



**CITY COUNCIL
MEETING MINUTES
SEPTEMBER 20, 2018**

The Hutto City Council met in a regular session on Thursday, September 20, 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; Byron Frankland, Chief of Police; Matt Rector, Executive Director of Public Works and Engineering; Eliska Padilla, Executive Director of Communications; Reena O'Brien, Director of Communications; Edena Atmore, Assistant City Manager and Chief Financial Officer; James Bryson, Director of Finance; Ashby Grundman, Director of City Planning; Jessica Bullock, Director of Economic Development; Suzanne Glass, Community Resource Officer; Lisa Brown, City Secretary; and Lynn Trumbul, Senior Assistant City Secretary.

INVOCATION

The invocation was given by Deacon Bob van Til - St. Patrick Catholic Church, Hutto.

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 were no public comments.

CONSENT AGENDA

- 7A. Consideration and possible action approving the minutes of the September 4, 2018 Special Called City Council Meeting, September 6, 2018 Regular City Council Meeting, September 13, 2018 Special Called City Council Meeting.
- 7B. Consideration and possible action on a resolution adopting Boards Commissions and Committee Handbook.

Motion: Councilmember Grimm made a motion to approve Items 7A and 7B on the Consent Agenda. Councilmember Killough seconded the motion.

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

REGULAR AGENDA ITEMS

ORDINANCES

- 8A. Consideration and possible action on the second and final reading of an ordinance approving a Specific Use Permit for 6801 FM 1660 North, to allow a car wash in the B-2 (General Commercial) zoning district.

Ashby Grundman, Director of City Planning, presented the ordinance from the previous meeting, and presented a preliminary site plan.

Motion: Councilmember Killough made a motion to approve the ordinance with the amendments as stated. Mayor Pro-tem Hines seconded the motion.

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

Action: The motion passed 6 ayes, and 1 nays

- 8B. Consideration and possible action on the first reading of an ordinance regarding Atmos Energy Corporation's proposal to increase natural gas rates pursuant to its Statement of Intent filed on or about June 1, 2018.

Helen Ramirez, Assistant City Manager, stated that Atmos Energy Corporation filed a statement of intent on or about June 1, 2018 to increase the natural gas rates. She further noted that at least 50 cities have formed a coalition and on advice of counsel have determined the rate increase should be denied.

Councilmember Turner asked for the clarification on the increase. Helen Ramirez noted that there would be an increase, but not as high as the increase the Atmos is proposing.

Matt Rector, Executive Director of Public Works and Engineering, noted that the City was looking into other natural gas providers.

Councilmember Turner suggested researching some customer reviews of other natural gas providers.

Councilmember Rose asked for clarification on the language of the ordinance to deny the increase and propose a lower increase as discussed.

Councilmember Killough asked if the Council could add the word "deny" to the proposed ordinance. City Attorney, William Bingham, acknowledged that the word "deny" can be added.

Motion: Councilmember Rose made a motion to deny the proposed natural gas rate increase. Mayor Pro-tem Hines seconded the motion.

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

- 8C. Consideration of a public hearing and possible action on the second and final reading of an ordinance concerning the first amendment to the Fiscal Year 2018 Budget of the Hutto Economic Development Corporation – Type A.

James Bryson presented the ordinance for the Hutto Economic Development Corporation Type A Board amended 2018 budget to Council for comment.

A public hearing was opened at 7:12 p.m. and with no public comment the hearing was closed at 7:12 p.m.

Motion: May Pro-tem Hines made a motion to accept the ordinance as written. Councilmember Killough seconded the motion.

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

8D. Consideration and possible action on the second and final reading of an ordinance concerning the first amendment to the Fiscal Year 2018 Budget of the Hutto Economic Development Corporation - Type B.

James Bryson presented the ordinance for the Hutto Economic Development Corporation Type B Board budget for the amended 2018 budget to Council for comment.

A public hearing was opened at 7:14 p.m. and with no public comment the hearing was closed at 7:14 p.m.

Motion: Councilmember Killough made a motion to accept the ordinance as written. Councilmember Grimm seconded the motion.

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

8E. Consideration of a public hearing and possible action on the second and final reading of an ordinance concerning the adoption of the Hutto Economic Development Corporation - Type A Fiscal Year 2018-19 Budget.

James Bryson, presented the ordinance for Hutto Economic Development Corporation Type A Board budget for 2018-19 to Council for comment.

A public hearing was opened at 7:15 p.m. and with no public comment the hearing was closed at 7:16 p.m.

Motion: Councilmember Killough made a motion to accept the ordinance as written. Councilmember Turner seconded the motion.

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

8F. Consideration of a public hearing and possible action on the second and final reading of an ordinance concerning the adoption of the Hutto Economic Development Corporation - Type B Fiscal Year 2018-19 Budget.

James Bryson, presented the ordinance for Hutto Economic Development Corporation Type B Board budget for 2018-19 to Council for comment.

A public hearing was opened at 7:17 p.m. and with no public comment the hearing was closed at 7:17 p.m.

Motion: Mayor Pro-tem Hines made a motion to accept the ordinance as written. Councilmember Grimm seconded the motion.

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

- 8G. Consideration of a public hearing and possible action on the second and final reading of an ordinance levying Ad Valorem taxes for the use and support of the municipal government for the City of Hutto for the Tax Year 2018.

James Bryson noted the same tax rate from last year to Council for comment.

Motion: Mayor Pro-tem Hines made a motion to accept the ordinance as written. Councilmember Rose seconded the motion.

Councilmember Grimm asked if this motion required more specific language. The Board concurred that the next motion did, but this one did not.

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

- 8H. Consideration of and possible action on the second and final reading of an ordinance ratifying an Ad Valorem tax increase for the 2018-19 Fiscal Year for the use and support of the municipal government for the City of Hutto for the Tax Year 2018.

James Bryson presented the tax increase for 2018-19 Fiscal Year to Council for comment.

Motion: Councilmember Grimm made a motion to approve the ordinance as presented. Councilmember Killough seconded the motion.

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

- 8I. Consideration of a public hearing and possible action on the second and final reading of an ordinance making appropriations for the support of the City of Hutto for Fiscal

Year October 1, 2018 through September 30, 2019, and adopting the annual budget of the City of Hutto for Fiscal Year 2018-19.

Motion: Mayor Pro-tem Hines made a motion to accept the second and final reading of the ordinance levying Ad Valorem taxes for the use and support of the municipal government for the City of Hutto for the Tax Year 2018-2019. Councilmember Killough seconded the motion.

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

Motion: Councilmember Jordan made a motion to proceed with Item 11C on the Agenda. Councilmember Killough seconded the motion.

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

The Council recessed to executive session at 7:26 p.m. and reconvened at 9:10 p.m.

EXECUTIVE SESSION

11C. Executive Session, as authorized by Texas Government Code Section 551.087, deliberations regarding Economic Development pertaining to the Co-Op, Project South Asia, Project Music Play and Project Hospitality.

No action was taken in Executive Session.

8J. Consideration of a public hearing and possible action on the first 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 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.

William Bingham, City Attorney, presented the ordinance to the Council for comment.

A public hearing was opened at 9:11 p.m., and there being no public comment, the hearing was closed at 9:11 p.m.

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

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 6 ayes, and 0 nays.

8K. Consideration of a public hearing and first 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.

Mayor Pro-tem Hines asked if this was the same motion that the Council had previously heard and agreed upon. City Manager, Odis Jones, confirmed.

A public hearing was opened at 9:13 p.m., and there being no public comment, the hearing was closed at 9:13 p.m.

Motion: Mayor Pro-tem Hines made a motion to approve the first reading of the ordinance as written. Councilmember Rose seconded the resolution.

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

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

RESOLUTIONS

9A. 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.

William Bingham, City Attorney, notified the Council that at the September 6, 2018 meeting, the Council had approved the creation of the River Creek Development Corporation. He further explained that the corporation had met earlier in the evening to elect officers and discuss other business. These items were approved by the Corporation at that meeting, and are now being presented for the Council's approval.

Motion: Councilmember Killough made a motion to approve the resolution as written. Councilmember Turner seconded the resolution.

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 and possible action on a resolution of the City of Hutto, Texas consenting to the issuance of certain bonds issued by the Public Finance Authority and authorizing the execution of continuing disclosure agreement relating to said bonds; and containing other matters related thereto.

William Bingham provided an overview of the developer's request for financing on the Co-Op for Council's comment.

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

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.

OTHER BUSINESS

10A. Consideration and possible appointments to City Boards and Commissions, including Economic Development Corporations, and possible changes to terms for current and future appointees.

Mayor Gaul mentioned that the Council could make one motion to modify all the terms as presented if they choose to do so.

Councilmember Grimm asked William Bingham about ratifying the motions she had made at the last meeting. William Bingham stated that she could ratify or make a new motion.

Councilmember Turner mentioned Camille Baptiste's term and that it needed to end in 2018. The Council responded by stating that they would be modifying all of the previous terms to the new terms.

Motion: Councilmember Grimm made a motion to appoint Greg Braun to the Economic Development Corporation, with a term ending June of 2019. 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.

Motion: Tim Jordan made a motion to adjust the terms of all positions as stated on the spreadsheet presented to the Council. Councilmember Rose seconded the motion.

- 10B. Presentation by the Planning and Zoning Commission Chairperson to provide an update on the Comprehensive Plan, as required by the City Charter.

Jessica Romigh, Chair of the Planning and Zoning Commission, provided the Council with an update on the Comprehensive Plan. She stated that the update is that they have not done an update.

- 10C. Discussion and possible action on Capital Area Council of Governments (CAPGOC) involvement.

Mayor Gaul stated that he would like this item to be tabled because he would like to review additional information.

Motion: Councilmember Grimm made a motion to table Item 10C to the next Council meeting. Councilmember Turner seconded the motion.

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.

- 10D. Discussion and possible action on appointment process when a council member resigns.

Councilmember Grimm raised the issue of confusion on the current procedures for Council when a council member resigns. She further stated that she is trying to create some protection for the current Council in their procedural process.

Councilmember Killough noted that the Council had just made changes to the Charter.

Mayor Gaul stated that the Council is allowed time after resignation to appoint a new member.

William Bingham stated that they could adopt a specific procedure that would distinguish between a resignation and a forfeiture.

Mayor Pro-tem Hines stated that they need a legal definition of the word "shall." William Bingham noted that "shall," according to Texas statute, means that something is mandatory and must be done.

The Council asked the City Attorney and the City Secretary to provide some samples and to research other Charters to see their procedures.

- 10D. Presentation of the City Financials for the Month of August as well as investment reports as required by the fiscal and budgetary policy.

James Bryson and Edena Atmore provided an overview of the monthly financials for August, 2018 to the Council for comment.

The Council recessed to executive session at 9:43 p.m. and reconvened at 10:20 p.m.

EXECUTIVE SESSION

- 11A. Executive Session, as authorized by Texas Government Code Section 551.071, consultation with attorney regarding attorney services.
- 11B. Executive Session, as authorized by Texas Government Code Section 551.071, consultation with attorney regarding Eminent Domain.

No action was taken in Executive Session.

ACTION RELATIVE TO EXECUTIVE SESSION:

- 12A. Consideration and possible action relating to Eminent Domain.

Motion: Mayor Pro-tem Hines made a motion to authorize the City Manager to enter into an agreement as presented regarding Eminent Domain. Councilmember Killough seconded the motion.

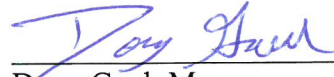
Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nate Killough
 Councilmember Tim Jordan
 Councilmember Patti Turner
 Councilmember Terri Grimm

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

ADJOURNMENT

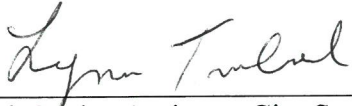
There being no further business to be heard, the meeting was adjourned at 10:21 p.m.

CITY OF HUTTO



Doug Gaul, Mayor

ATTEST:



Lynn Trumbul, Senior Assistant City Secretary