CITY COUNCIL
MEETING MINUTES
JULY 19, 2018

The Hutto City Council met in a regular session on Thursday, July 1, 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; Paul Hall, Assistant Chief of Police; Matt Rector, Executive Director of Public Works and Engineering; Eliska Padilla, Executive Director of Communications; Anthony Emadi, Chief Financial Officer; James Bryson, Director of Finance; Ashley Lumpkin, Executive Director Business Development, Ashby Grundman, Director of City Planning; Jessica Bullock, Director of Economic Development; Reena O'Brien, Director of Communications; Sharon Parker, Assistant Events Manager; Kristi Robich, Downtown Tourism & Events Manager; Suzanne Glass, Community Resource Officer; and Lisa Brown, City Secretary.

INVOCATION

The invocation was given by Rev. Johnny Brower, Hutto Discovery United Methodist.

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 Training Awards to the Hutto Police Department Explorers.

Chief Byron Frankland remarked on how the Hutto Police Department partnered with the Hutto ISD to form Explorer Post 7610 and how successful the first class has been. Many of the explorers want to be police officers and some attorneys. Chief Frankland praised the explorers for their hard work and for completing the Austin Regional Explorer Academy. Chief Edward of the Hutto ISD praised the class for their hard work.

Class President Makai (sic) Proctor remarked how the program was mentally and physically challenging while being fun. It also taught them discipline and integrity.

The explorers were presented with a certificate of completion and a pin.

7E. Presentation announcing the company for Project Ollie.

Dan Thornton, Vice Chair of the Economic Development Corporation introduced Neal Piper and Tony Gabriele of AEND, a California company that is moving their headquarters to Hutto.

Aend Industries, Inc. is a 15 year old company that manufactures wheels for skateboards, inline skates, wheelchairs and derby wheels to name a few. They are excited to be moving to Texas and plan to be up and running by January.

7B. Presentation of the City Financials for the Month of June and third quarter as well as the third quarter investment report as required by the fiscal and budgetary policy.

James Bryson, Director of Finance presented the monthly financials. Her confirmed with Council that the outside funding agencies will be presenting their requests before the August 2, 2018 Council Meeting.

Councilmember Grimm requested that every meeting the Council be advised of the over-under for the utility.

7C. Presentation of the Texas Economic Development Council Award for Economic Excellence to the City of Hutto.

Odis Jones acknowledge Jessica Bullock, Helen Ramirez, the Economic Development Department and the EDC Board for their accomplishments for having the No. 1 program, staff and policy in the state. He remarked there is national focus on Hutto because of the department's ability to implement the economic policy.

7D. Report on Mayors Conference on Entrepreneurship.

Mayor Gaul gave a report on the recent mayors conference he attended on how to help local entrepreneurs succeed.

CONSENT AGENDA

Motion: Councilmember Grimm made a motion to pull Item 8C 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

8A. Consideration and possible action approving the minutes of the July 5, 2018 Regular City Council Meeting and July 12, 2018 Special Called Council Meeting.

8B. Consideration and possible action on a resolution approving the proposed Mager Meadows Phase 2 Final Plat, 22.441 acres, more or less, of land, 95 residential lots, located Groves Avenue at Marimoor Drive.

8D. Consideration and possible action on an Economic Development Agreement authorizing the City Manager to execute a First Amended Chapter 380 Economic Development Agreement between the City of Hutto and Hutto Mezz Holdings, L.L.C.

8E. Consideration and possible action on a resolution approving the subdivision approval extension request for the Hutto Crossing Phase 4 Section 4 Final Plat, 3.219 acres, more or less, of land, public right-of-way, to become the west extension of Knowles Drive from Chris Kelley Boulevard.

Motion: Mayor Pro-tem Hines made a motion to Items 8A, 8B, 8D and 8E 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

8C. Consideration and possible action on a resolution approving the proposed Star Ranch Concept Plan (Revised), 112.125 acres, more or less, of land, located within Hutto's extraterritorial jurisdiction west of SH-130 and north of Gattis School Road.

Ashley Lumpkin, Executive Director of Business Development, reviewed the revised Star Ranch concept plan that changes Parcel 9 from office/retail to multi-family, designates parcels 15, 30 and 31, a four acre tract adjacent to the driving range has been changed to retail, and an addition of an office complex near Parcel 13.

Mike Shaunessy, City Attorney, remarked that under the new MOU the developer agreed that the City would have to approve any future changes.

Councilmember Jordan added that the City is walking a fine line by telling the developer what he can and can't do on his own land.

Councilmember Grimm stated that the biggest concern of the residents is the traffic and the park land.

Motion: Councilmember Grimm made a motion to approve the revised concept plan with the condition that the amenity center will be built as shown in the 2005 master plan at 3 acres. 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

REGULAR AGENDA ITEMS

ORDINANCES

9A. Consideration of and possible action on the second and final reading of an ordinance approving the Traffic Impact Fee (TIF) Ordinance.

Motion: Councilmember Killough made a motion to approve the Traffic Impact Fee. 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

9B. Consideration and possible action on the first reading of an ordinance approving the Planned Unit Development (PUD) zoning ordinance amendment for the Hutto Crossings PUD, 465.00 acres, more or less, of land, located at the southwest corner of Chris Kelley Boulevard and US 79 West.

City Manager Odis Jones advised the Council that the new agreement puts the City in a better position financially. It provides incentive for commercial development on the property, the $4M payment that was due May 2019 at a 10% interest rate was eliminated and the interest rate was reduced to 5%. Two tenants are lined up on the property. The City Manager recommended the Council approve this ordinance.

Motion: Councilmember Jordan made a motion to approve the Planned Unit Development (PUD) zoning ordinance amendment for the Hutto Crossings PUD, 465.00 acres, more or less, of land, located at the southwest corner of Chris Kelley Boulevard and US 79 West. 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

9C. Consideration of a public hearing and possible action on the first reading of an ordinance approving the zoning change for the property known as 212 FM 1660 South, 0.665 acres, more or less, of land, Lot 4 (N/PT), Block P of the City of Hutto, from OT-4R (Urban Residential) to SD-A (Special District) zoning district.

Ashley Lumpkin presented this request for zoning change from an urban residential zone to a special use district. The purpose of the re-zoning is to broaden the uses.

Public Hearing opened at 8:03 p.m.

<u>Dee Williams</u> (104 Cotton Cove) – Is in favor of the re-zoning. Wants something done to get rid of the bar.

<u>Ted Williams</u> (104 Cotton Cove) – The current bar is a nuisance due to the noise. The property is surrounded by residences and there is no sound barrier as was promised. Believes the site should not be an outside music venue. Wants the space to be zoned so there are no outside events.

<u>Cathy Struble</u> (529 Meadowside Drive) – Remarked that the noise has diminished can still be heard, and even though they have moved the music inside the patrons still play washers until midnight. Any future tenant with outside accommodations would not be desirable.

<u>Catherine Bailey</u> (102 Cotton Cove) – Wanted to know how the warrant when originally passed had no end date and no notice was given to the neighbors.

<u>Malcolm Scott</u> (206 Grisham Dr.) – States there is no privacy in your own yard when the club is open. He lives three blocks away and can still hear the music. Wants the Council to do something to alleviate the problem.

Mike Shaunessy addressed the Council and remarked that at the time this warrant was issued the Historic Preservation Commission was making zoning decisions. It is because of just such an incident that the Council took that authority away from the commission. Also at the time the warrant was issued certain representations were made by the business that have not been adhered to. The warrant is tied to the property and not the business.

Councilmember Jordan wanted to know if the warrant expires – there is no expiration.

Helen Ramirez advised the Council that once the warrant has been abandoned for a year it expires. In other words, if another bar occupied the space the warrant would still be in effect, but if a doctor's office moved in and occupied the space for a year then the warrant would expire.

Mike Shaunessy stated the owner has indicated he is selling the property and that is why he has asked for the zoning change.

Mayor Gaul stated that by changing the use the property is opened up to a bigger realm of business.

Councilmember Jordan stated he doesn't have a problem with a bar at this location – the location is the outside music.

Mayor Pro-tem Hines wanted to know if the property could be opened up to B2 zoning.

Councilmember Grimm stated to the residents that the Council was doing what was within their power.

The Public Hearing was closed at 8:16 p.m.

Motion: Councilmember Jordan made a motion to approve the zoning change of the property known as 212 FM 1660 South, 0.665 acres, more or less, of land, Lot 4 (N/PT), Block P of the City of Hutto, from OT-4R (Urban Residential) to SD-A (Special District) zoning district. 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 Killough made a motion to dispense with the second reading. 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

9D. Consideration of a public hearing and possible action on a Specific Use Permit request for 6081 FM 1660 North to allow a car wash in the B-2 (General Commercial) zoning district.

Ashby Grundman, Director of City Planning presented the request for a zoning change for 6081 FM 1660 North for specific use permit.

Mayor Gaul opened the Public Hearing at 8:30 p.m. and with there being no public comments the hearing was closed at 8:30 p.m.

Mayor Pro-tem Hines wanted to know what impact this would have on this parcel of land when that intersection of FM 1660 and Limmer Loop needs to be or will be "fixed" by TxDot.

Matt Rector advised Council that this project is just in the preliminary permit process. He has been in touch with TxDot about the progress of this road project but they appear to be dragging their feet.

Odis Jones remarked that TxDot needs to stop dragging its feet and he would like to be in on the next meeting with them.

Councilmember Rose stated that the project owner needs to be made aware of the problems with the intersection and how much right of way will be needed before building the carwash.

Motion: Mayor Pro-tem Hines made a motion to table this item until the issues with TxDot are resolved. 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

9E. Consideration and possible action on an ordinance for a cooperative program to serve the youth in the City of Hutto, Texas, and making available space within city facilities for the program.

The Mayor recused himself from this issue due to a personal business relationship with the Sandbox at Madeline's Place.

Helen Ramirez, Assistant City Manager, introduced this issue whereby the City will agree to provide the Saul House, free of charge, as an appropriate place for the Sandbox at Madeline's Place to provide programs for the City's teens for after-school programs, suicide awareness training, community service opportunities, etc.

Councilmember Jordan is in favor of this item. He stated this is a great program for our City's youth who would otherwise have nowhere else to go.

Mayor Pro-tem Hines wanted to know what impact this would have on the City's rental of the Sail House – none, rentals are very minimal.

Councilmember Killough – stated that a tragic incident created this program and it's a beautiful thing.

Councilmember Rose remarked that since Saul House sits empty, having this program there will benefit the City.

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

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

Action: The motion passed 6 ayes, and 0 nays

Motion: Councilmember Killough made a motion to dispense with the second reading. Councilmember Jordan Hines seconded the motion.

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

Action: The motion passed 6 ayes, and 0 nays

Mayor Gaul adjourned the meeting at 8:50 p.m. for a five minute break. The meeting was reconvened at 8:55 p.m.

WORK SESSION

11A. Work session with Burditt Consultants LLC regarding the Parks Master Plan.

Charles Burditt and Shane Howard of Burditt Consultants, LLC presented an overview of several concept plans for a sports complex to the east of Fritz Park that would include baseball fields, multi-use sports fields, water features, etc.

Mayor Pro-tem Hines stated that a Parks Master Plan needs to encompass all of the City's parks and requested the Parks Advisory Board have involvement in the planning.

Councilmember Jordan stated Burditt needs to use all the information provided this evening to plan Pollard Park, Hutto Lake Park and Fritz Park.

Councilmember Grimm likes all the amenities and splash pads and that it makes it possible for parents to watch their child(ren) participating in a game yet watch another child(ren) play in a common space.

Councilmember Rose stated he would like to see space for RVs to park.

The entire Council was in favor of bring the sports complex across the creek and encompassing Fritz Park.

Burditt was charged with expanding the concept of the plan to include all of the parks, not just the sports complex.

11B. Work session regarding the Texas Main Street Program Boundary.

Jessica Bullock reviewed the revised boundary of Old Town for the application. It now includes Old Town south of US 79.

RESOLUTIONS

10A. Consideration and possible action on the proposed City of Hutto Five Year FY 2019 – 2023 Capital Improvements Plan (CIP).

Matt Rector presented the CIP for approval.

Mayor Pro-tem Hines would like to see the Communications Center pushed out a year to give the City time to talk with all the other local agencies and see if we can get them to "buy" in.

Councilmember Jordan wanted to know what the $2M was for – only covers the hardware.

Chief Frankland stated he has reached out to Chief Kirkland at ESD #3 – he confirmed again that the $2M is just for acquisition of the hardware for the center, not anything else.

Motion: Councilmember Jordan made a motion to accept the proposed City of Hutto Five Year FY 2019 – 2023 Capital Improvements Plan (CIP). Councilmember Killough seconded the amendment.

Vote: Ayes Mayor Doug Gaul
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Patti Turner

Councilmember Terri Grimm
Nays Mayor Pro-tem Tom Hines
Councilmember Scott Rose

Action: The motion passed 5 ayes, and 2 nays.

10B. Resolution authorizing the City Manager to execute an engagement letter with the audit firm Eide Bailly, LLP for fiscal year 2018 audit.

Odis Jones requested the Council table this issue until the next meeting.

Motion: Councilmember Killough made a motion to table the issue until the next meeting. Councilmember Grimm 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

10C. Consideration and possible recommendation on the 2018 - 2028 Master Drainage Plan.

Dan Hejl provided an overview of the City's first consolidated drainage plan

Councilmember Grimm wanted to know if the $110,000 for CR 137 and Farley were a shared cost with Hutto ISD.

Odis Jones stated that the City has been asked by HISD to take on the cost of the project and since we have the manpower and equipment. He has agreed but HISD has to provide the materials, but it will not happen this year.

Mayor Pro-tem Hines wanted to know how this will be funded – through the public/private partnership –multi-phase, multi-year, some bonds, and staff.

Motion: Councilmember Killough made a motion to accept the Master Drainage Plan. 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

10D. Consideration and possible action on the 2018 - 2028 Mobility Master Plan.

Carl Springer of DKS provided and overview of the proposed mobility plan.

Motion: Mayor Pro-tem Hines made a motion to accept the Mobility Master Plan as presented. Councilmember Jordan 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

10E. Consideration and possible action on the 2018 - 2028 Wastewater Master Plan.

Jessica Romigh, Chair of the Planning and Zoning Commission addressed the Council and advised them that the P&Z Board recommended both the wastewater and mobility plans.

An overview of the proposed Wastewater Master Plan was presented.

Mayor Pro-tem Hines wanted assurance that the two plants we currently have will be able to sustain the total capacity of the final build-out – we just need to increase the capacity.

Motion: Councilmember Rose made a motion to accept the Wastewater Master Plan as presented. 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

Mike Shaunessy, City Attorney, recommended that Executive Session Item 13B not be discussed during closed session.

The Council adjourned to executive session at 11:07 p.m. and reconvened at 12:14 a.m.

EXECUTIVE SESSION

12A. Executive Session, as authorized by Texas Government Code Section 551.074, deliberations regarding contract negotiations pertaining to the City Manager

No action was taken in Executive Session.

ACTION RELATIVE TO EXECUTIVE SESSION:

13B. Consideration and possible action relating to City Council and Boards and Commissions

Motion: Mayor Gaul made a motion to appoint Jonathan Wagner to the Historic Preservation Commission with a term ending June 30, 2019. 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 Grimm made a motion to appoint Travis Allen to the Historic Preservation Commission with a term ending June 30, 2019. Councilmember Tim Jordan 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: Mayor Gaul made a motion to appoint Steven R. Harris to the Economic Development Corporation with a term ending June 30, 2019. Councilmember Grimm 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

13A. Consideration and possible action relating to contract negotiations regarding the City Manager.

Motion: Councilmember Killough made a motion to accept the new City Manager contract as negotiated. Councilmember Jordan 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 12:19 a.m.

CITY OF HUTTO

Doug Gaul

Doug Gaul, Mayor

APPROVED:

Lisa L. Brown, City Secretary