

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 October, 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 meeting 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 2016 Bond Issuance
 - c. Briefing and discussion concerning Greater Hewitt Chamber of Commerce building repairs
 - d. Briefing and discussion concerning photo shoot for Creekside Amphitheater
 - e. Briefing and discussion concerning upcoming events: 1) Grand opening of the Creekside Amphitheater; 2) Creekside Spooktacular Event
 - f. Briefing and discussion concerning Public Safety operations – Police & Fire.
3. Review regular meeting agenda items.
4. 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.**
5. Close Executive Session.
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 4:30 AM/PM on October 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

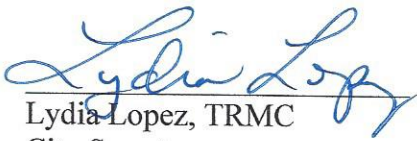
SPECIAL JOINT WORKSHOP AGENDA City Council and Planning & Zoning Commission – 6:00 PM

Notice is hereby given that a **Special Joint Workshop** meeting of the governing body of the City of Hewitt and the Planning & Zoning Commission will be held on the **19th day of October, 2015 at 6:00 PM in Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas,** at which time the following subjects will be discussed:

1. Call Special Joint Workshop meeting to order.
2. Briefing and discussion concerning the following:
 - a. Future developments
 - b. Zoning Regulations
 - c. Subdivision Standards
3. Adjourn Special Joint Workshop.

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 4:30 AM/PM on October 16, 2015.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary

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 October, 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 meeting to order.
2. Pledge of Allegiance to the U.S. Flag
3. Consider approval of minutes of the City Council Workshop and Special Joint Workshop - City Council and Library Board of Directors/Regular Meeting of October 5, 2015.
4. Hear visitors on matters pertaining to city business.
5. Public hearing and action on an ordinance rezoning 94.43 acres in the Carlos O'Campo Grant, Abstract No. 32, McLennan County, Texas, being all of the remainder of a called 173.240 acre tract described in a deed to Waco Industrial Foundation, recorded in Volume 736, page 249, being a portion of a called 154.9 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 200511040 and being the remainder of a called 3.765 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 2011011193, all of the official records of McLennan County, Texas from M (Industrial District) to BP (Business Park District).
6. Public hearing and action on an ordinance rezoning 1.480 acres of land, legally known as the Carlos O'Campo Grant, North Old Temple Road, A-32 Tract 14A, 14B, from R-1 (Single Family District) to R-1-G (Garden Home District), as requested by Luke Morton, Morton Construction Holding LLC.
7. Briefing and discussion concerning water and wastewater rate structure including presentation by Dan Jackson with Economists.com/Willdan Financial Services.
8. Consider and take appropriate action setting a final amount for the proposed combination tax and surplus revenue certificates of obligation.
9. 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 4:30 AM/PM on October 16, 2015.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary

HEWITT TEXAS

MAYOR AND CITY COUNCIL

Ed Passalugo – Mayor – Ward 3

Travis Bailey – Mayor Pro Tem-Ward 1

James Vidrine – Ward 2

Wilbert Wachtendorf – Ward 1

Ronnie McNiel – Ward 3

Bill Fuller – Ward 2

Alex Snider – At-Large

CITY STAFF

Adam Miles, City Manager
Charlie Buenger, City Attorney
Miles Whitney, City Engineer

Jim Barton, Assistant City Manager
Lydia Lopez, City Secretary
Jim Devlin, Police Chief
Lance Bracco, Fire Chief
James Black, Public Works Director

Lee Garcia, Finance Director
Waynette Ditto, Library Director
Tuck Saunders, Assistant Police Chief
Tierny Krueger, HR/Civil Service Dir.
Katie Allgood, Special Projects Coord.



COUNCIL WORKSHOP AGENDA ITEM #2.e

A stylized tree with a brown trunk and branches, and a canopy of orange and brown circular leaves. It is positioned to the left of the main text.

CREEKSIDE *Amphitheater*

Warren Park | Hewitt, Texas

Grand Opening

October 22nd at 6:30pm

Join us for the official unveiling of the
Creekside Amphitheater in Warren Park!

FEATURING

Their four-part vocal harmonies and full instrumentation pulls the diverse backgrounds and influences of the six band members into a collective blend of traditional-eclectic bluegrass, country, gospel, soft rock and folk music, that is fun for the entire family!



Creekside SPOOKTACULAR at Warren Park



OCTOBER 30 | 6 – 9 PM
450 S Old Temple Rd. Hewitt, TX

The whole family is invited to this fun, free event!

Activities will include:

- Trick or Treating
- Games
- Food trucks
- Bounce house

Movie in the Park:
Hotel Transylvania
7 PM

sponsored by the
Hewitt Public Library

Costume Contest
8:30 PM

Age groups:

0-4

5-11

12-18

Greater Hewitt Chamber
254.666.1200
www.HewittChamber.com



HEWITT
TEXAS



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 19, 2015

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Workshop /Special Joint Workshop – City Council and Library Board of Directors /Regular Meeting of October 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/SPECIAL JOINT WORKSHOP/MEETING
HEWITT CITY HALL – 105 TAMPICO DRIVE
October 5, 2015 - 5:30/6:00/7:00 PM**

Members present: Mayor Ed Passalugo (presiding), Mayor Pro Tem Travis Bailey, Council Members Bill Fuller, James Vidrine, and Alex Snider

Members absent: Council Members Ronnie McNiel and Wilbert “Walky” Wachtendorf

Staff present: City Attorney Charlie Buenger, City Engineer Miles Whitney, City Manager Adam Miles, Assistant City Manager James Barton, Fire Chief Lance Bracco, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders, Utilities Director James Black, HR/Civil Service Director Tierny Krueger, Finance Director Lee Garcia, Library Director Waynette Ditto, Special Projects Coordinator Katie Allgood, and City Secretary Lydia Lopez

Workshop – 5:30 PM

1. Mayor Ed Passalugo called the meeting to order at 5:30 PM.
2. City Manager presented updates on the following municipal business:
 - a. City Manager Adam Miles presented report from City Engineer including review and discussion of Capital Improvement Projects
A motion was made by Council Member Bill Fuller and seconded by Council Member Alex Snider to recess the Workshop at 6:48 PM to allow for the conduct of the Special Joint Workshop; all five in favor, motion passed. Note: The remaining Workshop items were discussed after the Regular Session.
 - b. Briefing and discussion was held concerning 2016 Bond Issuance
 - c. Briefing and discussion concerning Public Safety operations – Police & Fire.
3. The regular meeting agenda items were reviewed.
4. 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.**
5. Close Executive Session.
6. Adjourn.

SPECIAL JOINT WORKSHOP AGENDA
City Council and Library Board of Directors – 6:00 PM

1. Mayor Ed Passalugo called the Special Joint Workshop meeting to order at 6:00 PM.
2. Briefing and discussion concerning Library and related issues including Librarian's Report by Library Director Waynette Ditto. Library Board Members presented the following: Library's Mission Statement, History of the Library, and Vision Statement. Library Director ended the presentation with a video on events and activities from the current year.
3. Adjourn Special Joint Workshop. *Motion was made by Council Member Bill Fuller and seconded by Council Member Alex Snider to adjourn the Special Joint Workshop at 6:50 PM.*

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER.** Mayor Passalugo called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Passalugo asked City Secretary Lydia Lopez to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE SPECIAL CALLED CITY COUNCIL WORKSHOP/MEETING OF SEPTEMBER 21, 2015.** *A motion was made by Council Member Alex Snider and seconded by Mayor Pro Tem Travis Bailey to approve the minutes as submitted but allow for corrections; all five in favor, motion passed.*
4. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** Michael Bancale, 909 Stoneridge, appeared to express concern regarding water and sewer rates. No one else appeared.
5. **CONSIDER AWARD OF BID FOR 2015 OLD TEMPLE ROAD STREET IMPROVEMENTS - PHASE 1, TO H&B CONTRACTORS, INC. IN THE TOTAL AMOUNT OF \$386,583.80.** *A motion was made by Council Member Bill Fuller and seconded by Council Member Alex Snider to award bid; all five in favor, motion passed.*
6. **CONSIDER AND ACT UPON ADOPTION OF A RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION.** City Manager Adam Miles presented a list of proposed projects. Managing Director Andrew Friedman with Samco Capital Markets advised Council that they could vote on the total amount of 8.29 million (not to exceed amount) to cover the proposed projects with the flexibility to remove projects and decrease the amount prior to the sale of bonds on December 7, 2015. He further stated interest rates remain historically low which would be advantageous for the city and bonds have a 20 year amortization. *A motion was made by Council Member Alex Snider and seconded by Council Member Bill Fuller to approve; all five in favor, motion passed.*

7. **CONSIDER AND ACT ON A RESOLUTION SUBMITTING CANDIDATE NOMINATIONS FOR THE MCLENNAN COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE YEARS 2016-2017.** A motion was made by Council Member James Vidrine to nominate Mayor Ed Passalugo to the McLennan County Appraisal District Board of Directors for years 2016-2017 and seconded by Mayor Pro Tem Travis Bailey; all four in favor, Mayor Ed Passalugo abstained, motion passed.
8. **ADJOURN.** Motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Travis Bailey to adjourn the meeting at 7:30 PM, all five in favor, motion passed.

RECONVENE WORKSHOP

A motion was made by Council Member James Vidrine and seconded by Council Member Bill Fuller to reconvene the Workshop at 7:40 PM.

- d. Briefing and discussion was held concerning 2016 Bond Issuance – Lengthy discussion held on project lists. Mayor Passalugo asked staff to bring in consultant Dan Jackson concerning water and sewer rates as it relates to the bond issuance.
- e. Briefing and discussion concerning Public Safety operations – Police & Fire. (Item was not discussed.)
3. The regular meeting agenda items were reviewed.
4. Motion was made by Council Member Alex Snider and seconded by Council Member Bill Fuller to convene Executive Session at 8:06 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 Council Member Alex Snider and seconded by Mayor Pro Tem Travis Bailey to adjourn at 8:34 PM, all five in favor, motion passed.
6. **Adjourn.** There being no further business, the meeting was adjourned.

Approved: October 19, 2015

Lydia Lopez, City Secretary

Ed Passalugo, Mayor

HEWITT TEXAS

ITEM #4 – HEARING OF VISITORS

PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

1. Citizens are encouraged to discuss matters of concern with the staff and individual council members prior to placing items on the agenda. This will allow the matter to be properly investigated before it is presented to the entire council and will often expedite a resolution.

NO CITIZEN OR STAFF MEMBER MAY SPEAK OR OTHERWISE INTERRUPT ANY MEETING UNTIL RECOGNIZED BY THE PRESIDING OFFICER.

2. To maintain decorum at public hearings, the mayor will ask citizens in attendance if they wish to speak for or against the item on the agenda. If so, they will be given an opportunity to speak at the proper time and 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 a spokesperson to present their case.

Only under the agenda item “Hear Visitors” are citizens permitted to speak regarding matters that pertain to city business or address an item on the agenda. **The council is prohibited by law from discussing or acting on any item that has not been posted on the agenda.**

3. Individual citizens that discuss items not listed on the agenda shall be limited to **five minutes**. If five or more citizens wish to discuss a single item or topic that is not listed on the agenda, then the total presentation will be limited to a maximum of twenty-five minutes. City council members shall **not** enter into discussion on any subject that has not been properly placed on the agenda; however, council members may ask questions for clarification purposes.
4. As a general rule, citizens may not participate or address the council or staff during the workshop session.



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 19, 2015

AGENDA ITEM #: 5

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Public hearing and action on an ordinance rezoning 94.43 acres in the Carlos O'Campo Grant, Abstract No. 32, McLennan County, Texas, being all of the remainder of a called 173.240 acre tract described in a deed to Waco Industrial Foundation, recorded in Volume 736, page 249, being a portion of a called 154.9 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 200511040 and being the remainder of a called 3.765 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 2011011193, all of the official records of McLennan County, Texas from M (Industrial District) to BP (Business Park District).

STAFF RECOMMENDATION/ITEM SUMMARY:

Working with City Staff, the Waco Industrial Foundation (WIF) submitted an application to rezone the aforementioned 94.43 acre tract of land located on the western extension of Alliance Boulevard from M (Industrial District) to BP (Business Park). This parcel is located directly across from the Brazos Electric Coop Building. The BP District does allow more flexibility for development and is consistent with the zoning across Bagby in Commerce Park.

The Planning and Zoning Commission met on October 6, 2015 and voted 6 to 0 in favor of the request.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

Item #4. Consider and take appropriate action concerning the request for a rezoning change on 94.43 acres in the Carlos O'Campo Grant, Abstract No. 32, McLennan County, Texas, being all of the remainder of a called 173.240 acre tract described in a deed to Waco Industrial Foundation, recorded in Volume 736, page 249, being a portion of a called 154.9 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 200511040 and being the remainder of a called 3.765 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 2011011193, all of the official public records of McLennan County, Texas, from M (Industrial) to BP (Business Park). The Planning and Zoning Commission recommendation will be forwarded to the Hewitt City Council for final consideration and action at their regular meeting scheduled for Monday, October 19, 2015 at 7:00 PM at Hewitt City Hall. *David Marek with the Wallace Group represented the Waco Industrial Foundation. Charlie Turner opened the public hearing for those wishing to speak in favor. No one appeared. Charlie Turner opened the public hearing for those wishing to speak against. No one appeared. A motion was made by John Baker and seconded by Kurt Krakowian. All six in favor, motion passed. Planning and Zoning Commission recommendation will be presented to City Council on October 19, 2015.*

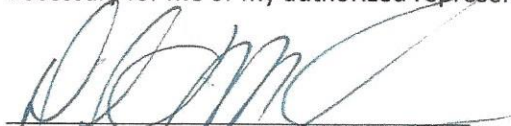
Item #5. Consider and take appropriate action concerning the Preliminary Plat of Lots 1-3, Block 7, Texas Central South Addition, to the City of Hewitt, McLennan County, Texas. *David Marek with the Wallace Group represented the Waco Industrial Foundation. Charlie Turner opened the public hearing for those wishing to speak in favor. No one appeared. Charlie Turner opened the public hearing for those wishing to speak against. No one appeared. A motion was made by Walter Peterson and seconded by John Baker. All six in favor, motion passed.*

Item #6. Consider and take appropriate action concerning the Final Plat submitted for the 25.00 acres, legally known as, Lot 1 Block 7, Texas Central South Addition, to the City of Hewitt, McLennan County, Texas, being a portion of the remainder of a called 173.240 acre tract described in a deed to Waco Industrial Foundation, recorded in Volume 736, page 249 and being the remainder of a called 3.765 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 2011011193, all of the official public records of McLennan County, Texas. *David Marek with the Wallace Group represented the Waco Industrial Foundation. Charlie Turner opened the public hearing for those wishing to speak in favor. No one appeared. Charlie Turner opened the public hearing for those wishing to speak against. No one appeared. A motion was made by Bobby Wolske and seconded by John Baker. All six in favor, motion passed.*

Item #7. Consider and take appropriate action concerning the Final Plat submitted For Imperial Estates Addition, Phase Eight. *Tony Tomchesson with Barnett Contracting, Inc. Represented Woody Butler Homes, Inc. Charlie Turner opened the public hearing for those wishing to speak in favor. No one appeared. Charlie's Turner opened the public hearing for those wishing to speak against. No one appeared. Mike Hammond, 215 Sun Valley, asked to speak about drainage issues and stated he was not for or against. A motion was made by Kurt Krakowian and seconded by Michael Hix. John Baker and Walter Peterson were in opposition. Four in favor, two opposed, motion passed.*

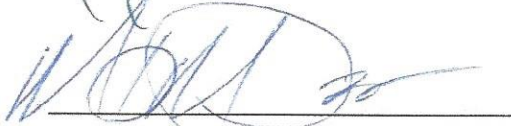
REPRESENTATIVE AUTHORIZATION

In lieu of representing this request myself as owner of the subject property, I hereby authorize the person designated as a representative below to act in the capacity as my representative for the application, processing, representation and/or presentation of this request. The designated representative shall be the principle contact person with the City (and vice versa) in processing and responding to requirements, information, and/or issues relative to this case. I also understand that it is necessary for me or my authorized representative to be present at all Public Hearings.


Signature of Representative

David Marek, PE
Name Printed or Typed

September 3, 2015
Date


Signature of Owner/Applicant

Mathew Meadors
Name Printed or Typed

9.3.15
Date

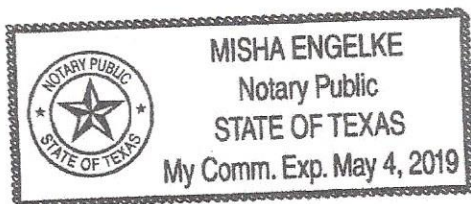
NOTARY STATEMENT

Before me, the undersigned authority, on this day personally appeared Mathew Meadors
(Owner's Name) known to me to be the person whose name is subscribed to the above and forgoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity stated.

Given under my hand and seal of office on this 3 day of September, 2015.

My commission expires: May 4, 2019


Notary Public in and for the State of Texas



ORDINANCE NO. 2015-10-19-1

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 DISTICT) TO R-1-G (GARDEN HOME 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 submitted by the Waco Industrial Foundation to rezone 94.43 acres in the Carlos O'Campo Grant, Abstract No. 32, McLennan County, Texas, being all of the remainder of a called 173.240 acre tract described in a deed to Waco Industrial Foundation, recorded in Volume 736, page 249, being a portion of a called 154.9 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 200511040 and being the remainder of a called 3.765 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 2011011193, all of the official records of McLennan County, Texas from **M (Industrial District) to BP (Business Park District)**.

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 October 19, 2015, after due notice in the manner provided by law; and

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, October 6, 2015, after due notice in the manner provided by law; and

WHEREAS, a site plan of the proposed development was presented and discussed, 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 by a unanimous vote; 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, being 94.43 acres in the Carlos O'Campo Grant, Abstract No. 32, McLennan County, Texas, being all of the remainder of a called 173.240 acre tract described in a deed to Waco Industrial Foundation, recorded in Volume 736, page 249, being a portion of a called 154.9 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 200511040 and being the remainder of a called 3.765 acre tract described in a deed to Waco Industrial Foundation, recorded in MCC No. 2011011193, all of the official records of McLennan County, Texas from M (Industrial District) to BP (Business Park District).

SECTION TWO. The proposed site plan as submitted by the Waco Industrial Foundation is shown in Exhibit "A".

SECTION THREE. 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 FOUR. That all provisions of the ordinances of the City of Hewitt in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Hewitt not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION FIVE. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION SIX. 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 SEVEN. 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 EIGHT. 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 October, 2015 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

CITY OF HEWITT

BY: _____
Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 19, 2015

AGENDA ITEM #: 6

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Public hearing and action on an ordinance rezoning 1.480 acres of land, legally known as the Carlos O'Campo Grant, North Old Temple Road, A-32 Tract 14A, 14B, from R-1 (Single Family District) to R-1-G (Garden Home District), as requested by Luke Morton, Morton Construction Holding LLC.

STAFF RECOMMENDATION/ITEM SUMMARY:

Luke Morton submitted an application to the City requesting rezoning of the aforementioned 1.48 acre parcel of located on Old Temple Road. Mr. Morton requested the R-1-G (Garden Home District) which is a single family residential dwelling district designed to permit smaller lots with larger homes. The tract of land is currently zoned R-1 (Single Family Residential District). Mr. Morton is requesting the zoning which would allow him to construct four single family homes on the property rather than three single family homes. Neighbors have expressed concerns about how four lots would fit on the property and how the extra lot would be configured.

The Planning and Zoning Commission met on October 6, 2015 and voted to deny the request by a vote of 4 to 2. **Note:** A supermajority of the City Council is required to overturn a recommendation of denial by the Planning and Zoning Commission.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

HEWITT TEXAS

Minutes of the Planning and Zoning Commission October 6, 2015 – 7:00 PM

Members present: Charlie Turner, John Baker, Bobby Wolske, Walter Peterson, Michael Hix, Kurt Krakowian

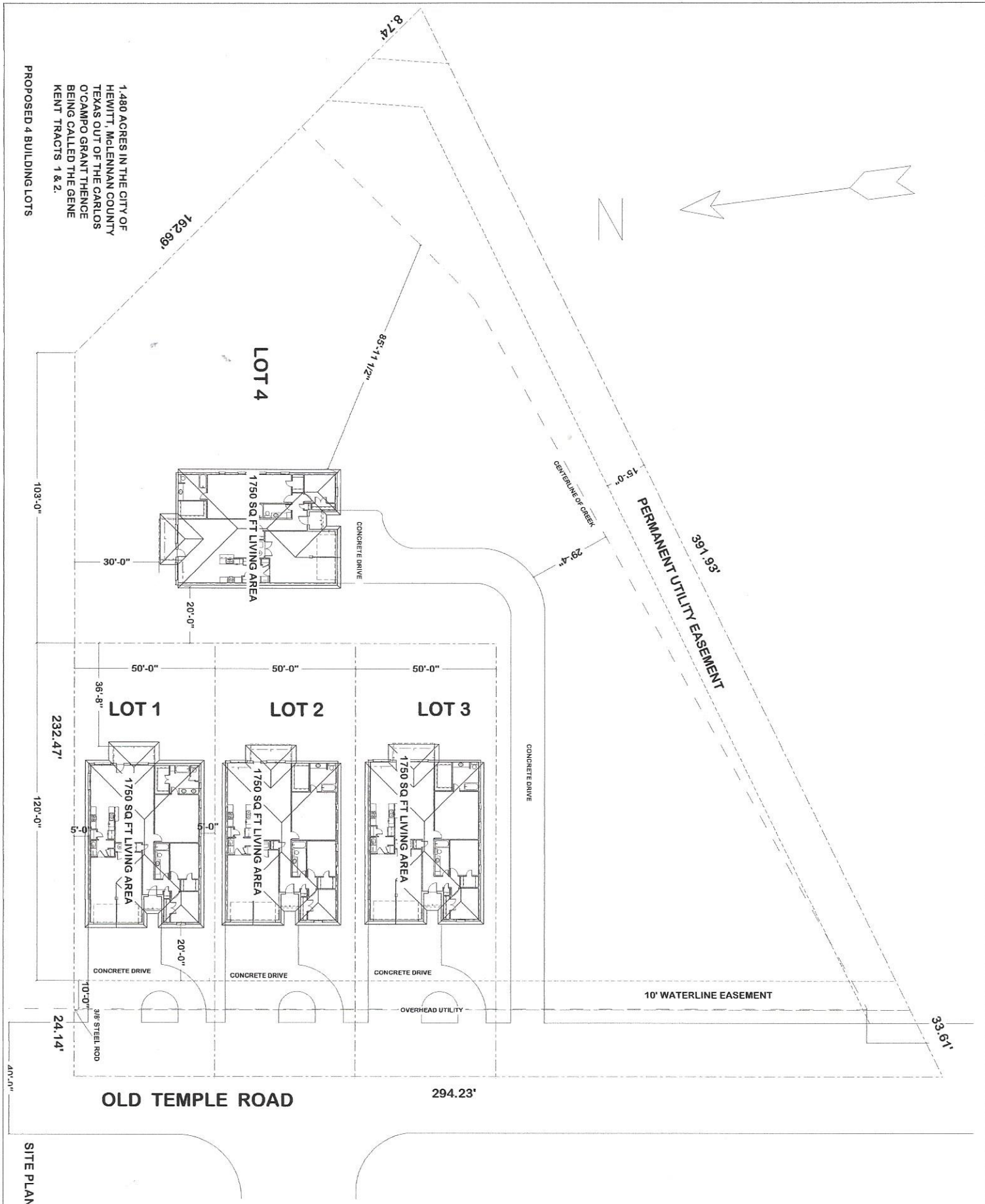
Members absent: Jonathan Dulus

Staff present: Adam Miles, City Manager, Miles Whitney, City Engineer, and Eva Marie Greenup, Zoning Secretary

Item #1. **Call Planning and Zoning Meeting to order.** *Charlie Turner called the meeting to order at 7:01 PM.*

Item #2. **Minutes.** *A motion was made by John Baker to accept but allow for corrections and seconded by Michael Hix. No corrections noted; all six in favor, motion passed. Minutes dated September 1, 2015 stand approved.*

Item #3. **Consider and take appropriate action concerning the request for a rezoning change on 1.480 acres of land, legally known as the Carlos O'Campo Grant, North Old Temple Road, A-32 Tract 14A, 14B, from R1 (Single Family District) to R-1-G (Garden Home District), as requested by Luke Morton, Morton Construction Holding LLC. Luke Morton will present a site plan and renditions of the proposed project for the R-1-G use. This request was brought before the Commission on September 1, 2015 and was denied. Luke Morton pulled the prior request and is reapplying to the Planning and Zoning Commission. The Planning and Zoning Commission recommendation will be forwarded to the Hewitt City Council for final consideration and action at their regular meeting scheduled for Monday, October 19, 2015 at 7:00 PM at Hewitt City Hall. Luke Morton with Morton Construction Holding LLC addressed the board and public with the proposed rezoning request. Charlie Turner opened the public hearing for those wishing to speak in favor. No one appeared. Charlie Turner opened the public hearing for those wishing to speak against. The following appeared against with concerns about depreciation of property values, traffic and draining issues. Mr. Gene Kent, 521 N. Old Temple Road, presented to the board signed petitions; Tim Mitchell, 522 N. Old Temple Road; Steve Wilbur, 328 Neely Road; Craig Waldrop, 128 Castleman Circle. Neither for or against was Adam Miles who addressed the concerns of spot zoning, the request meeting the R-1-G city ordinance and fire safety. Miles Whitney addressed questions from the board. A motion was made by Kurt Krakowian and seconded by John Baker to approve rezone request; those in opposition were Charlie Turner, Bobby Wolske, Michael Hix and Walter Peterson. Motion was denied. Planning and Zoning Commission recommendation will be presented to City Council on October 19, 2015.**



DATE : 09-11-2015

SCALE = 1"= 10'-0"

DRAWN BY : LNS

NEW HOMES BUILT BY
MORTON CONSTRUCTION HOLDINGS LLC.

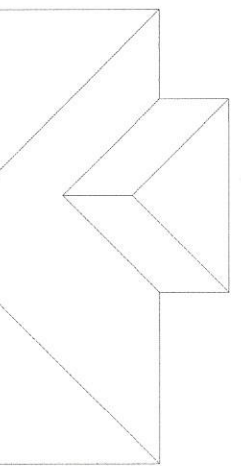
OLD TEMPLE ROAD
HEWITT, TEXAS

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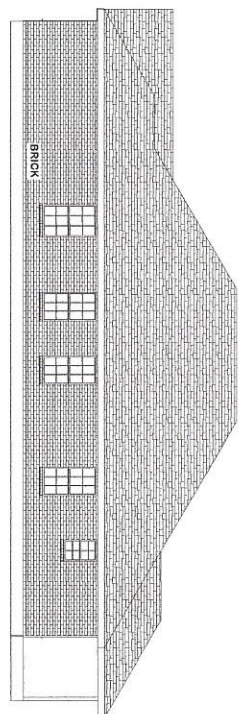
OLD TEMPLE ROAD
HEWITT, TEXAS

NEW HOMES BUILT BY
MORTON CONSTRUCTION HOLDINGS LLC.

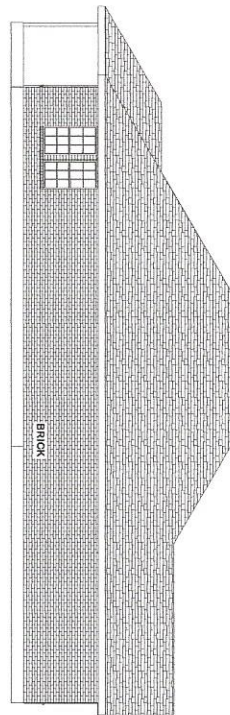
DATE : 09-11-2015
SCALE = 1/4" = 1'-0"
DRAWN BY : LNS



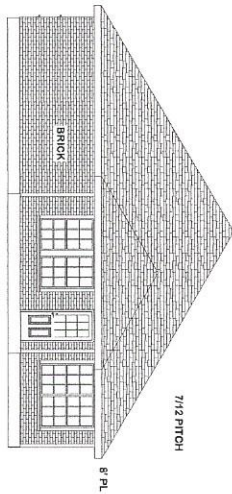
ROOF PLAN



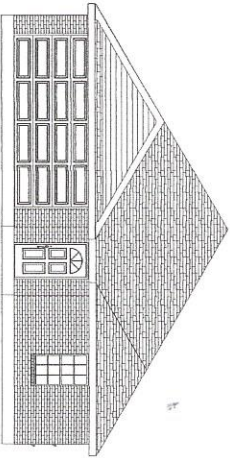
RIGHT VIEW



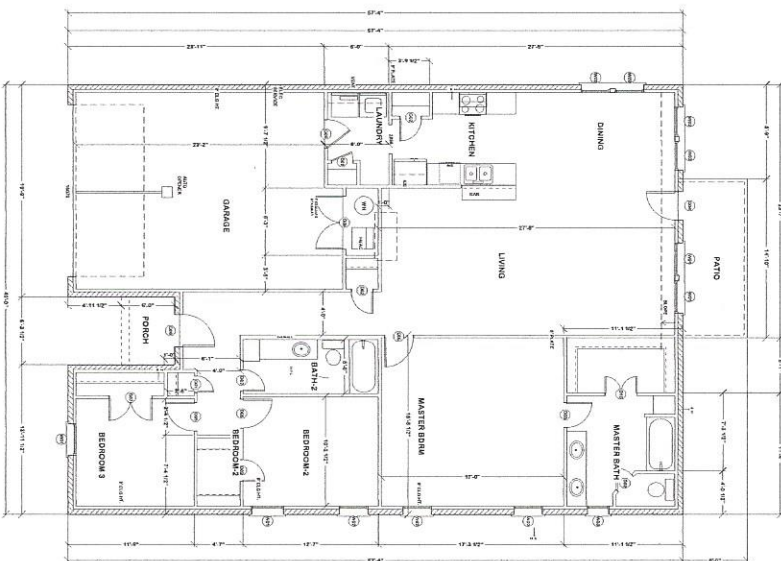
LEFT VIEW



REAR VIEW



FRONT VIEW

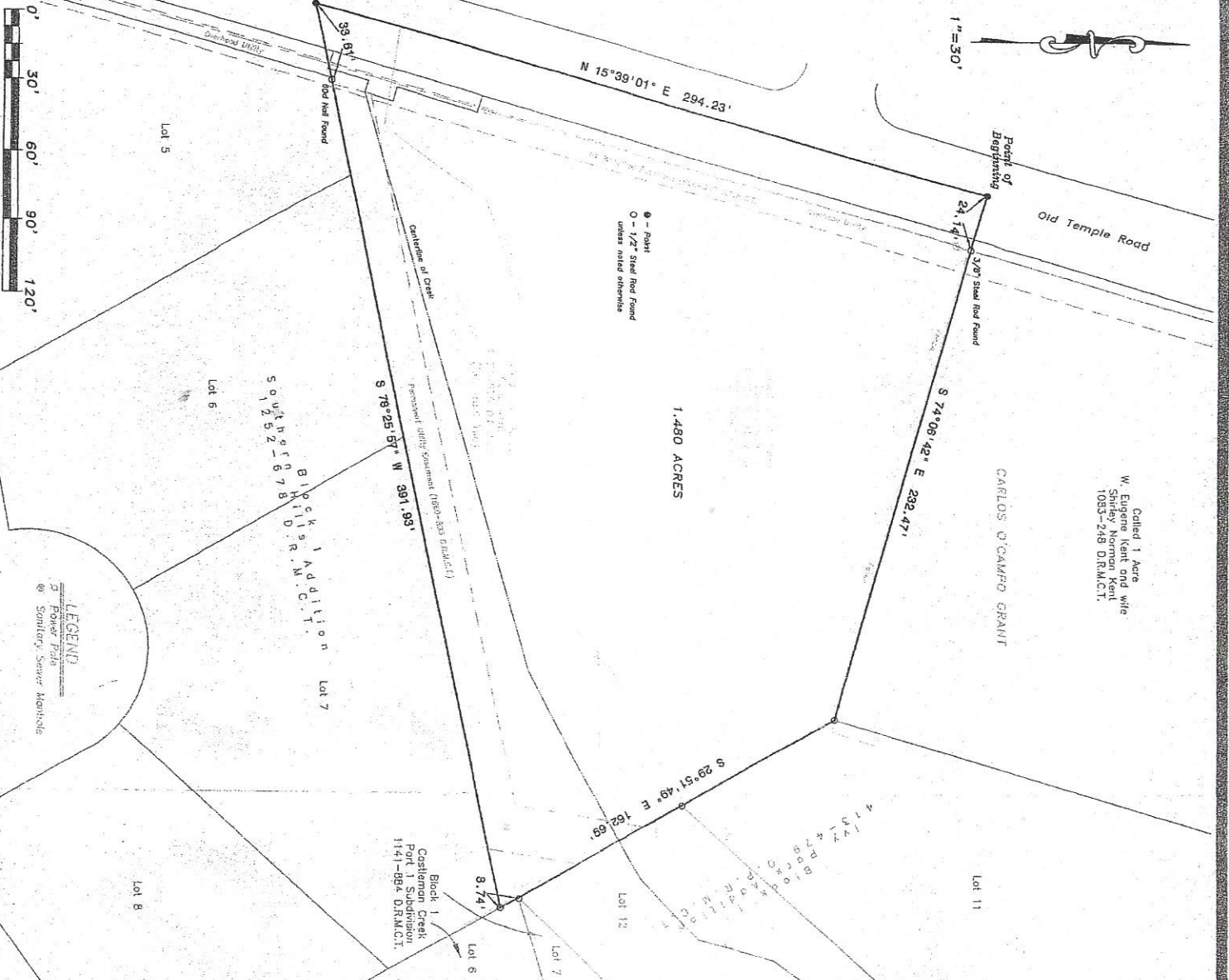


1792 SQ FT LIVING
479 SQ FT GARAGE
30 SQ FT PORCH
88 SQ FT PATIO
1867 SQ FT TOTAL SLAB

DOOR SCHEDULE			
NUMBER	QTY	SIZE	DESCRIPTION
D01	1	1658	4-PANEL
D02	6	2058	4-PANEL
D03	1	2468	4-PANEL
D04	3	2868	EXT. 3 LITE DOOR
D05	1	2868	4-PANEL
D06	1	2868	4-PANEL
D07	1	4068	4-PANEL
D08	1	2868	EXT. 4-PANEL
D09	1	5052	EXT. 4-PANEL
D10	1	3068	4-PANEL

WINDOW SCHEDULE			
NUMBER	QTY	SIZE	DESCRIPTION
W01	4	3050	32"X60" SINGLE HUNG
W02	7	2650	32"X60" SINGLE HUNG
W03	1	2030	24"X36" SINGLE HUNG

FLOOR PLAN



STATE OF TEXAS
COUNTY OF MCLENNAN

BEING all that tract of land in the City of Hewitt, McLennan County, Texas, out of the Carlos O'Campo Grant, and being all of that tract of land described in a deed to Eugene Kent, recorded in Volume 1172, Page 76 of the Deed Records of McLennan County, Texas, and all of that tract of land described in a deed to Gene Kent, recorded in Volume 1172, Page 575 of the Deed Records of McLennan County, Texas, and being further described as follows:

BEGINNING at a point in Old Temple Road at the Northwest corner of said Lot 1016, a 3/8 inch steel rod found in the Southwest corner of said Lot 1016, 100 feet to W. Eugene Kent and wife Shirley Norman Kent, then 100 feet to Volume 1008, Page 248 of the Deed Records of McLennan County, Texas, then South 74 degrees 06 minutes 48 seconds East, 84.14 feet for reference;

THENCE South 74 degrees 06 minutes 48 seconds East, 292.47 feet to a 1/2 inch steel rod found at the Northeast corner of said Lot 1016 and the Southwest corner of said Lot 1 acre;

THENCE South 74 degrees 06 minutes 48 seconds East, 162.69 feet to a 1/2 inch steel rod found at the Southeast corner of that called Lot 7, Block 1 of the Southern Hills Addition to the City of Hewitt, McLennan County, Texas, as per plat recorded in Volume 1122, Page 978 of the Deed Records of McLennan County, Texas, a 1/2 inch steel rod found at the West corner of that called Lot 7 and the Northwest corner of that called Lot 6, Block 1 of the Castellan Creek Subdivision to the City of Hewitt, McLennan County, Texas, as per plat recorded in Volume 1122, Page 978 of the Deed Records of McLennan County, Texas, then North 39 degrees 51 minutes 49 seconds West, 8.74 feet for reference;

THENCE South 78 degrees 25 minutes 57 seconds West, 391.93 feet to a point in Old Temple Road at the Southwest corner of said Lot 5 of said addition then North 78 degrees 25 minutes 57 seconds East, 389.61 feet for reference;

THENCE North 15 degrees 39 minutes 01 seconds East, 294.23 feet to the Point of Beginning, containing 1.480 acres of land.

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

NOTES:

1. Zone X - Other Areas must be determined to be outside the 0.2% annual chance floodplain.
2. In accordance with Chapters 212 and 229 of the Texas Local Government Code, "The owner of a tract of land ... who divides the tract into two or more parts ... must have a plat of the subdivision prepared." Subdividing property by acres and bounds may be in violation of state, city, or county planning ordinances.

NOTES CORRESPONDING TO SCHEDULE B:
1041 10' Warfield Easement (856-287 D.R.M.C.T.) is shown hereon.
1041 Permanent Utility Easement (1660-888 D.R.M.C.T.) is shown hereon.

July 15, 2015
Alvin Henson
R.P.L.S. No. 6365



BOUNDARY SURVEY
1.480 ACRES
CARLOS O'CAMPO GRANT, A-82
MCLENNAN COUNTY, TEXAS

519 Job No. 8718	Drawn By: JH
CIP No. 135206	Sheet 1 of 1
Property Address: Old Temple Road Hewitt, TX	Prepared By: JH
	Date: 07/15/2015

ORDINANCE NO. 2015-10-19-2

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 DISTRICT) TO R-1-G (GARDEN HOME 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 submitted by Luke Morton, Morton Construction Holding LLC to rezone 1.480 acres of land, legally known as the Carlos O'Campo Grant, North Old Temple Road, A-32 Tract 14A, 14B, from **R-1 (Single Family District) to R-1-G (Garden Home District).**

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 October 19, 2015, after due notice in the manner provided by law; and

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, October 6, 2015, after due notice in the manner provided by law; and

WHEREAS, a site plan of the proposed development was presented and discussed, and

WHEREAS, the said Commission has made a report to the City Council of the City of Hewitt, Texas, recommending denial of this rezoning request and site plan by a four (4) to two (2) vote; 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, being 1.480 acres of land, legally known as the Carlos O'Campo Grant, North Old Temple Road, A-32 Tract 14A, 14B, from **R-1 (Single Family District) to R-1-G (Garden Home District)**, as requested by Luke Morton, Morton Construction Holding LLC.

SECTION TWO. The proposed site plan as submitted by Luke Morton is shown in Exhibit “A”.

SECTION THREE. 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 FOUR. That all provisions of the ordinances of the City of Hewitt in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Hewitt not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION FIVE. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION SIX. 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 SEVEN. 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 EIGHT. 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 October, 2015 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

CITY OF HEWITT

BY: _____
Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 19, 2015

AGENDA ITEM #: 7

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Briefing and discussion concerning water and wastewater rate structure including presentation by Dan Jackson with Economists.com/Willdan Financial Services.

STAFF RECOMMENDATION/ITEM SUMMARY:

Dan Jackson will present in depth analysis concerning Hewitt's water and wastewater rate structure. The discussion will include review of Hewitt's Capital Improvement Project Plan as it relates to the rates and long term debt. During the presentation several alternative rate structures will be discussed. At this time, this is only a presentation and discussion. The City Council will not take any formal action concerning how rates are calculated at this meeting. City Staff will be on hand to discuss specific questions about utility bills and review actual account information during the public meeting.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 19, 2015

AGENDA ITEM #: 8

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider and take appropriate action setting a final amount for the proposed combination tax and surplus revenue certificates of obligations.

STAFF RECOMMENDATION/ITEM SUMMARY:

As discussed at the previous meeting, the Council may establish a final amount for the proposed C.O. issuance not to exceed \$8.5 Million. Direction is needed for staff and financial advisors to finalize the notice of intention to issue Certificates of Obligation previously approved at the October 5, 2015, City Council meeting.

ATTACHMENTS:

None