



City of Hutto

MINUTES

City Council Meeting
Thursday, October 19, 2023 at 7:00 PM
City Council Chambers
500 W. Live Oak Street

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at www.huttotx.gov

1. CALL SESSION TO ORDER: 7:00 PM

2. ROLL CALL

Members of City Council present: Mayor Mike Snyder, Mayor Pro Tem Peter Gordon, Councilmember Brian Thompson, Councilmember Dan Thornton, Councilmember Amberley Kolar, Councilmember Dana Wilcott, Councilmember Randal Clark

Absent: None

Members of staff that were present were James Earp, City Manager; Matt Wojnowski, Assistant City Manager; Dottie Palumbo, Legal Counsel; Ashley Bailey, Executive Director of Development Services; Angela Lewis, City Secretary; Kate Moriarty, Management Analyst; Matt Rector, City Engineer; Amanda Taylor, Assistant City Secretary

3. INVOCATION –Pastor Arthur Spence from Little Ebenezer Baptist Church

4. PLEDGE OF ALLEGIANCE

At this time, City Council added a proclamation recognizing Breast Cancer Awareness Month, Pink Strong Month, October 2023– read by Councilmember Randal Clark

5. CITY MANAGER COMMENTS

- Hutto POV – Stormwater Knowledge Survey
- New Crime Tips App – to submit anonymous tips to HPD
- LinkedIn Learning available at the Library
- Santa Claus Crawl tickets going on sale – Occurs on December 2nd
- Job Fair at Brushy Creek Amphitheatre – October 21 & 22
- Williamson County Fair and Rodeo – October 25-28
- Hutto Cleanup – October 28
- Frights at Fritz – October 28
- Boo Bash – October 31 in the Library
- Hutto Citizens University Recognition

6. PUBLIC COMMENTS

- Robin Sutton
- Greg Culver – requested to speak last

- Andrea Franklin – Yielded her time to Terrance Owens
- Terrance Owens
- Bethany Hoffman –Yielded her time to Terrance Owens
- Angela Owens – Yielded her time to Onnesha
- Onnesha Williams
- Greg Culver
- Anita Garner - written Public Comment

Councilmember Wilcott requested moving Item 14.1 up in the agenda, and there were no objections.

14. CITY COUNCIL COMMENTS

14.1. General Comments from City Council

Councilmember Wilcott, Councilmember Thornton, Mayor Pro Tem Gordon, and Councilmember Kolar provided comments.

7. PRESENTATIONS

7.1 Fiber Installation Presentation – *Presented by Rick Coronado*

At this time, Mayor Snyder read additional names into record of online public commenters: Angie Robinson, Trisha Burky, Terrie and Michael Thibodeaux, Lori Schultz, and Pam Lawrence.

8. BOARDS AND COMMISSIONS ACTION

- 8.1** Consideration and possible action regarding possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, Economic Development Corporations, Local Government Corporations and Tax Increment Reinvestment Zone Boards, City Council Liaisons, and Area Government appointments.

No action was taken.

- 8.2** Consideration and possible action on review of Boards and Commissions Ordinance (Councilmember Dan Thornton)

A motion was made by Councilmember Thornton and seconded by Councilmember Thompson requesting legal to bring back an ordinance change to the membership requirements for the Diversity and Inclusion Commission (D&I), expanding the boundaries from the City limits to the Hutto Independent School District boundaries; to change the definition of a quorum for both the D&I Commission

and Library Advisory Board (LAB) to three members present; and to change the vote requirement to read, "a majority of members present, but no less than three affirmative votes" for both D&I and LAB.

A motion was by Councilmember Clark and seconded by Councilmember Kolar to split the vote into two items.

The first motion to expand the D&I boundaries to Hutto Independent School District passed, 7,0.

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Clark to amend the second motion to change the membership requirements for both D&I and LAB to be five member boards with two alternates. Mayor Pro Tem Gordon rescinded.

The second motion to change the quorum requirement to three, and vote requirements to a majority of those present but no less than three passed 7,0.

9. RESOLUTIONS

- 9.1 Consideration and possible action on Resolution No. R-2023-267 approving an Interlocal Cooperation Agreement with Williamson County for Participation and Access to Williamson County's Dispatch Services and Public Safety Software Systems and Related Support Services (Chief Jeffrey Yarbrough)

Presented by Lt. Nathan Spraggins.

A motion was made by Councilmember Clark and seconded by Mayor Pro Tem Gordon to approve Resolution No. R-2023-267. The vote passed 7,0.

10. OTHER BUSINESS

- 10.1 Consideration and possible action relating to the Ed Schmidt Improvements report recommendations (CIP T10) (Matt Rector)

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Clark directing staff to prioritize intersection improvements at Limmer Loop and Ed Schmidt, sidewalks along Ed Schmidt between 79 and Hutto Discovery United Methodist Church, and performing a speed study. The vote passed 7,0.

- 10.2 Discussion and possible action regarding Diversity, Equity, and Inclusion (DE&I) training options (Irene Talioaga)

Public Speaker: Terrance Owens

A motion was made by Councilmember Clark and seconded by Councilmember Wilcott directing staff to come back with a proposal to Stan Kimer along with two other options for in-person training. The vote passed 7,0.

11. CONSENT AGENDA ITEMS

- 11.1 Consideration and possible action on Resolution No. R-2023-271 authorizing the City Manager to purchase Bergkamp HT-06-20 Asphalt Patch Truck for an amount of \$280,201.25 from Houston Freightliner through HGACBuy HT06-20 Agreement (Rick Coronado)
- 11.2 Consideration and possible action on Resolution No. R-2023-270 approving a purchase of communication equipment upgrades to City Hall and Police Department Facilities from Motorola Solutions Inc. through Texas Department of Information Resources (DIR) agreement for an amount of \$174,509 (Rick Coronado)
- 11.3 Consideration and possible action on Resolution No. R-2023-269 approving the amendment to Individual Project Order (IPO) 2022-04 with Freese and Nichols, Inc. for Construction Phase services to include the design for the Jonah SUD Wholesale Interconnect and 16-inch diameter water transmission line Project (Capital Improvement Project W4-2023) in the amount of \$129,686.00 (Matt Rector)
- 11.4 Consideration and possible action relating to Resolution No. R-2023-268 approving the Service Area Agreement between the City of Hutto and the Jonah Water Special Utility District to release Water CCN area to Jonah Special Utility District (Matt Rector)
- 11.5 Consideration and possible action on Resolution No. R-2023-274 amending the completion date of the Water Modeling updates to the Individual Project Order No. 2023-13 to the Master Agreement dated July 15, 2021 between the City of Hutto and Freese and Nichols, Inc. to February 29, 2024 (Matt Rector)
- 11.6 Consideration and possible action on Resolution No. R-2023-275 amending the completion date for the Water Services Extension Individual Project Order No. 2023-10 to the Master Agreement between the City of Hutto and Freese and Nichols to February 29, 2024 (Matt Rector)
- 11.7 Consideration and possible action on Resolution No. R-2023-276 amending the completion date of the Wastewater Modeling Individual Project Order with Garver, LLC. by extending the completion date to February 29, 2029 (Matt Rector)

- 11.8 Consideration and possible action on Resolution No. R-2023-277 amending the On Call Wastewater Services Extension Request Individual Project Order with Garver, LLC by extending the completion date to February 29, 2029 (Matt Rector)
- 11.9 Consideration and possible action on Resolution No. R-2023-273 approving the Investment Report for the period ended 09/30/2023 (Christina Bishop)
- 11.10 Discussion and acceptance of Fiscal Policy Annual Compliance Checklist and Plan for Future (Christina Bishop)
- 11.11 Consideration and possible action accepting the September 2023 Financial Statements (Christina Bishop)
- 11.12 Consideration and possible action on Resolution No. R-2023-272 approving the Annual Investment Policy for the City of Hutto (Christina Bishop)
- 11.13 Consideration and possible action on approving the October 12, 2023 City Council Work Session and Meeting minutes (Angela Lewis)
- 11.14 Consideration and possible action on Ordinance No. O-2023-071 regarding a Co-Op Planned Unit Development Amendment, 35.102 acres, more or less, located on US 79 West at CoOp Blvd (Second Reading) (Ashley Bailey)
- 11.15 Consideration and possible action on Ordinance No. O-2023-033 for the proposed Specific Use Permit request for the property known as 901 Ed Schmidt Boulevard, to allow a drive-through facility (UDC 10.304.10) (Second Reading) (Ashley Bailey)

Councilmember Thornton pulled Item 11.15. Mayor Snyder pulled items 11.7 and 11.8.

A motion was made by Councilmember Kolar and seconded by Councilmember Clark to approve Consent Agenda Item Nos. 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.9, 11.10, 11.11, 11.12, 11.13, 11.14 as presented. The vote passed 7,0.

Discussion on pulled items:

- 11.7 Consideration and possible action on Resolution No. R-2023-276 amending the completion date of the Wastewater Modeling Individual Project Order with Garver, LLC. by extending the completion date to February 29, 2029 (Matt Rector)

A motion was made by Councilmember Clark and seconded by Councilmember Thompson to approve Resolution No. R-2023-276 after correcting the date. The vote passed 7,0.

- 11.8 Consideration and possible action on Resolution No. R-2023-277 amending the On Call Wastewater Services Extension Request Individual Project Order with Garver, LLC by extending the completion date to February 29, 2029 (Matt Rector)

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Kolar to approve Resolution No. R-2023-277 after correcting the date. The vote passed 7,0.

- 11.15 Consideration and possible action on Ordinance No. O-2023-033 for the proposed Specific Use Permit request for the property known as 901 Ed Schmidt Boulevard, to allow a drive-through facility (UDC 10.304.10) (Second Reading) (Ashley Bailey)

Guillermo Calvio with Jameson Civil Engineering and Madu Phillips, architect, were available to answer Council questions.

A motion was made by Mayor Snyder and seconded by Councilmember Thornton to approve the permit if the owner also installs a grease trap or equivalent system for as long as the restaurant is designated a smokehouse style restaurant. The vote failed, 2, 5 (Kolar, Wilcott, Gordon, Clark, and Thompson dissenting)

A motion was made by Councilmember Clark and seconded by Councilmember Kolar to approve Ordinance No. O-2023-033. The vote passed 5,2 (Snyder and Thornton dissenting)

At this time, Mayor Snyder requested to bring up item 14.2.

14.2 Future Agenda Items

Mayor Snyder requested an item on the next agenda titled "Consideration and possible action regarding Mayor Snyder and Chapter 171 – Conflicts of Interest regarding voting on ordinance no. O-2023-033" and asked legal to review any legal rules or violations that may have occurred.

12. EXECUTIVE SESSION – *Convened into Executive Session at 10:16 pm*

- 12.1 Pursuant to Texas Government Code section 551.071 (Attorney Consultation) to deliberate and seek legal advice regarding Jones v. City of Hutto, Texas, pending in the United States District Court, Western District, Austin Division.

- 12.2 Receive legal advice pursuant to Texas Government Code Section 551.071 and deliberations pursuant to Texas Government Code Sections 551.072, (Real Property); 551.087 (Economic Development Negotiations) related to pending economic development projects being considered by the Hutto Economic Development Corporation or the City of Hutto, including but not limited to Megasite economic development projects
- 12.3 Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation, Potential Litigation, and City Council Legal Requests.

There was no action taken in Executive Session.

13. ACTION RELATIVE TO EXECUTIVE SESSION – *Reconvened at 12:02 am*

No action was taken.

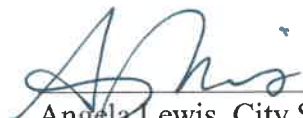
14. CITY COUNCIL COMMENTS

- 14.2 Future Agenda Items
- 14.3 Future Additional or Rescheduled meetings as allowed by Hutto City Code Section 1.02.033 Additional or Rescheduled Meetings

A motion was made by Councilmember Clark and seconded by councilmember Thornton to move the Dec. 21st regular scheduled meeting to Dec. 14th. The vote passed 7,0.

15. ADJOURNMENT – *October 20th, 2023 at 12:04 AM*

ATTEST:


Angela Lewis, City Secretary


Mike Snyder, Mayor

