



**CITY COUNCIL
MEETING MINUTES
APRIL 19, 2018**

The Hutto City Council met in a regular session on Thursday, April 19, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 77634.

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 Terri Grimm, and Councilmember Lucio Valdez. Councilmember Tim Jordan was absent.

Members of staff that were present were Odis Jones, City Manager; Mike Shaunessy, City Attorney; Helen Ramirez, Assistant City Manager; Byron Frankland, Chief of Police; Paul Hall, Asst. Police Chief; Lisa Riggs, Library Manager; Jessica Bullock, Director of Economic Development; Anthony Emadi, Chief Financial Officer; Eliska Padilla, Executive Director of Communication; Dave Mason, Purchasing; Sam Pearson, Director of Public Works; Scot Stromsness, Executive Director of Public Works; Ashley Lumpkin, Executive Direct of Business Development and Planning; and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

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

CITY COUNCIL COMMENTS

There were no comments from the council.

PUBLIC COMMENTS

Bob Clark – 109 W. Live Oak - Requested the Council reconsider the development of Old Town, particularly the proposed development of a triplex on Pecan Street. Suggested considering two cottage style homes or a business office with access on Front Street.

Charlene Martindale – 105 W. Live Oak - Against the Triplex on Pecan Street. She says the easement is used for drainage off her property and should not be used as an alley. There are no storm drains just ditches that the property owners are required to maintain.

Rose Sullivan – 109 W. Live Oak -Thanked the Council for their service to the City. She thinks there can be compromise in development in Old Town. There needs to be more dialogue.

Donna Fowler – 108 W. Live Oak - Pointed out that the map of Historic Old Town on the City's website shows 35 easements. Allowing rear-entry would set a precedent for future development. She is concerned about the City turning these easements into streets or alleys. She is disappointed there was no notification to the residents like there was in the old days.

Mike Fowler – 108 W. Live Oak - 40 year resident of Hutto. He is pro-growth, but he believes the lot at 106 Pecan can be used in better ways than a triplex. Says there is considerable history connected with the alleys and is development of the alleys good for Hutto.

Ross Yharte – 512 W. Metcalfe - Concerned about why the construction has started on the Co-Op development when the preliminary and final plats have not been approved. Stated that allowing construction to continue until 8:00 p.m. at night is unreasonable when families have young children that are doing homework or going to bed. States the contractors are starting before 7:00 a.m. in violation of the noise ordinance. Complains that the City does not advise residents of projects.

The Mayor addressed Mr. Yharte and the stated that there was a scheduled meeting for the neighborhood behind the Co-Op and two city employees were present to provide an update to the residents about construction but no one from the neighborhood showed up.

Martin Baker – 303 N. FM 1660 - Resident of 27 years who lives off 1660. He made a trade of property with the HISD and owns 4 feet of the property in the alleyway. He wants a reasonable accommodation. Stated the antiquated sewer system in Old Town needs updating before any other projects are begun.

Mark Taylor – 1309 Creek Bend Cove - Stated the flooding in Creek Bend needs to be addressed. He has a neighbor that has a non-conforming lot. The pump station sits behind a chain link fence.

Mr. Jones addressed Mr. Taylor and stated that the City has been working with the developer about improving the drainage situation in the neighborhood.

CONSENT AGENDA ITEMS

- 7A. Consideration and possible action on the meeting minutes for March 10, 2017 Council Work Session, March 29, 2017 Special Called Meeting, and the April 5, 2017 Regular City Council Meeting.
- 7B. Consideration and possible action on a resolution approving the proposed WCESD3 Swindoll Station Subdivision Final Plat, 3.355 acres, more or less, of land, one commercial lot, located at FM 1660 South and Swindoll Lane.

- 7C. Consideration and possible action on a resolution approving the proposed Singh Subdivision Preliminary Plat, 6.06 acres, more or less, of land, one commercial lot, located within Hutto's extraterritorial jurisdiction (ETJ) on Mager Lane at CR 136.
- 7D. Consideration and possible action on a resolution approving the proposed Star Ranch Commercial Block C Lot 7 Final Plat, 2.67 acres, more or less, of land, one commercial lot, located within Hutto's extraterritorial jurisdiction at the southwest intersection of Star Ranch Boulevard and SH-130.
- 7E. Consideration and possible action on a resolution approving the proposed Star Ranch Commercial Block C Lots 2-7 Preliminary Plat, 12.26 acres, more or less, of land, seven commercial lots, located within Hutto's extraterritorial jurisdiction on Star Ranch Boulevard at Klattenhoff Lane.
- 7F. Consideration and possible action on a resolution approving the proposed Star Ranch Commercial Lot 1 Block A Final Plat, 1.755 acres, more or less, of land, one non-residential lot, located within Hutto's extraterritorial jurisdiction near the northwest intersection of Gattis School Road and Muirfield Bend Drive, more generally located west of SH-130.
- 7G. Consideration and possible action on a resolution approving the proposed Star Ranch Section 7 Phase 6 Final Plat, 23.277 acres, more or less, of land, 91 single family lots, located within Hutto's extraterritorial jurisdiction on Winterfield Drive at Elm Park Street.
- 7H. Consideration and possible action on a resolution approving the proposed Co-Op District Preliminary Plat, 27.9926 acres, more or less, of land, seven non-residential lots, located on US 79 West. (Ashley Lumpkin)
- 7I. Consideration and possible action on a resolution approving the proposed Co-Op District Final Plat, 27.9926 acres, more or less, of land, seven non-residential lots, located on US 79 West.
- 7J. Consideration and possible action on a resolution authorizing the City Manager to purchase a F350 CrewCab truck with Knapheide Service Body from Silsbee Ford.

Motion: Councilmember Grimm made a motion to remove Items 7H and 7I from the consent agenda. Councilmember Hines seconded the motion.

Vote:

Aye	Mayor Doug Gaul
	Mayor Pro-tem Tom Hines
	Councilmember Scott Rose
	Council Member Nate Killough
	Councilmember Lucio Valdez
	Councilmember Terri Grimm
Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays.

Motion: Councilmember Hines made a motion to approve Items 7A through 7G and 7J. Councilmember Killough seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm
 Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays.

Following voting on the consent agenda items, Steven Harris of the Planning and Zoning Commission address the Council and advised them that the Commission had reviewed and approved the preliminary and final plats for the Co-Op District.

Motion: Councilmember Hines made a motion to approve Items 7H. Councilmember Grimm seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm
 Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays.

Motion: Councilmember Hines made a motion to approve Items 7I. Councilmember Rose seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm
 Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays.

REGULAR AGENDA ITEMS

ORDINANCES

8A. Consideration of a public hearing and possible action on the **first reading** of an ordinance approving the zoning change for the property known as the Cross Creek PUD, 167.39 acres, more or less, of land, located on CR 199, from SF-1 (single family residential) to Planned Unit Development (PUD) zoning district.

Ashley Lumpkin presented this project for re-zoning. The land is currently agricultural land that the owner has requested rezoning for single-family planned residential. Proposed lot sizes of 40, 50 and 60 foot lots.

Mr. Rose requested that the developer look at including turn lanes for the egress from the the development.

Mr. Killough stated that the City needs to deal with the flooding issues in that area.

Mr. Jones remarked that he has had discussions with the developers, Meritage Homes and Lennar Homes, who are interested in a PID to deal with this issue.

Mr. Hines asked if there would be one-sided street parking in this subdivision - yes.

Ms. Grimm stated the flooding issues needed to be address.

Mr. Jones assured the Council the City is working with FEMA and the Corps of Engineers on the problem.

Mayor Gaul opened the public hearing at 7:43 p.m. There were no comments from the public, therefore the hearing was closed at 7:43 p.m.

Motion: Councilmember Killough made a motion to approve the first reading of the ordinance approving the zoning change for the property known as the Cross Creek PUD, 167.39 acres, more or less, of land, located on CR 199, from SF-1 (single family residential) to Planned Unit Development (PUD) zoning district. Councilmember Valdez seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm

Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

- 8B. Consideration and possible action on the first reading of an ordinance amending the Code of Ordinances (2014 Edition), chapter 2, Article 2.02.092 Library Advisory Board, Composition; terms of members.

Lisa Brown, City Secretary, presented an amendment to the ordinance requesting a change in the number of board members from five to seven. The request was made to bring the board into parity with the other boards and to help enable a quorum.

Motion: Councilmember Valdez made a motion to approve the ordinance amending the Code of Ordinances (2014 Edition), Chapter 2, Article 2.02.092 Library Advisory Board, Composition: terms of members to change the number of members from 5 to 7. Councilmember Hines seconded the motion.

Vote: Aye Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Lucio Valdez
Councilmember Terri Grimm
Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

Motion: Councilmember Rose moved to dispense with the second reading of the ordinance. Councilmember Killough seconded the motion.

Vote: Aye Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Lucio Valdez
Councilmember Terri Grimm
Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

- 8C. Consideration and possible action on **the second and final reading** of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 2, Article 2.02, Section

2.02.122; Chapter 8, Article 8.04, Sections 8.04.105 and 8.04.108; and Chapter 16, Article 16.01, Sections 16.01.001 and 16.03.001.

Ashley Lumpkin presented the ordinance for a second reading to amend the Code of Ordinance in order to clean-up errors in the code.

Motion: Councilmember Killough made a motion to approve the second and final reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 2, Article 2.02, Section 2.02.122; Chapter 8, Article 8.04, Sections 8.04.105 and 8.04.108; and Chapter 16, Article 16.01, Sections 16.01.001 and 16.03.001. Councilmember Valdez seconded the motion.

Vote:

Aye	Mayor Doug Gaul
	Mayor Pro-tem Tom Hines
	Councilmember Scott Rose
	Council Member Nate Killough
	Councilmember Lucio Valdez
	Councilmember Terri Grimm
Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

RESOLUTIONS:

9A. Consideration and possible action on a resolution authorizing the City Manager to prepare a Municipal Service Plan for the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137.

Ms. Lumpkin presented this resolution authorizing the City Manager to prepare a Municipal Service Plan.

Motion: Councilmember Killough made a motion to approve the resolution authorizing the City Manager to prepare a Municipal Service Plan for the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137. Councilmember Valdez seconded the motion.

Vote:

Aye	Mayor Doug Gaul
	Mayor Pro-tem Tom Hines
	Councilmember Scott Rose
	Council Member Nate Killough
	Councilmember Lucio Valdez
	Councilmember Terri Grimm
Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

9B. Consideration and possible action concerning Hutto Public Library policy and procedures.

Eliska Padilla presented proposed changes to the Public Library policy and procedure manual. The changes would modify the library's hours of operation around City holidays; issue temporary library cards to visitors and disaster victims; amend the donation policy and public use of internet; and the code of conduct policy.

City Manager, Odis Jones, stated that the building is used as part of the emergency management plan and this policy would not effect the usage for such purposes.

Mr. Valdez wanted to know when an individual is banned from the library would it be for a specific period of time or permanent. And if permanent would it be appealable.

Mike Shaunessy, City Attorney, stated that reasonable limits can be placed on the ban and nothing prevents the individual from appealing the ban.

A discussion was had regarding an incident where a library employee was being continually sexually harassed by a patron and the police were called.

Ms. Grimm wanted to know if we insure the art work that is on display. Ms. Padilla stated the Board is currently developing a policy for that. Currently, only the artist insure their work

Motion: Councilmember Killough made a motion to accept the Hutto Public Library policy and procedures. Councilmember Grimm seconded the motion.

<u>Vote:</u>	Aye	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Council Member Nate Killough Councilmember Lucio Valdez Councilmember Terri Grimm
	Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, 0 nays.

9C. Resolution for continued participation in the Oncor Steering Committee and for payment of the annual membership.

Anthony Emadi, Chief Financial Officer, presented a resolution that authorizes the City's continued participation in the Oncor Steering committee and payment of dues.

Odis Jones requested that Mr. Emadi look at all of the franchise arrangements so the City can increase its access to all providers.

Mike Shaunessy stated that it would be prudent to review all provider agreements.

Motion: Councilmember Valdez made a motion to approve a resolution for continued participation in the Oncor Steering Committee and for payment of the annual membership. Councilmember Killough seconded the motion.

Councilmember Hines abstained from the vote because his wife is employed by Oncor.

<u>Vote:</u>	Aye	Mayor Doug Gaul
		Councilmember Scott Rose
		Council Member Nate Killough
		Councilmember Lucio Valdez
		Councilmember Terri Grimm
	Absent	Councilmember Tim Jordan
	Abstained	Mayor Pro-tem Tom Hines

Action: The motion passed 6 ayes, 0 nays.

Action: The motion passed 5 ayes, 0 nays, and 1 abstention.

9D. Consideration and possible action ratifying the mailing notice for the creation of the Public Improvement District for the Co-Op District.

Mike Shaunessy, City Attorney requested the council defer consideration of this item until after the Executive Session.

Motion: Councilmember Hines made a motion to defer this item until after the Executive Session. Councilmember Grimm seconded the motion.

<u>Vote:</u>	Aye	Mayor Doug Gaul
		Mayor Pro-tem Tom Hines
		Councilmember Scott Rose
		Council Member Nate Killough
		Councilmember Lucio Valdez
		Councilmember Terri Grimm
	Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, 0 nays.

CITY MANAGER COMMENTS

10A. Presentation of March and second quarter financial statements and investment report.

Anthony Emadi reviewed the financials for March that show an increase in revenues. He stated there is a healthy balance in the fund.

Ms. Grimm commented there is a big difference in revenue from last year and it shows fiduciary responsibility.

10B. Community Development Block Grant (CDBG) application submittal.

Jessica Bullock presented a funding opportunity the City is eligible to apply for. Eleven cities in Williamson County are eligible to apply for the grant. The City is applying for \$300, 000 that would be applied toward the Creekside Park and Hutto Parke sidewalk projects.

Mr. Valdez commented that he did not understand how we could apply for this grant money for sidewalk projects when the fund he is familiar with deals with lower income issues.

Chief Byron Frankland stated the CDBG funds Mr. Valdez referenced were from a different fund that comes in June and deals with low income crime and demolition of derelict structures that are a health hazard.

Mayor Gaul recessed the meeting at 8:34 p.m. at the council retreated to Executive Session.

EXECUTIVE SESSION

11A. Executive Session, as authorized by Texas Government Code, Section 551.071, regarding consulting with an Attorney, and Section 551.087, economic development negotiations related to the Co-Op, Carmel Creek and Project Butterfly.

Council returned from Executive Session and the meeting reconvened at 9:15 p.m.

No action was taken in Executive Session.

At this time Council considered 9D.

9D. Consideration and possible action ratifying the mailing notice for the creation of the Public Improvement District for the Co-Op District.

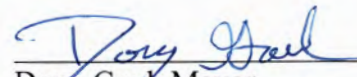
Motion: Councilmember Hines made a motion to ratify the mailing of the notice for creation of the Public Improvement District for the Co-Op District.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm
 Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, 0 nays.

ADJOURNMENT

CITY OF HUTTO



Doug Gaul, Mayor

APPROVED:



Lisa L. Brown, City Secretary