

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

January 16, 2017

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

Lydia Lopez, City Secretary

Jim Devlin, Police Chief

Lee Garcia, Finance Director

Lance Bracco, Fire Chief

Waynette Ditto, Library Director

Katie Allgood, Managing Director/Civil
Service Director

Tracy Lankford, Community Development
Director

Tuck Saunders, Assistant Police Chief

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 **16th day of January, 2017 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 upcoming events.
 - January 25, 2017 – Walmart Grand Opening (7:30 am)
 - January 26, 2017 – Hewitt Chamber Banquet (6pm -8 pm)
 - Waco Convention Center – Brazos Room
 - April 22, 2017 – Hounds and Sounds (Warren Park)
 - July 29, 2017 – National Night Out (Warren Park)
 - September 30, 2017 – Dog Days
 - c. Briefing and discussion concerning update on public transportation.
 - d. Briefing and discussion concerning contracting with McLennan County for the City's general election.
 - e. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - f. Interview of prospective Library Board member.
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 §551.071 – Consultation with Attorney
 - Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.
 - Pursuant to §551.087 - Deliberation regarding Economic Development Negotiations.
5. Close Executive Session.
6. Adjourn.

I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 3:00 AM/PM on January 13, 2017.

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 **16th day of January, 2017 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. Special presentation to the Hewitt Public Library.
4. Consider approval of minutes of the City Council Workshop/Regular Meeting of December 5, 2016.
5. 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.*
6. Presentation of Police Officer Balentina Jaimes.
7. Consider appointment to the Library Board of Directors.
8. Administer Oath of Office to newly appointed member of the Library Board of Directors.
9. Consider request for two percent (2%) rate increase by Allied Waste Systems, Inc. in accordance with changes to the Central Texas Consumer Price Index (CPI).
10. Consideration and action on an ordinance amending Chapter 10 "Animals" of the City of Hewitt Code of Ordinances; establishing regulations relating to the tethering of animals; declaring penalties; providing a savings clause; repealing ordinances in conflict herewith; and declaring an emergency.
11. Consideration and action on an ordinance amending Chapter 50 "Peddlers and Solicitors" of the City of Hewitt Code of Ordinances; declaring penalties; providing a savings clause; repealing ordinances in conflict herewith; and declaring an emergency.
12. 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 3:00 AM/PM on January 13, 2017

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



CITY ENGINEER'S REPORT

January 12, 2017

2014 Bond Projects:

First Street Mill and Overlay / Chapman Rd.

The contractor is to now begin forming and pouring the curb and gutter, once that is completed they will then be installing the cement treated base material. Per the construction schedule submitted to the City they should be wrapping up the project up near the end of February.

2015 Bond Projects:

Lift Station No. 5 Removal

Easement surveys have been ordered and final topo work should begin shortly.

IH - 35 Waterline

- Phase 1; Industrial south side of Castleman Creek
 - City crews have begun the installation of the 16" waterline.
- Phase 2; Sun Valley to Flat Rock Trailers
 - Topography has been received.
- Phase 3; South side of Castleman Creek to Glenleigh Dr.
 - Topography has been received.

Lift Station No. 4; Gravity Line Extension

Plans are completed, awaiting adjoining property owners' decisions.

2017 Slurry Seal (formally known as 2016 Slurry Seal):

Will complete the plans and have them ready for bid for the late spring early summer of 2017.

Drainage

Park Meadows plans have been completed. Oncor and Grande Comm. have begun the design of their relocations.

On Wednesday January 18th at 5:30 pm at Midway High School there is to be a public hearing regarding the City of Waco's study of the drainage area.

HEWITT TEXAS

CITY ENGINEER'S REPORT

January 12, 2017

By:



Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



COUNCIL WORKSHOP AGENDA ITEM #2f.

APPLICATION FOR BOARDS & COMMISSION TO THE CITY OF HEWITT

The City of Hewitt appreciates your interest in serving the community. A listing of the boards and commissions is found behind your application. Appointments are made during the year as vacancies occur. This is great opportunity for to play a vital role in shaping your community.

NAME OF APPLICANT: Karen Copeland
HOME ADDRESS: 616 Crestwood Dr. Hewitt, Texas 76643
DAYTIME TELEPHONE NUMBER: 254-717-4906 E-MAIL ADDRESS: Karencopeland1@sbcglobal.net

PLEASE CHECK APPROPRIATE STATEMENTS: ☒ I reside within the city limits of Hewitt, Texas.*
☒ I do ☐ I do not . . . own property located in Hewitt, Texas.

* **IMPORTANT** - - By checking this box and signing this form, you are indicating that your legal residence or domicile - your home and fixed place of habitation to which you intend to return after any temporary absence - is located within the city limits of Hewitt, Texas.

LENGTH OF TIME APPLICANT HAS RESIDED IN THE HEWITT CITY LIMITS: 32 yrs.

PLEASE INDICATE BELOW HOW YOU WOULD LIKE TO SERVE THE CITY OF HEWITT. (**IMPORTANT**: IF MORE THAN ONE AREA IS INDICATED, **NUMBER YOUR PREFERENCES** WITH "1" BEING YOUR FIRST CHOICE, "2" BEING YOUR SECOND CHOICE, ETC.). PLEASE SEE REVERSE SIDE FOR DESCRIPTIVE INFORMATION.

- ☐ Board of Adjustment (must be resident and owner of property in Hewitt)
☐ Civil Service Commission (must be resident of Hewitt)
☒ Library Board (must be resident of Hewitt)
☐ Parks and Beautification Committee (must be resident of Hewitt)
☐ Planning and Zoning Commission (must be resident and owner of property in Hewitt)

OTHER WAYS YOU SERVE YOUR COMMUNITY: Taught school in Midway for 17 yrs.

SPECIAL INTERESTS/SKILLS/EXPERIENCE/EDUCATION YOU FEEL MAY BE HELPFUL: Love reading,

28 yrs of teaching (17 in Midway) 28 yrs in retail - The Learning Center

OCCUPATION/EMPLOYER: Retired teacher, Work part time
at Maybourn Museum Store - Baylor University

REFERENCES (MUST BE HEWITT RESIDENTS): Jeanie Johnson TELEPHONE #: 666-3752
Daryl Carothers TELEPHONE #: 666-1225

SIGNATURE OF APPLICANT: Karen Copeland DATE: January 4, 2017

Return Application to:
Lydia Lopez, City Secretary
200 Patriot Court
Hewitt, Texas 76643
(Fax # 254-666-6014)



OFFICE USE ONLY

Date Interviewed by Council: _____
Date appointed by Council: _____
Date sworn in by Council: _____
Reappointed: _____

Term to expire: _____
Term to expire: _____

Revised: May 2016



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 16, 2017

AGENDA ITEM #: 3

SUBMITTED BY: Waynette Ditto, Library Director

ITEM DESCRIPTION:

Special presentation to Hewitt Public Library.

STAFF RECOMMENDATION/ITEM SUMMARY:

Mayor Ed Passalugo will present a \$10,000 award to the Library from the Corner Store Valero Country Run. The money will be allocated for the children's section of the Library.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 16, 2017

AGENDA ITEM #: 4

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Workshop/Regular Meeting of December 5, 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
WORKSHOP/REGULAR MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
December 5, 2016 - 5:30/7:00 PM**

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

Members absent: Council Member Alex Snider

Staff present: City Attorney Charlie Buenger, City Engineer Miles Whitney, City Manager Adam Miles, Police Chief Jim Devlin, Fire Chief Lance Bracco, Library Director Waynette Ditto, Community Development Director Tracy Lankford, Managing Director of Administration/Civil Service Director Katie Allgood, and City Secretary Lydia Lopez

Staff absent: Assistant Police Chief Tuck Saunders, Finance Director Lee Garcia, and Public Works Director James Black

Workshop – 5:30 PM

1. Mayor Ed Passalugo called the meeting to order at 5:30 PM.
2. City Manager presented an update on municipal business:
 - a. Report from City Engineer
 - b. Briefing and discussion concerning update on public transportation.
 - c. Briefing and discussion concerning upcoming events.
 - o December 9, 2016 – Employee Holiday Luncheon
 - o December 10, 2016 – Christmas Tree Lighting
 - o December 13, 2016 – Retirement reception Public Works Director James Black
 - d. Briefing and discussion concerning Waco Metropolitan Area Regional Sewer System (WMARSS)
 - e. Briefing and discussion concerning contracting with McLennan County for the City’s general election.
 - f. Briefing and discussion concerning Public Safety operations – Police & Fire.
3. The regular meeting agenda items were reviewed.
4. A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Travis Bailey to convene Executive Session at 6:52 pm pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:
 - **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**
 - **Pursuant to §551.087 - Deliberation regarding Economic Development Negotiations.**
5. Close Executive Session. *A motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Bill Fuller to close the Executive Session and adjourn the Workshop at 6:58 PM, all six in favor, motion passed.*

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 Ed Passalugo asked Managing Director of Administration Katie Allgood to lead the Pledge of Allegiance.
3. **PRESENTATION OF POLICE OFFICER MARTINA SIMS.** Police Chief Jim Devlin presented Officer Sims to the Mayor and Council. Mayor Ed Passalugo administered the ceremonial oath of office.
4. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP AND REGULAR MEETING OF NOVEMBER 7, 2016 AND SPECIAL CALLED MEETING OF NOVEMBER 17, 2016.** *A motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Bill Fuller to approve the minutes as submitted but allow for corrections; all six in favor, motion passed.*
5. **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*
6. **PUBLIC HEARING ON STORM WATER MITIGATION.** Mayor Ed Passalugo opened the public hearing and asked if anyone present wished to speak regarding storm water mitigation. No one appeared. Public hearing was closed.
7. **CONSIDER REAPPOINTMENTS TO THE LIBRARY BOARD OF DIRECTORS AND THE PARKS & BEAUTIFICATION COMMITTEE.** *A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Travis Bailey to approve the reappointment of Beth Oakley, Eric Ames, and Lydia Dashner to the Library Board of Directors, all six in favor, motion passed. A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Travis Bailey to approve the reappointment of Ray Manzo, Veronica Molina, Lloyd and Ruth Coffman to the Parks and Beautification Committee; all six in favor, motion passed.*
8. **CONSIDERATION AND ACTION ON APPOINTMENT OF MUNICIPAL COURT JUDGE.** *A motion was made by Wilbert “Walky” Wachtendorf and seconded by Mayor Pro Tem Travis Bailey to approve the reappointment of Judge Dan Francis; all six in favor, motion passed.*
9. **CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE PUBLICITY AND TOURISM AGREEMENT BETWEEN THE CITY OF HEWITT AND THE GREATER HEWITT CHAMBER OF COMMERCE.** *Greater Hewitt Chamber of Commerce Executive Director Alissa Cady responded to questions by Council Member James Vidrine. A motion was made by Council Member James Vidrine and seconded by Mayor Pro Tem Bailey; all six in favor, motion passed.*

10. **CONSIDERATION AND ACTION ON THE APPOINTMENT OF AN AUDIT FIRM FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 THROUGH SEPTEMBER 20, 2019 WITH THE OPTION OF AUDITING CITY'S FINANCIAL STATEMENTS FOR THE NEXT TWO SUBSEQUENT FISCAL YEARS.** *A motion was made by Council Member James Vidrine and seconded by Wilbert "Walky" Wachtendorf to appoint Jayne, Reitmeier, Boyd & Therrell, P.C. as the city's audit firm; all six in favor, motion passed.*
11. **CONSIDERATION AND ACTION ON A RESOLUTION APPROVING FINANCING TERMS WITH BB&T AT 1.58% FOR FOUR (4) YEARS FOR APPROVED CAPITAL EQUIPMENT.** *A motion was made by Council Wilbert "Walky" Wachtendorf and seconded by Council Member Bill Fuller to approve resolution; all six in favor, motion passed.*
12. **CONSIDERATION AND ACTION ON A RESOLUTION AMENDING THE CITY OF HEWITT'S INVESTMENT POLICY.** *A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Travis Bailey to approve resolution; all six in favor, motion passed.*
13. **CONSIDERATION AND ACTION ON A RESOLUTION AMENDING THE CITY OF HEWITT'S PURCHASING POLICY.** *A motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Wilbert "Walky" Wachtendorf to approve resolution; all six in favor, motion passed.*
14. **CONSIDERATION AND ACTION ON AN ORDINANCE AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE VI. – FINANCE, SECTION 2.301-PURCHASE PROCEDURE.** *A motion was made by Council Member James Vidrine and seconded by Mayor Pro Tem Travis Bailey to approve ordinance; all six in favor; motion passed.*
15. **ADJOURN.** *A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Travis Bailey to adjourn the meeting at 7:22 PM, all seven in favor, motion passed.*

Approved: January 16, 2017

Lydia Lopez, City Secretary

Ed Passalugo, Mayor



ITEM #5 – 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: January 16, 2017

AGENDA ITEM #: 6

SUBMITTED BY: Jim Devlin, Police Chief

ITEM DESCRIPTION:

Presentation of Police Officer Balentina Jaimes.

STAFF RECOMMENDATION/ITEM SUMMARY:

Police Officer Balentina Jaimes has joined the Police Department. Mayor Passalugo will administer the ceremonial oath of office.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 16, 2017

AGENDA ITEM #: 7

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider appointment to the Library Board of Directors.

STAFF RECOMMENDATION/ITEM SUMMARY:

An application for Boards & Commissions was received by Ms. Karen Copeland indicating a preference for service on the Library Board of Directors. She will be present for a brief interview during the Workshop. Library Director Waynette Ditto is recommending this appointment. Ms. Copeland will be replacing Mary Anna Roch who retired off the Board in December 2016.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 16, 2017

AGENDA ITEM #: 8

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Administer Oath of Office to newly appointed member of the Library Board of Directors.

STAFF RECOMMENDATION/ITEM SUMMARY:

Ms. Karen Copeland will be present to be sworn in as a member of the Library Board of Directors.

ATTACHMENTS:

Oath of Office

This space reserved for office
use

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334



OATH OF OFFICE

Filing Fee: None

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Karen Copeland, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of Library Board of Directors of
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws
of the United States and of this State, so help me God.

Signature of Officer

.....
State of Texas)
County of McLennan)

Sworn to and subscribed before me
this 16 day of January, 20 17.

(seal)

Signature of Notary Public or Other Officer
Administering Oath

Printed or Typed Name



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 16, 2017

AGENDA ITEM #: 9

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider request for two percent (2%) rate increase by Allied Waste Systems, Inc. in accordance with changes to the Central Texas Consumer Price Index (CPI).

STAFF RECOMMENDATION/ITEM SUMMARY:

As per the current contract for refuse collection and disposal, Allied has requested a rate increase of two percent (2%). The contract does tie rate increases to several factors which include changes to the Consumer Price Index for Central Texas and changes to disposal fees. Consumer Price Index information is included in the back up material. Approval of this item would authorize Allied Waste to adjust their rates as shown in the back up material.

ATTACHMENTS:

Letter

Rate Schedule

Consumer Price Index (CPI)



2559 FM 66, Itasca, Texas, 76055
o 254.687-2456
f 254.687.2432

December 6, 2016

City of Hewitt
Adam Miles, City Manager
P.O. Box 610
Hewitt, TX 76643-0610

VIA CERTIFIED U.S. MAIL: Article No. 7015 0920 0002 1840 4948

Dear Adam,

Republic Services would like to take this opportunity to thank the city of Hewitt for allowing us to service the solid waste of the city. In accordance with the terms of the Refuse and Recyclable Materials Collection contract with the City, we request a rate adjustment to reflect the changes in the Central Texas Consumer Price Index (CPI).

We are requesting an annual rate increase of 2.0% as allowed by the contract in Section 14.02 (b) Modification to Rates. Attached for your review is a copy of the most current CPI publication and a new rate schedule. The effective date of the increase would be February 1, 2017.

If you have any questions please do not hesitate to contact me on my cell phone at (903) 681-4308, at the office at (903) 874-8717 or via email at lcapehart@republicservices.com. I will wait to hear from you on what steps, if any, I need to follow in order to implement the adjustment. We look forward to a continued partnership with the city and its citizens.

Best Regards,

A handwritten signature in blue ink that reads 'Laura Capehart'.

Laura Capehart
Municipal Services Manager

Enc. 2015 & proposed 2017 Rate Schedules
Consumer Price Index (CPI)

Cc: Pat Moriarty, Division Manager
Republic Services of Itasca

City of Hewitt

Rate Schedule

Effective February 1, 2017

Residential

Once per week REFUSE collection with polycart	\$ 12.26
Twice per month RECYCLE collection with polycart	\$ 3.50
Total charge to resident/per month	<u>\$ 15.76</u>
Additional polycart/ per month	\$ 4.67

Commercial Hand Collection

Once per week REFUSE collection with polycart	\$ 16.41
Additional polycart/per month	\$ 4.67

Front Load Containers

SIZE	1X week	2X week	3X week	4X week	5X week	Extra
2 yard	84.17	149.59	215.08	280.44	345.85	47.56
3 yard	94.68	165.65	240.25	313.04	385.86	47.56
4 yard	102.05	180.97	262.40	342.59	422.74	55.49
6 yard	123.06	217.98	312.91	407.82	502.78	63.43
8 yard	145.61	255.33	379.26	474.69	584.35	63.43

Casters: \$ 32.86

Locks: \$ 13.16

Roll Off Containers

SIZE	TYPE	Delivery	Rent/Day	Haul Rate/Load	Deposit/ container
20 yard	Open Top	131.50	3.80	452.61	262.99
30 yard	Open Top	131.50	3.80	530.46	262.99
40 yard	Open Top	131.50	3.80	573.71	262.99
42 yard	Compactor	131.50	3.80	622.47	262.99

FRANCHISE FEE 10%

City of Hewitt

Rate Schedule

Effective February 1, 2015

Residential

Once per week REFUSE collection with polycart	\$ 12.02
Twice per month RECYCLE collection with polycart	\$ 3.43
Total charge to resident/per month	<u><u>\$ 15.45</u></u>
 Additional polycart/ per month	 \$ 4.58

Commercial Hand Collection

Once per week REFUSE collection with polycart	\$ 16.09
 Additional polycart/per month	 \$ 4.58

Front Load Containers

SIZE	1X week	2X week	3X week	4X week	5X week	Extra
2 yard	82.52	146.66	210.86	274.94	339.07	46.63
3 yard	92.82	162.40	235.54	306.90	378.29	46.63
4 yard	100.05	177.42	257.25	335.87	414.45	54.40
6 yard	120.65	213.71	306.77	399.82	492.92	62.19
8 yard	142.75	250.32	371.82	465.38	572.89	62.19

Casters: \$ 32.22

Locks: \$ 12.90

Roll Off Containers

SIZE	TYPE	Delivery	Rent/Day	Haul Rate/Load	Deposit/ container
20 yard	Open Top	128.92	3.73	443.74	257.83
30 yard	Open Top	128.92	3.73	520.06	257.83
40 yard	Open Top	128.92	3.73	562.46	257.83
42 yard	Compactor	128.92	3.73	610.26	257.83

FRANCHISE FEE 10%

Consumer Price Indexes for Central Texas and U.S. Urban September 2016

(1982-84 = 100)

Estimated Central Texas Consumer Price Index	Sep'16	Jul '16	Sep'15	Yearly Percent Change	2-month Percent Change
Food and Beverages	250.2	249.4	247.4	1.1	0.3
<i>Food at Home</i>	223.6	222.9	223.4	0.1	0.3
<i>Food Away from Home</i>	282.8	281.9	275.2	2.8	0.3
<i>Alcoholic Beverages</i>	321.1	320.0	320.1	0.4	0.3
Housing	199.3	200.1	195.9	1.7	-0.4
Apparel	112.5	107.0	117.6	-4.3	5.1
Transportation	196.5	205.3	219.8	-10.6	-4.3
Medical Care	418.4	412.1	391.0	7.0	1.5
Recreation	112.9	113.4	111.2	1.5	-0.4
Education and Comm.	138.7	137.8	140.1	-1.0	0.7
Other Goods & Services	385.6	385.2	377.7	2.1	0.1
All Items	233.2	232.6	228.5	2.0	0.2
U.S. Urban Average	Sep'16	Jul '16	Sep'15	Yrly %	2-mo %
Food and Beverages	247.6	247.5	244.3	1.4	0.0
<i>Food at Home</i>	239.3	238.6	241.6	-1.0	0.3
<i>Food Away from Home</i>	264.1	263.1	250.6	5.4	0.4
<i>Alcoholic Beverages</i>	243.0	242.2	237.8	2.2	0.3
Housing	245.7	244.0	234.7	4.7	0.7
Apparel	125.7	126.3	130.3	-3.5	-0.5
Transportation	195.1	193.5	216.4	-9.8	0.8
Medical Care	469.8	464.3	436.6	7.6	1.2
Recreation 2/	117.1	117.2	115.3	1.6	-0.1
Education and Comm.2/	138.7	139.1	138.5	0.1	-0.3
Other Goods & Services	425.5	423.2	409.1	4.0	0.5
All Items	241.0	239.7	238.0	1.3	0.5

http://www.baylor.edu/business/economic_research/



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 16, 2017

AGENDA ITEM #: 10

SUBMITTED BY: Jim Devlin, Police Chief

ITEM DESCRIPTION:

Consideration and action on an ordinance amending Chapter 10 “Animals” of the City of Hewitt Code of Ordinances; establishing regulations relating to the tethering of animals; declaring penalties; providing a savings clause; repealing ordinances in conflict herewith; and declaring an emergency.

STAFF RECOMMENDATION/ITEM SUMMARY:

The Department, with guidance from the Animal Control Office looked at the current city ordinance dealing with the tethering of animals. It was determined that the existing ordinance met the requirement of state law, but was not specific enough to ensure prolonged “tethering” of an animal for an extended period of time. Additions to the existing ordinance set shorter time restrictions in a twenty-four (24) hour period, define conditions that are not permissible, requirement of food/water, and define proper restraint equipment and protocol in these specific incidents.

ATTACHMENTS:

Ordinance

ORDINANCE NO. 2017-01-16-1

**AN ORDINANCE OF THE CITY OF HEWITT, TEXAS,
AMENDING CHAPTER 10 “ANIMALS” OF THE CODE OF
ORDINANCES; REPEALING ORDINANCES IN
CONFLICT HERewith PROVIDING FOR A PENALTY;
PROVIDING FOR INCLUSION IN THE CODE;
PROVIDING AN EFFECTIVE DATE; PROVIDING A
SAVINGS CLAUSE; FINDING AND DETERMINING THAT
THE MEETING AT WHICH THIS ORDINANCE IS
PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY
LAW; AND DECLARING AN EMERGENCY.**

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

Section 1: That Chapter 10 “Animals” of the City of Hewitt Code of Ordinances be
amended to add the following (additions):

Section 10-123.2. Exceptions.

Section 10-123.1 does not apply to:

- (1) A dog restrained to a running line dog restrained to a running line, pulley, or trolley system and that is not restrained to the running line, pulley, or trolley system by means of a pinch-type, prong-type, choke-type, or improperly fitted collar;
- (2) A dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, state, or local authority or jurisdiction;
- (3) A dog restrained for a reasonable period, not to exceed three hours in a 24-hour period, and no longer than is necessary for the owner to complete a temporary task that requires the dog to be restrained;
- (4) A dog restrained while the owner is engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by this state if the activity for which the license is issued is associated with the use or presence of a dog;
- (5) A dog restrained while the owner is engaged in conduct directly related to the business of shepherding or herding cattle or livestock; or

(6) A dog restrained while the owner is engaged in conduct directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.

Section 2. A violation of any section of this Chapter is declared a Class C misdemeanor, and the same shall be punished by a fine of not less than \$1.00 nor more than \$2,000.00.

Section 3. If any term, provision or section of this ordinance is unenforceable, then in that event, the remaining terms, provisions or sections shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances in conflict with provisions of this ordinance are to the extent of such conflict hereby repealed.

Section 5. That it is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Hewitt, Texas, and that sections of the ordinance may be renumbered or relettered to accomplish such intention.

Section 6. That this ordinance shall take effect upon its passage.

Section 7. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

Section 8. It is found that an emergency and urgent public necessity exists which requires the immediate passage of this ordinance.

PASSED AND ADOPTED this the ____ day of _____, 2017.

CITY OF HEWITT, TEXAS

Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary



COUNCIL AGENDA ITEM FORM

MEETING DATE: January 16, 2017

AGENDA ITEM #: 11

SUBMITTED BY: Jim Devlin, Police Chief

ITEM DESCRIPTION:

Consideration and action on an ordinance amending Chapter 50 "Peddlers and Solicitors" of the City of Hewitt Code of Ordinances; declaring penalties; providing a savings clause; repealing ordinances in conflict herewith; and declaring an emergency.

STAFF RECOMMENDATION/ITEM SUMMARY:

There has been an increase in calls for service as it relates to panhandling along many of the major traffic routes within the City. A review of the ordinance determined that it needed to be updated to include definitions found in the Texas Transportation Code as well as specify what constituted an act of "solicitation" as well as the defense to prosecution for such actions.

ATTACHMENTS:

Ordinance

ORDINANCE NO. 2017-01-16-2

**AN ORDINANCE OF THE CITY OF HEWITT, TEXAS,
AMENDING CHAPTER 50 “PEDDLERS AND
SOLICITORS” OF THE CODE OF ORDINANCES;
REPEALING ORDINANCES IN CONFLICT HERewith
PROVIDING FOR A PENALTY; PROVIDING FOR
INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE
DATE; PROVIDING A SAVINGS CLAUSE; FINDING AND
DETERMINING THAT THE MEETING AT WHICH THIS
ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS
REQUIRED BY LAW; AND DECLARING AN
EMERGENCY.**

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

Section 1: That Chapter 50 “Peddlers and Solicitors” of the City of Hewitt Code of
Ordinances be amended to add the following (additions):

Section 50-1. Definitions

Roadway has the meaning given that term in Chapter 541, Texas Transportation Code.

Vehicle has the same meaning given that term in Chapter 541, Texas Transportation Code

Section 50-3. Location and manner of permissible solicitation.

(c) Solicitations on public property are permissible except that solicitors may not:

(3) A person commits an offense if, while occupying any public property adjacent to any public roadway in the city, he knowingly conducts a solicitation directed to, or intended to attract the attention of, the occupant of any vehicle stopped or traveling on the roadway. An offense occurs when the solicitation is made, whether or not an actual employment relationship is created, a transaction is completed, or an exchange of money, goods, or services takes place.

(a) It is a defense to prosecution under Subsection (c) that the person was:

- (1) summoning aid or requesting assistance in an emergency situation; or
- (2) a law enforcement officer in the performance of official duties.

Section 2. A violation of any section of this Chapter is declared a Class C misdemeanor, and the same shall be punished by a fine of not less than \$1.00 nor more than \$2,000.00.

Section 3. If any term, provision or section of this ordinance is unenforceable, then in that event, the remaining terms, provisions or sections shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances in conflict with provisions of this ordinance are to the extent of such conflict hereby repealed.

Section 5. That it is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Hewitt, Texas, and that sections of the ordinance may be renumbered or relettered to accomplish such intention.

Section 6. That this ordinance shall take effect upon its passage.

Section 7. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

Section 8. It is found that an emergency and urgent public necessity exists which requires the immediate passage of this ordinance.

PASSED AND ADOPTED this the _____ day of _____, 2017.

CITY OF HEWITT, TEXAS

Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary