The Hutto City Council met in a regular session on Thursday, February 16, 2017, 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-tem Michael J. Smith, Councilmember Anne Cano, Councilmember Tom Hines, Councilmember Nathan Killough, Councilmember Lucio Valdez, and Councilmember Bettina Jordan.

Members of staff that were present were Odis Jones, City Manager, Melanie Melancon, Assistant City Manager, Charlie Crossfield, City Attorney, Helen Ramirez, Executive Director Business/Development Services, Earl Morrison, Chief of Police, Danielle Singh, City Engineer, Michel Sorrell, Chief Financial Officer, Seth Gipson, City Secretary, and Jill Cloud, Director of Communications.

INVOCATION

The invocation was given by Police Chief Earl Morrison.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

5A. Remarks from visitors

There were no remarks from visitors.

WORK SESSION

6A. Work session regarding the Planning and Zoning Commission annual report. Helen Ramirez, Executive Director of Business/Development Services, made the staff presentation. Ms. Ramirez provided updates on the following:
- Number of Plats Approved
- Acres and Lots Platted
- Number of Zoning Changes and Variances
- Code Amendments that were reviewed and approved.
  o Noise Ordinance
  o Landscape
  o Bufferyard
  o SmartCode

- Master Plans Reviewed
  o Water Master Plan
  o Capital Improvements Plan
  o Pedestrian Mobility Plan Update
  o Future Land Use Map

Ms. Ramirez concluded the presentation by outlining the goals for 2017, which included the following:

- Outline of the adoption of the Future Land Use Map.
- Updates to the Zoning Map
- Continue to provide flexibility with codes
- Continue to review Master Plans
- Continue to find learning opportunities

There was a brief discussion on current communication and involvement in the planning process, education, and focus being placed on future major roads and identifying how they can be developed.

6B. Work session regarding the proposed amendments to the SmartCode and the Unified Development Code.

Helen Ramirez, Executive Director of Business/Development Services, made the staff presentation. Jayashree Narayana, AICP NUA Principle of Livable Plans and Codes aided in the presentation. City staff, in concert with a consultant, has been reviewing both the SmartCode and Unified Development Code (UDC) in an effort to make the code easier to read and to have one unified document or UDC, rather than two documents for different areas of the city.

The presentation provided an overview of the general areas that are being recommended for amendment or deletion, in order to meet the needs of current and future developers and residents, while providing opportunities for flexible codes for historic properties, providing a range of housing options (mixed use, move up housing), preserving the historic Old Town and improving the quality of private open space/amenities. Areas that are being reviewed include the following:

- Eliminating conflicting codes
- Clarifying processes (minor modifications, warrants & amendments)
- Signage (citywide)
- Open space standards
- Landscaping
- Land use categories
• Definitions
• Utility placement
• Neighborhood standards

Furthermore, a proposed time frame for approval will be recommended, to include a meeting with businesses and developers in order to obtain feedback, and work sessions/feedback from Planning and Zoning, Historic Preservation Commission (HPC) and City Council.

Discussion ensued concerning the difference between building and zoning codes, contributing structures in the historic district, challenges with the current signage regulations, and the fundamental differences between mixed-use and conventional zoning.

Mayor Gaul requested a timeline that would outline the review process and updates to the codes.

PRESENTATIONS

7A. Presentation of the 2016 City of Hutto Racial Profiling and Uniform Crime Report.

Earl Morrison, Chief of Police, gave the staff presentation. All law enforcement agencies in the State of Texas are required under House Bill 3389 to keep records on Racial Profiling. These statistics are gained from citations issued and the number and type of searches conducted. This data is collected and maintained by the Hutto Police Department. In fulfillment of the requirements of House Bill 3389, the data for traffic contacts and searches conducted in 2016 was presented to the City Council. The study showed compliance with HB 3389.

There was a brief discussion concerning how the demographics where divided up and if there were any specific areas where certain types of stops occurred.

CONSENT AGENDA ITEMS

8A. Consideration and possible action on the acceptance of the street, drainage, water, and wastewater improvements for Riverwalk Subdivision Phase 3 Section 2.

8B. Consideration and possible action on the second and final reading of an ordinance amending the Fiscal Year 2015-16 Budget to adjust project funds, fund balances, and other miscellaneous items.

8C. Consideration and possible action on the second and final reading of an ordinance amending the Fiscal Year 2016-17 Budget to reallocate capital project funds from the FY16 Budget, organizational restructure and other miscellaneous adjustments.

8D. Consideration and possible action on the meeting minutes for the December 12, 2016 Joint City Council and Williamson County ESD #3 Board meeting, and the December 15, 2016 City Council Regular Meeting.
MOTION: Councilmember Tom Hines moved to approve items 8A-8D on the consent agenda as presented. Councilmember Anne Cano seconded the motion.

VOTE: Ayes: Mayor Doug Gaul
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Nathan Killough
Councilmember Lucio Valdez
Councilmember Bettina Jordan

Nays: None
Abstain: None
Absent: None

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

RESOLUTIONS

9A. Consideration and possible action on a resolution concerning a Joint Election Agreement and Contract for Election Services between the City of Hutto, Williamson County, and Williamson County Participating Authorities for the May 6, 2017 General and Special Elections.

Seth Gipson, City Secretary, made the staff presentation. This joint election agreement and contract for election services is for the sharing of election equipment, costs, election officials, precinct polling locations, and election ballots with the participating authorities in Williamson County. The contract for election services sets in place all necessary election actions according to state law for early voting and Election Day locations, appointment of election judges, preparation of the ballot, and tabulation of the election results by the Williamson County Elections Administrator for the May 6, 2017 General Election. By partnering with Williamson County and other entities, the City is able to reduce the cost of holding the election.

MOTION: Councilmember Tom Hines moved to approve the resolution concerning a Joint Election Agreement and Contract for Election Services between the City of Hutto, Williamson County, and Williamson County Participating Authorities for the May 6, 2017 General and Special Elections. Councilmember Nathan Killough seconded the motion.

VOTE: Ayes: Mayor Doug Gaul
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Nathan Killough
Councilmember Lucio Valdez
Councilmember Bettina Jordan
Nays: None
Abstain: None
Absent: None

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

9B. Consideration and possible action on a resolution ordering the May 6, 2017 General Election for the purpose of electing City Council, Place 1 and City Council, Place 4.

Seth Gipson, City Secretary, made the staff presentation. Mr. Gipson stated this is a statutory requirement and this resolution calls for a General Election on Saturday, May 6, 2017, to elect Councilmember Place 1 and Councilmember Place 4. Early voting begins Monday, April 24, 2017, and ends Tuesday, May 2, 2017. The first day to file for a place on the ballot was Wednesday, January 19, 2017, and the last day to file for a place on the ballot is 5:00 p.m. Friday, February 17, 2017.

Mr. Gipson added that a City Council candidate orientation will be held on February 111, 2017, in the City Council Chamber.

MOTION: Councilmember Tom Hines moved to approve the resolution ordering the May 6, 2017 General Election for the purpose of electing City Council, Place 1 and City Council, Place 4. Mayor Pro-tem Michael Smith seconded the motion.

VOTE: Ayes: Mayor Doug Gaul
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Nathan Killough
Councilmember Lucio Valdez
Councilmember Bettina Jordan

Nays: None
Abstain: None
Absent: None

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

ORDINANCES

10A. Consideration and possible action on the first reading of an ordinance calling a Special Election for May 6, 2017, for the purpose of submitting to voters certain proposed amendments to the Home Rule Charter of the City, designating election precincts and polling places, providing for early voting and election day voting, providing for performance of required administrative duties, and providing for other matters relating to such election.

Seth Gipson, City Secretary, made the staff presentation. Mr. Gipson stated this is a statutory requirement and this ordinance calls for a Special Election on Saturday, May 6, 2017, to present 21 Charter Amendment Propositions to the citizens. Early voting
begins Monday, April 24, 2017, and ends Tuesday, May 2, 2017. There was one correction to Proposition 12 that was highlighted, which was a change to the Charter Section referenced in the proposition wording.

**MOTION:** Mayor Pro-tem Michael Smith moved to approve the first reading of an ordinance calling a Special Election for May 6, 2017, for the purpose of submitting to voters certain proposed amendments to the Home Rule Charter of the City. Councilmember Lucio Valdez seconded the motion.

**VOTE:**

**Ayes:**
- Mayor Doug Gaul
- Mayor Pro-tem Michael Smith
- Councilmember Anne Cano
- Councilmember Tom Hines
- Councilmember Nathan Killough
- Councilmember Lucio Valdez
- Councilmember Bettina Jordan

**Nays:** None

**Abstain:** None

**Absent:** None

**ACTION:** The motion carried with 7 ayes and 0 nays.

**MOTION:** Mayor Pro-tem Michael Smith moved to dispense with the second reading of the ordinance calling a Special Election for May 6, 2017, for the purpose of submitting to voters certain proposed amendments to the Home Rule Charter of the City. Councilmember Nathan Killough seconded the motion.

**VOTE:**

**Ayes:**
- Mayor Doug Gaul
- Mayor Pro-tem Michael Smith
- Councilmember Anne Cano
- Councilmember Tom Hines
- Councilmember Nathan Killough
- Councilmember Lucio Valdez
- Councilmember Bettina Jordan

**Nays:** None

**Abstain:** None

**Absent:** None

**ACTION:** The motion carried with 7 ayes and 0 nays.

10B. Consideration of a public hearing and possible action on the first reading of an ordinance approving the zoning change for the property known as 2175 Innovation Boulevard, 1.8 acres, more or less, of land, Lot 3 Block A of the 108 Commercial Park Subdivision, from SF-1 (single family residential to LI (light industrial) zoning district.

Helen Ramirez, Executive Director of Develop/Business Development, made the staff presentation. The subject property consists of approximately 1.74 acres located on the
east side of Innovation Boulevard (CR 108) between Hwy. 79 and Limmer Loop. The applicant has requested a zoning change from SF-1 (Single Family Residential) to LI (Light Industrial). The subject parcel was annexed into the City limits in 2012 as part of a larger initiative to annex the East Williamson County Higher Education Center. At the time, the property was assigned an interim zoning designation of SF SF-1 with the understanding that these properties would be rezoned as they developed or redeveloped.

The applicant has purchased the subject property and the adjacent property to the south with the intent to operate his concrete construction business, Rio Construction. Per UDC Sec. 10.308.8, the proposed use is classified as a Trade Use and is permitted by right in Light Industrial zoning districts. The proposed business will include an outdoor storage of materials and equipment related to the business, which will be accessory to the primary use. All outdoor storage must be screened with a 6 ft.-8 ft. masonry wall in conformance with Sec. 10.408.5 of the UDC.

The majority of the properties along the east side of Innovation Boulevard are light industrial land uses, which are characterized by metal buildings and outdoor storage.

Mayor Gaul opened the public hearing at 8:32 p.m.

There being no one signed up to speak, Mayor Gaul closed the public hearing at 8:32 p.m.

**MOTION:** Councilmember Anne Cano moved to approve the first reading of an ordinance approving the zoning change for the property known as 2175 Innovation Boulevard, 1.8 acres, more or less, of land, Lot 3 Block A of the 108 Commercial Park Subdivision, from SF-1 (single family residential to LI (light industrial) zoning district. Councilmember Nathan Killough seconded the motion.

**VOTE:**

Ayes: Mayor Doug Gaul
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Nathan Killough
Councilmember Lucio Valdez
Councilmember Bettina Jordan

Nays: None
Abstain: None
Absent: None

**ACTION:** The motion carried with 7 ayes and 0 nays.

**MOTION:** Councilmember Nathan Killough moved to dispense with the second reading of the ordinance approving the zoning change for the property known as 2175 Innovation Boulevard, 1.8 acres, more or less, of land, Lot 3 Block A of the 108...
Commercial Park Subdivision, from SF-1 (single family residential) to LI (light industrial) zoning district. Mayor Pro-tem Michael Smith seconded the motion.

**VOTE:**

**Ayes:**
- Mayor Doug Gaul
- Mayor Pro-tem Michael Smith
- Councilmember Anne Cano
- Councilmember Tom Hines
- Councilmember Nathan Killough
- Councilmember Lucio Valdez
- Councilmember Bettina Jordan

**Nays:** None

**Abstain:** None

**Absent:** None

**ACTION:** The motion carried with 7 ayes and 0 nays.

10C. Consideration of a public hearing and possible action on the first reading of an ordinance approving the zoning change for the property known as 2203 Innovation Boulevard, 1.96 acres, more or less, of land, Lot 4 Block A of the 108 Commercial Park Subdivision, from SF-1 (single family residential) to LI (light industrial) zoning district.

Helen Ramirez, Executive Director of Develop/Business Development, made the staff presentation. The subject property consists of approximately 2.00 acres located on the east side of Innovation Boulevard (CR 108) between Hwy. 79 and Limmer Loop. The applicant has requested a zoning change from SF-1 (Single Family Residential) to LI (Light Industrial). The subject parcel was annexed into the City limits in 2012 as part of a larger initiative to annex the East Williamson County Higher Education Center. At the time, the property was assigned an interim zoning designation of SF SF-1 with the understanding that these properties would be rezoned as they developed or redeveloped.

The applicant has purchased the subject property and the adjacent property to the north with the intent to operate his concrete construction business, Rio Construction. There is a residential building located on the property, which the applicant intends to convert to an office building for his business. Per UDC Sec. 10.308.8, the proposed use is classified as a Trade Use and is permitted by right in Light Industrial zoning districts. The proposed business will include an outdoor storage of materials and equipment related to the business, which will be accessory to the primary use. All outdoor storage must be screened with a 6 ft. - 8 ft. masonry wall in conformance with Sec. 10.408.5 of the UDC.

The majority of the properties along the east side of Innovation Boulevard are light industrial land uses, which are characterized by metal buildings and outdoor storage.

Mayor Gaul opened the public hearing at 8:35 p.m.

There being no one signed up to speak, Mayor Gaul closed the public hearing at 8:35 p.m.
MOTION: Councilmember Tom Hines moved to approve the first reading of an ordinance approving the zoning change for the property known as 2203 Innovation Boulevard, 1.96 acres, more or less, of land, Lot 4 Block A of the 108 Commercial Park Subdivision, from SF-1 (single family residential to LI (light industrial) zoning district. Councilmember Anne Cano seconded the motion.

VOTE:

Ayes: Mayor Doug Gaul
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Nathan Killough
Councilmember Lucio Valdez
Councilmember Bettina Jordan

Nays: None
Abstain: None
Absent: None

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

MOTION: Councilmember Tom Hines moved to dispense with the second reading of the ordinance approving the zoning change for the property known as 2203 Innovation Boulevard, 1.96 acres, more or less, of land, Lot 4 Block A of the 108 Commercial Park Subdivision, from SF-1 (single family residential to LI (light industrial) zoning district. Councilmember Anne Cano seconded the motion.

VOTE:

Ayes: Mayor Doug Gaul
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Nathan Killough
Councilmember Lucio Valdez
Councilmember Bettina Jordan

Nays: None
Abstain: None
Absent: None

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

10D. Consideration of a public hearing and possible action on the first reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 16, Article 16.02 Unified Development Code, Chapter 4, Section 10.403.4.4: Swimming pools and spas.

Helen Ramirez, Executive Director of Develop/Business Development, made the staff presentation. Section 10.403.4.4 of the City's Unified Development Code currently requires in-ground swimming pools and in-ground or freestanding spas to be located at least 10 feet from the primary structure on a site, and at least 10 feet from all side and rear lot lines. This means that a rear yard swimming pool on a residential lot must be placed at least ten feet from a house. Staff is proposing to amend this section of the UDC
in order to allow swimming pools to be located at least three feet from any structure. Staff finds that the current code is more restrictive than many of our surrounding cities, and has proposed to change this provision in order to be more consistent with other municipalities in the area. Recently, several homeowners have expressed concern that the current standards make it infeasible to locate a swimming pool in their backyard. The goal of the proposed amendment is to enable homeowners, especially those homeowners with smaller lots, to be able to build a swimming pool in their backyard.

Ms. Ramirez provided an overview of the comprehensive revisions of the Swimming Pools and Spas Standards found in Sec. 10.403.4.4 of the UDC.

Mayor Gaul opened the public hearing at 8:39 p.m.

Melissa Meaker - 317 Cockrill St. – Expressed her support of the change in code. Ms. Meaker also mentioned that they were warmly received by the Planning and Zoning Commission and thanked the City Council.

Following public comment, Mayor Gaul closed the public hearing at 8:42 p.m.

MOTION: Councilmember Tom Hines moved to approve the first reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 16, Article 16.02 Unified Development Code, Chapter 4, Section 10.403.4.4: Swimming pools and spas. Mayor Pro-tem Michael Smith seconded the motion.

VOTE: Ayes: Mayor Doug Gaul
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Nathan Killough
Councilmember Lucio Valdez
Councilmember Bettina Jordan

Nays: None

Abstain: None

Absent: None

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

MOTION: Councilmember Anne Cano moved to dispense with the second reading of the ordinance amending the Code of Ordinances (2014 Edition), Chapter 16, Article 16.02 Unified Development Code, Chapter 4, Section 10.403.4.4: Swimming pools and spas. Councilmember Nathan Killough seconded the motion.

VOTE: Ayes: Mayor Doug Gaul
Mayor Pro-tem Michael Smith
Councilmember Anne Cano
Councilmember Tom Hines
Councilmember Nathan Killough
Councilmember Lucio Valdez
ACTION: The motion carried with 7 ayes and 0 nays.

EXECUTIVE SESSIONS

11A. Executive Session, as authorized by Section 551.071, Texas Government Code, Consultation with Attorney, concerning Heart of Texas Water Contract.

11B. Executive Session, as authorized by Section 551.071, Texas Government Code, Consultation with Attorney, regarding contract negotiations with Williamson County Emergency Services District# 3.


The City Council recessed into executive session at 8:43 p.m.

The City Council reconvened into regular session at 9:38 p.m.

ACTION RELATIVE TO EXECUTIVE SESSION

12A. Consideration and possible action on a resolution authorizing the City Manager to enter into a professional services contract, that shall not exceed $200,000, with an engineering firm to perform an independent engineering study of the Heart of Texas Water Suppliers, L.P. water wells.

MOTION: Councilmember Nathan Killough moved to approve the resolution authorizing the City Manager to enter into a professional services contract, that shall not exceed $200,000, with an engineering firm to perform an independent engineering study of the Heart of Texas Water Suppliers, L.P. water wells. Councilmember Tom Hines seconded the motion.

VOTE:   Ayes: Mayor Doug Gaul
         Mayor Pro-tem Michael Smith
         Councilmember Anne Cano
         Councilmember Tom Hines
         Councilmember Nathan Killough
         Councilmember Lucio Valdez
         Councilmember Bettina Jordan

         Nays: None
         Abstain: None
         Absent: None
ACTION: The motion carried with 7 ayes and 0 nays.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:39 p.m.

CITY OF HUTTO, TEXAS

[Signature]

Doug Gaul, Mayor

ATTEST:

[Signature]

Seth Gipson, City Secretary