

HEWITT TEXAS

MINUTES OF A CITY COUNCIL WORKSHOP/MEETING HEWITT CITY HALL – 105 TAMPICO DRIVE April 20, 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 Engineer Miles Whitney, City Attorney Charlie Buenger, City Manager Adam Miles, Assistant City Manager James Barton, Fire Chief Lance Bracco, Police Chief Jim Devlin, Deputy Police Chief Tuck Saunders, Utilities Director James Black, Finance Director Lee Garcia, Library Director Waynette Ditto, and City Secretary Lydia Lopez

Staff Absent: HR Generalist Tierny Krueger and HR/Civil Service Director Susana Garcia-Gilmore

Workshop – 5:30 PM

1. Mayor Wachtendorf called the meeting to order at 5:30 PM.
2. 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 Public Safety operations – Police & Fire.
 - c. Briefing and discussion concerning vacancies on the Planning & Zoning Commission and the Board of Adjustment was held.
 - d. Briefing and discussion concerning proposed model smoking ordinance and regulations of e-cigarettes was held.
3. Review regular meeting agenda items.
4. *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Alex Snider to convene the Executive Session at 6:40 PM 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.**
5. *Close Executive Session. A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Alex Snider to close the Executive Session at 6:54 PM, all seven in favor, motion passed.*

6. Adjourn. *A motion was made by Council Member Ronnie McNeil and seconded by Council Member Travis Bailey to adjourn the Workshop at 6:55 PM, all seven in favor, motion passed.*

REGULAR MEETING – 7:00 PM

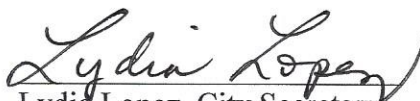
1. **CALL TO ORDER.** Mayor Wachtendorf called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Wachtendorf asked members of Boy Scouts Troop #377 to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE COUNCIL WORKSHOP/REGULAR MEETING OF APRIL 20, 2015.** *A motion was made by Mayor Pro Tem Passalugo and seconded by Council Member Travis Bailey to approve the minutes as submitted but allow for corrections; all seven in favor, motion passed.*
4. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** Bob Potter, 409 W Wall, appeared to request Council consider a different methodology of calculating sewer rates by using winter averaging. No one else appeared.
5. **AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH BARNETT CONSTRUCTION, FOR OFF-SITE DRAINAGE AND DIRT WORK RELATED TO THE CITY HALL AND LIBRARY CONSTRUCTION PROJECT NOT TO EXCEED \$79,750.** *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Travis Bailey to approve; all seven in favor, motion passed.*
6. **CONSIDER AND TAKE ACTION TO ADOPT AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF HEWITT, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE PAYMENT OF SAID BONDS; AUTHORIZING EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, ESCROW AGREEMENT AND AGREEMENTS FOR MUNICIPAL ADVISORY AND BOND COUNSEL SERVICES; APPROVING AN OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.** Mark McLiney, Senior Managing Director, SAMCO Capital Markets, Inc., presented a brief refunding analysis and stated that the bonds would be refinanced at 2.53% with a savings of \$493,709. *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Alex Snider to approve the ordinance, all seven in favor, motion passed.*

7. **PUBLIC HEARING AND ACTION ON AN ORDINANCE REZONING PROPERTY LOCATED AT 142 S. 2ND STREET (ALSO KNOWN AS THE OLD FIRE DEPARTMENT), BEING LOT 8, A PORTION OF LOT 9, AND A 10 FOOT BY 75 FOOT STRIP OUT OF THE 20 FOOT WIDE ALLEY, BLOCK 1, ORIGINAL CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, PLAT OF RECORD IN VOLUME 94, PAGE 114, DEED RECORDS, MCLENNAN COUNTY, TEXAS) FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-2 (GENERAL BUSINESS DISTRICT).** Mayor Wachtendorf opened the public hearing for those wishing to speak in favor. No one appeared. Mayor Wachtendorf opened the public hearing for those speaking against. The following appeared against: Cynthia A. Stuart, 141 S. 2nd Street; Bob Pugh, 11618 Chapel Road; Billy Joe Smith, 224 W. Johnson; Lindsey Lee, 201 S. 2nd Street; and Charity Lenz, 132 W Johnson St. No one else appeared. Public hearing closed. *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member James Vidrine to approved the ordinance rezoning property located at 142 S. 2nd Street from R-1 to C-2 (General Business District); all seven in favor, motion passed.*
8. **PUBLIC HEARING AND ACTION ON AN ORDINANCE REZONING 1.35 ACRES OF LAND LOCATED AT THE CORNER OF OLD TEMPLE AND SPRING VALLEY ROAD, LEGALLY KNOWN AS PAT BARCUS ADDITION, PART 4, LOT 32, BLOCK 4, FROM R-5 (SINGLE FAMILY ATTACHED DWELLING DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT).** Shelly Stone, 2012 Rey Drive, Officer Manager, Morton Construction, appeared in favor. No one appeared against. Public hearing closed. *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member James Vidrine to approve the ordinance rezoning from R-5 (Single Family Attached Dwelling District) to R-4 (Multi-Family Residential District); five in favor, Council Member Alex Snider in opposition; Council Member Ronnie McNiel abstaining, motion passed.*
9. **CONSIDER AN ORDINANCE AMENDING APPENDIX A: ZONING, PART 9 - ACCESSORY USES AND BUILDINGS ARE REGULATED, SECTION 9.103 - WALLS AND FENCES, PERMITTING ELECTRIC FENCES IN NON-RESIDENTIAL AREAS, PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.** *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Travis Bailey to approve ordinance with additional language requiring minimum size signage of 14" X 18" at 60 ft. intervals; all seven in favor, motion passed.*
10. **CONSIDER AND TAKE ACTION ON AN ORDINANCE AMENDING CHAPTER 10, "ANIMALS" OF THE CODE OF ORDINANCES TO REVISE SECTION 10-36, REMEDIAL REQUIREMENTS; SECTION 10-66, ANIMAL BITES AND SCRATCH REPORTS; SECTION 10-91, IDENTIFICATION FOR ANIMALS; SECTION 10-92, RUNNING AT LARGE; REPEALING SECTION 10-123 AND 10-123.1, TETHERED ANIMALS AND REPLACING WITH THE STATE OF TEXAS LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A**

PENALTY; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPENED TO THE PUBLIC AS REQUIRED BY LAW. *A motion was made by Council Member Bill Fuller and seconded by Council Member Ronnie McNiel to approve ordinance, all seven in favor, motion passed.*

11. **ADJOURN.** *Motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Travis Bailey to adjourn the meeting at 8:01 PM, all seven in favor, motion passed.*

Approved: May 18, 2015


Lydia Lopez, City Secretary


Wilbert Wachtendorf, Mayor