



**City of Winters**  
**City Council Special Meeting**  
**Public Hearing Minutes**  
**Council Chambers, City Hall, 310 S. Main, Winters, TX.**  
**Tuesday, January 24, 2023, 6:00 p.m.**

\*NOTE: D/A on this agenda stands for Discussion/Action.

Quorum Check: In attendance were Mayor Mark Burkhart, City Attorney Ken Slimp, Alderman Jimmy Butler, Alderman Mike Neal, Alderwoman Ursula Estrada, Alderwoman Zan Jamieson and Alderwoman Ida Rodriguez.

Pledge of Allegiance and Prayer. Alderwoman Zan Jamieson lead the prayer.

**Agenda Item 1.** Community input concerning Tax Abatement Policy. N/A.

**Agenda Item 2.** D/A Considering the Tax Abatement Policy approval of Resolution No. 2023-01. Alderman Mike Neal made a motion to approve the Tax Abatement Policy. Alderwoman Zan Jamieson seconded the motion. The floor was open for discussion. Mr. Chris Shelton, attorney for the Winters Hotel Group, LLC. Spoke stating that he is just verifying that the city has the same information as he had submitted for change. Alderwoman Zan Jamieson replied that they had received his suggested changes to the city's policy, but the council had revised. Mr. Shelton asked if any of his revisions were incorporated to which Alderman Jimmy Butler replied probably not. Mr. Shelton asked what changes had been made, Alderman Jimmy Butler stated the changes were mainly to the capital expenditure and jobs required in order to receive an abatement. In particular, the amount of earnings required to be considered. In this case \$30,000/year. Alderwoman Zan Jamieson adds that the abatement percentage goes up to ninety percent not one hundred percent. Mr. Shelton clarifies that the request for the WHG, LLC is for an eighty-twenty with a PILOT payment and with a PILOT payment one hundred percent is abated with a twenty percent PILOT payment made to the city. They are asking for a ten-year abatement. He is requesting that the council approves a flexible policy agreement to accommodate his clients' requests. Alderman Jimmy Butler asked how many jobs the WHG, LLC would commit to providing, Mr. Doug Wheat replied six (6) to eight (8), Mr. Shelton stated he will ask that it be five (5) -six (6) in the agreement. Alderman Mike Neal asked if the city is tied to the Tax Abatement Policy once approved for adoption. Mr. Shelton is concerned about the validity of the agreement if going into one based on this policy as their requests do not meet

the guidelines stated in this policy. City Attorney Ken Slimp states as he reads the policy, it reads as if it would be specific, unless the council agreed to change the criteria. He states that he is not a tax abatement attorney but stating simply how he reads the policy. Alderman Mike Neal asked how the city realizes its investment by providing an abatement. Mr. John Long, a member of the WHG, LLC. stated that in Midland/Odessa you get the project. Alderman Mike Neal asked what that benefited the city. Mr. John Long replied that you have employees, you have property tax, Mr. Neal replied “no, we won’t have property tax, we’re giving that up.” Mr. Long replied that he understood but the city has long-term investment and will employ five (5) employees. Mr. Shelton injected that the city’s return would come more from capital investment than from jobs. Mr. Randal Conner of the WHG, LLC stated that the projections are that the hotel occupancy tax will generate revenue for the city, stating that \$60,000 in the first year should come to the city. Alderman Jimmy Butler stated the council could adopt this policy and change it later if need be. Alderman Mike Neal made a motion for an amendment to the policy, on page 2, # 6 to five (5) years and page 3, # 2 from \$10,000 to \$50,000 and on page 3 the maximum number of years under criteria at the \$500,000 level from seven (7) years to a maximum of five (5) years. Chris Shelton asked if the council would consider the PILOT payment at which Mayor Burkhart explained that the council was taking a vote on amending the Tax Abatement Policy at this time. Alderman Jimmy Butler seconded the motion to approve to adopt the Resolution No. 2023-01, with changes. Motion carried. Ayes 5, Noes 0.

Chris Shelton asked about the Resolution including the statements pursuant to Section 312.002 (a) of the Tax Code as required by law, which were not included in the Resolution sent to the city from Attorney Jake Lederle. City attorney Ken Slimp advised the council to add the specific wording to the Resolution. Alderman Jimmy Butler made a motion to amend the Resolution just adopted to add the specific wording to the Resolution. Alderman Mike Neal seconded the motion, all in favor. Ayes 5, Noes 0.

**Agenda Item 3.** Open Public Hearing for the Tax Reinvestment Zone (Winters Hotel Group, LLC). Mayor Burkhart opened the Public Hearing at 6:43 p.m.

**Agenda Item 4.** Close Public Hearing for the Tax Reinvestment Zone (Winters Hotel Group, LLC). Mayor Burkhart closed the Public Hearing at 6:53 p.m.

**Agenda Item 5.** D/A considering the adoption of Ordinance 2023-01 Tax Reinvestment Zone (Winters Hotel Group, LLC).

Doug Wheat of the Winters Hotel Group, LLC. expressed his appreciation for the council’s time and stated that as there is no Economic Development in our city they are asking for assistance from the city in the way of the abatement. He further states that the WHG, LLC is committed to investing 3.5 million of their own money to invest in the community, as the hotel is a need in the community. The group sees it as a win-win for the city as the city will receive hotel occupancy tax, job development and development of our community for future generations. He understands there is a great responsibility for the council to make the best decisions for the city but he does

see it as a win for city government and the group would like to work with the city to make the community proud and moving forward.

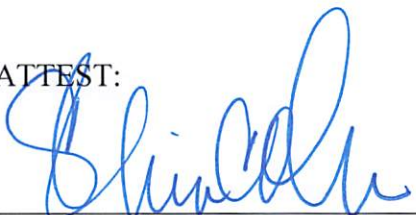
Mr. Randall Conner said that the city would stand to get \$60,000 in hotel tax alone but he thinks the project is in jeopardy due to escalating costs . Mayor Burkhart asked if the five (5) year abatement would not be adequate to which Mr. Conner answered that it just would not pencil for them. Alderman Mike Neal stated that today the council was just addressing the policy and abatement could be discussed later.

Alderman Jimmy Butler made a motion to adopt Ordinance 2023-01 designating a Tax Reinvestment Zone. Alderwoman Ursula Estrada seconded the motion. All in favor, motion carried. Ayes 5, Noes 0.

Agenda Item 6. Adjourn meeting. Alderman Mike Neal made a motion to adjourn the meeting. Alderwoman Ursula Estrada seconded the motion, all in favor. Motion carried. Meeting adjourned at 7:16 p.m.

  
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Mayor, Mark Burkhart

ATTEST:

  
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City Secretary, Sheila Lincoln



