilmember Robin Sutton)

Councilmember Sutton read the resolution into the record. Councilmember Sutton made the motion to approve Resolution No. 2022-043, and Councilmember Villarreal Salvo seconded. Motion passed 7,0.

10. RESOLUTIONS

- 10.1. Consideration and possible action on Resolution No. 2022-041 approving an agreement for Basketball Court Lighting at Hutto Lake Park, Fritz Park, and Hutto Community Park with Musco Sports Lighting, LLC, in an amount not to exceed \$106,200.00 through BuyBoard Contract No. 592-19; and authorizing the Interim City Manager to execute the Agreement. (Jeff White, Parks Superintendent)

Councilmember Villarreal Salvo made the motion to approve Resolution No. 2022-041, and Councilmember Thornton seconded. Motion passed 7,0.

- 10.2 Consideration and possible action on Resolution No. 2022-042 accepting the infrastructure improvements for the Subdivision known as Brooklands Section 5 in the City of Hutto, Williamson County, Texas, Repealing any prior inconsistent resolutions; providing a severability clause and providing an effective date. (Legal) – *Moved to after Executive Session*

Mayor Snyder requested moving up Item 12.2. All were in agreement.

- 12.2. Presentation and possible action of the Annual Comprehensive Finance Report for the year ended September 30, 2021. (Angie Rios)

Brooks Watson & Co, PLLC, were contracted to perform the audit for fiscal year ending September 30, 2021 and presented the report to City Council.

Councilmember Villarreal Salvo made the motion to accept the audit report with one amendment, and Councilmember Gordon seconded. Motion passed 7,0.

11. ORDINANCES

- 11.1. Hold a public hearing and consider action for the proposed Planned Unit Development (PUD) zoning ordinance request for the property to be known as Village at Hutto Station Planned Unit Development (PUD), 30.595 acres, more or less, of land, located off of CR 138. The land use proposal is attached and detached multi-family uses. (First Reading) (Ashley Lumpkin)

*Public Hearing Opened: 8:48 pm, no public speakers
Public Hearing Closed: 8:48 pm*

Councilmember Gordon made the motion to approve, and Councilmember Holland seconded. Motion passed 7,0, and second reading unanimously was waived.

- 11.2. Consideration and possible action on Ordinance No. O-2022-019 amending the budget for the fiscal year of October 1, 2021 through September 30, 2022, by appropriating and setting aside the necessary funds for additional expenditures, in accordance with existing statutory requirements; finding municipal purposes; providing for a severability clause; and providing for an effective date. (First Reading) (Angie Rios)

Councilmember Villarreal Salvo made the motion to approve Ordinance No. O-2022-019 with a 4 % salary increase for all City employees as well as an additional \$13,000 for Human Resources temporary hires, and Councilmember Sutton seconded. Motion passed 7,0.

- 11.3. Consideration and possible action on Ordinance No. O-2022-020 reimbursing the park rental fees for Hutto Resource Center's 2022 Community Wide Appreciation Picnic in the amount of One Thousand Five Hundred Dollars (\$1,500.00). (First Reading) (Cristian Rosas-Grillet)

Councilmember Gordon made the motion to approve Ordinance No. O-2022-020, and Councilmember Holland seconded. Motion passed 7,0, and second reading unanimously was waived.

- 11.4 Consideration and possible action on Ordinance No. 2022-016 amending Chapter 2, Article 2.03, Division 1 of the Code of Ordinances to adopt the City's classification and compensation plan, as amended. (Second Reading) (Interim City Manager Isaac Turner)

Councilmember Villarreal Salvo made the motion to approve Ordinance No. O-2022-016 with a 4 % salary increase for all City employees, and Councilmember Kinsey seconded. Motion passed 7,0.

12. OTHER BUSINESS:

- 12.1. 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, and Area Government appointments.

Public Comment: Randal Clark resigned from Planning and Zoning Commission and Zoning Board of Adjustment.

Cat Skeen was nominated to Emergency Preparedness Task Force.

Councilmember Gordon made the motion to approve Cat Skeen's nomination, and Councilmember Holland seconded. Motion passed 7,0.

- 12.3. Presentation of the Second Quarter Financial Report for the quarter ending March 31, 2022. (Angie Rios)

Chief Financial Officer Rios provided an overview of the second quarter financial report.

At this time, Mayor Snyder requested moving Executive Session Item 13.5 to open session for discussion, and there were no objections.

- 13.5. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to litigation matters and litigation bills of the Russell Rodriguez Hyde Bullock Law Firm representing the City or its former and current officers.

After discussion, Council requested a summary of litigation matters and costs from legal counsel and that the information is linked on the City's website.

13. EXECUTIVE SESSION – Time in: 10:23 pm

- 13.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 13.2. Receive legal advice pursuant to Texas Government Code Section 551.071 and deliberate pursuant to Texas Government Code Sections 551.087 and 551.072 regarding economic development negotiations in and around the Megasite and consideration and conveyance of assignment and assumption agreements conveying Option to Purchase Real Property Agreements to promote economic development.
- 13.3. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to Brooklands Partners, Ltd. v. City of Hutto, Cause No. 22-0500-C425 pending in the 425th Judicial District Court in Williamson County, Texas.
- 13.4. Receive legal advice pursuant to Texas Government Code Section 551.071 and deliberate regarding economic development pursuant to Texas Government Code Section 551.087 to deliberate the offer of a financial or other incentive to business prospects; including deliberations regarding the purchase, sale, exchange or value of real property pursuant to Texas Government Code Section 551.072.

14. ACTION RELATIVE TO EXECUTIVE SESSION - *Reconvened at 11:42 pm.*

- 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 and City Council Legal Requests.

Mayor Snyder requested future agenda item: invalid and/or illegal use of taxpayer funds by Odis Jones and Bill Bingham for hiring of Larry Gonzales as consultant for The Perfect Game.

Mayor Snyder requested future agenda item: Councilmember Villarreal Salvo's emails for November 17, 2021, November 9, 2021 to City attorneys and staff.

Councilmember Sutton requested future agenda item: waiving of attorney/client privilege demand letter from Hajjar and Peters Law firm dated May 3, 2022.

Councilmember Sutton made the motion to approve, and Councilmember Kinsey seconded.

- 10.2 Consideration and possible action on Resolution No. 2022-042 accepting the infrastructure improvements for the Subdivision known as Brooklands Section 5 in the City of Hutto, Williamson County, Texas, Repealing any prior inconsistent resolutions; providing a severability clause and providing an effective date.

Councilmember Gordon made the motion to approve, and Mayor Pro Tem Thornton seconded. Motion passed 7,0.

- 14.2. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 relating to Brooklands Partners Ltd. v. City of Hutto, Cause No. 22-0500-C425 pending in the 425th Judicial District Court in Williamson County, Texas.

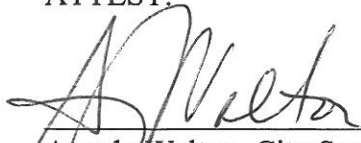
Councilmember Gordon made the motion to approve, and Mayor Pro Tem Thornton seconded. Motion passed 7,0.

- 14.3. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 and deliberations regarding economic development pursuant to Texas Government Code Section 551.087 to deliberate the offer of a financial or other incentive to business prospects; including deliberations regarding the purchase, sale, exchange or value of real property pursuant to Texas Government Code Section 551.072. *No action.*

- 14.4. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 related to litigation matters and litigation bills of the Russell Rodriguez Hyde Bullock Law Firm representing the City or its former and current officers. *No action.*

15. ADJOURNMENT: 11:56 p.m.

ATTEST:



Angela Walton, City Secretary



Mike Snyder, Mayor