



**CITY COUNCIL
MEETING MINUTES
DECEMBER 6, 2018**

The Hutto City Council met in a regular session on Thursday, December 6, 2018, in the Hutto City Council Chamber, 401 W. Front Street, 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 Nathan Killough, Councilmember Tim Jordan, Councilmember Patti Turner and Councilmember Terri Grimm.

Members of staff that were present were Odis Jones, City Manager; Helen Ramirez, Assistant City Manager; Edena Atmore, Assistant City Manager; Byron Frankland, Chief of Police; Eliska Padilla, Executive Director of Communications and Marketing; Reena O'Brien, Director of Marketing; Ashley Lumpkin, Executive Director Business Development, Ashby Grundman, Director of City Planning; Jessica Bullock, Director of Economic Development; Sharon Parker, Assistant Events Manager; Kristi Robich, Downtown Tourism & Events Manager; and Lisa Brown, City Secretary.

INVOCATION

The invocation was given by Pastor Steve Cochran of Crosswalk Church.

PLEDGE OF ALLEGIANCE

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

CITY COUNCIL COMMENTS

There were no comments from Council.

PUBLIC COMMENT

There was no public comment.

CITY MANAGER COMMENTS

- 7A. Presentation of Certificate of Appreciation to the Economic Development Department for their dedication and commitment to serving the small businesses of Hutto during the Shop Small Saturday on November 24, 2018.

Odis Jones, City Manager, presented a certification of appreciation to the Economic Development Department in appreciation of all their hard work and dedication to making Small Business Saturday such an overwhelming success.

Councilmember Nate Killough stated that Small Business Saturday was the busiest Saturday he has had in a while at his shop.

Jessica Bullock remarked that she brought people in from the neighboring towns of Georgetown, Round Rock and Pflugerville. Sales in the Downtown area increased or doubled on Saturday.

CONSENT AGENDA

- 8A. Consideration and possible action approving the minutes of the November 15, 2018 Regular City Council Meeting and the November 20, 2018 Special Called City Council Meeting.
- 8B. Consideration and possible action on a resolution approving the proposed Brooklands Section Three Final Plat, 38.6976 acres, more or less, of land, 156 residential lots, located on CR 137.
- 8C. Consideration and possible action on a resolution authorizing the City Manager to execute a contract with Century Link for internet service to new City Hall
- 8D. Consideration and possible action on a resolution authorizing the City Manager to execute a contract with Hlavinka Construction Company for the construction of the Public Works Pole Barn.
- 8E. Consideration and possible action on a resolution authorizing the City Manager to spend additional funds on the Facade Improvement Grant Program.

Motion: Mayor Pro-tem Tom Hines made a motion to accept and approve all items from the Consent Agenda. Councilmember Killough seconded the motion.

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

Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Patti Turner
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

Motion: Councilmember Terri Grimm made a motion to move Item 13A to before Item 9A.
Mayor Pro-tem Hines seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Patti Turner
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

Council recessed to Executive Session at 7:06 p.m.

13A. Executive Session, as authorized by Texas Government Code, Section 551.087, Economic Development negotiations related to Project Expansion, Project Redevelopment and The Landing.

Council reconvened at 8:06 p.m. No action was taken in Executive Session.

REGULAR AGENDA ITEMS

ORDINANCES

- 9A. Consideration of and possible action on the second reading of an ordinance of the City Council of the City of Hutto, Texas accepting and approving a service and assessment plan and assessment roll for Hutto Co-Op Public Improvement District; making a finding of special benefit to the property in the master improvement area of the district; levying special assessments against property within the district and establishing a lien on such property; providing for the method of assessment and the payment of the special assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date.

Bill Bingham, City Attorney introduced the second reading of an ordinance that is part of the financing mechanism for the infrastructure at the Co-Op. The ordinance has some updates from the last time it was read.

Odis Jones remarked this ordinance has been a long time coming and is a deal in the best interest of the City.

Bill, the second amendment of the Development Agreement reflects some of the items will be completed at the developer's cost. Due to weather delays the completion date of City Hall is being moved to February 18, 2019.

Rick Rosenberg stated he prepared the Service Assessment Plan in accordance with PID statutes to levy the assessments.

Motion: Councilmember Killough made a motion to accept the second reading of the ordinance. Mayor Pro-tem Hines seconded the motion.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Tim Jordan
 Councilmember Patti Turner
 Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

- 9B. Consideration of and possible action on the second reading of an ordinance relating to development of the Co-Op District in the City of Hutto, Texas including dedicating a portion of ad valorem taxes collected on property located within Reinvestment Zone No. 1, City of Hutto, Texas; approving a loan agreement in connection with financing of projects within the Reinvestment Zone No. 1; authorizing the City Manager to enter into a Public Improvement District administrative services agreement for Reinvestment Zone No. 1; approving the City of Hutto Economic Development Corporation Type B dedication of a portion of sales tax collected by the corporation to the Reinvestment Zone No. 1; approving a financing plan for the tax increment Reinvestment Zone No. 1 for the Co-Op District; and authorizing the City Manager to enter into certain agreements relating to the Reinvestment Zone No. 1 and to approve amendments to those agreements.

Bill Bingham, City Attorney introduced the second reading of an ordinance relating to the development of the Co-Op District. Updated with dates and numbers and provides the financing for the infrastructure.

Motion: Councilmember Killough made a motion to accept the second reading of the ordinance. Councilmember Rose seconded the motion.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Tim Jordan
 Councilmember Patti Turner
 Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

RESOLUTIONS

- 10A. Consideration and possible action on a resolution regarding River Creek Development Corporation interlocal agreement, construction contract, consent letter with the Public Finance Authority and loan agreement.

Bill Bingham advised the Council the River Creek Development Corporation met and approved several documents related to the financing of the Co-Op including the interlocal agreement, construction contract, consent letter with the Public Finance Authority and loan agreement. These items are now before the Council to approve their actions.

Motion: Councilmember Killough made a motion to approve the resolution. Councilmember Jordan seconded the amendment.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nate Killough
 Councilmember Tim Jordan
 Councilmember Patti Turner
 Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays.

- 10B. A resolution authorizing the City Manager to enter into an Interlocal Agreement between the City of Hutto and Hutto Independent School District for the operation of the public, educational, and governmental "PEG" access channel pursuant to Chapter 66 of the Texas Utilities Code.

Eliska Padilla, Executive Director of Communications, presented the interlocal agreement with the Hutto ISD for the PEG channel. In 2013 HISD and the City entered and ILA to share the PEG channel to install fiber optics.

Mayor Pro-tem Hines – will this make any difference with how the Council meetings are broadcasts? - Yes – we have been able to upgrade the sound system and Swagit system at the new City Hall. We will be able to have a 24-hour channel.

Councilmember Rose wanted to know if there was any data on how many people watch the channel – it is not large, but it gives the City to produce more videos that are informative about the City.

The PEG channel can be found at Channel 10.

PEG money can only be used toward the purchase of equipment.

Councilmember Grimm wanted to know if we can program game shows.

Councilmember Killough wanted to know if it can be used for advertising – No.

HISD has a studio that the City shares to produce materials.

Over the years there has been a lot of knowledge lost so there has been an effort make sure everyone is trained.

Motion: Mayor Pro-tem Hines made a motion to authorize the City Manager to enter into the ILA. Councilmember Turner seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Patti Turner
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

Motion: Councilmember Grimm made a motion to move Item 13D before 11A. Councilmember Killough seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Patti Turner
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

Council recessed to Executive Session at 8:24 p.m.

13D. Executive Session, as authorized by Texas Government Code Section 551.071, Consultation with Attorney, regarding an economic development proposal with the Chamber of Commerce.

Council reconvened at 9:10 p.m.

No action was taken in Executive Session.

Motion: Councilmember Grimm made a motion to move Item 11A to after 13B.
Councilmember Killough seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Patti Turner
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

OTHER BUSINESS

12A. Consideration of and possible appointments to City Boards and Commissions, including the Economic Development Corporations

Mayor Pro-tem Tom Hines stated that Kristen Harrington had elected not to continue on the Planning and Zoning Commission past the end of the year. He thanked her for her service. Mayor Pro-tem Hines then made a motion to nominate Randal Clark to file the vacant seat. Councilmember Killough seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Patti Turner
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

WORK SESSION

11A. Work session with the Economic development Corporation Type B Board.

Mayor Gaul addressed the members of the Economic Development Corporation Board regarding their role and responsibilities.

Boardmember Steven Harris requested that there some clear direction from the Council regarding what it wants the Board to pursue and discuss possible staffing and possible conflict of interest regarding the Board's attorney. He stated the Board would feel more comfortable discussing these items in executive session.

Mayor Gaul advised the Board that the Council cannot meet in closed session with the Board to discuss personnel matters because it is not covered under the Open Meetings Act. Believes the Board has previously been given direction on their role. It is within the Board's right pursuant to their bylaws to request their own attorney

Councilmember Grimm stated it is clear to her that there are issues the Board would like to discuss that they are not comfortable discussing in public. She asked the City Attorney if there was a way to have those discussions in executive session.

Bill Bingham advised there is nothing within the Open Meetings Act that would allow the Board to meet with the Council in closed session just because they are uncomfortable discussing a topic in public, unless the Council invited to an executive session to specifically discuss a particular economic development project, but not generally to discuss bylaws.

Steven Harris expressed concern discussing items that were discussed in their executive sessions in open session. Bill Bingham – it would depend on the subject.

The board would like to discuss participation in economic development discussions and their lack of participation.

Odis Jones – while EDC receives sales tax dollars, 99% of economic development does not concern the EDC. If the economic development involves their sales tax dollars then they have the right to be involved, but because of the confidentiality of those negotiations there is no reason for the Board to be involved those negotiations. The statutes allow the City Manager to have confidential conversations with the Council regarding those negotiations but not the EDC Board.

Harris stated that there were discussions in the EDC executive session that he feels need to be discussed with the Council in executive session. He requested that the Council set an executive session to discuss Project Music Play with the Board.

Scott Feller – wanted clarification from Odis Jones that any discussions or negotiations regarding EDC sales tax dollars or any land the Board may own would involve the EDC Board – Yes.

Mayor Pro-tem Hines remarked that a year ago the Council sat here in a work session with the Board and laid out the direction for the Board to include small business loans, GAP financing and that all the bigger deals would go through the City. To him the lines are becoming blurred and the Board and the Council are butting heads. He would like to see those directions followed.

Councilmember Killough asked where the Board was on a program for small business loans and business retention.

Dan Thornton stated they just had a presentation on small business loans that needs to be finalized by determining the rate, the approval process, etc.

EXECUTIVE SESSION

- 13C. Executive Session, as authorized by Texas Government Code Section 551.071, Consultation with Attorney, regarding Economic Development Corporation Type B Bylaws and overall structure.
- 13D. Executive Session, as authorized by Texas Government Code Section 551.071, Consultation with Attorney, regarding an economic development proposal with the Chamber of Commerce

No action was taken in Executive Session.

ACTION RELATIVE TO EXECUTIVE SESSION:

- 14A. Consideration and possible action regarding Economic Development Corporation and overall structure.

Motion: Councilmember Killough made a motion to direct the City Manager and City Attorney to return with recommendations on how to set some priorities, specifically for the EDC. These recommendations are to include: small business loans, business retention, entertainment, city functions, GAP Financing, redevelopment, and parks. He would also like them to look into a potential name change or re-brand of the EDC and the legalities of what the Council can and cannot do, as well as an organizational re-structure. Mayor Pro-tem Hines seconded the motion.

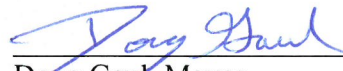
Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Tim Jordan
 Councilmember Patti Turner
 Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

ADJOURNMENT

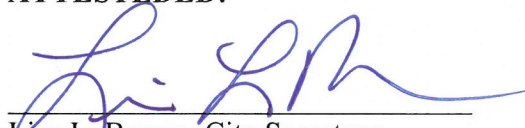
There being no further business to be heard, the meeting was adjourned at 10:18 p.m.

CITY OF HUTTO



Doug Gaul, Mayor

ATTESTEDED:



Lisa L. Brown, City Secretary