



**CITY COUNCIL
CORRECTED MEETING MINUTES
APRIL 5, 2018, 2018**

The Hutto City Council met in a regular session on Thursday, April 5, 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 that were present were Mayor Doug Gaul, Mayor Pro-tern Tom Hines, Councilmember Scott Rose, Councilmember Tim Jordan, Councilmember Terri Grimm, Councilmember Nathan Killough, and Councilmember Lucio Valdez.

Members of staff that were present were Odis Jones, City Manager; Helen Ramirez, Assistant City Manager; City Attorney, Bill Bingham; Anthony Emadi, Chief Financial Officer; Byron Frankland, Chief of Police; Ashley Lumpkin, Executive Director Development Services, Carolyn Horner, Planning Director, Anthony Host, Director of Construction; Eliska Padilla, Executive Director of Communication; Larry Foos, Director of Parks and Recreation; David Mason, Purchasing; David Magana, Executive Director of Engineering; Ryan Morgan, Manager of General Services; Jessica Bullock, Director of Economic Development; Sharon Parker; Assistant Events Manager; Kristi Robich, Downtown & Tourism Events Manager, and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

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

PROCLAMATION

Mayor Gaul presented a proclamation to Jessica Romigh of Keep Hutto Beautiful, declaring April 7, 2018 Great Hutto Cleanup Day. Ms. Romigh stated that this year there were more than 600 volunteers participating, an increase over last year's 229 volunteers.

Official Proclamation

Whereas, for thirteen years the Hutto Community has participated in the annual Don't Mess With Texas Trash Off, the signature litter prevention and cleanup event in Texas made possible through the hard work of volunteers; and;

Whereas, Keep Hutto Beautiful organizes the Great Hutto Cleanup, a communitywide day of service that brings citizens of Hutto and the surrounding area together to volunteer, dispose of unwanted recyclable materials, and be part of the Statewide Don't Mess With Texas Trash Off and the National Great American Cleanup; and;

Whereas, A clean community has a positive effect on safety, quality of life, economic development, and a more sustained environment; programs such as Great Hutto Cleanup encourage cleaner communities and support the missions of Keep Texas Beautiful, Don't Mess With Texas, Keep America Beautiful and other organizations with a history of addressing litter by advocating individual responsibility, community partnerships and volunteerism, and;

Whereas, all residents are invited to support litter prevention and recycling initiatives in Hutto, Texas through volunteering for the Great Hutto Cleanup or taking advantage of the free Junk Round Up services happening that day;

Now, Therefore, I, DOUG GAUL, MAYOR, of the City of Hutto, do hereby proclaim the April 7, 2018 as "**GREAT HUTTO CLEANUP DAY**" in Hutto, and encourage all citizens and organizations to partner with Keep Hutto Beautiful to be involved in the Great Hutto Cleanup and help keep the Hutto Community a clean and beautiful place to live, work and play.

Proclaimed this the 5th day of April 2018.

Mayor Gaul presented a proclamation to Monica Benoit-Beatty, Executive Director of the Williamson County Children's Advocacy Center declaring April Child Abuse Awareness Month in Hutto, Texas.

Official Proclamation

Whereas, our children are our most valuable resources and will shape the future of Texas; and;

Whereas, the US Census Department reported an estimated 2016 population of 139,582 children in Williamson County, Texas, and the Texas Department of Family & Protective Services reported 3,119 completed child abuse investigations in the county and 695 confirmed cases of child abuse or neglect; and the Williamson County Children's Advocacy Center forensically interviewed 638 children in the same time period; and;

Whereas, prevention remains the best defense for our children and families; and;

Whereas, all adults, 18 and over are considered mandated reporters in the State of Texas and are charged with officially reporting any and all suspected cases of abuse to the 1-800-252-5400 Abuse Hotline so that local professionals can properly investigate and intervene in a timely manner to keep children safe from abuse in Williamson County;

Now, Therefore, I, DOUG GAUL, MAYOR, of the City of Hutto, do hereby proclaim the Month of April 2018, as

“CHILD ABUSE AWARENESS AND PREVENTION MONTH”

and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families by that recognition; and, hereby recognize the Williamson County Children’s Advocacy Center for its outstanding service to protect the unprotected, seek justice against child maltreatment and encourage all citizens to be vigilant in recognizing and reporting child abuse in Hutto, Texas.

Proclaimed this the 5th day of April 2018.

CITY COUNCIL COMMENTS

There were no comments from Council.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

- 8A. Consideration and possible action on a resolution approving the proposed Co-Op District Preliminary Plat, 28.9926 acres, more or less, of land, eight non-residential lots, located on US 79 West.
- 8B. Consideration and possible action on a resolution approving the proposed Co-Op District Final Plat, 25.63 acres, more or less, of land, eight non-residential lots, located on US 79 West.

Motion: Mayor Pro-tem Hines made a motion to pull Items 8A and 8B.
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 Lucio Valdez
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

- 8C. Consideration and possible action on the meeting minutes for January 8, 2018, City Council Special Called Meeting, the March 15, 2018 Regular City Council Meeting, and corrected minutes for January 18, 2018.
- 8D. Consideration and possible action to authorize the City Manager to negotiate and execute a management agreement with KOKE FM for the purposes of performing six (6) additional annual concerts.

Motion: Mayor Pro-tem Hines made a motion to accept Items 8C and 8D. 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 Lucio Valdez
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

REGULAR AGENDA ITEMS

ORDINANCES

- 9A. Consideration and possible action on ordinance approving a tariff authorizing an annual rate review mechanism as a substitution for the annual interim rate adjustment process defined by section 104.301 of the Texas Utilities Code, and as negotiated between ATMOS Energy Corp., Mid-Tex Division (Atmos Mid-Tex or 'Company') and the Steering Committee of Cities served by Atmos; requiring the Company to reimburse Cities' reasonable ratemaking expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the open meetings act; declaring an effective date; and requiring delivery of this ordinance to the Company and Legal Counsel for the Steering Committee.

Anthony Emadi, Chief Financial Officer, presented an ordinance approving a tariff authorizing the annual rate review mechanism as a substitution for the annual interim rate adjustment process between ATMOS Energy Corp., Mid-Tex Division and the Steering Committee of Cities served by Atmos.

City Manager Odis Jones would like Mr. Emadi to work with the City Attorney on future ordinances of this type to negotiate a better deal on rates for the citizens of Hutto.

Motion: Councilmember Hines made a motion to approve the ordinance approving a tariff authorizing the annual rate review mechanism as a substitution for the annual interim rate adjustment process between ATMOS Energy Corp., Mid-Tex Division and the Steering Committee of Cities served by Atmos. 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 Lucio Valdez Councilmember Terri Grimm
Nays	None

Action: The motion passed 7 ayes, and 0 nays

- 9B. Consideration of a public hearing and possible action on the first reading of an ordinance approving the Planned Unit Development (PUD) zoning ordinance amendment for the Hutto Crossing PUD, 465,000 acres, more or less, of land, located at the southwest corner of Chris Kelley Boulevard and US 79 West.

Carolyn Horner presented the ordinance approving the Planned Unit Development zoning ordinance amendment for Hutto Crossings.

City Manager Odis Jones stated he did not recommend the Council approve the PUD at this time. He has been in negotiations with the developer and if were to go through now the City would have to pay the developer of \$11 million over the next 10 years that the City does not have. It was suggested that there be a two year extension.

Councilmember Hines asked what the plans were for the area - commercial business.

A public hearing was opened at 7:25 p.m. There being no comments the hearing was closed at 7:25 p.m.

Motion: Councilmember Killough made a motion to table the ordinance at this time. Councilmember Grimm seconded the motion.

Vote:

Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines
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Councilmember Scott Rose
Councilmember Terri Grimm
Councilmember Tim Jordan
Councilmember Nathan Killough
Councilmember Lucio Valdez
Nays None

Action: The motion carried with 7 ayes and 0 nays.

- 9C. Consideration of a public hearing and possible action on the first 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

Carolyn Horner presented an ordinance amending the Code of Ordinances to cleanup terminology used in other chapters of the Unified Development Code.

Councilmember Rose asked if we were getting rid of the Smartcode and was assured it was already done.

Motion: Councilmember Jordan made a motion to accept the ordinance as written. 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 Lucio Valdez Councilmember Terri Grimm
Nays	None

Action: The motion passed 7 ayes, and 0 nays

- 9D. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the Neal Tracts, 167.375 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on the south side of CR 199.

Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps, the first reading of the ordinance for the annexation of the Neal Tracts out of the William Gatlin Survey.

Vote:

Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines
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Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm
Nays None

Action: The motion passed 7 ayes, and 0 nays

- 9E. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the Overton-Wolter Tracts, 181.33 acres, more or less, of land, out of the John Dykes Survey, Abstract No. 186, located on the east side of CR 119 adjacent to the northeast boundary of the Hutto-parke Subdivision.

Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps of the first reading of an ordinance for the annexation of the Overton-Wolter Tracts out of the John Dykes Survey.

Motion: Councilmember Valdez made a motion to approve the first reading of the ordinance. Councilmember Jordan seconded the motion.

Motion: Councilmember Rose 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
 Council Member Nate Killough
 Councilmember Tim Jordan
 Councilmember Lucio Valdez
 Councilmember Terri Grimm
 Nays None

Action: The motion passed 7 ayes, and 0 nays

- 9F. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the Packsaddle Tracts, 169.99 acres, more or less, of land located on the east side of FM 1660 North and adjacent to the northern boundary of the Rivers Crossing Subdivision.

Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps of the first reading of the ordinance for the annexation of the Packsaddle Tracts in the Rivers Crossing Subdivision.

Motion: Councilmember Valdez made a motion to approve the first reading of the ordinance. Councilmember 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 Lucio Valdez
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

9G. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the Wallin Family Hutto Investments Tract, 136.0 acres , more or less, of land, out of the John Dykes Survey, Abstract No. 186 , located on the west side of FM 1660 North, along the northern boundary of the Hutto Parke Subdivision.

Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps, the first reading of the ordinance for the annexation of the Wallin Family Hutto Investments Trust Tract out of the John Dykes Survey.

Motion: Councilmember Valdez made a motion to approve the first 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 Lucio Valdez
Councilmember Terri Grimm

Action: The motion passed 7 ayes, and 0 nays

Bill Bingham, City Attorney, recommended Item 9H be moved to after the Executive Session.

RESOLUTIONS

10A. Consideration and possible action on a resolution authorizing the City Manager to enter into a contract with FTWOODS Construction for the construction of an Amphitheater.

David Mason presented the bid information for the amphitheater. The Competitive Sealed bid accepted was for \$2,876,000.00. Because the bidder was unable to provide the shade shelter the job was awarded to the back-up bidder. They are in the process of negotiating the price for the removable shade shelter which will cost between \$300,000-\$400,000. The additional cost also includes the wider asphalt roads that were requested by the fire department.

Councilmember Grimm is uncomfortable voting on the project when the price is not fully negotiated.

Tony Host, Director of Construction stated the total needed for the project was \$3.4 million.

Councilmember Valdez asked how the project was being paid for and Councilmember Hines asked if the money was available. The City Manager stated the funds were provided for as part of the bond package approved in the November 2017 election.

Motion: Councilmember Jordan made a motion to approve a budget not to exceed \$3.4 million for the amphitheater. Councilmember 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 Lucio Valdez
 Councilmember Terri Grimm

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

CITY MANAGER COMMENTS

11A. Certificate of Appreciation for Parks and Recreation's Easter Egg Hunt, improving the quality of life for Hutto citizens.

City Manager Odis Jones presented a certificate to Parks and Recreation Department in appreciation of the superior job on the Hutto Egg Hunt where 20,000 eggs were picked up in approximately five minutes.

11B. Presentation made in accordance with City Charter regarding Budget Line Item Transfers within the same fund.

Anthony Emadi, CFO, presented the monthly Budget Line Items

- 11C. Presentation of the February Financial Statements including a property tax and sales tax yearly comparison, and presentation of the investment balances as of February 28, 2018.

Anthony Emadi presented the February Financial Statements.

The Council recessed at 7:55 p.m. and reconvened at 9:49pm.

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.

Following the Executive Session there was a second motion regarding the 9B ordinance.

Motion: Councilmember Hines made a motion to reconsider the previous motion and allow a second reading of the ordinance. . Councilmember Rose seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Councilmember Tim Jordan Councilmember Lucio Valdez Councilmember Terri Grimm
	Absent	Council Member Nate Killough
	Nays	None

Action: The motion passed 6 ayes, and 0 nays, 1 absent

- 9H. Consideration and possible action on the creation of a Public Improvement District and the approval of a Public Improvement District ordinance for the Co-Op Development Project.

Motion: Councilmember Hines made a motion to instruct the City Manager to post notice for a public hearing on a possible action on a public improvement district for the Co-Op District project to be held on May 3, 2018. Councilmember Grimm seconded the motion.

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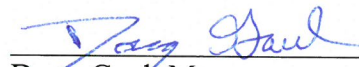
Councilmember Scott Rose
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm
Absent Council Member Nate Killough

Action: The motion passed 6 ayes, 0 nays, and 1 absent.

ADJOURNMENT

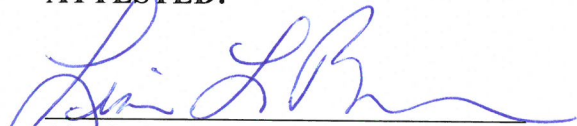
There being no further business to be heard, the meeting was adjourned at 9:51 p.m.

CITY OF HUTTO



Doug Gaul, Mayor

ATTESTED:



Lisa L. Brown, City Secretary