

HEWITT TEXAS

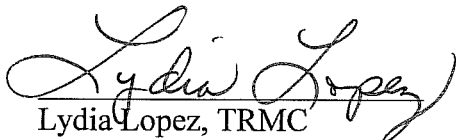
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Workshop** meeting of the governing body of the City of Hewitt will be held on the **19th day of January, 2015 at 5:30 PM in Hewitt City Hall, 105 Tampico Drive**, Hewitt, Texas, at which time the following subjects will be discussed:

1. Call to order.
2. 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 City Hall/Library project with presentation by David Wright, RDBR, PLLC-Architects.
 - c. Briefing and discussion concerning meter replacement project by Siemens Industry, Inc.
 - d. Briefing and discussion concerning park projects.
 - e. Briefing and discussion concerning election calendar.
 - f. Briefing and discussion concerning Reserve at Hewitt.
 - g. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - Presentation of Racial Profile Report
3. Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:
 - **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**
4. Close Executive Session.
5. Review regular meeting agenda items.
6. 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 10:00 AM on January 16, 2015.

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

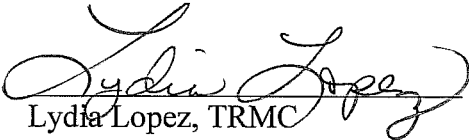
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Regular** meeting of the governing body of the City of Hewitt will be held on the **19th day of January, 2015 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. Call to order.
2. Pledge of Allegiance to the U.S. Flag
3. Consider approval of minutes of the Council Workshop/Regular Meeting of January 5, 2015.
4. Hear visitors on matters pertaining to city business.
5. Authorize joint participation agreement with Barnett Construction for drainage improvements in the Imperial Estates subdivision in the total amount of \$20,224.
6. Public Hearing and action on an ordinance concerning a request by PJC Hewitt, LLC and EBM Waco Property, LLC to rezone a 12.2 acre, more or less, tract of land located at the Northwest corner of I-35 and Baxley Street, out of the Carlos O'Campo Survey, A-32, from R-1 (Single Family District) to C-O (Outdoor Commercial District).
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 10:00 AM/PM on January 16, 2015.

CITY OF HEWITT


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COUNCIL WORKSHOP AGENDA ITEM #1.a

HEWITT TEXAS

CITY ENGINEER'S REPORT

January 14, 2015

2010 IH-35 Utility Improvements:

In the latest conversations with TxDOT, they have indicated that there is a possibility that two of the pumps could be back onsite by the end of this month. It is at that time that TxDOT's third party electrical engineer will come observe the pump faults to prepare TxDOT with a written report on their findings.

Commerce Park Plant Project and Related Projects:

Elevated Storage Tank;

The bowl structure is complete and x-ray on the structural welds have come back approved, at this time the painters are onsite and have begun coating the tank. Over the past two weeks however, weather conditions have been so that the crews have had to suspend operations until the conditions improve.

Plant Contract;

At this time the City is waiting on receiving the plan project files, after being received, this project should be ready to send to TCEQ for their review. I have been in contact with the electrical engineer and he is addressing some items to complete the design of their portion.

Piping;

At this time the City is waiting on receiving the plan project files, after being received, this project can be ready for advertisement shortly. The City at this time is still in talks with some property owners to obtain an easement.

Ritchie Road Plant and Well Electrical System Improvements:

The contractor is on site and has been performing the pad work to pour the foundations for both the proposed building and generator pad. At this time everything is going smoothly on this contract.

Street Micro-Slurry Seal:

If the Council will recall this project was suspended until Spring of 2015. We have been toying with the idea of terminating this contract with the Contractor due to anticipated price decrease caused by the price fall of crude oil. I will be visiting with the Contractor to discuss this possibility and also if this year's budget allows go ahead and roll in some of this year's work in as well and rebid the project.

2014 Bond Projects:

Old Temple Road Street Improvements:

HEWITT TEXAS II

CITY ENGINEER'S REPORT

January 14, 2015

I currently am reviewing the latest set of plans for this project. Pending the plan review this project should be ready for advertising. However, like mentioned in previously the City will wait until April to bid so that work can begin as soon as school is released of summer.

Panther Way Street Improvements:

The preliminary design of this project is almost completed. Currently we are investigating the amount of land that is needed to provide a sidewalk for students as they walk to school. Much like the Old Temple Road project we will be pushing to receive bids in April so that construction can begin as soon as school is out for summer break.

City Hall / Library:

The plans for the civil portion near competition. They should be ready to turn over to the Construction Manager shortly so that they may begin their process of gathering quotes for construction.

By:



Miles W. Whitney, P.E.



Note: All dates are approximate and subject to change.



COUNCIL WORKSHOP AGENDA ITEM #1.e

HEWITT TEXAS

MEMORANDUM

FROM

LYDIA LOPEZ, TRMC
CITY SECRETARY

DATE: January 15, 2015

SUBJECT: Election Calendar for May 9, 2015, Hewitt City Council Election

Attached is an election calendar for the General Election to be held on May 9, 2015. The first day for filing for place on the ballot is **Wednesday, January 28, 2015**. The last day for filing will be **Friday, February 27, 2015 at 5:00 pm**. Council positions up for election in 2015 are Ward 1, Council Member Travis Bailey; Ward 2, Council Member James Vidrine; Ward 3, Mayor Pro Tem Ed Passalugo; and At-Large, Council Member Alex Snider. Candidate packets are available in hard copy and all forms will be available on the city's website by January 19, 2015.

The proposed date set for ordering the election is **February 2, 2015**.

City Secretary's Office

105 Tampico Drive

P O Box 610

Hewitt, TX 76643

254-666-6171 (phone)

254-666-6014 (fax)

citysecretary@cityofhewitt.com (email)

CITY OF HEWITT

GENERAL ELECTION - MAY 9, 2015

CANDIDATE'S ELECTION CALENDAR

- Wednesday, Jan. 28:** **First day to file for office - 8:00 a.m.**
First day to file as write-in candidate.
- Monday, Feb. 2:** **City Council Orders Election**
- Friday, Feb. 27:** **Last day to file for office - 5:00 p.m.**
Last day to file as write-in candidate
- Wednesday, Mar. 4:** Last day to withdraw as candidate & name not be on ballot - 5:00 p.m.
- Thursday, Mar. 5:** Drawing for order of names on ballot, Hewitt City Hall - 10:00 a.m.
(Drawing: in order of date/time applications were filed.)
- Thursday, Apr. 9:** First Campaign Contributions and Expenditures Report due by 5:00 p.m.
(30th day before election) [Only for candidates spending over \$500 on campaign]
- Mon., Apr. 27
Thru Fri., May 1** **Early Voting by Personal Appearance (Hewitt City Hall, 8:00 a.m. to 5:00 p.m.)**
- Friday, May 1:** 2nd Campaign Expense Report due by 5:00 p.m. (8th day before election) [Only for candidates spending over \$500 on campaign]
- Mon./Tues., May 4-5** **Early Voting by Personal Appearance**
(Hewitt City Hall, 7:00 a.m. to 7:00 p.m.)
- Saturday, May 9:** **ELECTION DAY - HEWITT CITY HALL**
7:00 a.m. to 7:00 p.m.
- UNOFFICIAL TABULATION OF RESULTS** will be announced by Election Judge after 7:00 p.m. at Hewitt City Hall. Candidates and the public are welcome to be present.
- Monday, May 18:** City Council Meeting to canvass election returns and declare official results. Office holders take Oath of Office.
- Wednesday, July 15:** **Final Reports due - all candidates**



COUNCIL WORKSHOP AGENDA ITEM #1.g

TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name: HEWITT POLICE DEPT.
Reporting Date: 01/12/2015
TCOLE Agency Number: 309204
Chief Administrator: JAMES DEVLIN
Agency Contact Information: Phone: 254-666-6272
Email: jdevlin@cityofhewitt.com
Mailing Address:
HEWITT POLICE DEPT.
P.O. Box 610
Hewitt, Tx 76643

This Agency claims partial racial profiling report exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1) – Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

HEWITT POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the HEWITT POLICE DEPT. from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the HEWITT POLICE DEPT. if the individual believes that a peace officer employed by the HEWITT POLICE DEPT. has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the HEWITT POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the HEWITT POLICE DEPT.'s policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: **JAMES DEVLIN**

Chief Administrator

HEWITT POLICE DEPT.

Date: 01/12/2015

HEWITT POLICE DEPT. Motor Vehicle Racial Profiling Information

Number of motor vehicle stops:

1. **1590** citation only
2. **188** arrest only
3. **27** both
4. **1805 Total** (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

5. **220** African
6. **34** Asian
7. **1330** Caucasian
8. **215** Hispanic
9. **5** Middle Eastern
10. **1** Native American
11. **1805 Total** (lines 4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

12. **5** Yes
13. **1800** No
14. **1805 Total** (lines 4, 11, 14 and 17 must be equal)

Search conducted?

15. **199** Yes
16. **1606** No
17. **1805 Total** (lines 4, 11, 14 and 17 must be equal)

Was search consented?

18. **76** Yes
19. **123** No
20. **199 Total** (must equal line 15)



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 19, 2015

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Council Workshop/Regular Meeting of January 5, 2015.

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



**MINUTES OF A CITY COUNCIL
WORKSHOP/MEETING
HEWITT CITY HALL – 105 TAMPICO DRIVE
January 5, 2015 - 5:30/7:00 PM**

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

Staff Present: City Manager Adam Miles, Assistant City Manager James Barton, Fire Chief Lance Bracco, Police Chief Jim Devlin, Deputy Police Chief Tuck Saunders, Finance Director Lee Garcia, HR/Civil Service Director Susana Garcia-Gilmore, Utilities Director James Black, and City Secretary Lydia Lopez

Staff Absent: City Attorney Charlie Buenger, City Engineer Miles Whitney, and Library Director Waynette Ditto

Workshop – 5:30 PM

1. City Manager’s update on municipal business:
 - a. Briefing and discussion concerning City Engineer. City Manager Adam Miles notified Council that Miles Whitney, P.E., was no longer employed by Duff Consulting Engineers, Inc., reminded Council of their recent appointment of Miles as City Engineer and sought Council direction with respect to relationship with Duff. Council agreed that Mr. Whitney would be retained as city engineer.
 - b. Review and discussion of Capital Improvement Projects was held.
 - c. Briefing and discussion was held concerning update on Sports Complex Project.
 - d. Briefing and discussion was held concerning update on Park projects.
 - e. Briefing and discussion was held concerning solid waste services. Discussion was held concerning leaf pickup and additional services. Pat Moriarty, Division Manager, Allied Waste/Republic Services, was present to respond to Council’s questions. Consensus: To leave service level as is.
 - f. Briefing and discussion was held concerning Waco Animal Shelter. City Manager recommended that the City participate in the renovation project of the shelter and remain partners.
 - g. Briefing and discussion was held concerning Public Safety operations – Police & Fire.

2. Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following: **NOT HELD**
➤ **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**
3. Close Executive Session. **NOT HELD**
4. The regular meeting agenda items were reviewed.
5. Adjourn. *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Alex Snider to adjourn at 6:55 PM; all seven in favor.*

REGULAR MEETING – 7:00 PM

1. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Council Member Alex Snider led the Pledge of Allegiance.
2. **CONSIDER APPROVAL OF MINUTES OF THE COUNCIL WORKSHOP/REGULAR MEETING OF DECEMBER 1, 2014.** *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member 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.** Barbara Hills, 241 2nd Street, appeared in support of Waco's request to partner in the renovation project of the Animal Shelter. No one else appeared.
4. **AUTHORIZE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH MCLENNAN COUNTY; RECEIVE DONATION FROM MIDWAY ISD AND AUTHORIZE EXPENDITURE OF FUNDS RELATED TO AN ADVANCE FLOOD WARNING SYSTEM.** Debbie Woods, Midway ISD Advisor for HOSA – Future Health Professional Organization, along with students presented a donation in the amount of \$1,425.52 to the city of Hewitt to assist with this project in honor of LaCharles Montgomery a student who lost his life in a flood. Mayor and Council commended the students for their efforts to support this project. *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Bill Fuller to approve; all seven in favor, motion passed.*
5. **AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE 2015 INTERLOCAL AGREEMENT FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION.** *A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Ed Passalugo to approve; all seven in favor, motion passed.*
6. **CONSIDER AND TAKE ACTION ON AN ORDINANCE OF THE CITY OF HEWITT, TEXAS AMENDING CHAPTER 78, UTILITIES, SECTION 78-1(C)(1), PAYMENT OF RATES AND CHARGES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY.** *A motion was made by Council Member Travis Bailey and seconded by Council Member Alex Snider to approve; all seven in favor, motion passed.*

7. **ADJOURN.** *Motion was made by Council Member Bill Fuller and seconded by Council Member Travis Bailey to adjourn the meeting at 7:11 PM, all seven in favor, motion passed.*

Approved: January 19, 2015

Lydia Lopez, City Secretary

Wilbert Wachtendorf, Mayor

HEWITT TEXAS

ITEM #4 – 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: January 19, 2015

AGENDA ITEM #: 5

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Authorize joint participation agreement with Barnett Construction for drainage improvements in the Imperial Estates subdivision in the total amount of \$20,224.00.

STAFF RECOMMENDATION/ITEM SUMMARY:

City staff and Engineers have worked with Tony Tomchessen at Barnett Construction and Woody Butler Homes to develop a joint project to relieve drainage issues in the Imperial Estates Subdivision. Last Spring, severe rain caused flooding in this neighborhood. Working with Barnett Construction a solution was developed whereby Barnett Construction (and Woody Butler Homes) would jointly participate in capital improvements as they begin their next phase of development. The work includes lowering a large drainage flume and removing existing stormwater pipe for conversion to an open channel. The total amount of work is estimated at \$43,491.50 with Hewitt paying up to \$20,224.00. Staff recommends approval of this item. Funding would be provided from the Drainage Utility Fund.

ATTACHMENTS:

Preliminary Cost Estimates

**IMPERIAL ESTATES - PHASE VIII
NEW FLUME
HEWITT, TEXAS**

**PRELIMINARY COST ESTIMATE
1/11/2015**

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	CHANNEL EXCAVATION	CY	390	\$6.50	\$2,535.00
2	REMOVE EX. FLUME	SF	1770	\$2.00	\$3,540.00
3	REMOVE EX. INLET	EA	1	\$500.00	\$500.00
4	CUT EX CURB AND REPLACE	LF	10	\$35.00	\$350.00
5	REMOVE EX. 30" HDPE	LF	295	\$10.00	\$2,950.00
6	REMOVE AND REPLACE FENCE	LF	80	\$40.00	\$3,200.00
7	MOVE STROAGE BUILDING	EA	1	\$500.00	\$500.00
8	YARD FILL	SF	1375	\$2.00	\$2,750.00
9	CUT EX INLETS (3X3)	EA	2	\$500.00	\$1,000.00
10	INLET SAFETY ENDS	EA	2	\$1,000.00	\$2,000.00
11	CONCRETE FLUME	SF	5138	\$4.25	\$21,836.50
12	GRASS SOD	SY	466	\$5.00	\$2,330.00
		ESTIMATED CONSTRUCTION COST			\$43,491.50



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 19, 2015

AGENDA ITEM #: 6

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Public Hearing and action on an ordinance concerning a request by PJC Hewitt, LLC and EBM Waco Property, LLC to rezone a 12.2 acre, more or less, tract of land located at the Northwest corner of I-35 and Baxley Street, out of the Carlos O'Campo Survey, A-32, from R-1 (Single Family District) to C-O (Outdoor Commercial District).

STAFF RECOMMENDATION/ITEM SUMMARY:

PJC Hewitt, LLC and EBM Waco Property, LLC have requested rezoning of a portion of their property located at the Northwest corner of I-35 and Baxley Drive from R-1 Residential to C-O (Outdoor Commercial) to expand the RV/Travel Trailer business currently operating at this location. A portion of the front of his property facing I-35 is currently zoned C-O (Outdoor Commercial). This request would expand the commercial zoning (for a total of 23.395 acres, more or less) to facilitate the expansion of their business.

Together they own property fronting I-35, Baxley Street, and Old Temple Road. Currently, the RV/Travel Trailer business is using a portion of residentially zoned property and is not in compliance with City Regulations (including lack of impervious surface for RV/Travel Trailer Parking). The business has grown rapidly in the past few months and the owners have acknowledged their non-compliance. They have agreed to work with the City to bring the uses in compliance and subsequently asked to expand the outdoor commercial zoning.

In discussion with their representatives staff did recommend an expansion of the C-O zoning while expressing concern for the residential uses across Baxley Street and Old Temple Road. If approved a 9.25 acre portion of his property would remain R-1, leaving about 600 foot strip of land between the C-O portion and Old Temple Road. Please refer to map included with the packet.

Two Neighbors located immediately across Baxley Street in the Rolling Hills Addition objected to the request, citing concerns about noise, flashing lights from security vehicles, mud on Baxley Street, and the company using Baxley Street for employee parking and RV/travel trailer delivery.

After the public hearing, discussion, and consideration, the Planning and Zoning Commission recommended approval of the rezoning request by a vote of 7 to 0. Separately, the P&Z Commission requested consideration to establish a “No Parking Zone” along the portion of Baxley Street from I-35 to Old Temple Road.

ATTACHMENTS:

Draft ordinance w/map and supporting documents



**Minutes of the Planning & Zoning Commission
January 6, 2015 – 7:00PM**

Members present: Charlie Turner, John Baker, Kurt Krakowian, Bobby Wolske, Walter Peterson, David Dossey, Michael Hix. Quorum was present.

Members absent: None

Staff present: Adam Miles, City Manager, Roy Cole, City Inspector, Eva Marie Greenup, Zoning Secretary

Item #1. **Call Planning and Zoning Meeting to order.** *Charlie Turner called the meeting to order at 7:00p.m.*

Item #2. **Minutes** – *a motion was made by Walter Peterson and seconded by John Baker to approve the minutes as submitted but allow for corrections. No Corrections noted, all in favor, motion passed. Minutes dated October 7, 2014 stand approved.*

Item #3. **Consider and take appropriate action concerning the request for zoning change on NW Corner of Baxley and IH-35, legally known as O'Campo, C A-32 Acres 23.395, from R-1 (Single Family District) to C-O (Outdoor Commercial District).** Brad Davis, Coldwell Banker, 500 N Valley Mills, Waco, applicant, appeared in favor. David Perez, 510 Rolling Hills and Garry Radke, 512 Rolling Hills appeared against. Addressed concerns from those opposing was the noise produced from the tractors moving the trailers, mud in the street, wood blocks left in the street, vehicles and trailers parked on the side of the street and security personnel shining bright lights during routine checks on trailers. Public Hearing was closed. A motion was made by Kurt Krakowian to approve the zoning change with recommendations with no parking along Baxley Street, strict enforcement on the noise level and how the trailers are transported to avoid traffic issues and future damage to the roadway. David Dossey seconded, all in favor with no opposition.

Item #4. **Adjourn.** *A motion was made by John Baker and seconded by Michael Hix to adjourn meeting at 7:29 p.m.*

Chair

Approved

Eva Marie Greenup, Zoning Secretary

HEWITT TEXAS

City of Hewitt

Application for Amendment of the Zoning Ordinance
To the Planning & Zoning Commission and the City Council

Legal Description of Property:

20.617 ACRES OUT OF THE CARLOS O' CAMPO SURVEY. (SEE ATTACHED PLAT AND FIELD NOTES)

Describe the location of the property as submitted by this application. This may be in the form of a street address, general physical description, or nearest intersection.

NW CORNER OF BAXLEY AND IH-35

Zoning Change From R-1 to C-0

(A PORTION OF THE PROPERTY IS ALREADY C-0)

Please describe the interest in property:

USES CONSISTENT WITH RV SALES

Existing Building(s) on Property: YES - FUNTOWN RV

Total sq. ft. of all buildings on property: APPX 12,000 SQ.FT.

Please provide the following recording information and a copy of the document (s) listed below with this application:

Ownership (deed): Doc. #/MCC No. 2004046532 AND 2012005982

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule):

JANUARY 6, 2015

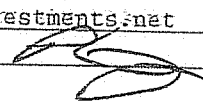
The rezoning application must be completed along with the following required information:

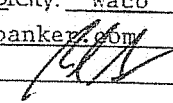
1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request.
2. 1 PDF and 1 hard copy of plat in State Plane Coordinates using the Texas Central Zone NAD 83.
3. Submit 1 copy of building plans, if existing building(s) exist.
4. Non-refundable application fee (see Fee Schedule).
5. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see Meeting Schedule).

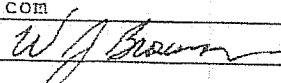
I attest that the above information is true and correct to the best of my knowledge that I am now or will be fully prepared to present the above proposal at the Planning & Zoning Commission hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I understand that in the event the undersigned is not present or represented at the public hearing, the Zoning Commission shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Planning & Zoning Commission and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice of the Planning and Zoning Commission hearing shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

* Name of Property Owner: PJC Hewitt, LLC Phone No. 512.639.5090
Mailing Address: 1404 S New Road City: Waco State: TX
Email Address: pcurry@pjcinvestments.net
Signature of Property Owner:  Date: 11/25/14

Name of Applicant/Representative Brad Davis, CCIM Phone No. 254.776.0000
Mailing Address: 500 N Valley Mills Dr City: Waco State: TX
Email Address: braddavis@coldwellbanker.com
Signature of Applicant/Representative:  Date: 11/25/14

* Name of Property Owner: EBM Waco Property, LLC Phone No. 325.895.1801
Mailing Address: 1726 N Main St City: Cleburne State: TX
Email Address: bill@funtownrv.com
Signature of Property Owner:  Date: 11/24/14

TO: CITY OF HEWITT
FROM: PJC HEWITT, LLC
RE: REPRESENTATIVE FOR RE-ZONING PART OF THE 23.4 ACRES
CARLOS O' CAMPO FROM R-1 TO C-O
DATE: NOVEMBER 24, 2014

I hereby authorize Brad Davis, CCIM of Coldwell Banker Commercial Jim Stewart, Realtors to represent me in this application for the above referenced zoning.

Respectfully submitted,

PJC Hewitt, LLC

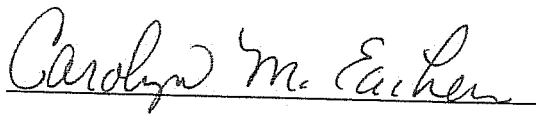
By:


Patrick J. Curry – Manager

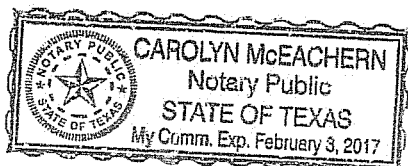
State of Texas
County of McLennan

This instrument was acknowledged before me on November 25, 2014
by Patrick J. Curry.

Seal



Notary Public's Signature



TO: CITY OF HEWITT
FROM: EBM WACO PROPERTY, LLC
RE: REPRESENTATIVE FOR RE-ZONING PART OF LOT 1, BLOCK 1,
BAXLEY ADDITION FROM R-1 TO C-O
DATE: NOVEMBER 24, 2014

I hereby authorize Brad Davis, CCIM of Coldwell Banker Commercial Jim Stewart, Realtors to represent me in this application for the above referenced zoning.

Respectfully submitted,

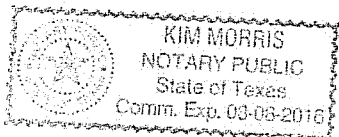
EBM Waco Property, LLC

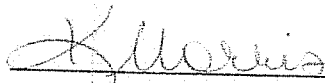
By: 
William Brown – Manager

State of Texas
County of McLennan

This instrument was acknowledged before me on Nov 24, 2014
by William J. Brown

Seal





Notary Public's Signature



ORDINANCE NO. 2015-01-19-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS AMENDING ORDINANCE NO. 11-15-99 AND ALL AMENDMENTS THERETO, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF HEWITT, TEXAS, CHANGING THE ZONING CLASSIFICATIONS OF THE HEREIN DESCRIBED PROPERTY FROM R-1 (SINGLE FAMILY) TO C-O (OUTDOOR COMMERCIAL DISTRICT) PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the Code of Ordinances of the City of Hewitt, a request was received by PJC Hewitt, LLC and EBM Waco Property, LLC to rezone a 12.2 acre, more or less, tract of land located at the Northwest corner of I-35 and Baxley Street out of the Carlos O'Campo Survey, A-32, **(For legal description, see Exhibit A) from R-1, (Single Family) to C-O, (Outdoor Commercial District).**

WHEREAS, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Tuesday, January 6, 2015, after due notice in the manner provided by law; and

WHEREAS, the said Commission has made a report to the City Council of the City of Hewitt, Texas, recommending approval of this rezoning request on a unanimous vote; and

WHEREAS, public notice was given and property owners within 200' were notified of the rezoning request as required by state law, and

WHEREAS, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on January 19, 2015, after due notice in the manner provided by law; and

WHEREAS, the City Council of the City of Hewitt, Texas deems that this rezoning is in accordance with the Comprehensive Land Use Plan and is in the public interest;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS, THAT:

SECTION ONE. All that certain tract or parcel of land in McLennan County, Texas, legally known as, part of the Carlos O' Campo Survey, Abstract No. 32, and being part of that called 30.487 acres of land described in a deed to PJC Hewitt, LLC, recorded in Clerk's File Number 2004046532 of the Official Public Records of McLennan County, Texas.

SECTION TWO. All ordinances, statutes, restrictions and regulations applicable to this property shall be complied with as well as all zoning restrictions and regulations that are applicable to this property.

SECTION THREE. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION FOUR. The caption of this Ordinance shall be published within ten (10) days of its passage in a newspaper of general circulation in the City of Hewitt.

SECTION FIVE. This Ordinance shall become effective ten (10) days after the date of its passage and upon its publication as required by law.

PASSED AND APPROVED this the 19th day of January, 2015 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

CITY OF HEWITT

BY: _____
Wilbert Wachtendorf, Mayor

ATTEST:

Lydia Lopez, City Secretary

EXHIBIT A

FIELD NOTE DESCRIPTION

STATE OF TEXAS COUNTY OF MCLENNAN

BEING all that tract of land in McLennan County, Texas, part of the Carlos O' Campo Survey, Abstract No. 32, and being part of that called 30.487 acres of land described in a deed to PJC Hewitt, LLC, recorded in Clerk's File Number 2004046532 of the Official Public Records of McLennan County, Texas, and being further described as follows:

BEGINNING at an "X" set in concrete for the Northwest corner of Lot 1, Block 1, Baxley Addition to the City of Hewitt, Texas, according to the plat filed in Clerk's File Number 2011037466 of said official public records, on the Northeast line of Baxley Street;

THENCE South 60 degrees 24 minutes 27 seconds West, 30.00 feet to a point on the approximate center line of said Baxley Street and on the Southwest line of said 30.487 acres;

THENCE North 29 degrees 35 minutes 33 seconds West, 170.37 feet to a point on the Southwest line said 30.487 acres and on the approximate center line of said Baxley Street, from which a 1/2 inch steel rod set bears North 60 degrees 24 minutes 27 East, 30.00 feet;

THENCE North 60 degrees 24 minutes 27 seconds East, 70.34 feet to a 1/2 inch steel rod set;

THENCE North 24 degrees 11 minutes 28 seconds East, 780.16 feet to a cotton spindle set in an 8" hackberry tree, on the Northeast line of said 30.487 acre tract and on the Southwest line of that called 27.831 acre tract of land described in a deed to Carroll Ray Clapper, recorded in Volume 108, Page 113 of said official public records;

THENCE South 65 degrees 10 minutes 52 seconds East, to the westernmost right of way of I-35.

THENCE in a Southerly direction, running along the westernmost right-of-way of I-35 to the northernmost right-of-way of Baxley Street.

THENCE North 29 degrees 35 minutes 33 seconds West, running along the northernmost right-of-way of Baxley Street to the Point of Beginning.

Bearings based on Grid North, State Plane Coordinate System, NAD83, Texas Central Zone.