

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

August 15, 2016

Workshop - 5:30 PM and Regular Meeting - 7:00 PM

CITY HALL, 200 PATRIOT COURT

HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Ed Passalugo – Mayor, Ward 3

Travis Bailey – Mayor Pro Tem, Ward 1

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

James Vidrine – Council Member, Ward 2

Steve Fortenberry – Council Member, Ward 3

Alex Snider – Council Member 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

Katie Allgood, Special Projects Coordinator

Tracy Lankford, Community
Development Director

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 **15th day of August, 2016 at 5:30 PM in Hewitt City Hall, Council Workshop Room, 200 Patriot Court, 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
 - b. Briefing and discussion concerning proposed FY 2016-2017 Budget and Capital Improvements Projects.
 - c. Briefing and discussion concerning McLennan County Appraisal District Budget.
 - d. Briefing and discussion concerning upcoming events:
 - Summer Concert Series
 - State of the City Luncheon – September 20, 2016
 - e. 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.**
 - **Pursuant to §551.087 - Deliberation regarding Economic Development Negotiations.**
6. Close Executive Session.
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 10:30 AM/PM on August 12, 2016.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary

HEWITT TEXAS

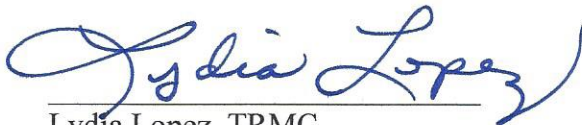
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Regular** meeting of the governing body of the City of Hewitt will be held on the **15th day of August, 2016 at 7:00 PM in the City Council Chambers at Hewitt City Hall, 200 Patriot Court, 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 Special Called Meeting of August 8, 2016.
4. Hear visitors on matters pertaining to city business. *Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda.*
5. Consider appointment to the Board of Adjustment.
6. Conduct second public hearing on 2016 tax rate.
7. Motion to announce August 22, 2016, 7:00 PM, at the Hewitt City Hall, 200 Patriot Court, as the date to vote on the 2016 tax rate.
8. Public hearing and action on an ordinance rezoning of a 10-acre tract of land, located in the 900 Block of N. Old Temple Rd. Hewitt, McLennan County, Texas, also known as O'Campo C Abstract from C-2/M (General Commercial/ Industrial) to R-4 (Multi-Family High Density) with variances.
9. Public hearing and action on an ordinance rezoning of Lot 42 Block 3 Wintergarden Addition, Hewitt, McLennan County, Texas, from C-1 (Restricted Commercial District) to C-O (Outdoor Commercial District).
10. Public hearing and action on an ordinance of the City of Hewitt, Texas amending Code of Ordinances Appendix A – Zoning by adding Section 2.107.1 - Nonconforming Mobile Home Parks; providing for inclusion in the code; providing for a severability clause; and providing an effective date.
11. 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 10:30 AM/PM on August 12, 2016.

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.



COUNCIL WORKSHOP AGENDA ITEM #2.a

2010 IH-35 Utility Improvements:

A second pump was placed in the wet well on 8/3/16. At this time the lift station is running as it was designed. The only criteria left to fulfill the contract is the delivery of the third pump and we were told it will be here by mid-month.

2014 Bond Projects:**First Street Mill and Overlay / Chapman Rd.**

Contractor began the milling of First Street on 8/9/16, and plans to be laying asphalt in two or so weeks. Once that is completed they will turn their attention to the reconstruction of Chapman Rd.

2015 Bond Projects:**Lift Station No. 5 Removal**

Now exploring another possible route, so that we can avoid the fill brought in on one of the tracts of land.

IH - 35 Waterline

Easement documents have been received and will be sent to property owners shortly for their consideration. This project will most likely be broken out into three separate projects, one of which is planned to be done in house. Investigations are being performed on locating existing easements for the areas.

Lift Station No. 4; Gravity Line Extension

I have begun working on the final design of this project.

2016 Slurry Seal:

Working on finishing up the list and reviewing the street conditions to look for needed base repairs prior to this contract work.

Drainage

1519 Surveying is working on staking the existing drainage easements, to ensure that the proposed improvements are to be constructed within our existing easements.

By:



Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



COUNCIL WORKSHOP AGENDA ITEM #2.c

MCLENNAN COUNTY APPRAISAL DISTRICT 2017 PROPOSED BUDGET DETAIL

We currently serve 43 taxing entities that include 20 school districts, 18 cities, the county and 5 other entities. We are responsible for appraising more than 120,000 parcels with a market value in excess of twenty billion dollars. Our overall budget for 2017 will increase by 2.1% from our 2016 budget. The overall budgeted amount for 2017 is very similar to the overall budgets for 2009-2011.

ORDINARY INCOME

Income is comprised of allocated payments from the taxing entities served by the appraisal district. Allocations are based on the percentage obtained by dividing the levy for each entity by the total levy of all entities. Additional income is generated from interest on investments (CD's), miscellaneous income (copies, open records requests, the sale of retired assets) and personal property rendition penalties. Interest on investments are still down because of a low interest rate environment.

EXPENSES

Salaries: The 2017 salaries are up slightly. Salary increases are based on merit only to reward those employees that are the most productive. Salary increases for 2017 are less than 2.43%. Our staff is currently comprised of 41 employees of which 21 are appraisers. All but three out of the 21 appraisers are registered professional appraisers with the State of Texas. The other three must complete their five-year training period to achieve this designation.

We have three highly skilled mapping professionals. Well over half of our staff is required to have professional designations that require extensive training and testing along with continuing education courses to continue their employment. All support staff are also required to take training courses that review new legislative mandates which affect all appraisal districts. Since training costs are high, it is a common practice for other districts to look for individuals who are already certified or close to certification. That is why it is very important that we try to retain our staff by paying competitive wages, otherwise we will constantly be paying more for training costs.

A review of other appraisal districts show that current salaries for McCAD's clerical and appraisal positions are low in comparison. Currently there are 41 positions provided for in the 2017 budget. We are using temp services to supplement the work of full-time employees as needed. This also allows us to control benefit costs.

Benefits: Health insurance costs are expected to increase approximately 18% from current costs or 5% over the 2016 approved budget, resulting from changes to the federal healthcare guidelines. The district is paying \$351.20 per month per person for employee coverage in 2016. We have managed to reduce this cost by using our HRA plan and providing coverage with higher deductibles.

Longevity pay is granted to full time McCAD employees who have been with the district for at least five years as of January 1, 2008. Longevity is paid at a rate of \$4.00 per month, per full year of service, up to a maximum of twenty-five years beginning October 1, 1981. Because training is so costly, longevity is used to retain experienced and well trained employees.

Pension: The TCDRS budgeted rate is 13% for 2017, which remains unchanged from 2016. We have also included \$30,000 in the budget to be applied to the district's TCDRS Unfunded Actuarial Accrued Liability (UAAL). This amount is the same as it has been for the last several years.

Professional Services: Appraisal Review Board members will be paid at \$150.00 per full day and \$75.00 for half days. The chairman is paid \$175.00 per full day and \$87.50 for half days. This amount has

grown as numbers of protests have grown in the past several years due to a slower economy and the legislative spotlight on appraisal districts in general.

The appraisal services expense line item covers contractual services with Capitol Appraisal Group. Capitol appraisal works utility properties, mineral properties, and specialty properties. These specialty properties include: Riesel Power Plant, telephone towers and cable companies.

Legal fees are budgeted for the services of Mr. Robert Meyers and fees associated with miscellaneous litigation. Growing litigation expenses are responsible for the decreased refunds to the entities in past years. We are increasing our budget by 29% to meet the expected defense costs, and designated \$400,000 from excess funds to cover potential costs of defending the power plant and other commercial valuations.

Temp services have also increased to assist with personal property renditions and new mandates requiring the exchange of evidence before each hearing. Since most taxpayers bring their evidence the day of their hearing, we must have temps scanning the evidence as it comes in the door.

Computer services is increasing by \$6,500 to allow for additional consulting work to offset the expected retirement of our IT Director.

Office Operating Expenses: Office supplies have increased in cost over the last few years. Printing expenses including costs for processing Notices of Appraised Value, personal property renditions, and personal property penalty letters have also increased. Additional postage costs are due to increased requirements to notify taxpayers of changes and increases in the amount of certified mail. Insurance expenses cover general liability, property (real and contents), electronic data processing, accounts receivable/valuable papers, commercial crime, umbrella liability, and employee/public officials liability.

Maintenance Expenses: The software maintenance budget includes maintenance expenses for the computer assisted mass appraisal software used for valuing properties, as well as, software for GIS mapping, and deed information. These items increase approximately 3% each year. We have replaced our old elevator with a new unit that should reduce our overall maintenance costs in future years.

CAPITAL OUTLAY

We replaced our servers in 2015 and expect them to remain in service until 2020. We will be flying each school district according to our future reappraisal plans. By adding change finder options to our aerial flights, we will be able to work more efficiently and also meet legislation mandates for inspecting properties once every three years. It also allows us to pick up new improvements that did not have building permits issued on them. The cost for aerials will be minimal when compared to the value added by picking up these new improvements. We expect to replace our phone system in 2018. The sewer lift station may have to be replaced or relocated in the next year, which has been fixed temporarily.

DEBT SERVICE EXPENSE

These budgeted expenses cover twelve months of mortgage payments in 2017 for our facility. These payments began in 2009 and have stabilized our costs for office space and have built equity for the entities that fund us. We have lowered our costs for heating and cooling since moving to this facility while providing better access and parking for everyone. We are currently working with Capitol One to reduce our mortgage rate from 6% to 4.75% for the balance of the loan. This will save the entities over \$100,000 in additional interest over the life of the loan.

CONTINGENCY FUND

The contingency fund is reduced to \$150,000 as we have designated excess funds for contingency items. There is no pending litigation against the District other than valuation related cases. Additionally, the board will consider policies to ensure that sufficient capital reserves are in place to maintain a positive fund balance on an on-going basis in the future as well as developing a long term budget.

**MCLENNAN COUNTY APPRAISAL DISTRICT
2017 PRELIMINARY ANNUAL BUDGET**

		2016 BUDGET	ACCOUNT TOTAL	2017	ACCOUNT TOTAL	\$ CHANGE	PERCENT CHANGE
5000	SALARIES						
5001	ADMINISTRATION	277,000		277,000		0	
5002	APPRAISAL	906,000		921,000		15,000	
5003	MAPPING	152,500		155,000		2,500	
5004	CLERICAL	417,000		443,000		26,000	
5006	PART TIME	0		0		0	
5007	MERIT PAY					0	
5008	AUTO & PHONE ALLOWANCE	129,760		132,040		2,280	
	TOTAL SALARIES		1,882,260		1,928,040		2.43%
5100	BENEFITS						
5105	FICA TAX EXPENSE	143,800		148,000		4,200	
5110	HEALTH INSURANCE	194,600		204,000		9,400	
	5110-1 PB&H DEDUCTIBLE (HRA)	30,000		30,000		0	
5113	DISABILITY	5,000		6,000		1,000	
5115	LIFE INSURANCE	7,600		8,750		1,150	
5120	LONGEVITY	12,384		14,100		1,716	
5125	PENSION	254,610		253,000		(1,610)	
5126	PENSION UAAL	30,000		30,000		0	
5130	UNEMPLOYMENT COMPENSATION	9,100		9,200		100	
5135	WORKMANS COMPENSATION	8,500		9,100		600	
	TOTAL BENEFITS		695,594		712,150		2.38%
5200	PROFESSIONAL SERVICES						
5201	APPRAISAL REVIEW BOARD	82,000		80,000		(2,000)	
5205	APPRAISAL SERVICES	27,500		27,500		0	
5210	AUDIT	6,200		6,500		300	
5215	BOARD OF DIRECTORS	1,200		1,200		0	
5217	COBRA	0		0		0	
5218	COMPUTER SERVICES	3,500		10,000		6,500	
5220	CONSULTING SERVICES	0		0		0	
	5220-1 ACCOUNTING	20,000		15,000		(5,000)	
	5220-2 MISC CONSULTING	0		0		0	
	2000-3 TXMASS	0		0		0	
5222	LAWN SERVICE	3,000		3,000		0	
5225	JANITORIAL SERVICES	20,000		22,000		2,000	
5229	ARBITRATION	3,000		3,000		0	
5230	LEGAL SERVICES			0			
	5230-1 RETAINER	22,800		22,800		0	
	5230-2 COURT COST	155,000		200,000		45,000	
	5230-3 MISC LEGAL SERVICES	30,000		20,000		(10,000)	
	5230-4 ARB Legal Counsel	3,500		6,000		2,500	
5233	MOVING SERVICE	0		0		0	
5234	PAYROLL SERVICE FEE	2,000		4,869		2,869	
5235	PERSONAL PROPERTY LISTS	2,500		2,500		0	
5239	SHREDDING SERVICE	500		500		0	
5240	TEMP SERVICES	80,000		80,000		0	
	TOTAL PROFESSIONAL SERVICES		462,700		504,869		9.11%
5300	OFFICE OPERATING EXPENSES						
5301	DUES AND MEMBERSHIPS	6,000		6,000		0	
5305	FORMS AND PRINTING			0			
	5305-1 NOTICES	22,000		22,000		0	
	5305-2 RENDITIONS	7,500		7,500		0	
	5305-3 MISC	4,000		4,000		0	
5310	INSURANCE	7,100		7,100		0	
5315	LEGAL PUBLICATIONS	9,500		9,500		0	
5317	MILEAGE REIMBURSEMENT	4,200		4,200		0	
5320	OFFICE EQUIPMENT RENTAL			0			
	5320-1 POSTAGE MACHINE	5,800		7,008		1,208	
	5320-2 COPIERS	11,550		12,000		450	
5330	POSTAGE AND FREIGHT			0			
	5330-1 POSTAGE	86,000		90,000		4,000	
	5330-2 FREIGHT	900		900		0	
5335	SMALL EQUIPMENT AND FURNITURE	3,000		2,500		(500)	
5336	SMALL SOFTWARE	4,800		4,800		0	
5340	SUBSCRIPTIONS AND BOOKS	9,700		9,700		0	
5345	SUPPLIES			0			

	5345-1	OFFICE SUPPLIES	31,500		31,500		0	
5350	TRAINING AND EDUCATION		20,000		20,000		0	
5355	TRAVEL		15,000		15,000		0	
5360	UTILITIES				0			
	5360-1	PHONE AND INTERNET	20,000		20,000		0	
	5360-2	ELECTRIC	27,000		27,000		0	
	5360-4	WATER AND SEWER	4,800		4,800		0	
5365	MISC EXPENSE		1,350		1,350		0	
TOTAL OFFICE OPERATING EXPENSES				301,700		306,858		1.71%

5400 MAINTENANCE EXPENSES

5401	BUILDING		10,000		15,000		5,000	
5402	ELEVATOR		5,000		5,000		0	
5405	COMPUTER EQUIPMENT-HARDWARE		6,000		6,000		0	
5410	SMALL EQUIPMENT AND FUNITURE		4,000		3,000		(1,000)	
5415	SOFTWARE MAINTENANCE				0		0	
	5415-1	TRUE AUTOMATION	97,815		116,567		18,752	
	5415-5	SOFTWARE SERVICE	6,000		6,000		0	
	5415-6	ESRI	10,000		10,000		0	
	5415-7	EMAIL LICENSE	0		0		0	
5420	TELEPHONE MAINTENANCE		1,800		1,800		0	
TOTAL MAINTENANCE EXPENSES				140,615		163,367		16.18%

5500 CAPITAL OUTLAY

5501	BUILDING IMPROVEMENTS	5,000		5,000		0	
5502	SMALL EQUIPMENT	10,000		10,000		0	
5505	LARGE EQUIPMENT	20,000		20,000		0	
5510	LARGE FURNITURE	1,000		1,000		0	
5515	SOFTWARE	0		0		0	
5525	AERIAL PHOTOGRAPHY	70,000		70,000		0	
TOTAL CAPITAL OUTLAY			106,000		106,000		0.00%

5600 DEBT SERVICE EXPENSE

5601	DEBT SERVICE INTEREST--BUILDING	70,416		71,332		916	
5602	DEBT SERVICE INTEREST--EQUIPMENT					0	
5603	DEBT SERVICE INTEREST--MAPPING					0	
5605	DEBT SERVICE PRINCIPLE--BUILDING	70,416		69,500		(916)	
5606	DEBT SERVICE PRINCIPLE--EQUIPMENT					0	
5607	DEBT SERVICE PRINCIPLE--MAPPING					0	
TOTAL DEBT SERVICE EXPENSE			140,831		140,831		0.00%

6000 CONTINGENCY FUND

6001	BUILDING FUND					0	
6005	EQUIPMENT FUND					0	
6010	GENERAL CONTINGENCY FUND	200,000		150,000		(50,000)	
TOTAL CONTINGENCY FUND			200,000		150,000		-25.00%

TOTAL OPERATING BUDGET	\$ 3,929,700	\$ 4,012,115	2.10%
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LESS BUDGETED GENERAL INCOME

4033	INTEREST ON INVESTMENTS	150	2,000	
4040	MISCELLANEOUS REVENUE	1,200	1,500	
4045	BPP RENDITION PENALTY REVENUE	14,500	10,000	
TOTAL GENERAL INCOME		15,850	13,500	

LESS FUND BALANCE CREDIT TO ENTITIES	0	
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TOTAL ENTITY SUPPORT	\$ 3,913,850	\$ 3,998,615	2.17%
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B	PAYROLL TYPE	NAME	2500	D	E	F	G	H	I	J	K	L	M	N	O	P
			2000	2016 HOURLY	2016 Salary	AUTO PART OF 2016 SALARY	CHIEF'S MERIT RAISES FOR 2016	COL TOTAL SALARIES FOR BUDGET 2017 E+G	TOTALS BY CATEGORY	HOURLY 2017 H8/2080	PROJECTED 2017 SALARY + AUTO	FICA	HEALTH 351.20*.18=414.42 18% INCREASE	HRA	Life Total Projected 5% Increase	LONGEVITY 2017
				D*2080								K * .0765	114.42X12=4633.20			
5001	CHIEF APPR		57.69	120,000.00	6480.00	3,000.00		123,000.00		59.13	\$129,480.00	9,905.22	4,973.04	731.71	504.32	432.00
5001	ASST CHIEF APPR		38.46	80,000.00	6480.00	5,000.00		85,000.00		40.87	\$91,480.00	6,998.22	4,973.04	731.71	403.46	288.00
5001	ADMIN ASST-OPEN 5.25.15		16.35	34,000.00		1,000.00		35,000.00		16.83	\$35,000.00	2,677.50	4,973.04	731.71	174.02	0.00
5001	ADMIN ASST		14.90	31,000.00		3,000.00		34,000.00		16.35	\$34,000.00	2,601.00	4,973.04	731.71	156.41	0.00
				265,000.00					277,000.00		\$289,960.00					
5002	COMMERCIAL--SENIOR APPRAIS		39.42	82,000.00	6,480.00	2,000.00		84,000.00		40.38	\$90,480.00	6,921.72	4,973.04	731.71	413.57	768.00
5002	COMMERCIAL--STAFF APPRAISE		27.40	57,000.00	6,480.00	1,000.00		58,000.00		27.88	\$64,480.00	4,932.72	4,973.04	731.71	287.49	1,152.00
5002	COMMERCIAL--STAFF APPRAISE		19.23	40,000.00	6,480.00	1,000.00		41,000.00		19.71	\$47,480.00	3,632.22	4,973.04	731.71	194.24	0.00
5002	COMMERCIAL--STAFF APPRAISE		26.20	54,500.00	6,480.00	1,500.00		56,000.00		26.92	\$62,480.00	4,779.72	4,973.04	731.71	274.88	624.00
				151,500.00					239,000.00		\$264,920.00					
5002	RES--SUPERVISOR		24.04	50,000.00	6,480.00	5,000.00		55,000.00		26.44	\$61,480.00	4,703.22	4,973.04	731.71	254.66	672.00
5002	RES--STAFF APPRAISER		25.00	52,000.00	6,480.00	1,000.00		53,000.00		25.48	\$59,480.00	4,550.22	4,973.04	731.71	262.27	720.00
5002	RES--STAFF APPRAISER-OPEN		24.04	51,000.00	6,480.00	-10,000.00		41,000.00		19.71	\$47,480.00	3,632.22	4,973.04	731.71	252.00	
5002	RES--STAFF APPRAISER		19.71	41,000.00	6,480.00	1,000.00		42,000.00		20.19	\$48,480.00	3,708.72	4,973.04	731.71	206.84	432.00
5002	RES--STAFF APPRAISER		18.75	39,000.00	6,480.00	1,000.00		40,000.00		19.23	\$46,480.00	3,555.72	4,973.04	731.71	196.61	528.00
5002	RES--STAFF APPRAISER		17.31	36,000.00	6,480.00	1,000.00		37,000.00		17.79	\$43,480.00	3,326.22	4,973.04	731.71	184.01	336.00
5002	RES--STAFF APPRAISER		17.31	36,000.00	6,480.00	1,000.00		37,000.00		17.79	\$43,480.00	3,326.22	4,973.04	731.71	184.01	480.00
5002	RES--JR APPRAISER		15.38	32,000.00	6,480.00	1,000.00		33,000.00		15.87	\$39,480.00	3,020.22	4,973.04	731.71	161.41	0.00
5002	RES-- JR APPRAISER		15.38	32,000.00	6,480.00	1,000.00		33,000.00		15.87	\$39,480.00	3,020.22	4,973.04	731.71	161.41	0.00
5002	RES--JR APPRAISER		15.38	32,000.00	6,480.00	1,000.00		33,000.00		15.87	\$39,480.00	3,020.22	4,973.04	731.71	161.41	0.00
				401,000.00					404,000.00		\$468,800.00					
5002	BPP--SENIOR APPRAISER		30.29	63,000.00	2,520.00	1,000.00		64,000.00		30.77	\$66,520.00	5,088.78	4,973.04	731.71	320.32	672.00
5002	BPP--APPRAISER		18.27	38,000.00	5,460.00	1,000.00		39,000.00		18.75	\$44,460.00	3,401.19	4,973.04	731.71	194.24	0.00
5002	BPP--APPRAISER		17.79	37,000.00	5,460.00	1,000.00		38,000.00		18.27	\$43,460.00	3,324.69	4,973.04	731.71	189.12	384.00
5002	BPP--STAFF APPRAISER		16.83	35,000.00	5,460.00	1,000.00		36,000.00		17.31	\$41,460.00	3,171.69	4,973.04	731.71	179.01	432.00

B	2500 2000	D	E	F	G	H		I	J	K	L	M	N	O	P
		2016 HOURLY	2016 Salary	AUTO PART OF 2016 SALARY	CHIEF'S MERIT RAISES FOR 2016	COL TOTAL SALARIES FOR BUDGET 2017 E+G	TOTALS BY CATEGORY	HOURLY 2017 H8/2080	PROJECTED 2017 SALARY + AUTO	FICA	HEALTH 351.20*.18=414.42 18% INCREASE	HRA	Life Total Projected 5% Increase	LONGEVITY 2017	
PAYROLL TYPE	NAME		D*2080							K * .0765	114.42X12=4633.20				
5002	BPP--STAFF APPRAISER	16.59	34,500.00	5,460.00	500.00	35,000.00		16.83	\$40,460.00	3,095.19	4,973.04	731.71	176.51	432.00	
			207,500.00				212,000.00		\$236,360.00						
5003	GIS SUPERVISOR	32.69	68,000.00	1500.00	1,000.00	69,000.00		33.17	\$70,500.00	5,393.25	4,973.04	731.71	342.92	1,200.00	
5003	GIS MAPPER	20.91	43,500.00	1000.00	500.00	44,000.00		21.15	\$45,000.00	3,442.50	4,973.04	731.71	219.45	336.00	
5003	GIS MAPPER	19.71	41,000.00		1,000.00	42,000.00		20.19	\$42,000.00	3,213.00	4,973.04	731.71	206.84	576.00	
			152,500.00				155,000.00		\$157,500.00						
5004	CUST SERV SUPERVISOR	19.23	40,000.00		1,000.00	41,000.00		19.71	\$41,000.00	3,136.50	4,973.04	731.71	201.73	672.00	
5004	CS--DATA CLERK	13.22	27,500.00		1,500.00	29,000.00		13.94	\$29,000.00	2,218.50	4,973.04	731.71	138.69	528.00	
5004	CS-DATA CLERK	12.74	26,500.00		1,500.00	28,000.00		13.46	\$28,000.00	2,142.00	4,973.04	731.71	133.57	0.00	
5004	CS--DATA ANALYST	12.50	26,000.00		2,000.00	28,000.00		13.46	\$28,000.00	2,142.00	4,973.04	731.71	131.20	0.00	
5004	CS- DATA CLERK	15.00	31,200.00		800.00	32,000.00		15.38	\$32,000.00	2,448.00	4,973.04	731.71	158.79	0.00	
			151,200.00				158,000.00		\$158,000.00						
5002	DIR OF TECH	31.25	65,000.00	1500.00	1,000.00	66,000.00		31.73	\$67,500.00	5,163.75	4,973.04	731.71	213.15	432.00	
5004	DIR OF TECH ASST	21.63	45,000.00		1,000.00	46,000.00		22.12	\$46,000.00	3,519.00	4,973.04	731.71	226.95	672.00	
5004	DATA ANALYST	16.83	35,000.00		1,000.00	36,000.00		17.31	\$36,000.00	2,754.00	4,973.04	731.71	179.01	480.00	
5004	DATA CLERK	14.42	30,000.00		1,000.00	31,000.00		14.90	\$31,000.00	2,371.50	4,973.04	731.71	151.30	816.00	
5004	DATA ANALYST	14.66	30,500.00		500.00	31,000.00		14.90	\$31,000.00	2,371.50	4,973.04	731.71	153.79	0.00	
5004	DATA ANALYSIS	12.74	26,500.00		1,500.00	28,000.00		13.46	\$28,000.00	2,142.00	4,973.04	731.71	133.57	0.00	
5004	DATA CLERK	12.74	26,500.00		1,500.00	28,000.00		13.46	\$28,000.00	2,142.00	4,973.04	731.71	133.57	0.00	
5004	DATA ANALYST BPP	12.50	26,000.00		2,000.00	28,000.00		13.46	\$28,000.00	2,142.00	4,973.04	731.71	131.20	0.00	
5004	DATA ANALYST	12.02	25,000.00		2,000.00	27,000.00		12.98	\$27,000.00	2,065.50	4,973.04	731.71	128.58	0.00	
5004	DATA ANALYST-OPEN	13.94	29,000.00		1,000.00	30,000.00		14.42	\$30,000.00	2,295.00	4,973.04	731.71	252.00	0.00	
			338,500.00				351,000.00		\$352,500.00						

1,667,200.00	132040.00	46,800.00	1,796,000.00
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907,500.00	132040.00	46,800.00	3,592,000.00	1,796,000.00	147,495.06	203,894.64	30,000.11	\$8,728.50	\$14,064.00
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\$1,928,040.00	148,000.00	204,000.00	30,000.00	8750.00	14,100.00
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AUTO = 132,040.00

FICA	HEALTH	HRA	LIFE	LONGEVITY
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B		2500	Q		R		S		T		U		V		W		X		Y		Z		AA	
		2000							WORKERS															
PAYROLL TYPE	NAME	PENSION	PENSION	UNEMPLOYMENT	COMP	DISABILITY	TOTAL ANNUAL		BY CATEGORY	TOTAL BENEFITS		SALARIES ONLY												
		13.00%	UAAL	COMPENSATION	WORKSHEET	Projected 14%	SALARY &			SALARIES AND	2017	H												
			\$30,000 / 41		Projected 5%	Increase	BENEFITS																	
		5125		.019 X 1ST \$9000	5135	5103	2016		AR	L+M+N+O+P+Q+R+S+T+U														
		(K+P)*0.13					K+L+M+N+O+P+Q+R+S+T+U																	
5001	CHIEF APPR	16,888.56	731.71	216.67	532.26	405.60	\$164,801.09		380,588.70	\$35,321.09	123,000.00													
5001	ASST CHIEF APPR	11,929.84	731.71	216.67	376.05	270.36	\$118,399.06			\$26,919.06	85,000.00													
5001	ADMIN ASST-OPEN 5.25.15	4,550.00	731.71	216.67	143.88	114.96	\$49,313.48			\$14,313.48	35,000.00													
5001	ADMIN ASST	4,420.00	731.71	216.67	139.77	104.76	\$48,075.07			\$14,075.07	34,000.00													
									380,588.70	\$90,628.70		\$277,000.00												
5002	COMMERCIAL--SENIOR APPRAIS	11,862.24	731.71	216.67	371.94	277.20	\$117,747.80			\$27,267.80	84,000.00													
5002	COMMERCIAL--STAFF APPRAISE	8,532.16	731.71	216.67	265.06	192.60	\$86,495.16			\$22,015.16	58,000.00													
5002	COMMERCIAL--STAFF APPRAISE	6,172.40	731.71	216.67	195.18	128.40	\$64,455.56			\$16,975.56	41,000.00													
5002	COMMERCIAL--STAFF APPRAISE	8,203.52	731.71	216.67	256.84	184.20	\$83,456.29			56,000.00														
									234,407.01	\$59,967.01		239,000.00												
5002	RES--SUPERVISOR	8,079.76	731.71	216.67	252.73	168.96	\$82,264.46			\$20,784.46	55,000.00													
5002	RES--STAFF APPRAISER	7,826.00	731.71	216.67	244.51	175.80	\$79,911.93			\$20,431.93	53,000.00													
5002	RES--STAFF APPRAISER-OPEN	6,172.40	731.71	216.67	195.18	174.00	\$64,558.93			\$17,078.93	41,000.00													
5002	RES--STAFF APPRAISER	6,358.56	731.71	216.67	199.29	138.60	\$66,177.14			\$17,697.14	42,000.00													
5002	RES--STAFF APPRAISER	6,111.04	731.71	216.67	191.07	131.88	\$63,847.45			\$17,367.45	40,000.00													
5002	RES--STAFF APPRAISER	5,696.08	731.71	216.67	178.74	121.68	\$59,975.85			\$16,495.85	37,000.00													
5002	RES--STAFF APPRAISER	5,714.80	731.71	216.67	178.74	121.68	\$60,138.57			\$16,658.57	37,000.00													
5002	RES--JR APPRAISER	5,132.40	731.71	216.67	162.29	108.12	\$54,717.57			\$15,237.57	33,000.00													
5002	RES-- JR APPRAISER	5,132.40	731.71	216.67	162.29	108.12	\$54,717.57		\$15,237.57	33,000.00														
5002	RES--JR APPRAISER	5,132.40	731.71	216.67	162.29	108.12	\$54,717.57		\$15,237.57	33,000.00														
									0.338%			404,000.00												
5002	BPP--SENIOR APPRAISER	8,734.96	731.71	216.67	273.45	213.00	\$88,475.63			\$21,955.63	64,000.00													
5002	BPP--APPRAISER	5,779.80	731.71	216.67	182.76	128.40	\$60,799.52			\$16,339.52	39,000.00													
5002	BPP--APPRAISER	5,699.72	731.71	216.67	178.65	125.04	\$60,014.35			\$16,554.35	38,000.00													
5002	BPP--STAFF APPRAISER	5,445.96	731.71	216.67	170.43	118.32	\$57,630.54		\$16,170.54	36,000.00														

B		2500	Q	R	S	T	U	V	W	X	Y	Z	AA
		2000				WORKERS							
PAYROLL		PENSION	PENSION	UNEMPLOYMENT	COMP	DISABILITY	TOTAL ANNUAL		BY CATEGORY	TOTAL BENEFITS			
TYPE	NAME	13.00%	UAAL	COMPENSATION	WORKSHEET	Projected 14%	SALARY &		SALARIES AND	2017		SALARIES ONLY	
		5125	\$30,000 / 41	.019 X 1ST \$9000	Projected 5%	Increase	BENEFITS		BENEFITS				
		(K+P)*0.13			5135	5103	2016		AR	L+M+N+O+P+Q+R+S+T+U	H		
5002	BPP--STAFF APPRAISER	5,315.96	731.71	216.67	166.32	116.64	\$56,415.75			\$15,955.75	35,000.00		
												212,000.00	
5003	GIS SUPERVISOR	9,321.00	731.71	216.67	289.81	229.80	\$93,929.90			\$23,429.90	69,000.00		
5003	GIS MAPPER	5,893.68	731.71	216.67	184.98	147.00	\$61,876.75			\$16,876.75	44,000.00		
5003	GIS MAPPER	5,534.88	731.71	216.67	172.65	138.60	\$58,495.11			\$16,495.11	42,000.00		
									\$214,301.75		\$56,801.75		155,000.00
		-											
5004	CUST SERV SUPERVISOR	5,417.36	731.71	216.67	168.54	135.24	\$57,384.50			\$16,384.50	41,000.00		
5004	CS--DATA CLERK	3,838.64	731.71	216.67	119.21	92.88	\$42,589.05			\$13,589.05	29,000.00		
5004	CS-DATA CLERK	3,640.00	731.71	216.67	115.10	89.52	\$40,773.33			\$12,773.33	28,000.00		
5004	CS--DATA ANALYST	3,640.00	731.71	216.67	115.10	87.84	\$40,769.27			\$12,769.27	28,000.00		
5004	CS- DATA CLERK	4,160.00	731.71	216.67	131.54	105.48	\$45,656.94			\$13,656.94	32,000.00		
												158,000.00	
		-											
5002	DIR OF TECH	8,831.16	731.71	216.67	277.48	219.72	\$89,290.38			\$21,790.38	66,000.00		
5004	DIR OF TECH ASST	6,067.36	731.71	216.67	189.09	152.04	\$63,479.57			\$17,479.57	46,000.00		
5004	DATA ANALYST	4,742.40	731.71	216.67	147.99	118.32	\$51,074.85			\$15,074.85	36,000.00		
5004	DATA CLERK	4,136.08	731.71	216.67	127.43	101.40	\$45,356.84			\$14,356.84	31,000.00		
5004	DATA ANALYST	4,030.00	731.71	216.67	127.43	103.08	\$44,438.94			\$13,438.94	31,000.00		
5004	DATA ANALYSIS	3,640.00	731.71	216.67	115.10	89.52	\$40,773.33			\$12,773.33	28,000.00		
5004	DATA CLERK	3,640.00	731.71	216.67	115.10	89.52	\$40,773.33			\$12,773.33	28,000.00		
5004	DATA ANALYST BPP	3,640.00	731.71	216.67	115.10	87.84	\$40,769.27			\$12,769.27	28,000.00		
5004	DATA ANALYST	3,510.00	731.71	216.67	110.99	84.48	\$39,552.68			\$12,552.68	27,000.00		
5004	DATA ANALYST-OPEN	3,900.00	731.71	216.67	123.32	100.80	\$43,324.25			\$13,324.25	30,000.00		
									498,833.43		\$146,333.43		351,000.00
		-											
		-											
		-											
		-											

\$252,473.52

\$30,000.11

\$8,883.47

\$7,925.69

\$5,909.52

\$2,637,414.62

\$1,328,130.90

\$709,374.62

\$353,730.89

\$1,796,000.00

\$1,796,000.00

253000

30000

9200

9100.00

6000.00

2,640,190.00

PENSION

PENSION UAA

UNEMPLOYMEN

WORK COMP

DISABILITY

MCLENNAN COUNTY APPRAISAL DISTRICT YEARLY BUDGET COMPARISON

YEAR	2009	2010	2011	2012	2013	2014	2015	2016	2017
TOTAL BUDGET AMOUNT	3,839,381	4,104,432	3,925,152	3,726,481	3,846,659	3,792,019	4,514,164	3,929,700	4,012,115
% BUDGET INCREASE	7.50%	6.90%	-4.37%	-5.06%	3.22%	-1.42%	19.04%	-12.95%	2.10%
ENTITY CONTRIBUTION	3,324,022	3,306,950	3,195,695	3,194,169	3,377,201	3,616,635	4,498,134	3,913,850	3,998,615
TOTAL EXPENSE AUDITED	3,335,516	3,513,082	3,300,473	3,505,320	3,512,657	3,872,914	3,713,941		
***WHAT SHOULD HAVE BEEN CREDITED	-11,494	-206,132	-104,778	-311,151	-135,456	-256,279	784,193		
ENTITY ACTUAL CREDITED AMOUNT	761,178	698,457	513,612	449,458	155,384	36,929	0		
FUND BALANCE	698,457	513,612	449,458	155,384	36,929	0	611,282		
CONTINGENCY FUNDS	400,000	550,000	400,000	200,000	250,000	250,000	750,000	200,000	150,000
NUMBER OF EMPLOYEES	44	44	44	44	43	41	41	41	41

*** This is the difference between the Entity Contribution & what the District actually spent.



COUNCIL WORKSHOP AGENDA ITEM #2.d

2016 Calendar of Events

Event	Location	Date	Time
Concert #3 - Texas Flood	Warren Park	Thursday, August 18th	7:00pm
KXXV Movie Night #4 - Cinderella	Warren Park	Friday, September 2nd	7:00pm
State of the City Address	City Hall	Tuesday, September 20th	11:30am
Creekside Spooktacular	Warren Park	Saturday, October 29th	5:00pm
Christmas Parade & Tree Lighting	Hewitt Park	Saturday, December 10th	4:00pm

2016 Library Calendar of Events

Date	Time	Event	Location
8/11/2016	6:30-7:30 pm	Evening Storytime	Library 200 Patriot Court
8/11/2016	6:30-8:30 pm	Linda's Book club	TBD
8/13/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
8/15/2016	10:30 am -12:30 pm	Mayham and Murder Book Club	Library 200 Patriot Court
8/16/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
8/17/2016	1:00-3:00 pm	Linda's Culinary Club	TBD
8/20/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
8/22/2016	5:30-7:30 pm	Movie Monday	Library 200 Patriot Court
8/23/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
8/27/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
8/30/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
9/6/2016	9:30-10:30 am	Toddler Time	Library 200 Patriot Court
9/6/2016	10:30-11:15 am	Storytime	Library 200 Patriot Court
9/6/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
9/7/2016	9:30-10:15 am	Toddler Time	Library 200 Patriot Court
9/7/2016	10:30-11:15 am	Storytime	Library 200 Patriot Court
9/9/2016	10:00 AM	Friends Membership Drive	Library 200 Patriot Court
9/10/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
9/12/2016	6:00-7:00 pm	Teen Game Night	Library 200 Patriot Court
9/13/2016	9:30-10:30 am	Toddler Time	Library 200 Patriot Court
9/13/2016	10:30-11:15 am	Storytime	Library 200 Patriot Court
9/13/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
9/14/2016	9:30-10:15 am	Toddler Time	Library 200 Patriot Court
9/14/2016	10:30-11:15 am	Storytime	Library 200 Patriot Court
9/14/2016	2:00-4:00 pm	Linda's Book club	Library 200 Patriot Court
9/15/2016	6:30-8:30 pm	Linda's Book club	Library 200 Patriot Court
9/17/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
9/19/2016	10:30 am -12:30 pm	Mayham and Murder Book Club	Library 200 Patriot Court
9/20/2016	9:30-10:30 am	Toddler Time	Library 200 Patriot Court
9/20/2016	10:30-11:15 am	Storytime	Library 200 Patriot Court
9/20/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
9/21/2016	9:30-10:15 am	Toddler Time	Library 200 Patriot Court
9/21/2016	10:30-11:15 am	Storytime	Library 200 Patriot Court
9/21/2016	1:00-3:00 pm	Linda's Culinary Club	The Catch Waco
9/24/2016	2:00-4:00 pm	Teen Anime Club	Library 200 Patriot Court
9/27/2016	9:30-10:30 am	Toddler Time	Library 200 Patriot Court
9/27/2016	10:30-11:15 am	Storytime	Library 200 Patriot Court
9/27/2016	4:00-5:00 pm	Crafternoon	Library 200 Patriot Court
9/28/2016	9:30-10:15 am	Toddler Time	Library 200 Patriot Court
9/28/2016	10:30-11:15 am	Storytime	Library 200 Patriot Court



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 15, 2016

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Special Called Meeting of August 8, 2016.

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
SPECIAL CALLED MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
August 8, 2016 - 7:00 PM**

Members present: Mayor Ed Passalugo (presiding), Mayor Pro Tem Travis Bailey, Council Members Wilbert “Walky” Wachtendorf, James Vidrine, and Steve Fortenberry

Member absent: Council Members Bill Fuller and Alex Snider

Staff present: City Manager Adam Miles, Assistant City Manager Jim Barton, Fire Chief Lance Bracco, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders, Finance Director Lee Garcia, Library Director Waynette Ditto, Special Projects Coordinator Katie Allgood, and City Secretary Lydia Lopez

Staff absent: City Attorney Charlie Buenger, City Engineer Miles Whitney, Community Development Director Tracy Lankford, and Public Works Director James Black

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 Waco Tribune News Reporter Cassie Smith to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP/REGULAR MEETING OF JULY 18, 2016.** *A motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Steve Fortenberry 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.** *Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda. NONE*
5. **CONDUCT FIRST OF TWO PUBLIC HEARINGS ON 2016 TAX RATE.** Mayor Passalugo opened the hearing for those wishing to speak in favor or in opposition. No one appeared. Public hearing was closed.

6. **CONDUCT PUBLIC HEARING ON FISCAL YEAR 2016-2017 GENERAL FUND, UTILITY FUND, DRAINAGE FUND, HOTEL FUND AND CAPITAL PROJECTS FUND BUDGETS.** Mayor Passalugo opened the hearing for those wishing to speak in favor or in opposition. No one appeared. Public Hearing was closed.
7. **MOTION TO ANNOUNCE AUGUST 22, 2016, AT 7:00 P.M. AT THE HEWITT CITY HALL, 200 PATRIOT COURT, AS THE DATE TO VOTE ON THE 2016 TAX RATE.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and seconded by Mayor Pro Tem Travis Bailey to announce August 22, 2016, at 7:00 PM at the Hewitt City Hall, 200 Patriot Court, as the date to vote on the 2016 Tax rate; all five in favor, motion passed.*
8. **CONSIDER AND ACT ON A RESOLUTION ESTABLISHING AN OPERATING FUND RESERVE POLICY.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and seconded by Mayor Pro Tem Travis Bailey to approve; all five in favor, motion passed.*
9. **CONSIDER AND ACT UPON ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF HEWITT, TEXAS, COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016B; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; APPROVING AN OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.** Managing Director Andrew Friedman with Samco Capital Markets presented the bid results and announced the lowest bidder was FTN Financial Capital Markets with a 2.18% interest rate. He further stated that the Council would vote on the total amount of \$3,355,000. There was a brief question and answer session. *A motion was made by Council Member Wilbert “Walky” Wachtendorf, and seconded by Council Member Steve Fortenberry to approve ordinance, all five in favor, (Council Members Fuller and Snider were absent), motion passed.*
10. **ADJOURN.** *A motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Steve Fortenberry to adjourn the meeting at 7:21 PM, all five in favor, motion passed.*

Approved: August 15, 2016

Lydia Lopez, City Secretary

Ed Passalugo, Mayor



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: August 15, 2016

AGENDA ITEM #: 5

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider appointment to the Board of Adjustment.

STAFF RECOMMENDATION/ITEM SUMMARY:

On May 2, 2016, the Council approved an amendment to the City of Hewitt Policy for Administration of Boards, Commissions and Committees to allow Board of Adjustment positions to be filled with members of the Library Board or Parks and Beautification Committee. Kevin Summers, who currently serves on the Parks & Beautification Committee, has agreed to serve as an alternate member on the Board of Adjustment.

This would be beneficial to the BOA as it has been problematic to ascertain a quorum of members when their meetings are called. Staff recommends approval of this appointment.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 15, 2016

AGENDA ITEM #: 6

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Conduct second public hearing on the 2016 tax rate.

STAFF RECOMMENDATION/ITEM SUMMARY:

The State of Texas Tax Code requires that a municipality hold two public hearings on the proposed tax rate. This will be the second public hearing. The Mayor will open the public hearing to receive any comments and then close the hearing. Members of the public are encouraged to attend the hearings and express their views. No action is required of the Council.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 15, 2016

AGENDA ITEM #: 7

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Motion to announce that August 22nd, 2016, at 7:00 p.m. at the Hewitt City Hall, 200 Patriot Court, as the date, time and place to vote on the 2016 tax rate.

STAFF RECOMMENDATION/ITEM SUMMARY:

The Texas Tax Code states that “at the public hearings the governing body shall announce the date, time and place of the meeting at which it will vote on the proposed tax rate.”

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: August 15, 2016

AGENDA ITEM #: 8

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an ordinance rezoning of a 10-acre tract of land, located in the 900 Block of N. Old Temple Rd. Hewitt, McLennan County, Texas, also known as O'Campo C Abstract from C-2/M (General Commercial/ Industrial) to R-4 (Multi-Family High Density) with variances.

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Val DeLeon, representing DMA Development Company submitted a request to rezone property located in the 900 Block of N. Old Temple Rd. This is a tract of land located Adjactet to and north of the Hewitt Mobile Home Park. Mr. Deleon is requesting the rezoning change from C-2/M (General Commercial/ Industrial) to R-4 (Multi-Family High Density). The Planning and Zoning Commission met on Tuesday, April 5, 2016 to consider the request. After a public hearing and deliberation, the P&Z Commission recommended to approve the request with a vote of 4 to 0. If council wishes to overturn the recommendation of P&Z it will have to be by a super majority.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION April 5, 2016 – 6:00PM

Members present: Charlie Turner, Michael Hix, Kurt Krakowian, Jonathan Dulus

Members absent: Bobby Wolske, John Baker

Staff present: Adam Miles, City Manager, Tracy Lankford, Community Development Director, Eva Marie Greenup, Zoning Secretary

Item #1. **Call Planning and Zoning Meeting to order.** *Charlie Turner called the meeting to order at 6:00PM.*

Item #2. **Minutes.** *A motion was made by Michael Hix to accept but allow for corrections and seconded by John Dulus. No corrections noted; all four in favor, motioned passed. Minutes dated March 1, 2016 stand approved.*

Item #3. **Discussion and possible action:** Change zoning from C-2/M to R-4 with variances on a 10,000 acre tract of land located in the Carlos O'Campo Survey, Abstract 32, McLennan County, Texas, and being a portion of that called 33.70 acres of tract of land described in a deed to BAR 5C Investments, LLC as recorded in McLennan County Clerk's Document 2014023202 of the Official Public Records of McLennan County, Texas. *Janine Sisak, representing Hewitt AMA Housing, LLC, 4101 Parkstone Heights Drive, Suite 301, Austin, TX 78746, was present to answer any questions. A motion was made by Kurt Krakowian to accept and seconded by Jonathan Dulas, all four in favor, motion passed. This will be go before City Council at a later date.*

Item #5. **Adjourn.** *Motion was made by Jonathan Dulus and seconded by Michael Hix to adjourn meeting at 6:29PM, all five in favor, motion passed.*

Charles D. Turner
Chairman

May 3, 2016
Date Approved

Eva Marie Greenup
Eva Marie Greenup, Zoning Secretary

HEWITT TEXAS

NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION

Notice is given that a **Public** meeting will be held before the Planning and Zoning Commission of the City of Hewitt, on **Tuesday, April 5, 2016, at 6:00PM 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 planning and Zoning Commission Meeting to order.
2. Consider approval of minutes for the March 1, 2016, for the Planning and Zoning Commission regular meeting.
3. Discussion and possible action: Change zoning from C-2/M to R-4 with variances on a 10,000 acre tract of land located in the Carols O'Campo Survey, Abstract 32, McLennan County, Texas, and being a portion of that called 33.70 acres of tract of land described in a deed to BAR 5C Investments, LLC as recorded in McLennan County Clerk's Document 2014023202 of the Official Public Records of McLennan County, Texas.
4. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the above named City of Hewitt, Texas was posted on the Public Notice Board located in front of the City Hall before 5pm on April 1, 2016.

City of Hewitt


Eva Marie Greenup, Zoning 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 Zoning Secretary at (254) 666-6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.



February 19, 2016

Eva Marie Greenup
Community Development Administrator
103 N. Hewitt Drive
Hewitt, TX 76643

RE: Application for Zoning Change with Variances – 10 Acres on approximately 900 Block of North Old Temple Road

Dear Ms. Greenup,

Please find the attached application for Amendment of the Zoning Ordinance for 10 acres located at approximately 900 block of North Old Temple Road, Hewitt, Texas 76643. The property is currently zoned C-2 and M and we are seeking initial Planning and Zoning approval of a change to R-4, multiple-family residential high density with variances.

As discussed at the planning department on Friday, February 5, 2016, we request variances on the following building code items:

1. 2.104.C.2 - Multi-family high density developments in R-4 zoned districts built after the passage of this ordinance shall be fully enclosed by a fence as set forth in section 9.103 F.

We request that the fence requirement be waived along the southern boundary line along the creek. The creek is an amenity for residents and provides a natural barrier for the adjacent single family homes on the other side.

2. 2.104.C.3 - Multi-family high density developments constructed after the passage of this ordinance shall have garages either attached or detached for 50 percent of the living units. All garages and covered parking shall be of similar and conforming architectural design and materials as the main multi-family structures.

As shown on the attached site plan, 30% of the units have attached carports. Our experience is that senior residents have fewer cars, and the residents in the larger building tend to be more frail residents that are less likely to own cars.

3. 5.101.A.1 – Buildings shall not exceed the following height limits: Two stories or 35 feet in R-1, R-2, R-3, R-4, and R-5 Districts to include accessory buildings.

As shown on the attached site plan; the three story building, which houses all of the common amenities, has a roof pitch height of 53 feet.

4. 8.101.B - For multifamily dwellings and apartment hotels, two spaces for each living unit.

As currently shown on the attached site plan, we have 192 parking spaces comprised of 34 covered, 33 tandem, and 125 uncovered spaces. 192 spaces allows for 1.7 spaces per unit, which has proven to be an acceptable ratio for other senior properties.

Please find the enclosed:

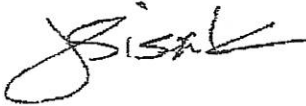
- application for amendment of the zoning ordinance
- land survey with legal description
- Recorded Ownership Deed MCC# 2104023202
- Notarized letter from Bar 5C Investments, LLC granting authority to pursue this zoning change
- Application fee

This letter should also serve as a release agreeing to hold the City of Hewitt and all other parties harmless in the event that the appropriate zoning is denied for the site of the proposed Reserve at Dry Creek multifamily community.

We respectfully ask that the Planning and Zoning Commission approve our request for zoning change, and only upon award of housing tax credits, forward to City Council for approval. If you have any questions or require any additional information please feel free to contact me at 512-328-3232 ext. 4505 or janines@dmacompanies.com.

Sincerely,

Hewitt DMA Housing, LLC



Janine Sisak
Authorized Representative

4101 Parkstone Heights Drive, Suite 310 | Austin, TX, 78746

P: 512.328.3232 | F: 512.328.4584

www.dmacompanies.com

HEWITT TEXAS

February 22, 2016

Mr. Val DeLeon
Associate Project Manager
DMA Development Company
4101 Parkstone Heights Drive
Suite 310
Austin, Texas 78746

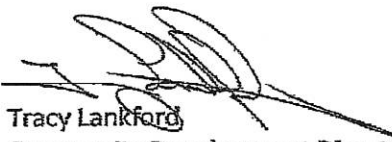
Re: Application for Amendment of the Zoning Ordinance – The Reserve at Dry Creek

Dear Mr. DeLeon,

We have received the application from Hewitt DMA Housing, LLC for an Amendment to the City of Hewitt's Zoning Ordinance. We are also in receipt of the release to hold the City of Hewitt harmless in the event that your application is denied.

Per your request, the Planning and Zoning Commission will consider your amendment on Tuesday, April 5, 2016. If you have any questions feel free to contact me at 254-666-6173 or tlankford@cityofhewitt.com

Sincerely,



Tracy Lankford
Community Development Director

103 N. Hewitt Drive P.O. Box 219 Hewitt Texas 76643 254.666.6173

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THE UNIVERSITY OF MICHIGAN LIBRARY

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ORDINANCE NO. _____

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 C-2/ M (GENERAL COMMERCIAL/ INDUSTRIAL DISTRICT) TO R-4 (MULTI-FAMILY HIGH DENSITY DWELLING 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 Val DeLeon to rezone a 10-acre tract of land, legally known as the Carlos O'Campo Grant Abstract 32 in the 900 Block of N. Old Temple Rd. as described in Instrument # 2014023202 of the McLennan County Records, McLennan County, Texas, from **C-2/M (General Commercial/ Industrial) to R-4 (Multi-Family High Density 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 August 15, 2016, 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, April 5, 2016, 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 a 10 tract of land, legally known as the Carlos O'Campo Grant Abstract 32 as described in Instrument # 2014023202 of the McLennan County Records, McLennan County, Texas, from **C-2/M (General Commercial/ Industrial) to R-4 (Multi-Family High Density District).**

SECTION TWO. A proposed map of area 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 15th day of August, 2016 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

ORDINANCE NO. _____

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 C-2/ M (GENERAL COMMERCIAL/ INDUSTRIAL DISTRICT) TO R-4 (MULTI-FAMILY HIGH DENSITY DWELLING 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 Val DeLeon to rezone a 10-acre tract of land, legally known as the Carlos O'Campo Grant Abstract 32 in the 900 Block of N. Old Temple Rd. as described in Instrument # 2014023202 of the McLennan County Records, McLennan County, Texas, from **C-2/M (General Commercial/ Industrial) to R-4 (Multi-Family High Density 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 August 15, 2016, 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, April 5, 2016, 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 a 10 tract of land, legally known as the Carlos O'Campo Grant Abstract 32 as described in Instrument # 2014023202 of the McLennan County Records, McLennan County, Texas, from **C-2/M (General Commercial/ Industrial) to R-4 (Multi-Family High Density District).**

SECTION TWO. A proposed map of area 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 15th day of August, 2016 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

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 15, 2016

AGENDA ITEM #: 9

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an ordinance rezoning of Lot 42 Block 3 Wintergarden Addition, Hewitt, McLennan County, Texas, from C-1 (Restricted Commercial District) to C-O (Outdoor Commercial District).

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Joe Seeber submitted a request to rezone property located at the intersection of Old Temple Rd. and Spring Valley. This is a vacant tract of land located at the southeast corner of the intersection. Mr. Seeber is requesting the rezoning change from C-1 (Restricted Commercial District) to C-O (Outdoor Commercial District). The Planning and Zoning Commission met on Tuesday, August 2, 2016 to consider the request. After a public hearing and deliberation, the P&Z Commission recommended to deny the request with a vote of 5 to 0. A map of the property and copy of the minutes is included in the backup material. If Council wishes to overturn the recommendation of P&Z it will have to be by a super majority.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION AUGUST 2, 2016 – 6:00PM

Members present: Charlie Turner, Walt Peterson, Kurt Krakowian, Michael Hix, Jonathan Dulus

Members absent: Bobby Wolske, John Baker

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

Item #1. Call Planning and Zoning Commission Meeting to order. *Charlie Turner called the meeting to order at 6:00PM.*

Item #2. Consider Approval of Minutes for the July 12, 2016, Planning and Zoning Commission regular meeting. *A motion was made by John Baker to accept but allow for corrections and seconded by Walt Peterson. No corrections noted; all five in favor, motion passed. Minutes dated July 12, 2016 stand approved.*

Item #3. Discussion and possible action: Change the Comprehensive Plan Future Land Use Map from Low Density Residential to Commercial on property located at the intersection of Old Temple and Spring Valley, more particularly described as, Lot 42 Block 3 Wintergarden Addition, being approximately +/- 1.6 acres. This item was tabled from the July 12, 2016 Planning and Zoning Commission meeting. *Motion was made by Walt Peterson to accept and seconded by Kurt Krakowian. All five in favor, motion passed. Recommendation will go before City Council Meeting on August 15, 2016.*

Item #4. Discussion and possible action: Change the Zoning from C-1 Restricted Commercial to C-O Outdoor Commercial property located at the intersection of Old Temple and Spring Valley, more particularly described as, Lot 42 Block 3 Wintergarden Addition, being approximately +/- 1.6 acres. This item

was tabled from the July 12, 2016 Planning and Zoning Commission meeting. *Those who spoke in favor: Joe Seeber, 506 Sun Valley Boulevard. Those who spoke against: Jerry Haun, 314 April Lane. Motion was made by John Baker to deny request and seconded by Jonathan Dulus. All five in favor, motion passed. Recommendation will go before City Council Meeting on August 15, 2016.*

Item #5. Discussion and possible action: New addition to the Code of Ordinances Appendix A Zoning, 2.107.MH manufactured home park district, to include Nonconforming Mobile Home Parks subsections (A)(B)(C)(D)(E). *Motion was made by Walt Peterson to accept request and seconded by John Baker. All five in favor, motion passed. Recommendation will go before City Council Meeting on August 15, 2016*

Item #6. Adjourn. *A motion was made by John Baker and seconded by Kurt Krakowian to adjourn meeting at 6:34PM, all five in favor, motion passed.*

Chairman

Date Approved

Eva Marie Greenup, Zoning Secretary

HEWITT TEXAS

NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION

Notice is given that a **PUBLIC** meeting will be held before the Planning and Zoning Commission of the City of Hewitt, on **Tuesday, August 2, 2016, at 6:00PM in the City Council Room at Hewitt City Hall, 200 Patriot Court, Hewitt, Texas** at which time the following subjects will be discussed:

1. Call Planning and Zoning Commission Meeting to order.
2. Consider Approval of Minutes for the July 12, 2016, Planning and Zoning Commission regular meeting.
3. Discussion and possible action: Change the Comprehensive Plan Future Land Use Map from Low Density Residential to Commercial on property located at the intersection of Old Temple and Spring Valley, more particularly described as, Lot 42 Block 3 Wintergarden Addition, being approximately +/-1.6 acres. This was item was tabled from the July 12, 2016 Planning and Zoning Commission meeting.
4. Discussion and possible action: Change the Zoning from C-1 Restricted Commercial to C-O Outdoor Commercial property located at the intersection of Old Temple and Spring Valley, more particularly described as, Lot 42 Block 3 Wintergarden Addition, being approximately +/-1.6 acres. This was item was tabled from the July 12, 2016 Planning and Zoning Commission meeting.
5. Discussion and possible action: New addition to the Code of Ordinances Appendix A Zoning, 2.107.MH manufactured home park district, to include Nonconforming Mobile Home Parks subsections (A)(B)(C)(D)(E).

NOTICE OF PLANNING AND ZONING COMMISSION MEETING

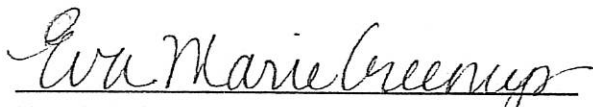
August 2, 2016

Page Two

6. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the above named City of Hewitt, Texas was posted on the Public Notice Board located in front of the City Hall before 5pm on July 29, 2016.

City of Hewitt


Eva Marie Greenup, Zoning 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 Zoning Secretary at (254) 666-6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

HEWITT TEXAS

PLANNING AND ZONING COMMISSION

Charlie Turner – Chairman

Bobby Wolske

John J. Baker

Kurt Krakowian

Michael Lee Hix

Walter H. Peterson

Jonathan Denton Dulus

CITY STAFF

Adam Miles, City Manager

Miles Whitney, City Engineer

Tracy Lankford, Community Development Director

Eva Marie Greenup, Zoning Secretary

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION JULY 12, 2016 – 6:00PM

Members present: Charlie Turner, Walt Peterson, Bobby Wolske, Michael Hix, Kurt Krakowian, Jonathan Dulus

Members absent: John Baker

Staff present: Tracy Lankford, Community Development Director
Eva Marie Greenup, Zoning Secretary

Item #1. Call Planning and Zoning Meeting to order. *Charlie Turner called the meeting to order at 6:05PM.*

Item #2. Minutes. *A motion was made by Walt Peterson to accept but allow for corrections and seconded by Kurt Krakowian. No corrections noted; all six in favor, motion passed. Minutes dated June 7, 2016, stand approved.*

Item #3. Discussion and possible action: Change the Comprehensive Plan Future LandUse Map from Low Density Residential to Commercial and zoning from C-1 Restricted Commercial to C-O Outdoor Commercial on property located at the intersection of Old Temple and Spring Valley, more particularly described as, Lot 42 Block 3 Wintergarden Addition, being approximately +/- 1.6 acres. *Those who spoke in favor: None. Those who spoke against: Mary Lynna Jackson, 302 April Lane and Jerry Hann, 314 April Lane. Motion was made by Kurt Krakowian to table this agenda item to the next Planning and Zoning meeting on August 2, 2016 and seconded by Jonathan Dulus. Five in favor, one opposed by Charlie Turner, motion passed.*

Item #4. Discussion and possible action: Change the Comprehensive Plan Future Land Use Map from Low Density Residential to High Density Residential and change zoning from R-1 Single Family Residential to R-5 Single-Family. Attached Dwelling on property located at 506 Sun Valley Boulevard, also

Planning and Zoning Commission Minutes
July 12, 2016
Page Two

known as, O'Campo C Abstract 32 Tract 9 being approximately +/- 8.187 acres.

Those who spoke in favor: Joe Seeber, 506 Sun Valley; David Hodson, 14010 Horseshoe Circle, Woodway TX. Those who spoke against: Paul Buxkemper, 330 Ivy Ann; Freda Gunn, 320 Ivy Lane; Jeffrey Tweed, 329 Ivy Lane; Brooks Gunn, 320 Ivy Lane; Randy Luster, 402 Ivy Lane. A motion was made by Bobby Wolske to deny the rezoning due to it being high density and seconded by Michael Hix. All six in favor, no opposition, motion passed. Recommendation will go before the next City Council Meeting to be held on July 18, 2016.

Item #5. Adjourn. *A motion was made by Kurt Krakowian and seconded by Walt Peterson to adjourn the meeting at 6:51PM, all six in favor, motion passed.*

Chairman

Date Approved


Eva Marie Greenup, Zoning Secretary

APPLICATION REVIEW

Z-2016-4

HEARING DATE: **July 12, 2016**

1. CASE # Z-2016-4
PROPERTY ADDRESS: S. Old Temple Rd.
LEGAL DESCRIPTION: Wintergarden Block 3 Lot 42

2. APPLICANT: Joe Seeber
MAILING ADDRESS: 506 Sun Valley Blvd, Hewitt, TX. 76643

When a zoning proposal is received that is not consistent with the Comprehensive Land Use Plan, the City may consider a change in the plan's policies or the Future Land Use Map. The review of the proposal should consider the following criteria:

- Will the proposed change enhance the site and the surrounding area
- Is the proposed change a better use than that recommended by the existing Future Land Use Map
- Will the proposed use impact adjacent residential areas in a negative manner, or will the proposed use be compatible with, and/or enhance adjacent residential areas
- Are the uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility
- Does the proposed change do an equally good job of achieving the Comprehensive Plan's other policies related to livability and growth
- Can the proposed use be served by available public facilities and services
- Does the proposed use present a significant benefit to the public health, safety, and welfare of the community, and would it contribute to the City's long-term economic well-being

3. REQUEST:

LAND USE DESIGNATION:

From **LOW DENSITY RESIDENTIAL** to **COMMERCIAL**

(Land Use designation of RESIDENTIAL to COMMERCIAL DISTRICT)

ZONING:

From **C-1 RESTRICTED COMMERCIAL** to **C-O OUTDOOR COMMERCIAL**

SUMMARY DESCRIPTION OF USES IN C-O: The C-O outdoor commercial district is intended to permit a wide variety of businesses characterized by those uses that require an extensive amount of land for the conduct of business. Uses permitted in the C-O districts shall include uses permitted in the C-1 and C-2 districts and such uses when the use entails outdoor facilities or display or sale of items for sale outside of a building, in excess of five percent of the total lot area. Permitted Uses are as shown in Section 2.111.

PLANNING SERVICES REVIEW

NEIGHBORHOOD CHARACTER:

This property is located within an area of Residential uses. The large majority of the surrounding area is residential in nature.

PLANNING SERVICES RECOMMENDATION:

LAND USE:

Community Development recommends **APPROVAL** of the land use designation change from **LOW DENSITY RESIDENTIAL to COMMERCIAL** based on the following findings:

- 1) Residential land use is the dominant land use designation for the surrounding neighborhood. The encroachment of the commercial land use designation into this residential neighborhood is considered compatible.
- 2) The public infrastructure is adequate to provide for zoning districts allowed in the proposed residential land use designation.
- 3) The property is located along a public street.
- 4) There is an inadequate supply of vacant land currently designated for commercial and retail land use located in the surrounding area.

ZONING:

Community Development recommends **APPROVAL** of this request to change the zoning from **C-1 to C-O** based on the following findings:

- 1) The proposed zoning is in keeping with the land use component of the Comprehensive Plan.
- 2) The public infrastructure is adequate to provide for uses allowed in C-O zoning district.
- 3) The property meets all the size and width requirements for C-O zoning.
- 4) The property is located on a public street.

Notices: 17 mailed; 0 returned,

ENGINEERING SERVICES DATA

1. Street condition: Good_____ Acceptable X Needs Reconstruction_____

2. Street width: Existing: ROW 50' Pavement 30'

Required: ROW__ Pavement

3. Curb and Gutter:
Needs to be installed_____ Exists_____ Needs Reconstruction_____

4. Offsite Drainage facilities are adequate to meet additional runoff resulting from the rezoning.

5. Water is available to the property, and it will serve the heaviest uses allowed under the requested zoning.

6. Sewer is available to the property.

Engineering Department comments and recommendations:

No Comments

INSPECTION SERVICES REVIEW

Comments

No objections.

FIRE DEPARTMENT REVIEW:

ANTICIPATED FIRE RESPONSE TIME:

IS THE FIRE RESPONSE TIME ADEQUATE?: Y (Y) YES (N) NO

Fire Department Comments and Recommendations:

No Comments

HEALTH DEPARTMENT REVIEW

INSPECTION/PERMIT REQUIRED N (Y) YES (N) NO

DATE OF INSPECTION: To be determined

Health Department Comments and Recommendations: None

POLICE DEPARTMENT REVIEW

No Comments

CASE #Z-2016-4

PROPERTY OWNERS LIST

Applicant: Joe Seeber

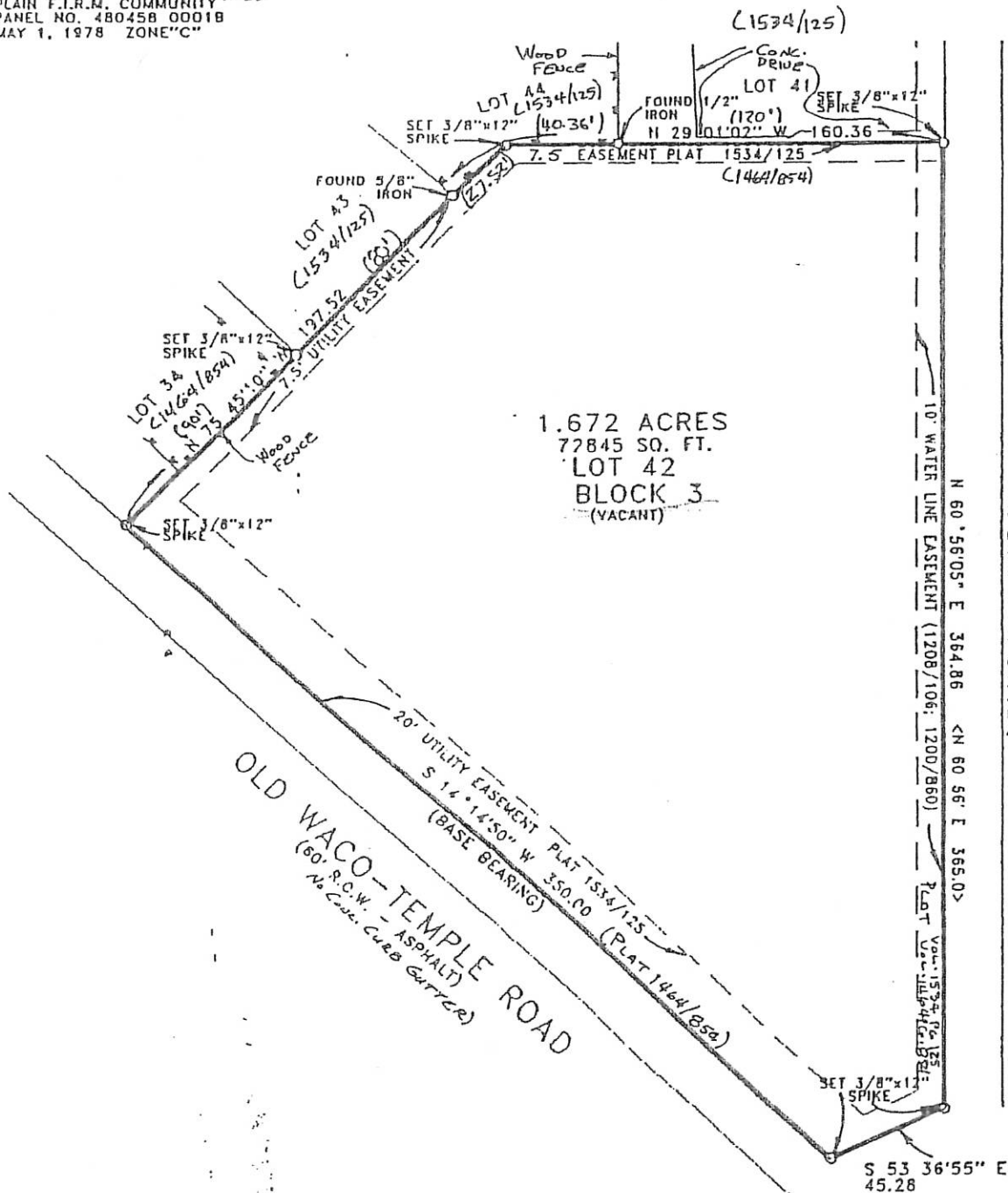
Owner: Joe Seeber

SURVEY PLAT

ALL PARTIES INTERESTED IN PREMISES SURVEYED: This is to certify that I have, this date made a careful and accurate survey on the ground of property located at Spring Valley Road and the Old Waco-Temple Road, in the city of Hewitt, Texas, Lot 42, Block 3 WINTERGARDEN ADDITION, being a resubdivision of Lots 1-10, Lot 32 and Lot 33, Block 3, Wintergarden Addition, Part 1, to the City of Hewitt, McLennan County, Texas recorded in Volume 1464, Page 854 of the Deed Records of McLennan County, Texas. (Plat 1534/125)

THIS TRACT IS NOT IN THE AREA OF THE SPRING VALLEY ROAD PANEL NO. 480458 0001B MAY 1, 1978 ZONE "C"

SCALE: 1" = 50'



I hereby certify that this survey was performed by persons working under my supervision and the plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location, and type of buildings and improvements being within the boundaries of the property, set back from the property lines the distance indicated and that the distance from the nearest intersection street or road is as shown on said plat. THERE ARE NO ENCROACHMENTS OR PROTRUSIONS. (VACANT LOT)

JAHN COMPANY, INC
6614 SANGER #23
WACO, TEXAS 76710

SCALE: 1" = 50' DATE: 12/29/94
JOB: #94494
DICK J. JOHNSON

Stanley L. Jahn
STANLEY L. JAHN

June 3, 2016

REQUEST FOR ZONING CHANGE (C-1 TO C-0)

1.66 ACRES @ SOUTHWEST CORNER

OLD TEMPLE ROAD & SPRING VALLEY BLVD.

I Joe Seeber would like to request that the subject property be changed in zoning from C-1 to C-0. It is in the best interest of the community and produces the highest use for the community because:

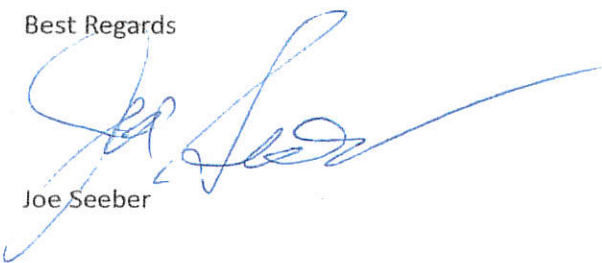
- Convenience. Across both Old Temple Road and Spring Valley Blvd. new housing developments have begun. They will result in approximately 80 new homes. These residence will require a nearby convenience store. None could be more convenient than this location.
- Revenue to the City. This tract has only a couple of uses: Offices such as dentist, doctor or insurance. Or a convenience store. A convenience store, because of the high taxes related to gasoline sales, would probably produce three to four times more tax revenue, to the City, than an office of some kind.

In the past, there have been requests for the same zoning change. The requests were turned down. In the discussions the Commission and Council seemed to agree that the convenience store was the better use for the property. But, there was some concern about related traffic congestion.

It was suggested by more than one Council member that we resubmit the request, after the intersection was signalized. Since that time, TxDOT has installed a state of the art signal system that is the equal of any intersection signals. Thus the traffic congestion is mitigated as well as possible.

Respectfully, I would request that the Zoning Commission and the City Council change the zoning of the subject property from C-2 to C-0.

Best Regards



Joe Seeber

ORDINANCE NO. _____

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 C-1 (RESTRICTED COMMERCIAL) TO C-O (OUTDOOR COMMERCIAL) 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 Joe Seeber to rezone Lot 42 Block 3 Wintergarden Addition, Hewitt, McLennan County, Texas, from **C-1 (Restricted Commercial) to C-O (Outdoor Commercial)**.

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 August 15, 2016, 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, August 2, 2016, 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, legally known as Lot 42 Block 3 Wintergarden Addition, Hewitt, McLennan County, Texas, from **C-1 (General Commercial) to C-O (Outdoor Commercial)**.

SECTION TWO. A proposed map of area 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 15th day of August, 2016 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

Joe Seeber
506 Sun Valley Boulevard
Hewitt, Texas 76643

August 3, 2016



City of Hewitt
City Council & Planning and Zoning Commission
200 Patriot Court
Hewitt, Texas 76643

PERSONAL DELIVERY AUGUST 4, 2016

Re: Zoning Change for Spring Valley & Old Temple Road
C-1 to C-5

Dear City Council and Commission Members:

The Planning & Zoning Commission met on August 2, 2016. The Commission stated its intention to give the City Council a document recommending that a request to change zoning on the said property be denied, furthermore stating the Commission voted 5-0 in favor of denying the request. I strongly object for a number of reasons.

A. Discrimination

1. The owner has requested that the zoning be changed on three occasions. The only objections to the zoning change are crowding, light and congestion. There are 5 intersections in Hewitt where zoning has been approved, allowing at least two convenience stores. (The said property in question is a corner lot ideally located, positioned, and sized for a convenience store.)
2. Access for the owner to give reasons for appeal.
This item was on the Planning & Zoning Commission for July 26. The owner was approximately 5 minutes late and was denied the opportunity to speak and was compelled to postpone getting on the agenda until August 2, 2016.
3. At the meeting on August 2, a female came in the meeting late and was allowed to state her objections. Even after being told by the chairman she could not voice her objections, she continued to object with the following objections to a convenience store:
 - Produce too much light.
 - Produce too much traffic.
 - Some statement regarding people with disabilities living in the area.

- Some will contend that she was told she should not register her objections. That statement is true. However, I defy anyone to listen to the tape recording of the meeting and say, with any integrity, the female DID INDEED state her objections. The chairman told the female "stay around and I will talk with you about this". When I was late on July 26, I was not offered any such opportunity.

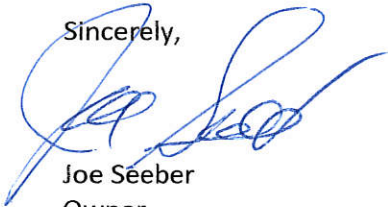
Due to the discriminatory attitude exhibited by the Planning & Zoning Commission, I request and suggest the City Council make this decision without any regard to any statement or recommendation of the Planning & Zoning Commission, or any persons on or any way connected with the Planning & Zoning Commission.

There is indeed a need for a convenience store in the said area. Since Hillcrest relocated to Legend's Crossing bringing some 2,000 to the area and with the continued growth of Legend's crossing, on Hewitt's north boundary line, growth in the area has increased. If one draws a line from Old Temple Road and Spring Valley Road, to First Baptist Church Woodway, there are four convenience stores south/southwest of the line. On the other side of the line, there are 10 such stores, at least with two at the same intersection.

The actions of the Planning & Zoning Commission have created such a discriminatory environment that should this zoning change be denied, the owner will be compelled to take action to salvage the investment of the property. The only available method would be to respectfully file a law suit against the City of Hewitt. Suing is a route that would be taken with great regret.

However, a sizeable portion of our retirement is invested in this property. If anyone studies a map, it is obvious there is little use for this site other than those allowed by the requested zoning: an outdoor business allow outdoor sales. We cannot sit idly by and see our retirement savings be diminished so greatly.

Sincerely,



Joe Seeber
Owner

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: August 15, 2016

AGENDA ITEM #: 10

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an ordinance of the City of Hewitt, Texas amending Code of Ordinances Appendix A – Zoning by adding Section 2.107.1 - Nonconforming Mobile Home Parks; providing for inclusion in the code; providing for a severability clause; and providing an effective date.

STAFF RECOMMENDATION/ITEM SUMMARY:

This is a request to amend the MH manufactured home park district to add a section that pertains to existing mobile home park. The Planning and Zoning Commission met on Tuesday, August 2, 2016 to consider the request. After a public hearing and deliberation, the P&Z Commission recommended to approve the request with a vote of 5 to 0.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION AUGUST 2, 2016 – 6:00PM

Members present: Charlie Turner, Walt Peterson, Kurt Krakowian, Michael Hix, Jonathan Dulus

Members absent: Bobby Wolske, John Baker

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

Item #1. Call Planning and Zoning Commission Meeting to order. *Charlie Turner called the meeting to order at 6:00PM.*

Item #2. Consider Approval of Minutes for the July 12, 2016, Planning and Zoning Commission regular meeting. *A motion was made by John Baker to accept but allow for corrections and seconded by Walt Peterson. No corrections noted; all five in favor, motion passed. Minutes dated July 12, 2016 stand approved.*

Item #3. Discussion and possible action: Change the Comprehensive Plan Future Land Use Map from Low Density Residential to Commercial on property located at the intersection of Old Temple and Spring Valley, more particularly described as, Lot 42 Block 3 Wintergarden Addition, being approximately +/- 1.6 acres. This item was tabled from the July 12, 2016 Planning and Zoning Commission meeting. *Motion was made by Walt Peterson to accept and seconded by Kurt Krakowian. All five in favor, motion passed. Recommendation will go before City Council Meeting on August 15, 2016.*

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was tabled from the July 12, 2016 Planning and Zoning Commission meeting. *Those who spoke in favor: Joe Seeber, 506 Sun Valley Boulevard. Those who spoke against: Jerry Haun, 314 April Lane. Motion was made by John Baker to deny request and seconded by Jonathan Dulus. All five in favor, motion passed. Recommendation will go before City Council Meeting on August 15, 2016.*

Item #5. Discussion and possible action: New addition to the Code of Ordinances Appendix A Zoning, 2.107.MH manufactured home park district, to include Nonconforming Mobile Home Parks subsections (A)(B)(C)(D)(E). *Motion was made by Walt Peterson to accept request and seconded by John Baker. All five in favor, motion passed. Recommendation will go before City Council Meeting on August 15, 2016*

Item #6. Adjourn. *A motion was made by John Baker and seconded by Kurt Krakowian to adjourn meeting at 6:34PM, all five in favor, motion passed.*

Chairman

Date Approved

Eva Marie Greenup, Zoning Secretary

HEWITT TEXAS

NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION

Notice is given that a **PUBLIC** meeting will be held before the Planning and Zoning Commission of the City of Hewitt, on **Tuesday, August 2, 2016, at 6:00PM in the City Council Room at Hewitt City Hall, 200 Patriot Court, Hewitt, Texas** at which time the following subjects will be discussed:

1. Call Planning and Zoning Commission Meeting to order.
2. Consider Approval of Minutes for the July 12, 2016, Planning and Zoning Commission regular meeting.
3. Discussion and possible action: Change the Comprehensive Plan Future Land Use Map from Low Density Residential to Commercial on property located at the intersection of Old Temple and Spring Valley, more particularly described as, Lot 42 Block 3 Wintergarden Addition, being approximately +/-1.6 acres. This was item was tabled from the July 12, 2016 Planning and Zoning Commission meeting.
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NOTICE OF PLANNING AND ZONING COMMISSION MEETING

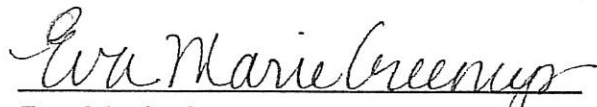
August 2, 2016

Page Two

6. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the above named City of Hewitt, Texas was posted on the Public Notice Board located in front of the City Hall before 5pm on July 29, 2016.

City of Hewitt


Eva Marie Greenup, Zoning 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 Zoning Secretary at (254) 666-6173 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

New addition to ordinance.

2.107. MH manufactured home park district.

- A. Purpose of district. The manufactured home park district is intended to provide basic and uniform regulations and performance objectives to establish reasonable standards and safeguards and ensure the safety and health and welfare of the occupants and users of manufactured homes. Manufactured home park districts shall not have a density of more than ten dwelling units per acre.
- B. Permitted uses. The following are the only permitted uses within the MH manufactured home park district and are subject only to the general conditions of this section and such other sections as are applicable:

Manufactured Home Parks.

(1) General conditions. Manufactured home area requirements:

- (a) Minimum park size: Every park within this zoning district shall be at least three acres in area.
- (b) Minimum park width: Every park within this zoning district shall be at least 250 feet in width at all points.
- (c) Minimum park depth: Every park within this zoning district shall be at least 250 feet in depth.
- (d) Maximum coverage: No more than 30 percent of the total park area shall be covered by buildings, or manufactured homes.
- (e) Open space: In addition to paved parking and driving areas, at least ten percent of the park shall be maintained in landscaped open area.
- (f) Recreation space: In addition to the required open space, at least ten percent of the total developed area shall be maintained in minimum recreation space.
- (g) Height restrictions: No building shall exceed 35 feet in height.
- (h) Accessory buildings:
 - (1) There shall be storage facilities which shall not be within any required yard with a minimum capacity of 200 cubic feet per manufactured home

space. These shall be provided for each space or in compounds located within 100 feet of each space. Wherever provided, storage facilities shall be constructed of noncombustible materials.

(2) Additional accessory buildings, including office for the park, community facilities, house for owner or manager, not exceeding ten percent of the park area shall be permitted behind any building line; provided, however, such accessory buildings shall be solely for the convenience and necessity of the inhabitants of the park.

(i) [Reserved.]

(j) Minimum dwelling unit size: Every dwelling unit in this district shall have a floor area of at least 600 square feet.

(2) Special requirements. Manufactured home space requirements:

(a) Minimum size: Every manufactured home space within this zoning district shall be at least 3,500 square feet in area.

(b) Minimum width: Every manufactured home space within this zoning district shall be at least 40 feet in width at all points.

(c) Minimum depth: Every manufactured home space within this zoning district shall be at least 80 feet in depth.

(d) Manufactured home yards: The manufactured home may be placed anywhere on the space so long as the minimum separation from another manufactured home space is maintained. The minimum separation requirements are:

(1) Ten feet from any adjoining manufactured home space;

(2) Twenty-five feet from any adjacent interior private street.

(e) Access: There shall be provided a minimum of two parking spaces per manufactured home space, no portion of which shall be any closer than ten feet to adjacent lot lines. No manufactured home space shall have direct access to a public street. Each manufactured home space shall have direct access to an internal private street. Internal private streets shall be provided to allow access to public streets to allow for the rapid and safe movement of vehicles used for emergency purposes of providing health and public safety services. Each emergency access or internal street shall have a clear unobstructed width of 24 feet and shall have a turnaround of 80 feet diameter, and corners of intersection streets shall have sufficient turning area to permit free movement of emergency vehicles.

(f) Improvements:

(1) Paving: Each manufactured home space shall have a five-inch thick concrete pad for the purpose of placing the manufactured home and shall be of at least the same length and width of the manufactured home placed upon it.

(2) Sanitary facilities: Each manufactured home space shall contain underground water and sewer connections to the city water system. Each manufactured home space shall be provided with containers for the collection and disposal of trash, garbage and other refuse.

(3) Anchoring devices: Each manufactured home space shall be provided with tie-down anchors as provided by state and federal regulations.

(4) Utilities: All utility service shall be underground.

(5) Skirting: From the date of enactment of this ordinance, it shall be unlawful for any person to rent, offer for rent, occupy or maintain a manufactured home upon any private lot, or within any mobile home park within the city limits of the City of Hewitt unless or until said manufactured home is skirted with material consistence with the siding of the home and anchored according to the provisions of this ordinance.

(3) Manufactured homes restricted to manufactured home parks.

(a) Except as otherwise provided for under the zoning ordinance, it shall be unlawful for any person to occupy any recreational vehicle, travel trailer or manufactured home within the city, which is not then and there within an area zoned as a manufactured home park.

NONCONFORMING MOBILE HOME PARKS.

(A) Within the city there may exist mobile home parks as of the date of adoption of the ordinance codified in this chapter, or amendments thereto which were lawful before the effective date of applicable regulations, but which would otherwise be prohibited, regulated or restricted under this chapter. Such existing nonconforming parks are permitted to continue subject to the provisions of this section, but shall not be expanded except in accordance with this chapter.

(B) Nothing in this chapter shall require the relocation or removal of mobile home parks existing or at the time of adoption of the ordinance codified in this chapter if such use was lawful at the time of its construction. No mobile home park shall be constructed or operated except in accordance with these regulations, except to the extent it was in existence or under actual construction as of the effective date of the ordinance codified in this chapter or amendment thereto. "Actual construction" is defined as the substantial placement of construction materials and performance of labor for construction of facilities which cannot reasonably be used except in a manner which does not conform with these regulations.

(C) Mobile home parks under construction or in existence as of the date of the ordinance codified in this chapter shall apply for, and may obtain approval of, the mobile home park within 120 days of the effective date of the ordinance codified in this chapter. The community development director shall grant approval of the mobile home park if it complies with the requirements of this chapter, excepting only those facilities and improvements which were under construction or in existence prior to the effective date of the respective regulation. The mobile home park shall meet all other requirements of this chapter which are not in conflict with the pre-existing use or construction.

(D) No existing mobile home park shall be expanded in area or in number of dwelling units permitted unless the area of expansion meets the requirements of this chapter. No area of a mobile home park which is abandoned shall be used as a mobile home park unless it meets the requirements of this chapter. "Abandonment" is defined as a discontinuation of use of a mobile home park or a discrete portion or parcel thereof, or the failure to complete construction and begin use, for a continuous period of more than one year. If abandoned, the land shall not thereafter be used except in conformity with the requirements of this chapter.

(E) Minimum yards: Minimum yard setbacks for individual spaces in existing mobile home parks shall be five (5) feet on all sides, except for any side or rear yard abutting the project property line, in which case the minimum yard setback shall be ten (10) feet.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF HEWITT, TEXAS
AMENDING CODE OF ORDINANCES APPENDIX A – ZONING
BY ADDING SECTION 2.107.1 NONCONFORMING MOBILE
HOME PARKS; PROVIDING FOR INCLUSION IN THE CODE:
PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN
EFFECTIVE DATE**

WHEREAS, Chapter 211 of the Texas Local Government Code authorizes the governing body of a municipality to regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures or land; and

WHEREAS, the City of Hewitt Planning and Zoning Commission and City Staff have carefully studied and recommend establishment of nonconforming mobile home parks; and

WHEREAS, the City of Hewitt Planning and Zoning Commission held a meeting and a public hearing on August 02, 2016, on the proposed amendments, and voted unanimously to recommend approval of the proposed zoning ordinance change; and

WHEREAS, the City Council held a meeting and public hearing on August 15, 2016, to discuss and consider the proposed amendments to the Zoning Ordinance.

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

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2.107.1 NONCONFORMING MOBILE HOME PARKS.

(A) Within the city there may exist mobile home parks as of the date of adoption of the ordinance codified in this chapter, or amendments thereto which were lawful before the effective date of applicable regulations, but which would otherwise be prohibited, regulated or restricted under this chapter. Such existing nonconforming parks are permitted to continue subject to the provisions of this section, but shall not be expanded except in accordance with this chapter.

Section 4. Conflicts.

Any ordinance or portions of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict only.

Section 5. Effective Date.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't Code*.

Section 6. Open Meetings.

It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.

PASSED AND APPROVED THIS 15th DAY OF August 2016.

City of Hewitt, Texas

By: _____
Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary