



MINUTES

**CITY OF HUTCHINS
NOTICE OF CITY COUNCIL MEETING
Monday, September 6, 2022 – 5:30 p.m.
Hutchins City Hall - Council Chamber
321 N. Main St.
Hutchins, Texas 75141**

A Regular Meeting of the Hutchins City Council was held on Monday, September 6, 2022, at 5:30 p.m. at Hutchins City Hall – Council Chamber located at 321 N. Main St, Hutchins, Texas, at which time the following items were discussed and considered:

REGULAR SESSION

- A. **CALL TO ORDER:** Mayor Vasquez called the meeting to order at 5:30 p.m.
 - 1. **Roll Call:** Members present – Mayor Vasquez, Councilmember Elmore, Councilmember Campbell, Councilmember Didehbani, and Councilmember Odom.
Mayor Pro Tem Nichols arrived at 5:33 p.m.
 - 2. **Invocation:** The invocation was presented Councilmember Campbell
 - 3. **Pledge of Allegiance:** Mayor Vasquez led the Pledge of Allegiance

B. CITIZEN COMMENTS

None

C. CONSENT AGENDA

- 1. **Consider approval of the city council meeting minutes for August 2022.**

Councilmember Odom made the motion seconded by Councilmember Elmore to approve the consent agenda as presented. All in favor, the motion carried 5-0.

D. PRESENTATIONS - None

E. PUBLIC HEARINGS

- 1. **Conduct a Public Hearing to consider the FY2022-2023 Proposed Budget.**
Presented by: William Wooten, Finance Director

William Wooten, Finance Director, presented the proposed budget summary to include an outline of revenue, expenditures, personnel additions, capital projects and debt issuance, and all fund balances.

Mayor Vasquez opened the public hearing at 5:42 p.m. Councilmember

Didehbani asked for clarification on the number of vehicles being purchased. Councilmember Odom asked for an estimated timeline to receive all the vehicles, considering all the delays in manufacturing and production.

Mayor Vasquez closed the public hearing at 5:47 p.m.

**2. Conduct a Public Hearing to consider the FY2022-2023 tax rate.
Presented by: William Wooten, Finance Director**

William Wooten, Finance Director, presented the item and provided a summary of the tax rate projections, a comparison in collections from previous years, and the timeline for acting on the tax rate. Councilmember Odom requested a list of debts and dates the debt will roll off.

Mayor Vasquez opened the public hearing at 6:01 p.m. Councilmember Didehbani asked if citizens could be provided with information on how to protest property tax increases. Mayor asked that the item be included for discussion at the town hall meeting.

Mayor Vasquez closed the public hearing at 6:02 p.m.

**3. Conduct Public Hearing to consider the FY2022-2023 Economic Development Capital Improvement Plan.
Presented by: Guy Brown, EDC Director**

Guy Brown, EDC Director, presented the EDC Capital Improvement Program highlights, expenditures, fund balance, the capital projects initiated and funded since 2016, current projects, and project costs.

Mayor Vasquez opened the public hearing at 6:11 p.m. Mayor Pro Tem Nichols asked about the terms of the Lancaster Hutchins Road project and how long they can hold the funds.

Mayor Vasquez closed the public hearing at 6:13 p.m.

**4. Conduct Public Hearing to consider FY2022-2023 Hutchins Economic Development Corporation Proposed Budget.
Presented by: Guy Brown, EDC Director**

Guy Brown, EDC Director, presented the item and explained the establishment of the Economic Development Corporation, the 501c3 Non-Profit Corporation status, the percentage of sales tax allocated to the EDC, and 1/2 cents in sales tax. Mr. Brown outlined the proposed 2022-2023 budget and the number of sales taxable transactions required to fund the budget and the available cash on hand.

Mayor Vasquez opened the public hearing at 6:18 p.m.

Mayor Vasquez closed the public hearing at 6:19 p.m.

**5. Conduct a Public Hearing to consider an increase in Republic Services' waste contract.
Presented by: William Wooten, Finance Director**

James Quin, City Administrator, provided background on the agreement between

the City of Hutchins and Republic Services for solid waste collection and the annual rate increase allowed in accordance with the service agreement.

Mayor Vasquez opened the public hearing at 6:21 p.m. Scott Hempel, General Manager of Republic Services, estimated that the increase would be about .56 per household. Councilmember Odom voiced his concern regarding the lack of service provided, and hesitation to approve the rate increase because he felt the city is not getting the level of service to justify a rate increase. Mayor Pro Tem Nichols voiced similar concerns about the lack of service and commented that citizens should be reimbursed for the services they didn't receive when garbage isn't picked up on time. Mayor Pro Tem voiced his frustration with the mess left around the trash cans and the poor customer service from the guys on the truck. Mayor Vasquez asked Mr. Hempel to share the council's comments and concerns with his staff. Mayor Vasquez explained the situation with flooding at the local dump and problems with moving heavy trucks out of the yard and to the dump during heavy rain. Council asked for improved communication for the community.

Mayor Vasquez closed the public hearing at 6:30 p.m.

F. REGULAR AGENDA

- 1. Discuss and consider Ordinance 2022-1151 AN ORDINANCE OF THE CITY OF HUTCHINS, TEXAS, APPROVING AND ADOPTING THE BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 01, 2022, THROUGH SEPTEMBER 30, 2023; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; PROVIDING FOR INTER-FUND TRANSFER; PROVIDING FOR RECORDING OF THE ORDINANCE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Presented by: William Wooten, Finance Director

Councilmember Campbell made the motion seconded by Councilmember Elmore to approve the consent agenda as presented. All in favor, the motion carried 5-0.

Mayor Pro Tem Nichols made the motion seconded by Councilmember Campbell to ratify Ordinance 2022-1151 adopting a budget that raises more in property taxes than last year. All in favor, the motion carried 5-0.

- 2. Discuss and consider Ordinance 2022-1052 OF THE CITY OF HUTCHINS, TEXAS, LEVYING AD VALOREM TAXES FOR THE YEAR 2022-2023, AT A RATE OF \$0.655901 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2022, TO PROVIDE REVENUES FOR CURRENT EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; AND DECLARING AN EFFECTIVE DATE.**

Presented by: William Wooten, Finance Director

City Administrator Quin explained the change in the law that requires the tax rate to be approved at a meeting other than the date of the public hearing. This item will be postponed until a Special Called Council Meeting on Monday, September

12, 2022, at 5:30 p.m.

3. **Discuss and consider Resolution R2022-1052 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS APPROVING AN ECONOMIC DEVELOPMENT CAPITAL IMPROVEMENTS PROGRAM FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; AND PROVIDING AN EFFECTIVE DATE.**

Presented by: Guy Brown, EDC Director

Councilmember Didehbani made the motion seconded by Councilmember Campbell to approve Resolution R2022-1052 as presented. All in favor, the motion carried 5-0.

4. **Discuss and consider Ordinance 2022-1153 OF THE CITY OF HUTCHINS, TEXAS MAKING APPROPRIATIONS FOR THE BETTERMENT OF THE CITY OF HUTCHINS, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; APPROPRIATING MONEY TO AN ECONOMIC DEVELOPMENT FUND FOR IMPROVEMENTS AND ENRICHMENTS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF HUTCHINS ECONOMIC DEVELOPMENT CORPORATION FOR THE 2022-2023 FISCAL YEAR.**

Presented by: Guy Brown, EDC Director

Councilmember Didehbani made the motion seconded by Mayor Pro Tem Nichols to approve Ordinance 2022-1153 as presented. All in favor, the motion carried 5-0.

5. **Discuss and consider Ordinance 2022-1154 OF THE CITY OF HUTCHINS, TEXAS, TO PROVIDE A BASE RATE MODIFICATION FOR SOLID WASTE COLLECTION IN ACCORDANCE WITH THE MUNICIPAL SOLID WASTE COLLECTION AND DISPOSAL CONTRACT BY AND BETWEEN THE CITY OF HUTCHINS, TEXAS AND REPUBLICWASTE SERVICES OF TEXAS, LTD.; AND PROVIDING AN EFFECTIVE DATE OF OCTOBER 1, 2022.**

Presented by: William Wooten, Finance Director

Councilmember Odom made the motion seconded by Councilmember Elmore to approve Ordinance 2022-1154 as presented. All in favor, the motion carried 5-0.

6. **Discuss and consider Resolution R2022-1053 approving an agreement with the Texas Police Chief's Association - Best Practices Recognition program.**

Presented by: Steve Perry, Police Chief

Councilmember Elmore made the motion seconded by Mayor Pro Tem Nichols to approve Resolution R2022-1053 as presented. All in favor, the motion carried 5-0.

7. **Discuss and consider Resolution R2022-1054 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, CASTING VOTES FOR THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL (WORKERS' COMPENSATION, PROPERTY, AND LIABILITY) BOARD OF TRUSTEES, PLACES 6 THROUGH 9, TO SERVE A SIX-YEAR TERM; AND PROVIDING AN EFFECTIVE DATE.**

Presented by: Cynthia Olguin, City Secretary

Mayor Pro Tem Nichols made the motion seconded by Councilmember Campbell to approve Resolution R2022-1054 casting votes for the TMLIRP Board of Trustees, Place 6 - Kimberly Messmer; Place 7 - James Douglas; Place 8 - Mike Land; and Place 9 - Opal Mauldin Jones. All in favor, the motion carried 5-0.

8. **Discuss and consider Resolution R2022-1055 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO APPLY FOR A GRANT FROM THE OFFICE OF THE GOVERNOR (OOG) CRIMINAL JUSTICE DIVISION (CJD) FOR THE FY 2023 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AND AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO ACT ON THE CITY'S BEHALF TO ADMINISTER THE GRANT, AND PLEDGING THAT THE CITY OF HUTCHINS WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE CRIMINAL JUSTICE DIVISION (CJD) OFFICE OF THE GOVERNOR (OOG).**

Presented by: Steve Perry, Police Chief

Councilmember Campbell made the motion seconded by Councilmember Elmore to approve Resolution R2022-1055 as presented. All in favor, the motion carried 5-0.

9. **Discuss and consider Resolution R2022-1056, changing the previously selected vendor of the poured-in-place rubber surfacing.**

Presented by: Nick Cornelius, Assistant to the City Administrator

Nick Cornelius, Assistant to the City Administrator, presented the item and explained that the vendor previously awarded the bid, Lea Park and Play, was not able to honor the submitted quote. Staff recommended awarding the bid to the second lowest bidder, Child's Play Inc.

Mayor Pro Tem Nichols made the motion seconded by Councilmember Odom to approve Resolution R2022-1056 awarding the bid to Child's Play Inc. All in favor, the motion carried 5-0.

10. **Discuss and consider temporary and permanent signage for the City.**

Presented by: Nick Cornelius, Assistant to the City Administrator

Nick Cornelius, Assistant to the City Administrator, provided an update on the temporary signage options. The council directed staff to proceed with the rental of temporary moveable signage.

11. **Update regarding the proposed Interlocal Agreement for Animal Shelter Services between the City of Ferris and the City of Hutchins.**

Presented by: Steve Perry, Police Chief

Police Chief Perry presented the item and provided an update on the meetings with the City of Ferris to finalize the terms of the Interlocal Agreement for Animal Shelter services. Once the terms of the agreement and final legal review are completed, the item will be placed on a future agenda for council consideration.

G. EXECUTIVE SESSION:

The City Council for the City of Hutchins, Texas, shall convene in a closed

executive session pursuant to the Texas Government Code:

1. Section 551.072, to consult with and seek legal advice from the City Attorney regarding pending or contemplated litigation or a settlement offer, or on a matter which the duty of the Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, to wit: discussion of the proposed settlement in Cause No. CC-22-04343-A, City of Hutchins, Texas v. Dallas Hunting & Fishing Club Inc., and Cause No. CC-03226-B, City of Hutchins, Texas v. TOR Holdings, LLC
2. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property and deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party, to wit: acquiring a permanent and temporary construction easement from Dallas Hunting and Fishing Club Inc.

Mayor Vasquez convened the council into Executive Session at 7:19 p.m.

H. RECONVENE INTO REGULAR SESSION

1. Take any action as a result of the Executive Session.

Council reconvened into Executive Session at 7:31 p.m.

Mayor Pro Tem Nichols made a motion seconded by Councilmember Didehbandi to accept the agreement of Cause CC03326B TOR Holdings and approve a deposit in the registry of CC03326B TOR Holdings. All in favor the motion carried 5-0.

I. ITEMS OF COMMUNITY INTEREST

City Secretary Olguin announced the items of community interest.

J. ADJOURNMENT

Councilmember Elmore made the motion seconded by Councilmember Campbell to adjourn the meeting at 7:36 pm. All in favor, the motion carried 5-0.

PASSED AND APPROVED BY THE HUTCHINS CITY COUNCIL AT A REGULAR MEETING HELD ON 3rd DAY OF OCTOBER 2022.

APPROVED:


Mario Vasquez, Mayor

ATTEST:


Cynthia Olguin, City Secretary

