



City of Hutto

MINUTES

City Council Meeting

Thursday, March 7, 2024 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 Randal Clark, Councilmember Dana Wilcott, Councilmember Amberley Kolar

Absent:

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; Kate Moriarty, Management Analyst; Matt Rector, City Engineer; Cheney Gamboa, Director of Economic Development; Angela Lewis, City Secretary; Amanda Taylor, Assistant City Secretary; Alberta Barrett, Finance Director; Jeff White, Parks and Recreation Director; Sara Cervantes, Director of Real Estate Services

3. INVOCATION – Pastor Bobby Pruitt from Hutto Bible Church

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATIONS

5.1 Women's History Month Proclamation – *Accepted by members of the Hutto Women's Alliance and all female staff present*

5.2 Freedom of Information Day Proclamation – *Accepted by City Secretary staff*

6. CITY MANAGER COMMENTS

City Manager Earp provided updates on the following:

- Professional recognition – New Hires, Promotion, and Certification
- Master Mobility Plan Town Hall – City Hall March 20 at 6:30 PM
- Hutto Forward – March 8 - City Hall will close for Professional Development
- Touch a Truck – March 13 - 10am-12pm at Adam Orgain Park
- Williamson County HHW Event – March 16 9am-1pm at Wilco Event Center in Taylor
- Easter Egg Hunt – March 24 – 2 PM
- Board and Commission Openings

7. PUBLIC COMMENTS

- Bryan Kolb
- Steve Parker

At this time, Councilmember Wilcott requested to bring up item 16.1.

16.1 General Comments from City Council

Councilmembers Wilcott, Thompson, and Mayor Pro Tem Gordon provided comments.

At this time, City Manager Earp suggested bringing up item 14.1 for discussion.

- 14.1 Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) relating to Docket No. 2023-1566-MWD Preserve Hutto, LLC (Applicant) Request(s) filed on Permit No. WQ0016145001

No action taken. Mayor Snyder suggested a recurring item on the agenda regarding all package plant permits for consideration in the area.

At this time, Councilmember Thompson requested to bring up items 10.1 and 12.10.

10. BOARDS AND COMMISSIONS ACTION

- 10.1 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.

Appointments: Ray Alba, HPC, and Corina Zepeda, D&I

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Kolar to approve the appointments. The vote passed 7,0.

- 12.10 Discussion and possible action on directing staff to draft a budget amendment for the Diversity & Inclusion Commission to attend training and acquire help forming a strategic plan (Councilmember Dan Thornton)

A motion was made by Councilmember Clark and seconded by Councilmember Wilcott to approve option 1 funding for this item. The vote passed 7,0.

8. PRESENTATIONS

- 8.1 Capital Improvement Projects Update Presentation – *Presented by Matt Rector*

At this time, Councilmember Kolar requested bringing up item 9.3.

- 9.3 Conduct a public hearing and take possible action on Ordinance No. O-2024-017 for the Specific Use Permit request for Hutto Elementary School #8 project on FM 1660 to allow a daycare, and deviations from bulk, setback and buffers, architectural style, language and materials, landscape and parking lot and vehicular screening (First Reading) (Ashley Bailey)

Public Hearing Opened: *8:36 pm*

There were no speakers

Public Hearing Closed: *8:37 pm*

A motion was made by Councilmember Thompson and seconded by Councilmember Wilcott to approve the Ordinance, with the revision to the sidewalks and TIA portion of the application. The vote passed 7,0.

9. PUBLIC HEARINGS AND RELATED ACTION

- 9.1 Conduct a public hearing regarding the creation of the Meadow Brook Public Improvement District (Sara Cervantes)

The public hearing, originally opened on February 1, 2024 at 7:49 pm was closed at 8:38 PM March 7, 2024.

- 9.2 Conduct a public hearing and take possible action on Ordinance No. O-2024-016 for the Specific Use Permit request for the Dollar General to allow a grocery store as required by the North Town Commons Planned Unit Development (PUD) zoning ordinance and the Unified Development Code (UDC) (First Reading) (Ashley Bailey)

Public Hearing Opened: 8:39 pm

There were no speakers

Public Hearing Closed: 8:39 pm

The vendor decided not to move forward with this SUP, therefore no action was taken.

11. RESOLUTIONS

- 11.1 Consideration and possible action on Resolution No. R-2024-022 adopting the City Manager Absence/Disability Leave Policy (City Manager James Earp)

A motion was made by Councilmember Clark and seconded by Councilmember Thompson to approve Resolution No. R-2024-022.

Mayor Snyder made a motion to amend the original motion to include that the City Manager designates an acting City Manager any time he leaves the Austin-metro area. There was no second, so the motion died.

The vote on the original motion passed 7,0.

12. OTHER BUSINESS

- 12.1 Consideration and possible action on the recommendations for the updated utilities CIP projects resulting from the previous City Council Workshops (Matt Rector)

A motion was made by Councilmember Thompson and seconded by Councilmember Wilcott to approve the proposed list of Water and Wastewater CIP projects, and to direct staff to bring back clarifying financial information on how to fund them. The vote passed 7,0.

- 12.2 Consideration and possible action dispensing with the second reading of Ordinance No. O-2024-012, ordering a Special Election on Proposed Amendments to the Home Rule City Charter of the City of Hutto to be held on Saturday, May 4, 2024 (Legal)

A motion was made by Councilmember Clark and seconded by Mayor Pro Tem Gordon to dispense with the second reading of Ordinance No. O-2024-012. The vote passed 7,0.

- 12.3 Consideration and possible action designating independent legal counsel to advise the Ethics Commission and participate in hearings (Legal)

A motion was made by Councilmember Thompson and seconded by Councilmember Wilcott to have City staff do an RFP for independent counsel for the Ethics Commission. The vote passed 7,0.

- 12.4 Discussion and consider action regarding selection of up to two City Council Members to attend the upcoming International Conference of Shopping Centers (ICSC) Tradeshow and Conference May 19-21, 2024, with all associated costs to be paid by the Hutto Economic Development Corporation (HEDC)

A motion was made by Mayor Snyder and seconded by Mayor Pro Tem Gordon to approve EDC funding of Mayor Snyders and Councilmember Clarks attendance at ICSC. The vote failed 3,4. (Kolar, Thompson, Gordon and Clark dissenting)

- 12.5 Consideration and possible action on the renegotiated management agreement between City of Hutto and the Directors of Chaos for Brushy Creek Amphitheater (Kristi Barnes)

A motion was made by Councilmember Thompson and seconded by Councilmember Wilcott to approve the renegotiated management agreement, with the addition of stating that DOC must hold at least 5 events per year, or the City can terminate the agreement with only two weeks' notice, and the addition of language stating they will abide by City of Hutto policies. The vote passed 7,0.

- 12.6 Discussion and possible action on the Special Events Permit guidelines at Brushy Creek Amphitheater (Mayor Mike Snyder)

A motion was made by Councilmember Clark and seconded by Councilmember Thompson to approve the presented changes to the special events permit, with the addition of decibel and capacity restrictions, as well as the requirement of notice to council for any ISD related event. The vote passed 7,0.

- 12.7 Consideration and possible action on Resolution No. R-2024-013 regarding Ad Valorem Tax Exemptions for Licensed Childcare Facilities (Mayor Mike Snyder)

A motion was made by Councilmember Clark and seconded by Mayor Pro Tem Gordon to approve Resolution No. R-2024-013 with a 50% tax exemption for all qualified facilities that are in a commercial building. The vote passed 7,0.

- 12.8 Consideration and possible action on development of a City game room ordinance (Mayor Mike Snyder)

A motion was made by Mayor Snyder and seconded by Councilmember Kolar to direct staff to bring back an Ordinance for the City of Hutto, with an SUP requirement for any charitable gambling facilities. The vote passed 7,0.

- 12.9 Discussion and possible action directing staff to bring a budget amendment for the 3349 Beautification Project to add \$14,000 for lighting (Councilmember Amberley Kolar)

A motion was made by Councilmember Thompson and seconded by Councilmember Kolar to direct staff to bring forward a budget amendment for the additional \$14k for lighting of the FM 3349 Bridge Beautification project. The vote passed 7,0.

- 12.11 Discussion and possible action relating to the release of all emails sent and/or received by Mayor Snyder regarding the East/West Spine Road including but not limited to bids and contracts (Mayor Mike Snyder)

No action was taken on this item.

- 12.12 Consideration and possible action relating to request dated February 22, 2024, for pertinent emails from all City Council members and place the emails in a folder marked as "Confidential - For Official Eyes Only". (Councilmember Dana Wilcott)

No action was taken on this item.

Items 13.1, 13.6, 13.7, 13.8, and 13.9 were pulled from consent.

13. CONSENT AGENDA ITEMS

- 13.2 Consideration and possible action to approve Resolution No. R-2024-041 to award of a contract for Pre-Purchase Equipment for the Megasite Wastewater Lift Station Project (CIP WW-07), in the amount of \$158,889 and authorizing the City Manager to execute the construction contract with Xylem Water Solutions USA, Inc. (Matt Rector)
- 13.3 Consideration and possible action on Resolution No. R-2024-051 authorizing the City Manager to execute an Individual Project Order (IPO) with Sunland Group, LLC in the amount of \$149,693.46 for the Planning, Programming and Site Selection of the New Public Works Facility project (CIP F01-2024) (Matt Rector)
- 13.4 Consideration and possible action on Resolution No. R-2024-052 authorizing an expenditure for extension of electric service with Bluebonnet Electric in the amount of \$101,459.32 for the Shiloh Pump Station (CIP W01-2024) (Matt Rector and Alberta Barrett)
- 13.5 Consideration and possible action on Resolution No. R-2024-050 authorizing the City Manager to execute an Individual Project Order (IPO) with Titan Valuation for Appraisal Services in the amount of \$4,500 for the CR 199 Reconstruction project (CIP T19-2024) (Matt Rector)
- 13.10 Consideration and possible action approving Resolution No. R-2024-055 consenting to the annexation of 4.881 acres of land into the Williamson County Water, Sewer, Irrigation, and Drainage District No. 3 (Legal)
- 13.11 Consideration and possible action relating to Resolution No. R-2024-056 accepting the Petition filed by Tack Development, Ltd, relating to 15.513 acres of land, commercial parcel, to the Williamson County Municipal Utility District No. 22 (Star Ranch) and to set two public hearings for the limited purpose annexation (Legal)
- 13.12 Consideration and possible action on approving the February 15, 2024 City Council Meeting minutes.

- 13.13 Consider possible action on Ordinance No. O-2024-009 to amend the Code of Ordinances (2020 edition, as amended), Chapter 3, Land Use Standards of the City of Hutto by amending Chapter 2, Administration, by amending 10.203 Development Review Process, amending Chapter 3 Land Use Standards, Section 10.304.9 Temporary Uses, and amending Section 10.310.5, Mobile Food Vendor (Second Reading) (Ashley Bailey)
- 13.14 Consideration and possible action on Ordinance No. O-2024-010 approving budget amendments for the Hutto Economic Development Corporation (HEDC) as approved at their Board Meeting on January 29, 2024 (Second Reading) (Alberta Barrett)
- 13.15 Consideration and possible action on Ordinance No. O-2024-011 authorizing a budget amendment in the amount of \$41,000 for the FM 3349 Bridge Beautification Project (Second Reading) (Alberta Barrett)
- 13.16 Consideration and possible action on Ordinance No. O-2024-013 amending Hutto Code of Ordinances, Chapter 4 Animals, Article 4.09.002 Cats to provide for Trap, Neuter and Release (Second Reading) (Chief Jeffrey Yarbrough)
- 13.17 Consideration and possible action on Ordinance No. O-2024-014 amending of Hutto Code of Ordinances, Chapter 22, Article 22.04.001-22.04.010 and Articles 22.04.011 and Articles 22.04.012 to provide for amending the definition of vehicles to include All Terrain Vehicle, Trailer and to amend Parking, Stopping and Standing provisions related to such vehicles (Second Reading) (Chief Jeffrey Yarbrough)
- 13.18 Consideration and possible action on Ordinance No. O-2024-015 amending Hutto Code of Ordinances, Chapter 8 Business Regulations, Article 8.06 Vehicle Towing to provide for towing regulations (Second Reading) (Chief Jeffrey Yarbrough)

A motion was made by Councilmember Clark and seconded by Councilmember Kolar to approve Consent Agenda Item Nos. 13.2, 13.3, 13.4, 13.5, 13.10, 13.11, 13.12, 13.13, 13.14, 13.15, 13.16, 13.17, and 13.18 as presented. The vote passed 7,0.

Discussion of pulled Items:

- 13.1 Consideration and possible action on Resolution No. R-2024-058 related to approval of a change order and authorizing the City Manager to execute the same for the Frameswitch Pumping Station Improvements project and the Smart Ball Testing project with ACP, LTD in the amount of \$261,800 (CIP W02-2023) (CIP W16-2024) (Matt Rector)

Item was pushed to March 21st meeting.

- 13.6 Consideration and possible action on approval of Ordinance No. O-2024-018 regarding Blanket Purchase Orders for consumable goods and services (Alberta Barrett)

A motion was made by Councilmember Clark and seconded by Councilmember Kolar to approve Ordinance No. O-2024-018. The vote passed 7,0.

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Kolar to dispense with the second reading of Ordinance No. O-2024-018. The vote passed 7,0.

- 13.7 Consideration and possible action on Resolution No. R-2024-053 authorizing continued participation with the Atmos Cities Steering Committee and authorizing payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation (Legal)

A motion was made by Mayor Snyder and seconded by Councilmember Clark to approve Resolution No. R-2024-053. The vote passed 6,1. (Snyder dissenting)

- 13.8 Consideration and possible action relating to Resolution No. R-2024-054 authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of ten cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. (Legal)

A motion was made by Councilmember Thornton and seconded by Mayor Pro Tem Gordon to approve Resolution No. R-2024-054. The vote passed 6,1. (Snyder dissenting)

- 13.9 Consideration and possible action on Resolution No. R-2024-048 regarding Council and City Manager expense reimbursements (Mayor Mike Snyder)

A motion was made by Councilmember Clark and seconded by Mayor Snyder to approve Resolution No. R-2024-048 with the addition of adding the City Manager to the policy requirements. The vote passed 5,2. (Wilcott and Thompson dissenting)

14. EXECUTIVE SESSION – *There was no Executive Session.*

- 14.2 Receive legal advice and discuss potential acquisitions of real estate pursuant to Texas Government Code sections 551.071 and 551.072 related to acquisitions, including by use of eminent domain if necessary, of real property interests located

near the intersection of County Roads 481 and 482 for the Shiloh Pump Station water system improvements

- 14.3 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.

15. ACTION RELATIVE TO EXECUTIVE SESSION –

- 14.2 Receive legal advice and discuss potential acquisitions of real estate pursuant to Texas Government Code sections 551.071 and 551.072 related to acquisitions, including by use of eminent domain if necessary, of real property interests located near the intersection of County Roads 481 and 482 for the Shiloh Pump Station water system improvements

A motion was made by Councilmember Clark and seconded by Mayor Pro Tem Gordon approving Resolution No. R-2024-059 authorizing the eminent domain of real property near the intersection of CR 481 & 482 for the Shiloh Pump Station. The vote passed 7,0.

16. CITY COUNCIL COMMENTS

16.2 Future Agenda Items

Councilmember Thornton – Parade Ordinance, asap. JRS in relation to the EDC, 3/21, review how much money has been paid to them. 4/4, Ordinance requiring an annual presentation of all incentive agreements in the City.

Mayor Pro Tem Gordon – Proposed improvements to City owned YMCA building presentation.

- 17.3 Future Additional or Rescheduled meetings as allowed by Hutto City Code Section 1.02.033 Additional or Rescheduled Meetings

At this time, Mayor Snyder asked to recall item 16.1.

16.1 General Comments from City Council

Mayor Snyder added additional comments.

18. ADJOURNMENT – March 8th, 2024 at 12:17AM

ATTEST:


Angela Lewis, City Secretary


Mike Snyder, Mayor

