

HEWITT TEXAS

NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Dinner Workshop** meeting of the governing body of the City of Hewitt will be held on the **7th day of April, 2014 at 5:30 PM** in **Hewitt City Hall, 105 Tampico Drive**, Hewitt, Texas, at which time the following subjects will be discussed:

1. City Manager's update on municipal business:
 - a. Report from City Engineer including review and discussion of Capital Improvement Projects.
 - b. Briefing and discussion concerning changes in the Utility Billing process.
 - c. Briefing and discussion concerning accessory buildings and structures.
 - d. Briefing and discussion concerning electronic cigarettes or vaporizers.
 - e. Briefing and discussion concerning Public Safety operations – Police & Fire.
2. Review regular meeting agenda items.
3. Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:
 - **Pursuant to § 551.087 – Deliberation regarding Economic Development Negotiations.**
 - **Pursuant to §551.074 - Personnel Matters.** (Council will meet in Executive Session to discuss the annual evaluation of the City Manager.)
4. Close Executive Session.
5. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 11:35 AM/PM on April 4, 2014.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact the Hewitt City Secretary at (254) 666-6171 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

HEWITT TEXAS

NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Regular** meeting of the governing body of the City of Hewitt will be held on the **7th day of April, 2014 at 7:00 PM in the City Council Room at Hewitt City Hall, 105 Tampico Drive**, Hewitt, Texas, at which time the following subjects will be discussed:

1. Pledge of Allegiance to the U.S. Flag
2. Consider approval of minutes of the Council Dinner Workshop/Regular Meeting of March 17, 2014.
3. Hear visitors on matters pertaining to city business.
4. Consider reappointment(s) to the Board of Adjustment.
5. Consider action on nomination to the McLennan County 9-1-1 Emergency Assistance District Board of Managers.
6. Consider and take appropriate action concerning an ordinance of the City of Hewitt, Texas vacating and abandoning a 10 foot wide utility easement along the rear property line at 124 Claudette Drive being Lot 1, Block 4, of the Ellis Farm South Addition in the City of Hewitt, McLennan County, Texas; providing a savings clause; repealing ordinances in conflict therewith; and declaring an emergency.
7. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 11:35 AM on April 4, 2014.

CITY OF HEWITT


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HEWITT TEXAS II

WORKSHOP ITEM #1.a

HEWITT TEXAS

CITY ENGINEER'S REPORT

April 3, 2014

Note: All schedules, dates and references to completion dates are approximate and subject to change.

I-35 Widening - Utility Adjustments:

All substantial construction is complete. The contractor is currently working on finishing up the final punch list, after its completion we will do a final walk through. This project is under contract with TXDOT as is the completion timeline. We are having to put a lot of pressure on TXDOT to get them to force the contractors to finish this project up.

Water Utility Improvements:

Commerce Park Water Plant:

Elevated Storage Tank; For the most part, we have finished our review of the tank submittals. At this time the contractor is tentatively looking to have the foundation completed by the end of May and the shaft crews to begin work within the first part of June. This project is called to be completed on April 15, 2015.

Ritchie Road Plant and Well Electrical System Improvements:

The electrical engineer is working on his portion of the project.

Wastewater Utility Improvements:

Lift Station No. 2 Replacement:

The new lift station is operational, all that will remain is the decommissioning the existing lift station, installing SCADA components, constructing site fencing, and cleanup. This project should be wrapping up quickly.

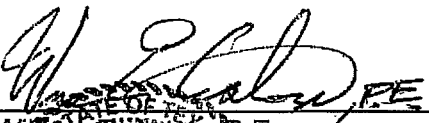
Patriot Court – Street, Drainage and Water/Sewer Utilities:

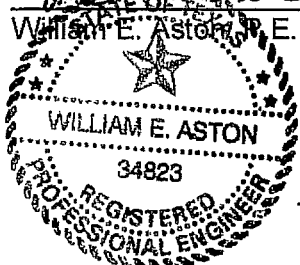
The contractor has completed the water and sewer utility installation, has also poured the first half of Ritchie Road, and half of the concrete portion of Patriot Court. This project is scheduled to be completed mid-May 2014.

Additional Note:

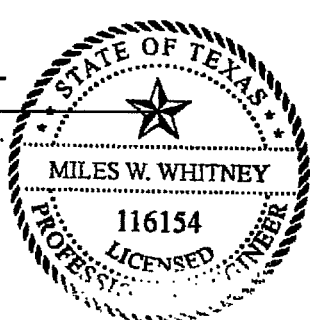
We are currently working with the city staff to renew the City of Hewitt's National Pollutant Discharge Elimination System (NPDES) Permit. The deadline for submittal is in June of 2014.

By:



WILLIAM E. ASTON, P.E.




Miles W. Whitney, P.E.


HEWITT TEXAS II

WORKSHOP ITEM #1.b

HEWITT TEXAS

MEMORANDUM

FROM: Adam Miles, City Manager
TO: Mayor and City Council
DATE: April 4, 2014
RE: Utility Billing process update



Hewitt has an established protocol for utility billing and payments that has changed over time. In the next few months some of our current practices relating to Utility Billing will need to change once again. Part of this has been prompted by new technology, but a portion is due to the construction of the Public Safety Facility.

Two main areas need to be discussed. The first is “After Hours” reconnection of water service for late customers. The second relates to deposits for customers and related processes.

After Hours Reconnection

All utility customers are on one of two billing cycles each month. Because of the meter replacement program, meters are now read electronically and are significantly more accurate than manual reading. Each water meter is electronically read at the beginning and end of a billing cycle. Of course, the end reading is used as the beginning for the next billing cycle.

Our billing is based on monthly consumption. Typically, the billing cycle is 30 days. At the end of the cycle, water consumption is collected, and a utility bill is generated. The bill is then mailed to utility customers 14 days (2 weeks) before the bill is due. The due date is always either the first Friday of the month or the third Friday of the month (depending upon the customers billing cycle). The majority of customers pay their bill on or before the due date. It is important to note that at the time utility bills are due customers are paying for services they began to receive at least 44 days before they pay.

The regular hours of operation of the Utility Department are from 8:00 a.m. until 5:00 p.m. Monday through Friday (unless there is a holiday). However, if the bill remains unpaid by the following Monday morning at 8:00 a.m. then the 10% penalty is applied. The 8:00 a.m. time allows drop box payments to be made over the weekend without penalty. Customers who have not paid by the 8:00 a.m. Monday cutoff are then mailed a Late Notice indicating they have 14 more days (2 weeks) to make payment or their water will be cut off.

After the two weeks have passed and customers have still not paid their utility bill, we apply an additional \$50.00 reconnection fee at 4:00 p.m. Monday afternoon. Bills that remain unpaid after 4:00 p.m. are automatically placed on a cut off list and will be disconnected the next morning beginning at 7:00 a.m. Again, it is important to note that by the time the customer is cut off they have received at least 59 days of service without paying.

To recap, we have 30 days of usage, 14 days before it is due, plus an additional 14 days to pay before water is cut off the following day. During that time a 10% late penalty was applied and a \$50 reconnect fee was applied to the account. We do have some customers who do not pay their bill and end up owing the city for all of the water they consumed over the 59 day period of time. The amount owed is no less than \$160. Many accounts are closed out owing much more. We do apply the deposit, but it does not currently cover the loss. This relates to the discussion concerning deposits described below.

However, our current practice allows those few customers who have not paid during the day on Tuesday and are cut off to come to the Police Department after utility billing closes at 5:00 p.m. to have an "After Hours" reconnection for an additional \$50.00 fee (the customer would pay a \$50 reconnect fee plus a \$50 after hours fee). The Police Dispatch will then call out a Water Department employee to re-connect the water until 10:00 p.m. This involves utility employees taking a physical copy of the "cut off for non-pay" list to the Police Department at 5:00 p.m. where the Police Dispatchers have the responsibility to collect fees and call out employees as needed. There are usually five (5) or fewer customers per billing cycle that request the after hours turn-on. (this can go on several times until 10 p.m.) An after hours city employee is paid a minimum of one hour of overtime to come out to turn on the water for a customer.

This last part is where we are proposing change to our practice. The "After Hours" water reconnection is disruptive the Police Department especially during times of high call volume and will present other issues in the future. Looking ahead we have purposefully placed the location of emergency dispatch in the new public safety facility to be inaccessible by the public. This was mainly done because of CJIS regulations and information privacy requirements. The new facility will have a call box located in the lobby for emergencies. Our current practice is a cumbersome and costly solution to this problem caused by a handful of late paying customers and we are proposing elimination of the "After Hours" turn on service.

We have surveyed the surrounding cities and developed a spreadsheet that summarizes common practices concerning utility billing. Each city has a variety of solutions to this issue; and there are some specific practices that we do not endorse (e.g. taking payments by water employees in the field). After analysis we have found most customers in McLennan County do not have "After Hours" reconnection available. (Most are Waco customers). Please see attached spreadsheets detailing utility billing processes related to After Hours Procedures.

Customer Deposit Policy

Our current practice is that all customers are required to deposit \$80 to open an account. This is done to help offset losses stemming from “skip” accounts. Over time customers have disappeared owing several thousand dollars in uncollected utility payments. (We do send unpaid accounts to collection).

We have looked in to changing our deposit policy with the objective of reducing losses stemming from “skip” accounts and to take credit worthiness of customers into account to help determine an initial deposit. Most cities do not utilize a credit check, however, Waco does incorporate this process for new accounts which means the vast majority of water customers in McLennan County already have a soft credit check conducted at the time the account is established. The soft credit check is different from a regular credit check conducted by a lender; it is recorded as a credit check, but not in a manner that affects the credit score of the individual.

Waco utilizes an “online utility exchange” system to conduct the soft credit check on new accounts. The system indicates if the customer’s score is in one of three categories: green, yellow, or red. Green indicates a favorable credit score whereas Red would indicate a less desirable score. Yellow is somewhere in the middle. Waco uses the colored rating to then assign a deposit. Green scores have a lower required deposit, with the red score having the highest.

This system also features a tool that checks to see if any other participating entity has that customer already in the database and if they left a participating system with an outstanding balance. Customers who owe money to another utility are not allowed to open an account. In other words, the exchange provides a rating of the customer and a check against other utility companies records.

The Commercial account deposit policy has also been reviewed. Our current practice is to charge the same fee (\$80) for commercial deposits as residential deposits. Commercial accounts have different minimum monthly bills based on factors including trash collection (which may be either a hand collected service up to multiple dumpsters or even roll off containers) and water meter size. The minimum monthly bill for Commercial accounts is \$99.56 (and up). We have had instances where businesses have closed or changed hands and left owing a balance for services.

Summary and Recommendations

After analysis of the issues at hand, staff is recommending a change to eliminate “After Hours” reconnection of water through the Police Department. The process already allows 29 days after the first bill is received before water is cut off for non-pay and customers have most of the day after water is cut off (Tuesdays) to make it to Utility Billing during regular hours. The new Public Safety Facility is designed in a manner that Police Dispatch is inaccessible to the public (there is an intercom system in case of emergency) and the cumbersome manner in which it is

currently conducted is costly. Overtime costs for employees would be saved and customers could have water turned on the next business day (which is the common practice for most water utilities in the area).

Additionally, staff is recommending a change in the deposit procedure to utilize the Online Utility Exchange system. A soft credit check would be performed for all new accounts to determine a deposit. Three tiers of deposit would be as follows: Green - \$50, Yellow - minimum monthly bill plus the 10% penalty (about \$100 - would change as rates change), and Red - two times the minimum monthly bill plus 10% (approximately \$200). New accounts would be refused where customers left a participating utility owing money and only allowed after they are able to resolve any outstanding balance. Customers who "skip" would be reported to the Exchange and sent for collection.

Commercial deposits would be increased from \$80 and based on the minimum monthly bill for the specific business. Currently the minimum deposit would be \$99.56 and up depending upon the specific account. Additionally, it is recommended to add a deposit for commercial dumpsters or roll off containers equivalent to the monthly charge for the chosen trash collection method. Those rates are charged by Republic and approved by Council.

Council action would be required at a future meeting the change fees or deposits. As an aside, this item is not related to a separate and ongoing discussion concerning calculation of utility bills (ie. Winter Averaging). That issue is being analyzed by Dan Jackson with Economists.com for consideration in the near future. Staff recommendation is to end the "After Hours" reconnect service and implement the Online Utility Exchange program effective June 1, 2014.

OTHER CITIES DEPOSITS AND AFTER HOURS RECONNECTS			
CITY	DEPOSIT POLICY	AFTER HOURS PROCEDURES	
WACO - AFTER HOURS	NO Run ss through experian (online utility exchange) base deposit upon this ; no letter of credit taken. RED GREEN, YELLOW &	Full amount + \$50 for reconnect; \$100 for anything after paid noon for same day cut on; after offices close at 5pm, customers will have to wait until next business day to be turned on	
WOODWAY	No credit check, no letters of credit; owning \$100 deposit + \$20 service fee, renting \$200 deposit + \$20 service fee	Pay full amount + \$50; \$95 for after hours (after hours is after 5pm, call the Public Safety and on call guy will be dispatched out. They do not set a time that this has to be done by)	
ROBINSON	No credit check, no letters of credit; \$133 deposit, without sewer \$98 deposit	Full amount + \$35 for during normal business hours, \$60 afterhours (guy on call collects the afterhour payment which can only be check or money order)	
BELLMEAD	No credit check, no letters of credit; \$130 deposit for home owners + \$20 service fee, \$150 deposit for renters + \$20 service fee	Full amount + \$20 fee added (nothing different for after hours for fees, available all night to be on call)	
LORENA - AFTER HOURS	NO No credit check, no letters of credit; inside owners \$150 deposit + \$17.21 for 1st months garbage; inside renters \$250 deposit + \$17.21 for garbage; outside same except there is no garbage fee	If their services have been disconnect 2x in a 12 month period, must pay for additional \$100 deposit. Due on 15th of the month, add 15% if not paid by 5pm of due date; if not paid by 5pm on 25th add \$50 late fee; turn back on if it is turned off, additional \$50 to reconnect; do not turn on after 5pm	
LACY LAKEVIEW	No credit check, no letters of credit; \$100 deposit + \$12.50 service fee	Full amount + \$20 fee added (nothing different for after hours for fees, available all night to be on call)	
CITY OF HEWITT			
DEPOSITS	Run soft credit check with Online Utility Exchange. Based deposit on the color code.		

Green	\$50 Deposit	
Yellow	Yellow Code will require a deposit of Minimum Monthly Bill plus 10%	
Red	Red Code will require a deposit of 2 times the Minimum Monthly Bill plus 10%.	
DISCONNECTS FOR NON-PAY	Disconnect list will be created at 5:00pm the day prior to the services being disconnected. All received payments will be processed prior to the list being created. Once the list is created, all customers that are on this disconnect list for non-payment, will be charged a \$50.00 service fee. Once list is completed, only the Customer Relations Manager or Director of Utilities may determine if someone can be removed. The list will be sent to the Supervisor of Utilities the day the list is created.	
DAY OF DISCONNECTS.	The Utility Service Department will start the disconnection process at 7:00am the next morning. All past due amount, plus the service fees, must be paid prior to services being reconnected. After Utility Billing office is closed, there will be no staff will be available for reconnection of services until the next business day.	
AFTER HOURS RECONNECTS.	If payment is received after 4:00pm, service will not be connected until after 12:30pm the next business day. If the customer wishes to have services reinstated the same business day, an after hours service fee \$50, will be applied and all past due amounts and fees must be paid prior to reconnection of services. No services will be reconnected after 5:00pm	
COMMERCIAL ACCOUNT WATER DEPOSITS	We could also use the Minimum Monthly Bill Plus 10%. This would allow us to receive the deposit based on the size of meter at this location. Commercial accounts should have a larger deposit than a residential account because of higher bills. Commercial accounts pay a Minimum of: \$30.00 Water, \$45.00 Sewer, \$16.68 Refuse (Hand Pick), Tax \$1.38 and \$6.50 Drainage. Minimum Bill for a Commercial account is \$99.56. Commercial accounts Water charge is based on Meter Size. Please refer to Water Rate Schedule.	
DUMPSTER DEPOSITS	Dumpster deposit (in addition to water deposit), will be based on the amount of rate schedule for size of dumpster requested.	
Adam, the two rows in orange are what we had discussed in our meeting. I don't know what you want to set the Commercial Water Deposit to be.		

HEWITT TEXAS II

WORKSHOP ITEM #1.c

HEWITT TEXAS

MEMORANDUM

FROM: Adam Miles, City Manager
TO: Mayor and City Council
DATE: April 4, 2014
RE: Residential Accessory Structures policy review



This item is being presented in the workshop do provide the Council with an update concerning implementation of the new Accessory Structure ordinance. There are a few areas that need to be discussed as builders and homeowners are adjusting to the new policies. Staff is seeking direction in the following areas:

Minimum separation of accessory buildings (other than carports) from main structures.

The regulations indicate a 5 foot separation, but there is some ambiguity about a 10 foot separation for some structures or buildings.

Definition of buildings and structures; what requires a permit and what does not.

There is some confusion concerning patio covers, pagodas, gazebos, children's play houses and porch awnings. We currently regulate carports, but not some other similar structures.

Council policy on enclosing garages and requiring additional covered parking

The current policy requires two covered parking spaces per home. There is some ambiguity in the language that may or may not require a homeowner enclosing a garage to provide additional covered parking.

For the most part these are minor issues and the new regulations have been favorably received. However, staff is seeking direction on how to proceed. More information will be provided during the workshop. No action is required at this time.

Section 9.102. [Residential accessory buildings.]

The following regulations shall govern the location, size, and use of accessory buildings located in residential zoned districts R-1, R-2, R-3, R-4, and R-5.

- A. Permit Required: All residential accessory structures shall require a permit. Fees for permits shall be in accordance with the most recently adopted fee schedule as approved by the City Council.
- B. Site Plan Required: A site plan indicating the proposed location of the accessory building and other structures on the lot shall accompany the permit. Additionally, a description of materials used including color and roofing are required.
- C. Materials: All residential accessory structures and buildings shall be erected or constructed in a manner consistent with the materials and colors, including roof pitch and architectural style, of the main structure.
- D. Lot Coverage: Accessory structures may not occupy more than thirty (30) percent of the rear yard.
- E. Placement of residential accessory buildings: The placement of residential accessory buildings is regulated in accordance with the following:
 - 1. Residential accessory buildings may be detached or attached to the main building but shall not encroach in any required front yard.
 - 2. If detached, no accessory building shall be erected within ten (10) feet of any other building. Exception: A detached residential garage may be erected not less than five (5) feet from the main structure.
 - 3. An accessory building more than five (5) feet from a main building may be erected within two (2) feet of a side or rear lot line, but must be located at least sixty (60) feet from the front street line as measured from the back of

the curb or edge of pavement.

4. Detached Carports: Detached carports must be located ten (10) feet or more from any other building or structure. A detached carport may be erected within two (2) feet of a side or rear lot line, but must be located at least sixty (60) feet from any public right of way as measured from the back of the curb or edge of pavement.
- F. Height: No residential accessory building shall be erected, constructed, or placed with a roof plate line greater than ten (10) feet in height.
- G. Masonry: Masonry veneering for residential accessory structures shall be regulated in accordance with the following:
1. Where masonry veneering is required, materials shall be consistent or similar in type and color to the primary residential structure. Unless otherwise stated, all masonry veneering shall have a visible grout line.
 2. Accessory buildings in residential zoned districts R-1, R-2, R-3, and R-5 that are larger than 400 square feet or have a door(s) larger than six feet (6') wide shall cover 75 percent of the front and two sides of the structures, excluding doors and windows, with a masonry veneer.
 3. In residential zoned district R-4, all residential and accessory buildings shall cover a minimum of 80 percent of each exterior wall of the structures, excluding doors and windows, with a masonry veneer. The remaining area of each exterior wall, excluding doors and windows, shall use stucco, EIFS, or cast concrete modular siding.
 4. Regardless of square footage, any accessory building in residential zoned districts R-1, R-2, R-3, and R-5 with a roof plate line greater than eight (8) feet in height shall have masonry veneering covering 75 percent of the front and two sides, excluding doors and windows.

H. Special requirements for residential accessory structures in neighborhoods or subdivisions developed after December 31, 1994.

1. All accessory structures greater than one hundred eighty-two (182) square feet, in residential zoned districts R-1, R-2, R-3, and R-5, shall have masonry veneering covering 75 percent of the front and two sides, excluding doors and windows.
2. Support Columns for attached or detached carports shall be constructed with one hundred percent (100%) masonry veneering.
3. Accessory structures greater than one hundred eighty-two (182) square feet must be site built.
4. The date the original final plat for the subdivision (regardless of any phase) was filed at the McLennan County Courthouse shall be used to determine the date for purposes of this section.

I. Temporary Accessory Buildings: Temporary structures shall be regulated in accordance with the following:

1. Temporary on-site storage containers (ie. Shipping Containers, P.O.D.S., etc...) shall require a permit. A permit may be issued in fifteen (15) day increments with the maximum number of permits issued in one calendar year to a specific address limited to three (3) permits. The City Council may consider an extension to the number of permits on a case-by-case basis.
2. Temporary buildings used for construction purposes only are permitted in any district during the course of construction.



COUNCIL AGENDA ITEM FORM

MEETING DATE: April 7, 2014

AGENDA ITEM #: 2

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Council Dinner Workshop/Regular Meeting of March 17, 2014.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a draft copy of the meeting minutes. Please review and advise if any corrections are needed.

ATTACHMENTS:

Draft minutes

HEWITT TEXAS

MINUTES OF A CITY COUNCIL DINNER WORKSHOP/MEETING HEWITT CITY HALL – 105 TAMPICO DRIVE March 17, 2014 - 5:30/7:00 PM

Members Present: Mayor Ed Passalugo (presiding), Mayor Pro Tem Wilbert “Walky” Wachtendorf; Council Members Bill Fuller, James Vidrine, Ronnie McNiel, Travis Bailey, and Alex Snider

Staff Present: City Attorney Charlie Buenger, City Engineer Bill Aston, City Engineer Miles Whitney, City Manager Adam Miles, Assistant City Manager James Barton, Library Director Waynette Ditto, Police Chief Jim Devlin, Fire Chief Lance Bracco, HR/Civil Service Director Susana Garcia-Gilmore, Utilities Director James Black, Finance Director Lee Garcia, and City Secretary Lydia Lopez

Workshop – 5:30 PM

1. City Manager presented an update on municipal business:
 - a. Report from City Engineer including review and discussion of Capital Improvement Projects.
 - b. Briefing and discussion was held concerning future facilities including update from David Wright, RDBR, PLLC, Architects.
 - c. Briefing and discussion was held concerning Public Safety Facility including update from David Wright, RDBR, PLLC, Architects and Keith Helpert, K4 Construction.
 - d. Briefing and discussion was held concerning Public Safety operations – Police & Fire.
2. The regular meeting agenda items were reviewed.
3. Mayor Passalugo recessed the Dinner Workshop and convened the Executive Session at 6:44 p.m. pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:
 - Pursuant to § 551.087 – Deliberation regarding Economic Development Negotiations.
 - Pursuant to § 551.071(1)(A) - Consultation with Attorney regarding pending or contemplated litigation.
4. Close Executive Session. *A motion was made by Alex Snider and seconded by Ronnie McNiel to close the Executive session at 6:55 p.m.*
5. Adjourn. *A motion was made by Bill Fuller and seconded by Alex Snider to adjourn the Dinner Workshop at 6:56 pm.*

REGULAR SESSION – 7:00 PM

1. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Charles Turner led the Pledge of Allegiance.
2. **CONSIDER APPROVAL OF MINUTES OF THE COUNCIL DINNER WORKSHOP/REGULAR MEETING OF FEBRUARY 3, 2014 AND COUNCIL REGULAR/DINNER WORKSHOP OF FEBRUARY 17, 2014.** *A motion was made by Alex Snider and seconded by Travis Bailey to approve the minutes as submitted but allow for corrections; all seven in favor, motion passed.*
3. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** Charles Turner, 209 Laredo, appeared to express support for the donation of the Veteran's Memorial monument. No one else appeared.
4. **PRESENTATION OF AUDIT REPORT AND OPINION BY CHRIS PRUITT, AUDIT PARTNER, PATILLO, BROWN, & HILL, LLP.** Chris Pruitt of Patillo, Brown & Hill, L.L.P., presented the audit report for Fiscal Year 2012-2013. He stated the city received a clean opinion, with no material weaknesses and the city is in excellent financial condition. Mr. Pruitt commended Finance Director Lee Garcia for her work and assistance with this audit. Mayor Pro Tem Wachtendorf also commended Finance Director Lee Garcia for her work on the audit.
5. **CONSIDER A JOINT RESOLUTION FOR EXCHANGE OF ROAD MAINTENANCE RESPONSIBILITIES BETWEEN MCLENNAN COUNTY AND THE CITY OF HEWITT FOR PORTIONS OF E PANTHER WAY AND RITCHIE ROAD.** *Motion by Bill Fuller and seconded by Alex Snider to approve resolution; all seven in favor, motion passed.*
6. **CONSIDER A RESOLUTION AMENDING THE FEE SCHEDULE RELATING TO PARK RENTAL FEES.** *A motion was made by James Vidrine and seconded by Wilbert "Walky" Wachtendorf to approve resolution, seven in favor, motion passed.*
7. **CONSIDER A RESOLUTION ACCEPTING THE DONATION BY THE VETERANS OF FOREIGN WARS (VFW) POST 6008 OF A VETERANS MEMORIAL MONUMENT FOR PLACEMENT IN HEWITT PARK.** *Motion by Travis Bailey and seconded by Wilbert "Walky" Wachtendorf to approve resolution, all seven in favor, motion passed.*
8. **CONSIDER AN ORDINANCE CANCELLING THE SPECIAL ELECTION IN THE CITY OF HEWITT TO BE HELD ON SATURDAY, MAY 10, 2014 TO SUBMIT A PROPOSED AMENDMENT TO THE CITY CHARTER. (CONSIDERE UNA ORDENANZA CANCELANDO LA ELECCIÓN ESPECIAL DE LA CIUDAD DE**

HEWITT QUE SE LLEVARÍA A CABO EL 10 DE MAYO DEL 2014 PARA PRESENTAR UN PROPUESTA ENMIENDA A LA CARTA DE LA CIUDAD DE HEWITT.) A motion was made by Bill Fuller and seconded by Travis Bailey to approve ordinance; all seven in favor, motion passed.

9. **CONSIDER AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 10, 2014, GENERAL CITY ELECTION ELECTED TO OFFICE; CANCELLING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (CONSIDERE UNA ORDENANZA DECLARANDO QUE LOS CANDIDATOS ELEGIDOS PARA LOS PUESTOS EN LA ELECCIÓN GENERAL DE LA CIUDAD DEL 10 DE MAYO, 2014, NO TIENEN OPOSICIÓN; CANCELANDO LA ELECCIÓN; PROPORCIONANDO UNA CLÁUSULA DE DIVISIBILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGENCIA.). A motion was made by Bill Fuller and seconded by Alex Snider to approve ordinance; all seven in favor, motion passed.**
10. **ADJOURN. A motion was made by Bill Fuller and seconded by Ronnie McNiel to adjourn to the meeting at 7:19 p.m., all seven in favor, motion passed.**

Approved: April 7, 2014

Lydia Lopez, City Secretary

Ed Passalugo, Mayor



ITEM #3 – HEARING OF VISITORS

CITIZEN PARTICIPATION AT MEETINGS

1. All citizens are encouraged to discuss matters of concern with the staff and individual council members prior to placing items on the agenda. Many times this will expedite a resolution or allow proper investigation of the matter for presentation to the entire council.

NO CITIZEN NOR STAFF MEMBER MAY SPEAK NOR OTHERWISE INTERRUPT ANY MEETING UNTIL RECOGNIZED BY THE PRESIDING OFFICER.

2. To maintain decorum at public hearings, the mayor will ask the citizens present if they wish to speak for or against the item on the agenda. If so, they will be given an opportunity to do so at the proper time, when recognized by the chair. If more than five citizens wish to address the council on any single agenda item, those citizens are advised to select spokespersons to present their case.
3. Citizens who wish to bring up a matter that pertains to city business or address an item on the agenda may do so, but only under the agenda item "Hear Visitors." **The council is prohibited by law from discussing or acting on any item that has not been posted on the agenda.**
4. **Citizens addressing the city council on items not on the agenda shall be limited to five minutes each. Total time for presentations on any one item or topic shall be limited to twenty-five minutes. The city council members shall not enter into discussion on any subject not properly placed on the agenda; however, the council members may ask questions for clarification purposes.**
5. As a general rule, citizens may not participate in the discussion of the council workshop session.



COUNCIL AGENDA ITEM FORM

MEETING DATE: April 7, 2014

AGENDA ITEM #: 4

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider reappointments to the Zoning Board of Adjustment.

STAFF RECOMMENDATION/ITEM SUMMARY:

Board members Jim Winton, Brad Turner, and Bruce Dollens have agreed to serve another term on the Board. These members are in good standing and staff recommends approval of this item.

ATTACHMENTS:

Council, Boards and Commissions Roster

CITY OF HEWITT: COUNCIL, BOARDS, AND COMMISSIONS

City Hall 666-6171 (Fax 666-6014); Community Services 666-2447; Utility Billing 666-3151 (after hrs emergency 666-6272); Police Adm. 666-1661; Drug Tips 666-3333; Animal Control 666-6272; Library 666-2442; Park Reservations 666-6173; Municipal Court 666-1208; Chamber of Commerce 666-1200. City of Hewitt web site: www.cityofhewitt.com; Email: citysecretary@cityofhewitt.com

City Council 2 Yr Term - May	Board of Adjustment 2 Yr Term - April	Planning & Zoning Commission 3 Yr Term - June	Parks & Beautification Committee 2 Yr Term December	Library Board of Directors 2 Yr Term - December
1st & 3rd Mon 7 pm	3rd Thurs 7 pm	1st Tues. 7 pm	2nd Thurs 7 pm	Quarterly as needed
Travis Bailey Ward 1 (05-2015) 412 Oklahoma Avenue 666-1492	Chairman (04-2014) Jim Winton 1136 Heatherwood 857-9436	(06-2016) Kurt Krakowian 804 Pebble Creek Cr. 855-1139	(12-2014) Fred Raby 732 Castleman Creek 666-8870	(12-2014) Eric Ames 249 Fieldcrest Dr. 710-1576
Mayor Pro Tem Wilbert (Walky) Wachtendorf Ward 1 (05-2014) 328 Travis 666-3759	(04-2014) Bradley T. Turner 600 Yukon Pass 723-4912	(06-2016) Bobby Wolske 109 Devonshire 366-4743	(12-2015) Brandon Fuller 504 Aspen Incline Dr. (817) 648-6378	(12-2015) Gayle H. Shipp 704 Cheyenne Trail 495-1044
Bill Fuller Ward 2 (05-2014) 218 Chelsea/PO Box 568 666-3304	(04-2015) Douglas Bergen 264 Earle Rd. 666-0855	(06-2016) Walter H. Peterson 500 Moss Hill Rd. 757-5128	(12-2015) Kevin Summers 208 Russell 349-2533	Secretary (12-2014) Mary Anna Roch 708 Regina 666-0886
James Vidrine Ward 2 (05-2015) 504 Rowan Oak 666-2115	(04-2015) Charles Howard 155 Ellis Farm Rd. 732-4746	(06-2014) David Dossey 1008 Tillamook 722-6325	(12-2013) Farrah M. Burns 425 Sagewood Drive (254) 722-4075	(12-2014) Lydia Dashner 520 Angel Fire Dr. 666-9623
Mayor Ed Passalugo Ward 3 (05-2015) 137 E. Chapman Rd. 420-1926	(04-2015) R. Don Vardeman 432 S First St. 666-2670	(06-2014) Billy Green 1119 Radisson 666-7869	(12-2014) Lloyd Coffman 807 Attaway (254) 855-3655	(12-2014) Jerry Waltman 1205 Steamboat Drive 666-9459
Ronnie McNiel Ward 3 (05-2014) 960 Lands End Cove 717-2752	Alternate (04-2014) L. Bruce Dollens 1217 Darbyton 644-9437	(06-2014) Scott M. Bryant 1316 Radisson Drive 644-2375	(12-2014) Robert Smith 412 Texas Avenue (254) 420-2599	Treasurer (12-2015) Shirlene Lands 217 W. Warren P. O. Box 133 666-3490
Alex Snider At Large (05-2015) 1017 Wind Hill (281) 734-7622	Alternate (04-2015) VACANCY	(06-2014) John J. Baker 317 Bonham Drive 235-0464	(12-2014) Ruth D. Coffman 807 Attaway (254) 855-6883	President (12-2015) Sally Goldman 132 Texas 666-2436



COUNCIL AGENDA ITEM FORM

MEETING DATE: April 7, 2014

AGENDA ITEM #: 5

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider action on nomination to the McLennan County 9-1-1 Emergency Assistance District Board of Managers.

STAFF RECOMMENDATION/ITEM SUMMARY:

The District is requesting that we submit a ballot for a run-off for Seat 2. The two nominees for Seat 2 are Dr. John Knue and Mr. Malcolm Duncan, Jr. Each entity is entitled to submit a ballot.

ATTACHMENTS:

Letter from Executive Director/Ballot Sheet



McLennan County 9-1-1 Emergency Assistance District

107 Burnett Ct. • Woodway, TX 76712 • (254) 776-8911 • (254) 732-0544 Fax

March 18, 2014

Yousry A. Zakhary
President

Stephen Hendrick, P.E.
Vice-President

John Knue, Ed.D.
Secretary

Robert Wasson
Member

Dennis Stapleton
Member

Elio M. Smythe
AT&T Representative

Carl Dorton, ENP
Executive Director

Mr. Wilbert Wachtendorf
Mayor, City of Hewitt
P.O. Box 610
Hewitt, TX 76643

Re: Appointment for 9-1-1 Board member for **Seat 1**; Run-Off for **Seat 2**.

Dear Mayor Wachtendorf:

The nomination forms for the McLennan County 9-1-1 municipal appointees have been returned, with one seat being re-appointed outright and a run-off necessary for the second seat. **Yost Zakhary** will retain **Seat 1** as he was the lone nominee for that position.

The District received two nominees for **Seat 2**, Dr. John Knue and Mr. Malcolm Duncan, Jr.

Please find an enclosed 9-1-1 ballot for voting purposes. The 9-1-1 Board of Managers will canvas the votes and announce the results at the regularly scheduled board meeting on May 1, 2014.

Each ballot must be received in the McLennan County 9-1-1 District office located at 107 Burnett Ct., Woodway, TX 76712 no later than 5:00 p.m. on Tuesday, April 22, 2014 in order to be tabulated.

If there are any questions, please feel free to call the 9-1-1 District office.

Respectfully,

Carl Dorton, ENP
Executive Director

**McLENNAN COUNTY 9-1-1 EMERGENCY ASSISTANCE DISTRICT
BOARD OF MANAGERS**

RUN-OFF BALLOT for SEAT TWO

Please select one nominee below:

SEAT TWO

(check one)

_____ DR. JOHN KNUE (Incumbent)
_____ MALCOLM DUNCAN, JR., Mayor, City of Waco

Please return this completed ballot to:

**McLennan County 9-1-1 Emergency Assistance District
Attention: Carl Dorton, Executive Director
107 Burnett Ct.
Woodway, TX 76712**

in the attached self-addressed envelope, or if more convenient, the
completed ballot may be scanned and e-mailed to: rguest@mcead911.org.

**Ballot forms MUST be received in the District office no
later than 5pm, Tuesday, April 22, 2014.**

City of _____

Mayor or designee please sign: _____

Contact Number _____

Date: _____

McLennan County 9-1-1
Emergency Assistance District
Seal



HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: April 7, 2014

AGENDA ITEM #: 6

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider and take appropriate action concerning an ordinance of the City of Hewitt, Texas vacating and abandoning a 10 foot wide utility easement along the rear property line at 124 Claudette Drive being Lot 1, Block 4, of the Ellis Farm South Addition in the City of Hewitt, McLennan County, Texas; providing a savings clause; repealing ordinances in conflict therewith; and declaring an emergency.

STAFF RECOMMENDATION/ITEM SUMMARY:

The City of Hewitt has received a request from Micheal Kappes to vacate and abandon a portion of the 10 foot wide utility easement along the rear property line of his lot located at 124 Claudette Drive. After review by city staff, the easement is not in use by the city or any other utility provider and there are no plans for public utilities to be installed in this easement. Mr. Kappes has indicated that his Builder Ronnie Laird plans to construct an 11' X 13' accessory building to his home. While the expansion would otherwise meet city requirements, there would be conflict with this easement unless it is vacated.

Staff recommends approval of this ordinance which would vacate and abandon this unused utility easement.

ATTACHMENTS:

Letter from Property Owner
Ordinance

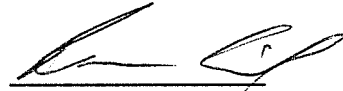
March 18, 2014

Hewitt City Council,

My name is Micheal Kappes. I am having a new home built by Ronnie Laird on Lot 1 Block 4 Ellis Farm South Addition. The address is 124 Claudette Drive. I am requesting the ten foot easement on the backside of the property be vacated or a variance issued to allow the placement of an 11' x 13' accessory building, built on a permanent slab with brick veneer. With the current easements this is not possible. A plot plan showing the placement of the building is included with this letter. Thank you for your consideration in this matter.

A handwritten signature in cursive script, appearing to read "Micheal Kappes", written over a horizontal line.

Micheal Kappes

A handwritten signature in cursive script, appearing to read "Ronnie Laird", written over a horizontal line.

Ronnie Laird

ORDINANCE NO. 2014-04-07-1

**AN ORDINANCE OF THE CITY OF HEWITT, TEXAS
VACATING AND ABANDONING A 10 FOOT WIDE
UTILITY EASEMENT ALONG THE REAR PROPERTY
LINE AT 124 CLAUDETTE DRIVE BEING LOT 1, BLOCK
4 OF THE ELLIS FARM SOUTH ADDITION IN THE CITY
OF HEWITT, MCLENNAN COUNTY, TEXAS;
PROVIDING A SAVINGS CLAUSE; REPEALING
ORDINANCES IN CONFLICT THEREWITH AND
DECLARING AN EMERGENCY.**

WHEREAS, the City of Hewitt has received a request to vacate and abandon the 10 foot wide utility easement along the rear property line at 124 Claudette Drive being Lot 1, Block 4, of the Ellis Farm South Addition in the City of Hewitt, Texas as shown on the site plan marked as “**Exhibit A**” which is incorporated herein by reference; and

WHEREAS, Micheal R. Kappes, the property owner, is the applicant requesting the abandonment; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF HEWITT, TEXAS;**

Section 1: That the City of Hewitt hereby vacates and abandons the 10 foot wide utility easement located along the rear property line at 124 Claudette Drive being **Lot 1, Block 4 of the Ellis Farm South Addition** in the City of Hewitt.

Section 2: If any term, provision or section of this ordinance is unenforceable, then in that event, the remaining terms, provisions or sections shall remain in full forces and effect.

Section 3: All ordinances or parts of ordinances in conflict with provisions of this ordinance are to the extent of such conflict hereby repealed.

Section 4: It is found that an emergency and urgent public necessity which requires the immediate passage of this ordinance.

PASSED AND ADOPTED this the 7th day of April, 2014

CITY OF HEWITT

BY: _____
Ed Passalugo, Mayor

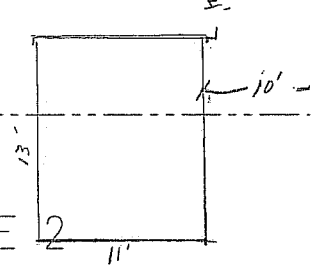
ATTEST:

Lydia Lopez, City Secretary

EXHIBIT A

10' UTILITY EASEMENT

LOT 1 BLOCK 4
ELLIS FARMS ADDITION PHASE 2
CITY OF HEWITT



25' BUILDING SETBACK

5' SETBACK

AC

15' SETBACK

FOUNDATION

15'

15'

28'

20'-1"

CONC. DRIVE

CONC. WALK WAY

25' BUILDING SETBACK

10' UTILITY EASEMENT

PROPERTY BOUNDARIES (FIELD VERIFY)

90.79'

STREET CURB

MAILBOX

R4'

R10'

12'

124 CLAUDETTE DRIVE