



## CITY OF UHLAND

### Uhland City Council Regular Meeting Minutes

Notice is hereby given of a regular meeting of the City Council of Umland to consider the following agenda items on:

**Wednesday, August 7, 2019 at 6:00 p.m.** at  
City Hall Council Chambers, 15 North Old Spanish Trail, Umland Texas

#### **A. CALL TO ORDER**

1. Roll Call Schultz absent, Hunter, Hodge, Garonzik, B. Heideman and D. Heideman present.
2. Declaration of Quorum. **Mayor Hunter declared a quorum.**
3. Pledges
  - a. American
  - b. Texas - "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

#### **B. PUBLIC COMMENTS**

At this time, public comments will be taken from the audience on any matter NOT listed in the agenda. A speaker must submit a Public Comment Form to the City Administrator *prior to* the start of the meeting. A speaker will be allowed three (3) minutes to speak. Inquiries about matters not listed on the agenda will either be directed to City Staff or placed on a future agenda for Council consideration. **No discussion or formal action will be taken at this meeting on items discussed by a speaker during public comment.**

*OMMS gave a wastewater update that the system is functioning and that all pumping, and hauling was completed in July. Lift station is fully operational.*

Citizens are welcome to comment on posted agenda items at the time when called for discussion. A speaker must submit a Public Comment Form to the City Administrator *prior to* the start of the meeting and indicate the item the speaker will address. A speaker will be allowed three (3) minutes to comment on the agenda item when called.

#### **C. CONSENT AGENDA**

The following routine, clerical, and ministerial items require no public hearing and are anticipated to require little or no individualized discussion by the City Council. It is intended that these items will be acted upon with a single motion as a collective, singular item. A City Council Member may request separate deliberation for a specific item or items at which time that item or items will be removed from the consent agenda for discussion as a regular agenda item. Prior to a vote, the City Council may add to the consent agenda an item or items listed elsewhere on the regular agenda.

1. Approval of Special Council Meeting minutes of July 17, 2019. **Motion made by Hodge**

- seconded by D. Heideman. All Ayes.**
2. Approval of June 2019 financials.

#### **D. CITY STAFF REPORTS**

Staff reports include briefings on pending matters from City officials or City staff.

1. City Notary Staff. **Kathy Nowell has completed the course and will be receiving notary in the mail.**

#### **E. DISCUSSION ONLY ITEMS**

Items listed under this heading are for discussion purposes ONLY. No formal action will be taken at this meeting on the items discussed under this heading.

1. Presentation by Hilltop Holdings on “PID 101” **Presentation given to council by Hilltop holdings.**
2. Discussion on Draft Planned Development District for Millcreek Subdivision including commercial/retail tract of 2.28 acres, 50.178 acres for SF homes total of 52.458. **Amy Akers presented the draft PDD to Council, Scott Miller was in attendance.**
3. Discussion on a Planned Development District for the Sullivan Tract for the single-family residential portions of the (113.478 acres). **Amy Akers gave the update that the draft was not ready at this time.**

#### **F. DISCUSSION AND POSSIBLE ACTION ITEMS**

Items listed under this heading are for discussion and possible action.

1. Discussion and possible action on appointment of Rueben Mancias, Marcel Tee Hee, Annie Schultz, Joanne Jarrett, Mary La Point and Naomi Schrock to the Umland Planning and Zoning Committee. **Motion made by B. Heideman to appoint all applicants to the P&Z Committee seconded by Garonzik. All ayes.**
- 2 Discussion and possible action on second amendment to development agreement for “Cotton Gin Estates”. Amy Akers presented the amendment to council, Discussion was made on the Plum Creek Road roadway width for the traffic impact the development will bring to the area, **Motion made by B. Heideman seconded by D. Heideman. Hodge and Garonzik Nay. B. Heideman and D. Heideman Aye. Mayor Hunter voted Aye. Motion carried.**
3. Discussion and possible action on application of Preliminary Plat for “Millcreek Subdivision”. **Motion made by D. Heideman to table seconded by B. Heideman. All Ayes.**

4. Discussion and possible action on an Ordinance changing zoning from Agriculture to General Business (GB) for the 15.869 acres of land fronting the southeast corner of High Road and North Plum Creek (of 129.710 acres) out of the parcel as described in the recorded in warranty deed Vol. 3761 Pg. 193 Hays County Clerks Official Public Records (inst # 2009-900281168) Tract. **Motion made by D. Heideman to approve Ordinance seconded by B. Heideman. All Ayes.**
5. Discussion and possible action on Ordinance on Voluntary annexation of approximately 1.69 acres hereafter referred to as “El Camino Real Moto court and Campground” of 19.5 acres out of ABS 398 A Reuess Survey as geo #90617856 and AO398 A Reuess Survey Acres 20.05 **Motion made by D. Heideman to approve Ordinance seconded by Garonzik. All Ayes.**
6. Discussion and possible action on dedication of public areas to the City of Umland at Grist Mill Highlands with KB homes (per the plat). **Motion made by B. Heideman to accept dedication of public areas seconded by D. Heideman. All Ayes.**
7. Discussion and possible action on license agreement with KB Homes with a provision to assign the agreement to the HOA. **Motion made by Hodge to accept license agreement seconded by B. Heideman. All Ayes.**  
**Judy Langford was present to advise on items 08 – 11.**
8. A1002 Section 3 policy - Discussion and possible action on adopting a Section 3 Policy for TxCDBG Grant No. 7218489. **Motion made by B. Heideman to approve as presented seconded by Hodge. All Ayes.**
9. A1003 Excessive Force Policy - “Discussion and Action on adopting an Excessive Force Policy for TxCDBG Contract number 7218489.” **Motion made by Hodge to approve as presented seconded by D. Heideman. All Ayes.**
10. A1004 Section 504 Policy and Grievance Procedures - “Discussion and Action on adopting a Section 504 Policy and Grievance Procedures for TxCDBG Contract number 7218489.” **Motion made by B. Heideman to approve as presented seconded by D. Heideman. All Ayes.**
11. A1013 Citizen Participation Plan - “Discussion and Action on adopting a Citizen Participation Plan for TxCDBG Contract number 7218489.” **Motion made by Hodge to approve as presented seconded by D. Heideman. All Ayes.**
12. Discussion and possible action on Ordinance for Tx DOT to place No parking signs at the intersection of Cotton Gin Road and SH 21. **Motion to table for further review made by D. Heideman seconded by B. Heideman. All Ayes.**

13. Discussion and possible action on Ordinance for placement of flashing beacon lights for intersection ahead on SH Hwy 21 and Cotton Gin Road intersection. **Motion made by Hodge to table seconded by Garonzik. All Ayes.**
  14. Discussion and possible action on Ordinance for no Jake brake in the City of Umland City Limits. **Motion made by Hodge to adopt Ordinance seconded by D. Heideman. All Ayes.**
  15. Discussion and possible action on House Bill 914 enacted by the 86<sup>th</sup> Legislature: in order to continue to receive a share of bingo prize fee after January 1, 2020 City Council must take action to continue to collect. **Hodge made the motion to adopt resolution to receive a share of bingo proceeds seconded by D. Heideman. All Ayes.**
  16. Discussion and possible action on City Council members having a read only access to the City of Umland Quick Books online. **B. Heideman made motion to have read access only to closed books for prior months seconded by Garonzik. All Ayes.**
  17. Discussion and possible action on engagement letter for the 2018-2019 audit and correcting the 2017-2018 audit. **Motion made by Hodge to accept Don Allman's engagement letter to correct the 2017-2018 audit and to complete the 2018-2019 audit not to exceed \$12000.00 seconded by B. Heideman. All Ayes.**
  18. Discussion and possible action on municipal court and next steps. **B. Heideman motion to table seconded by Garonzik. All Ayes.**
  19. Discussion and possible action on Proposed Tax rate and setting public hearing for the 2019-2020 fiscal year. **Motion made by D. Heideman to keep the tax rate as 0.1715 seconded by Garonzik. All Ayes.**
  20. Discussion and possible action on Proposed Budget, setting a Budget Workshop Meeting and setting public hearing for the 2019-2020 fiscal budget. **Motion made by D. Heideman to set a Special Meeting for August 21 seconded by Garonzik. All Ayes.**
  21. Discussion and possible action on City Roles and Task/Job Descriptions. **Motion to table D. Heideman seconded by Hodge. All Ayes.**
- Mayor Hunter left the meeting due to the late time.**
22. Discussion and possible action on City's Duties and Responsibilities under TxCDBG contracts. **Motion to table for executive session made by B. Heideman seconded by Garonzik. All Ayes.**
  23. Discussion and possible on creation on RFP for City of Umland Banking. **Motion to table by Hodge seconded by D. Heideman. All Ayes.**

## **E. EXECUTIVE SESSION**

Call Executive Session: The City Council reserves the right to meet in closed session on any posted agenda item, if necessary, pursuant to Texas Government Code, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), or 551.087 (Economic Development).

Reconvene: The City Council will reconvene in open session for action, if any, on items discussed in Executive Session.

**Went into executive session on Item No. 23 with Legal Counsel Amy Akers in attendance at 9:38 pm came out of executive session at 10:23 pm. B. Heideman made motion to have Legal Counsel Amy Akers give a cease and desist notice for services with Harry Savio on the Tx CDBG Planning Grant seconded by D. Heideman. All Ayes.**

## **F. ADJOURNMENT Meeting Adjourned at 10.24 pm.**