

City Council
City of Hillsboro, Texas
Minutes of Regular Meeting
December 19, 2023

Present were:

Scott Johnson, Mayor	Megan Henderson, City Manager
Leann Richmond, Mayor Pro Tem	Jasmine Guy, City Secretary
Dana Robinson, Councilmember	Tony Cain, Assistant City Manager
Jay Jolly, Councilmember	Richard Reinhardt, Planning Official
Frances Zarate, Councilmember	Allyson Cliett, Special Projects Coordinator
Larry Lloyd, Councilmember	
Eric Fleming, Councilmember	
Frances Zarate, Councilmember	
Christi Ward, Communications & Executive Assistant	

City Secretary, Jasmine Guy was absent.

Others present:

Shannon Cottongame, Reporter
Officer Dominique Anderson, Hillsboro Police Department
Rev. Michael Nemec of Christ Lutheran Church

Mayor Johnson called the meeting to order at 6:00p.m.

Invocation was given by Rev. Michael Nemec of Christ Lutheran Church.

Mayor Johnson led the Pledge of Allegiance.

Hear Statements from Persons Wishing to Address Council.

Janet Lahr, a Hillsboro citizen and resident at 900 Park Dr. expressed that the street project taking place on Park Dr. is taking way longer than it should. She expressed her concerns regarding being able to access and use her driveway. She reported that she has spoken to the contractor and they were not very truthful with the information that was shared with her. She informed council of a situation with the contractor calling the police on her for simply trying to exit her property. She reported that the contractor has also placed the fire hydrant in the wrong place and the city has had to come fix it which is waste of tax-payer's dollars. She expressed that her neighbors and other citizens on Park Dr. share the same concerns and frustrations. They haven't been able to leave their homes for the past week due to being unable to use their driveway. She added that there has been some damage to the tail pipe on her vehicle and she plans to send the bill to the contractor and the city. She continued to express her concerns regarding the lack of communication between the city, contractor, and citizens. Mayor Johnson shared that council is unable to address her comments, but City Staff has made note of her concerns and will be reaching out to her.

Consent Agenda

Mayor Johnson informed Council that agenda numbers 5 through 8 require no formal public hearing and are subject to being approved in a single motion. However, any City Councilmember or the City Manager may remove an item from the Consent Agenda to allow discussion and voting on the item individually.

(Agenda Item #5)

Deliberate and Act on Approval of the Minutes for the Regular Meeting on December 5, 2023.

(Agenda Item #6)

Act on the Approval of Bills.

(Agenda Item #7)

Deliberate and Act on a Resolution Accepting the Recommendations of the Planning and Zoning Commission to Accept a Preliminary Plat, Hillsboro Meadows Subdivision” in the City of Hillsboro on a Certain Tract of Land Being 135.29 Acres Situated in the Henry Ross Survey, Abstract No. 755 in Hill County, Texas. Being the Same Property by Reference as Recorded in Volume 2179, Page 759 of the Official Public Records of Hill County, Texas. Also Known as the Property to the North of Patton’s Mill Road and to the West of Old Kirby Road. [Planning Official, Richard Reinhardt provided Council with the following information in the Council Packets prior to the meeting: The original preliminary plat for Hillsboro Meadows Subdivision was approved conditionally on May 2, 2023 that comments from the engineer be addressed and that necessary conditions be made to the plat. In response to comments from the engineer regarding drainage concerns, the lot layout for Phases 1 and 2 changed. This resulted in the total number of lots being changed and a street alignment being affected.

While some of the lots saw minimal change, the majority of lots in Phase 1 were altered and additional lots were created. Phase 2 decreased in the overall number of lots. Due to the number of changes, a revised Preliminary Plat was submitted for review. The Planning and Zoning Commission reviewed this request at their meeting on Monday, December 11, 2023 and they forwarded their recommendation of approval.]

(Agenda Item #08)

Deliberate and Act on a Resolution Approving a Contract for Purchasing the Parking Lot Across from the John Erwin Annex. [City Manager, Megan Henderson provided Council with the following information in the Council Packets prior to the meeting: The purchase of the parking lot on Franklin St. (across from the John Erwin Annex) went before council for approval during the September 19th council meeting and was approved. **Resolution No. R2023-09-65.**

The City of Hillsboro and Hill County has been able to execute a property contract. Both parties are in agreement and additional approval of the contract is needed by council to finalize the property purchase.]

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Consent Agenda Items. There were no items removed from the Consent Agenda. On a motion by Councilmember Robinson and second by Councilmember Richmond, Consent Agenda Items #5 through #8 were accepted and approved.

On roll call, the following votes were cast:

Ayes: Fleming, Lloyd, Robinson, Zarate, Richmond, and Jolly

Nays: None Absent: None

Resolution No. R2023-12-86 & 89

Regular Agenda

(Agenda Item #09)

Hold a Public Hearing, Second Reading and Deliberate and Act on a Proposed Ordinance Establishing Regulations for Smoke Shops and Tobacco Stores in the City of Hillsboro.

Planning Official, Richard Reinhardt presented the second reading of the agenda item. He shared that the proposed ordinance would add a section to the Business Regulation within the City Code of Ordinance. Presently, tobacco shops are permitted in the Central Business District (CBD), the Commercial (C) Zoning District and allowed with a Specific Use Permit (SUP) in the Neighborhood Commercial (NC) Zoning District. The proposed business regulations for smoke shops and tobacco stores creates two separate classifications for smoke shops and specialty tobacco stores per definition. This ordinance will be followed by a separate ordinance (next agenda item) to make changes to the Zoning Ordinance to establish zoning requirements (including location requirements) for smoke shops and tobacco stores and specialty tobacco stores. Smoke shops and tobacco stores would be subject to a one thousand (1,000) foot distance requirement, measured property line to property line, from uses where children regularly gather.

With no further questions or comments from the Councilmembers, the Mayor opened the Public Hearing at 6:08p.m. No one spoke for or against the ordinance. There were no further questions. The Public Hearing was closed at 6:09p.m. and the Mayor Johnson declared the second reading of the ordinance complete.

On a motion by Councilmember Fleming and second by Councilmember Jolly, the ordinance was accepted and approved.

On roll call, the following votes were cast:

Ayes: Fleming, Lloyd, Robinson, Zarate, Richmond and Jolly

Nays: None Absent:

Ordinance No. O2023-12-26

(Agenda Item #10)

Hold a Public Hearing, First Reading and Deliberate on a Proposed Ordinance Accepting the Recommendations of the Planning and Zoning Commission to Amend the Terms of the 2007 Zoning Ordinance, Known as Ordinance No. O2007-01-01,

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Whereby the Purpose is to Define Zoning Requirements and Locations for Smoke Shops and Tobacco Stores and Specialty Tobacco Stores.

Planning Official, Richard Reinhardt presented the first reading. He shared that this item goes in concurrence with the previous agenda item that was just approved. He provided that the proposed ordinance will establish zoning requirements for smoke shops and tobacco stores, including location requirements. Smoke shop and tobacco stores will be allowed with a Specific Use Permit (SUP) in the Central Business District (CBD) and Commercial (C) Zoning District. A specialty tobacco store will be allowed with a Specific Use Permit (SUP) in the Central business District (CBD), Neighborhood Commercial (NC) and Commercial (C) Zoning Districts. He reported that the Planning and Zoning Commission reviewed the request at their meeting on December 11th. They added the following provision: Smoke shops and tobacco stores be prohibited in the Historical-Cultural Landmark Preservation Overlay (H-C) Zoning Overlay District. Councilmember Robinson was able to asked if this would allow any smoke shops to open within the down town area. Planning Official Reinhardt provided that if the property remains under the Zoning Overlay District then a smoke shop would not be able to go to there. Councilmember Richmond then asked if this will affect the current shops and Planning Official Reinhardt stated that the current shops will not be affected. It will affect new shops moving forward.

With no further questions or comments from the Councilmembers, the Mayor opened the Public Hearing at 6:11p.m. No one else spoke for or against the proposed ordinance. The Public Hearing was closed at 6:12p.m. and the Mayor declared the first reading of the ordinance complete.

Ordinance No. O2024-01-01

(Agenda Item #11)

Hold a Public Hearing, First Reading and Deliberate on a Proposed Ordinance Accepting the Recommendations of the Planning and Zoning Commission to Amend the Terms of the 2007 Zoning Ordinance, Known as Ordinance No. O2007-01-01, Whereby the Purpose is to Create and Designate a New Overlay Zoning Classification, Outlet Mall Redevelopment Overlay (OMR), and Applying the Zoning Overlay District to Approximately 43 Acres in the Southwest Outlet Center Addition, Being the Same Property by Reference as Recorded in Volume 2246, Page 345 and Volume 2246, Page 353 of the Official Public Records of Hill County, Texas. Planning Official, Richard Reinhardt presented the agenda item. He referenced the PowerPoint to show the location of Outlet Mall Property as well as the 200ft notification area. He provided that majority of the responses received from the 200ft notification area were regarding clarification purposes, but others were in support of the redevelopment. The Outlet Mall Redevelopment Overlay (OMR) district overlay regulations allows warehousing, light industrial uses, second floor multifamily and commercial uses. It also creates higher landscaping requirements.

With no further questions or comments from the Councilmembers, the Mayor opened the Public Hearing at 6:14p.m. No one else spoke for or against the proposed ordinance. The

Public Hearing was closed at 6:15p.m. and the Mayor declared the first reading of the ordinance complete.

Ordinance No. O2024-01-02

(Agenda Item #12)

Deliberate and Act on a Resolution Authorizing an Application for Membership with the Texas State Comptroller's Texas SmartBuy Purchasing Cooperative.

City Manager, Megan Henderson presented the agenda item. She shared that this item will allow the City the authorization to participate in this Purchasing Cooperative. In order to gain access to purchase from State of Texas Contracts and procurement resources, the City must become a purchasing member. Becoming a member will be time and cost efficient. The Public Safety Department will be able to utilize this program for their various resources (purchase toxicology blood alcohol drug kits, etc.)

On a motion by Councilmember Lloyd and second by Councilmember Richmond, the resolution was accepted and approved.

On roll call, the following votes were cast:

Ayes: Fleming, Lloyd, Robinson, Zarate, Richmond, and Jolly

Nays: None Absent: None

Resolution No. R2023-12-85

(Agenda Item #13)

Deliberate and Act on a Resolution Authorizing an Interlocal Agreement for Membership with the The Interlocal Purchasing System (TIPS) Purchasing Cooperative.

Megan Henderson, City Manager presented the agenda item. She shared that this coordinated by the Education Service Center within the State of Texas. Participating in this system will allow the City to move forward with efficiency projects. In order to gain access to purchase from TIPS Purchasing Cooperative procurement resources, the City must approve an Interlocal Agreement authorizing us to participate in The Interlocal Purchasing System (TIPS).

On a motion by Councilmember Robinson and second by Councilmember Lloyd, the resolution was accepted and approved.

On roll call, the following votes were cast:

Ayes: Fleming, Lloyd, Robinson, Zarate, Richmond, and Jolly

Nays: None Absent: None

Resolution No. R2023-12-88

(Agenda Item #14)

Deliberate and Act on a Resolution Authorizing a One-Year Lease of the Texas Theater and Authorizing the City Manager to Negotiate and Execute all Necessary Documents.

City Manager, Megan Henderson presented the agenda item. She shared that there are several components of the City's Strategic Plan that suggests that this one would be good idea for the City to pursue. One of the challenges faced (in terms of economic development) is attracting the types of businesses that the community members/leaders have prioritized as a high need. She added that the City has tried a variety of ways to get an increase with entertainment options, but nothing has been found on a consistent basis. She reported that the City was approached by the owner of the Texas Theater. He expressed that they will not be moving forward with any renovation projects of the building, but he also did not want to see the building deteriorate or a "failed start." The City of Hillsboro has the opportunity to lease the theater for one year with restricted usage. The proposed lease rate is \$6,000 for the year. The lease will reflect the currently-agreed value of the building and new seating at \$215,000, and any improvements desired by the city would be made by us without any impact to the agreed-upon value. Upon conclusion of the one-year lease, if approved, it will be determined if future projects will be feasible.

On a motion by Councilmember Jolly and second by Councilmember Richmond, the resolution was accepted and approved.

On roll call, the following votes were cast:

Ayes: Fleming, Lloyd, Robinson, Zarate, Richmond, and Jolly

Nays: None Absent: None

Resolution No. R2023-12-87

(Agenda Item #15)

Hear and Deliberate on City Manager's Report.

City Manager Megan Henderson presented the following update on Goals 5-8.

a. Update on Strategic Goals 5-8

v. Build Better infrastructure

Project Progress			
Concept Funding Prof Svc Procurement Pre-Design Design Bidding Award Construction			
Street	Total	Status	Notes
Park Drive (WP)	\$6,083,741	Award	Park Drive Street Reconstruction portion of project is underway. First ½ has completed base material, curb/gutter and driveway aprons. Second ½ is being demolished now and some curb/gutter and driveway work has begun. Lime is scheduled for Thursday morning to prevent the street from getting soupy over the long holiday weekend.
Old Brandon Rd (WP)			
Church Street (WP)			
Walnut Street (WP)			Old Brandon Road Mill and Overlay portion of project is underway. First section of ribbon curb will be poured tomorrow. Church Street Utilities and Reconstruction will be the next portion to start; utilities work will be scheduled first; other utilities are in the process of marking their facilities.
Water Tower (MRB)	\$4,770,518	Phase I: Closing Out Phase II: Construction Phase III: Construction	Tank is up and Phase I is functionally complete. Pump station is in place and project is finished except for SCADA system, which will take 2-3 months. The Industrial park water line is almost complete.



vi. Deliver Essential Services

- Citizen issues: 3 drainage issues still in resolution; several street/ sewer/ issues being resolved
- Human Resources:
 - Heavy Equipment Operator hired but not yet cleared to operate
 - Executive Search for Economic Development Director underway

vii. Boost Economic Development

7.1 Business Attraction

- Economic Development team working on Project GO – lots of progress
- Project will want incentives from the City and land from the EDC

7.3 Entrepreneurship and Small Businesses

- Promoting shopping in local small businesses for the holidays

7.6 Pursue redevelopment of the Outlet Mall

- Real estate partners and prospects quiet during the holiday season

viii. Enhance Quality of Life

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- Parks & Rec
 - Facilities
 - Parks Board recommends upgrades to restrooms prior to eclipse; options are being reviewed
 - Parking lot at Wallace Park to be expanded
 - Programming
 - Basketball season underway
- Library
 - Facilities
 - Preservation Trust Fund grant paperwork executed
 - Working with architects to right-size expansion plans
 - Programming
 - Grant nod for eclipse activities

b. Recent and Upcoming Staff Activity and Events





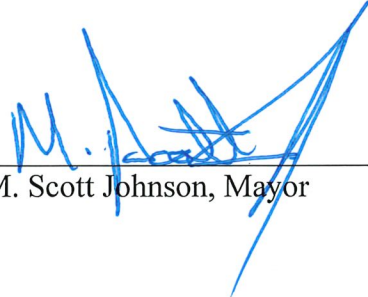


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- Events

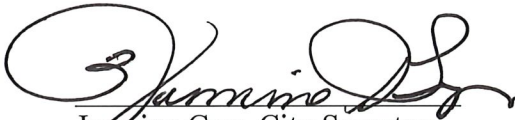
- Christmas activities have been successful
- City offices will be closed Monday and Tuesday for Christmas and the following Monday for New Year's Day
- Next Main Street event is Fire and Ice, Feb 17

With no further business to address, Mayor Johnson adjourned the meeting at 6:30p.m.



M. Scott Johnson, Mayor

ATTEST:



Jasmine Guy, City Secretary

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