

HEWITT TEXAS

SPECIAL CITY COUNCIL MEETING AGENDA

July 24, 2017

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

CITY HALL, 200 PATRIOT COURT

HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Travis Bailey – Mayor, Ward 1

Ed Passalugo – Mayor Pro Tem, Ward 3

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 Dev. Director

Tuck Saunders, Assistant Police Chief

HEWITT TEXAS

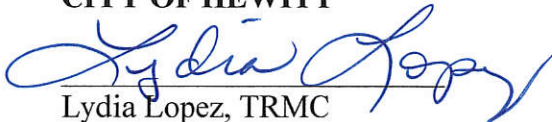
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Special Called Workshop** meeting of the governing body of the City of Hewitt will be held on the **24th day of July, 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 FY 2017-2018 Budget.
 - c. Briefing and discussion concerning upcoming events.
 - July 29, 2017 - National Night Out (Warren Park)
 - September 14, 2017 – State of the City Luncheon
 - September 30, 2017 - Dog Days (Hewitt Park)
 - d. Briefing and discussion concerning Texas Department of Transportation's (TxDOT) proposed widening of Spring Valley Rd.
 - 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.**
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 3:30 AM/PM on July 20, 2017.

CITY OF HEWITT



Lydia Lopez, TRMC
City Secretary

HEWITT TEXAS

NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Special Called Regular** meeting of the governing body of the City of Hewitt will be held on the **24th day of July, 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. Consider approval of minutes of the Special Called City Council Workshop/Regular Meeting of July 10, 2017.
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. Special presentation to the Hewitt Police and Fire Departments.
6. Public hearing and action on an ordinance rezoning of a 2.01 acre tract of land, located at 1731 Spring Valley Road, Hewitt, McLennan County, Texas, also known as Sprowles J tract 1A from C-O (Outdoor Commercial District) to R-1 (Single-Family District).
7. Consideration and action on setting date of August 7, 2017, for a public hearing on the Proposed Fiscal Year 2017-2018 Preliminary Annual Budget.
8. Consideration of and action on 2017 proposed tax rate and setting two (2) public hearing dates, August 7 and August 14, 2017.
9. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 3:30 AM/PM on July 21, 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

HEWITT TEXAS

CITY ENGINEER'S REPORT

July 19, 2017

2015 Bond Projects:

Lift Station No. 5 Removal

Should finish up alignment work on this project shortly.

IH - 35 Waterline

- Phase 2; Sun Valley to Flat Rock Trailers
 - Working on alignments.
- Phase 3; South side of Castleman Creek to Glenleigh Dr.
 - Spoke with the surveyors and am to get with them to give them a scope of the project.

Lift Station No. 4; Gravity Line Extension

Contracts have been executed. Contractor should be mobilizing within the next two months.

2017 Slurry Seal

City crews are finishing up their repairs and then the contractor should be coming behind them.

Street Crack Sealing

Narrowing down the streets that we are going to be performing the crack sealing on so to best utilize the budgeted money for the project.

I hope to be providing the Council a cost break down, in an upcoming meeting, to discuss the different types of asphalt maintenance.

Alamo Lift Station (Lift Station No. 7)

We are to meet with Waco on the 26th to discuss the interlocal agreement conditions. Buenger's office has completed a Draft interlocal to give us a starting point with Waco.

Drainage

2016 - Hewitt Park / Park Meadows Drainage Improvements

Contractor is a little over 70% complete.

HEWITT TEXAS

CITY ENGINEER'S REPORT

July 19, 2017

Flat Creek Tributary Drainage

Texas Water Development Board has made their initial review of the study and has provided comments back. Once those comments are addressed and then approved by TWDB the City of Hewitt will have to approve the studies finding before we can officially start to use them.

Old Temple Rd; Phase 2

Project is out advertising at this time. We are to open bids for the project on August 10th.

Seminole Trail / Choctaw Intersection Reclaim

Contractor is completing their work.

By:



Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



COUNCIL AGENDA ITEM FORM

MEETING DATE: July 24, 2017

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Workshop/Regular Meeting of July 10, 2017.

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

HEWITT TEXAS

MINUTES OF A CITY COUNCIL WORKSHOP/REGULAR MEETING HEWITT CITY HALL – 200 PATRIOT COURT July 10, 2017 - 5:30/7:00 PM

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

Staff present: Assistant City Attorney Kathleen Dow, City Engineer Miles Whitney, City Manager Adam Miles, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders, Fire Chief Lance Bracco, Finance Director Lee Garcia, Managing Director of Administration/Civil Service Director Katie Allgood, Library Director Waynette Ditto, Utilities Superintendent Kevin Reinke, Community Development Director Tracy Lankford, and City Secretary Lydia Lopez

Staff absent: City Attorney Charlie Buenger

Special Called Workshop – 5:30 PM

1. Mayor Travis Bailey called meeting to order at 5:30 PM.
2. City Manager presented an updates on municipal business:
 - a. Report from City Engineer
 - b. Briefing and discussion concerning FY 2017-2018 Budget.
 - c. Briefing and discussion concerning upcoming events.
 - o July 12, 2017 – Hero Day (Hewitt Park)
 - o July 29, 2017 - National Night Out (Warren Park)
 - o September 14, 2017 – State of the City Luncheon
 - o September 30, 2017 - Dog Days (Hewitt Park)
 - d. Briefing and discussion concerning intent and enforcement of masonry requirements in the R-1-G (Garden Home) residential district.
 - e. Briefing and discussion concerning request from Reserve at Dry Creek to formally lower the minimum age of senior citizen residents from 62 and over to 55 and over. **Note:** The consensus of the council was to deny request.
 - f. Briefing and discussion concerning online citizen water usage data portal.

NOTE: The remainder of the items listed on the Workshop agenda were not discussed.

- g. Briefing and discussion concerning short term rentals.
- h. 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: **NOT HELD**
 - **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**
5. Close Executive Session. **NOT HELD**
6. Adjourn. *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Bill Fuller to adjourn the Executive Session at 6:56 PM.*

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER.** Mayor Travis Bailey called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Travis Bailey asked Police Officer Andre Wood to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP AND REGULAR MEETING OF JUNE 5, 2017.** *A motion was made by Mayor Pro Tem Ed Passalugo and seconded by Council Member Alex Snider to approve the minutes as submitted but allow for corrections; all seven in favor, motion passed.*
4. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** *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. **PRESENTATION OF POLICE OFFICERS CLINT BRANDON AND ANDRE WOODS.** Mayor Travis Bailey administered the oath of office to Officers Brandon and Woods.
6. **SPECIAL PRESENTATION TO THE HEART OF TEXAS 100 CLUB.** This item was removed from the agenda.
7. **PRESENTATION OF VOLUNTEER POLICE CHAPLAIN LEROY GRANT, JR.** Police Chief Jim Devlin introduced volunteer Police Chaplain Leroy Grant, Jr. Chaplain Grant shared a brief bio and stated he was excited to serve as Chaplain for Hewitt Police Department.
8. **ADJOURN.** *A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Ed Passalugo to adjourn the meeting at 7:17 PM; all seven in favor, motion passed.*

Approved: July 24, 2017

Lydia Lopez, City Secretary

Travis Bailey, Mayor

HEWITT TEXAS

ITEM #4 – HEARING OF VISITORS

PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

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

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

2. To maintain decorum at public hearings, the mayor will ask citizens in attendance if they wish to speak for or against the item on the agenda. If so, they will be given an opportunity to speak at the proper time and when recognized by the chair. If more than five citizens wish to address the council on any single agenda item, those citizens are advised to select a spokesperson to present their case.

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

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



COUNCIL AGENDA ITEM FORM

MEETING DATE: July 24, 2017

AGENDA ITEM #: 6

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and action on an ordinance rezoning of a 2.01 acre tract of land, located at 1731 Spring Valley Road, Hewitt, McLennan County, Texas, also known as Sprowles J tract 1A from C-O (Outdoor Commercial District) to R-1 (Single-Family District).

STAFF RECOMMENDATION/ITEM SUMMARY:

Mrs. Jennifer Billings submitted a request to rezone property located at 1731 Spring Valley Rd. Mrs. Billings is requesting the rezoning change from CO (Outdoor Commercial District) to R-1 (Single-Family District). The Planning and Zoning Commission met on Tuesday, July 11, 2017, to consider the request. After a public hearing and deliberation, the P&Z Commission recommended to approve the request with a vote of 6 to 0. A map of the property and copy of the minutes is included in the backup material.

ATTACHMENTS:

P&Z Draft Minutes and supporting documentation
Draft ordinance

HEWITT TEXAS

MINUTES OF THE PLANNING AND ZONING COMMISSION JULY 11, 2017 – 6:00PM

Members Present: Charlie Turner, Bobby Wolske, John Baker, Michael Hix
Kurt Krakowian, Jonathan Dulus

Members Absent: Walt Peterson

Staff Present: Tracy Lankford, Building Official
Eva Marie Greenup, Zoning Secretary

1. **Call Planning and Zoning Commission Meeting to order.** *Charlie Turner called the meeting to order at 6:00PM.*
2. **Consider Approval of Minutes for the May 2, 2017, Planning and Zoning Commission regular meeting.** *A motion was made by John Baker and seconded by Bobby Wolske to approve the minutes as submitted but allow for corrections; all six in favor, motion passed.*
3. ***PUBLIC HEARING*.** **Members of the public will be allowed to speak for or against the request of Keith and Jennifer Billings to rezone from CO (Outdoor Commercial District) to R-1 (Single Family District), known as Sprowles J, Tract 1A, Instrument #2016007458 of the McLennan County Records, being approximately 2.01 +/- acres. Property is located at 1731 Spring Valley Road, Hewitt, McLennan County, Texas. Speaking in favor: Keith Billings, 601 Crestwood Drive, Hewitt. Those speaking against: NONE.**
4. **Discussion, consideration, action if any re: Recommendation to the City of Hewitt City Council for the request of Keith and Jennifer Billings to rezone from CO (Outdoor Commercial District) to R-1 (Single Family District), known as Sprowles J, Tract 1A, Instrument #2016007458 of the McLennan County Records, being approximately 2.01 +/- acres.**

PLANNING AND ZONING COMMISSION MINUTES

JULY 11, 2017

PAGE TWO

Property is located at 1731 Spring Valley Road, Hewitt, McLennan County, Texas. *A motion was made by John Baker and seconded by Jonathan Dulus to approve the motion, all six in favor, motion passed. This recommendation will go before City Council on July 24, 2017.*

- 5. Adjourn.** *A motion was made by John Baker and seconded by Michael Hix to adjourn the meeting at 6:07PM, all six in favor, motion passed.*

Chairman

Date Approved

Eva Marie Greenup, Zoning Secretary

HEWITT TEXAS

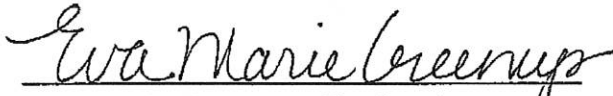
NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION

Notice is given that a **PUBLIC** meeting will be held before the Planning and Zoning Commission of the City of Hewitt, on **Tuesday, July 11, 2017, 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 May 2, 2017, Planning and Zoning Commission regular meeting.
3. ***PUBLIC HEARING***. Members of the public will be allowed to speak for or against the request of Keith and Jennifer Billings to rezone from CO (Outdoor Commercial District) to R-1 (Single Family District), known as Sprowles J, Tract 1A, Instrument #2016007458 of the McLennan County Records, being approximately 2.01 +/- acres. Property is located at 1731 Spring Valley Road, Hewitt, McLennan County, Texas.
4. Discussion, consideration, action if any re: Recommendation to the City of Hewitt City Council for the request of Keith and Jennifer Billings to rezone from CO (Outdoor Commercial District) to R-1 (Single Family District), known as Sprowles J, Tract 1A, Instrument #2016007458 of the McLennan County Records, being approximately 2.01 +/- acres. Property is located at 1731 Spring Valley Road, Hewitt, McLennan County, Texas.
5. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the abovenamed City of Hewitt, Texas was posted on the Public Notice Board located in front of the City Hall before 5pm on July 7, 2017.

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 having 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 MAY 2, 2017 – 6:00PM

Members Present: Charlie Turner, Bobby Wolske, John Baker, Michael Hix
Members Absent: Walt Peterson, Kurt Krakowian, Jonathan Dulus
Staff Present: Tracy Lankford, Building Official, Miles Whitney, City Engineer, Eva Marie Greenup, Zoning Secretary

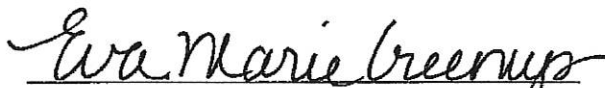
1. **Call Planning and Zoning Commission Meeting to order.** *Charlie Turner called the meeting to order at 6:00PM.*
2. **Consider Approval of Minutes for the January 3, 2017, Planning and Zoning Commission regular meeting.** *A motion was made by John Baker and seconded by Michael Hix to approve the minutes as submitted but allow for corrections; all four in favor, motion passed.*
3. **Discussion and possible action: Special Permit request for a Model home sales office by John Houston Custom Homes located at 204 Big Creek Loop, Hewitt Texas 76643, known as Sunflower Ridge Addition, Lot 8 Block 4, to the City of Hewitt as recorded in McLennan County Clerk's document 2017007703 of the Official Public Records of McLennan County, Texas.** *Speaking in favor was Jason Cooper, 107 Westridge Lane, Woodway. Those speaking against: NONE. A motion was made by John Baker and seconded by Bobby Wolske to approve the motion; all four in favor, motion passed. This recommendation will go before City Council on May 15, 2017.*

PLANNING AND ZONING COMMISSION MINUTES
MAY 2, 2107
PAGE TWO

4. **Discussion and possible action: R-1 Single Family Residential to C-2 General Commercial on property located at 510 Spring Valley Boulevard, Hewitt Texas 76643, known as O'Campo C A-32 Tract 14 0.99+/- Acres as recorded in McLennan County Clerk's document 2012018672 of the Official Public Records of McLennan County, Texas.** *Speaking in favor was Sean Gathright, 510 Sun Valley Boulevard. Those speaking against: Randy Luster, 402 Ivy Lane. A motion was made by John Baker and seconded by Bobby Wolske to deny the motion; all four in favor, motion passed. Recommendation will go before City Council Meeting on May 15, 2017.*
5. **Discussion and possible action: Revision of City of Hewitt Ordinance for Hewitt Water Detail layouts for Typical Water Service-Elevation; Single Water Service Plan; Double Water Service Plan; 2" Water Service Elevation-Residential Use Only, Chapter 38.28.17 FLOODS, PART IV. DRAINAGE STANDARDS, I. Monuments and Iron Pins.** *Miles Whitney was present to answer any questions pertaining to the ordinance update. A motion was made by John Baker and seconded by Michael Hix to approve the motion; all four in favor, motion passed. Recommendation will go before City Council Meeting on May 15, 2017.*
6. **Adjourn.** *A motion was made by John Baker and seconded by Bobby Wolske to adjourn the meeting at 6:47PM, all four in favor, motion passed.*


Chairman


Date Approved


Eva Marie Greenup, Zoning Secretary

APPLICATION REVIEW

Z-2017-3

HEARING DATE: July 11, 2017

1. CASE # Z-2017-3
PROPERTY ADDRESS: 1731 Sun Valley
LEGAL DESCRIPTION: Sprowles J Tract 1A 2.01 Acres

2. APPLICANT: Keith And Jennifer Billings
MAILING ADDRESS: 601 Crestwood Dr, 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 **COMMERCIAL** to **RESIDENTIAL**

(Land Use designation of R-1 RESIDENTIAL TO C-2 GENERAL COMMERCIAL DISTRICT)

ZONING:

From **C-O OUTDOOR COMMERCIAL** to **R-1 SINGLE-FAMILY RESIDENTIAL**

SUMMARY DESCRIPTION OF USES IN R-1: The purpose of the R-1, Single-Family District is to allow for single-family homes. This is the default zoning district for the city. Permitted Uses are as shown in Section 2.104(B).

PLANNING SERVICES REVIEW

NEIGHBORHOOD CHARACTER:

This property is located within a large are of Residential use. 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 **COMMERCIAL to RESIDENTIAL** based on the following findings:

- 1) Residential land use is the dominant land use designation for the surrounding neighborhood.
- 2) The public infrastructure is adequate to provide for zoning districts allowed in the proposed residential land use designation.
- 3) The property is located on a local street.

ZONING:

Community Development recommends **APPROVAL** of this request to change the zoning from **C-O to R-1** 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 R-1 zoning district.
- 3) The property meets all the size and width requirements for R-1 zoning.
- 4) The property is located on a public street.

Notices: 10 mailed; returned,

CASE NO. Z-2017-3

ENGINEERING SERVICES DATA

1. Street condition: Good X Acceptable Needs Reconstruction
2. Street width: Existing: ROW 100' Pavement 36'+-
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.
7. Engineering Department comments and recommendations:

None

CASE NO. Z-2017-3

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 Y (Y) YES (N) NO

DATE OF INSPECTION: To be determined

Health Department Comments and Recommendations: None

POLICE DEPARTMENT REVIEW

No Comments

CASE #Z-2017-3

PROPERTY OWNERS LIST

Applicant: Keith and Jennifer Billings

Owner: Keith and Jennifer Billings



Google Earth



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 CO (OUTDOOR COMMERCIAL DISTRICT) TO R-1 (SINGLE-FAMILY 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 Jennifer Billings to rezone 2.01 acre tract of land, legally known as the Sprowles J Grant Tract 1A also known as 1731 Spring Valley Road, Hewitt, McLennan County, Texas, from **to CO (Outdoor Commercial District) to R-1 (Single-Family 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 July 24, 2017, 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, July 11, 2017, 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 2.01acre tract of land, legally known as the Sprowles J Tract 1A also known as 1731 Spring Valley Road, Hewitt, McLennan County, Texas, from **C-2 (Outdoor Commercial District) to R-1 (Single-Family 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 24th day of July, 2017 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

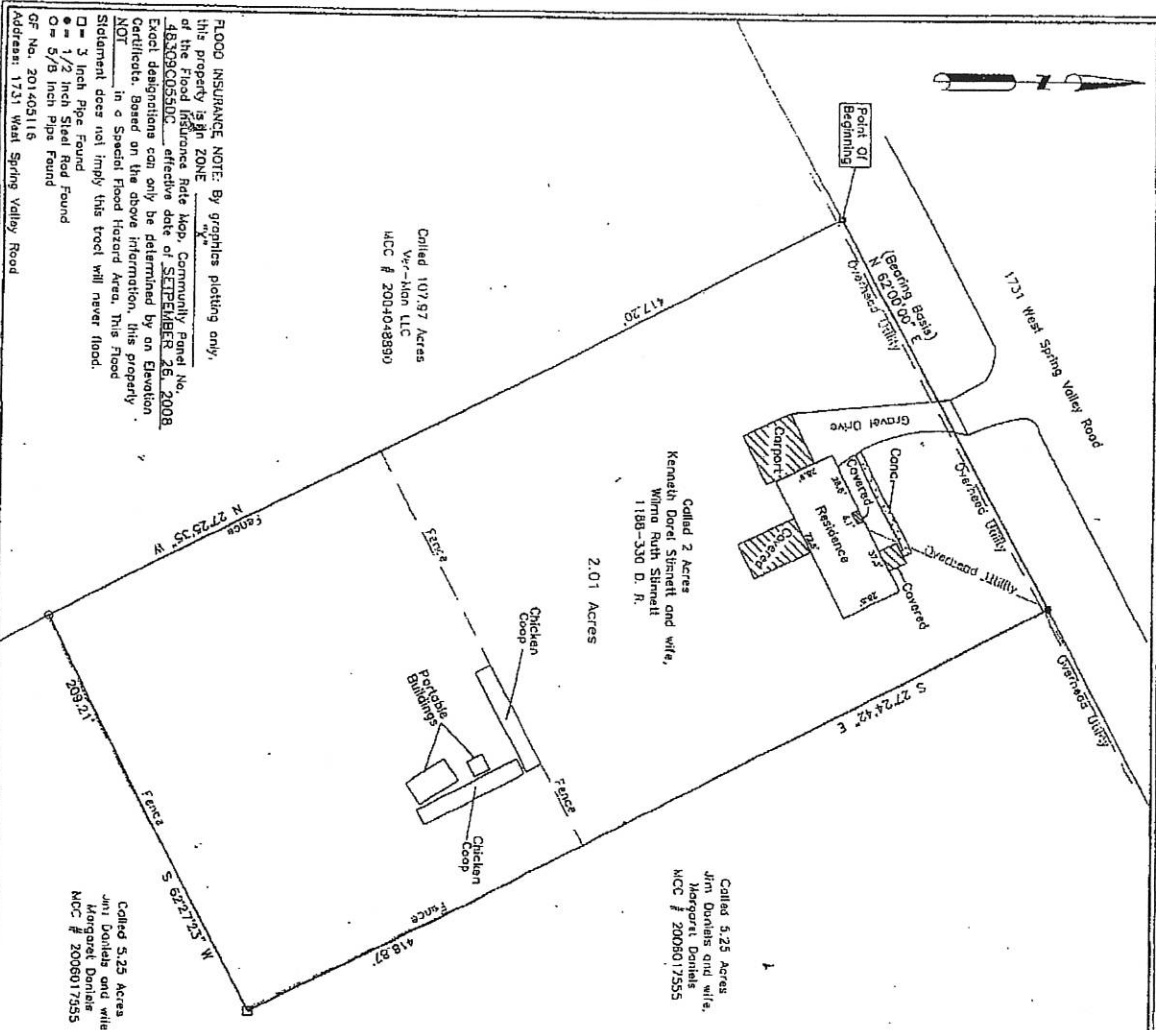
CITY OF HEWITT

BY: _____
Travis Bailey, Mayor

ATTEST:

Lydia Lopez, City Secretary

Exhibit "A"



DESCRIPTION

being 201 acres of land in the City of Heath, McLennan County, Texas, and being all of that called 2 acres of land described in a deed to Kenneth Doral Stinnett and wife, Wilma Ruth Stinnett, recorded in Volume 1188, Page 330 of the Deed Records of McLennan County, Texas, and being that same tract of land described in a deed to Lester E. Robertson, recorded in Volume 1033, Page 383 of the Deed Records of McLennan County, Texas, and being further described as follows:

Beginning at a 1/2 inch steel rod found in the South line of West Spring Valley Road and at the West corner of said 2 acres and at a North corner of that called (10) 37 acres of and described in a deed to Yeh-Men LLC, recorded under McLennan County Clerk's File Number 2004040890 of the Official Public Records of McLennan County, Texas and at the West corner of this:

These North 62 Degrees 00 Minutes 00 Seconds East (bearing Basin) a distance of 205.33 feet along the South line of said West Spring Valley Road and along the Northwest line of said 2 acres to a 1/2 inch steel rod found at the North corner of said 2 acres and at the West corner of that corner is 5.15 acres of land described in a deed to Jim Donatis and wife, Margaret Donatis recorded under McLennan County Clerk's File Number 2006017355 of the Official Public Records of McLennan County, Texas, and at the North corner of this;

Thence South 27 Degrees 24 Minutes 42 Seconds East a distance of 418.57 feet, partially along a fence and along the East line of said 2.25 acres and along the West line of said 5.25 acres to a 3 inch pipe found at an interior corner of said 5.25 acres and at the East corner of the East corner of said 2 acres and at

Thence South 52 Degrees 27 Minutes 23 Seconds West a distance of 209.21 feet generally along a fence and along a Northwest line of said 5/28 acres and along the Southeast line of said 2 acres to a 5/8 inch pipe found in a East line of said 107.97 acres and at the South corner of said 2 acres and of the South corner of this:

Thence North 27 Degrees 25 Minutes 35 Seconds West a distance of 417.20 feet partially along a fence and along the East line of said 107.97 acres and along the West line of said 2 acres to the Point of Beginning, containing 2.01 acres.

NOTES ACCORDING TO SCHEDULE "B" (GF No. 201405116)

10.1.) Easement 550-540 D. R. - May affect subject tract cannot plot due to vague description.
10.9.) Easement 775-364 D. R. - May affect subject tract cannot plot due to vague description.
10.1.) Easement 920-420 D. R. - Blanket easement may affect subject tract.

Certified correct plot of an actual on-the-ground survey performed under my supervision during the month of August, 2014, there are no visible discrepancies, conflicts, or shortages in crew or boundary lines, or any visible encroachments, intrusions or any overlapping of any improvements except as shown hereon, and certifies only to the legal description and statements shown on the referenced title commitment.

R. S. Martin Jr., R.P.L.S. 2170



Boundary Survey

Prepared For:

American Guaranty Title

122/A N. Volley Mills Dr. Waco, TX 76710

By: **Martin & Associates**
TPI's Firm Registration # 10026200

500 N. Valley Mills Drive Suite 208
 Registration # 10028800

Waco, Texas 76710 - 254.300.5961

Scale: 1"=50' Date: 8/12/14

Drawn: ckm	Checked: rm	Job: 2014-278
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COUNCIL AGENDA ITEM FORM

MEETING DATE: July 24, 2017

AGENDA ITEM #: 7

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consideration of and action on setting date of August 7th, 2017, for a Public Hearing on the Proposed Fiscal Year 2017-2018 Preliminary Annual Budget.

STAFF RECOMMENDATION/ITEM SUMMARY:

On July 10th, 2017 and July 24th, 2017, the Hewitt City Manager discussed and presented the Proposed FY 17 18 Preliminary Annual Budget. A copy of the Proposed Budget is on file with the City Secretary and is available online and at the Hewitt Public Library. A public hearing on the proposed budget is scheduled for August 7th, 2017. Following is a copy of the Notice of Public Hearing that was published in the Waco Tribune Herald on July 21st, 2017.

ATTACHMENTS:

Notice of Public Hearing

**LEGAL NOTICE
CITY OF HEWITT
NOTICE OF PUBLIC HEARING**

The City Council of Hewitt, Texas will hold a public hearing for consideration of the 2017-2018 General Fund, Utility Fund, Drainage Fund, Hotel Fund and Capital Improvement Fund Budgets on 8-7-17 at 7:00 p.m. in the Hewitt City Hall, 200 Patriot Court. **“This budget will raise more total property taxes than last year’s budget by \$364,000 (8.8%) and of that amount \$129,390 is tax revenue to be raised from new property added to the roll this year.”** A copy of the budget may be examined at the City Hall, the library and on the city website.

Publish one time on 7/21st in the legal section.
Per charter, at least 15 days between Notice & Hearing



COUNCIL AGENDA ITEM FORM

MEETING DATE: July 24, 2017

AGENDA ITEM #: 8

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consideration of and action on 2017 proposed tax rate and setting two (2) public hearing dates, August 7th and August 14th, 2017.

STAFF RECOMMENDATION/ITEM SUMMARY:

On July 10th, 2017, and July 24th, 2017, the Hewitt City Manager discussed and presented the Proposed FY 17 18 Preliminary Annual Budget. The presentation included an update on the status of General Fund revenues, preliminary taxable values, and estimated tax revenues. The Texas Tax Code requires the City Council to have a record vote to place an item on a future Council agenda for this item. This vote only sets the item to be voted on and does not commit Council to adopting the proposed rate.

It is recommended that the tax rate continue at \$.539677 per \$100 valuation. The City is required to publish one tax notice and hold two public hearings. After action by council, the tax rate voted on tonight would be the highest rate that the council could adopt.

Motion Wording:

“Motion to vote to place adoption of a tax rate of \$.539677 cents per \$100 valuation, equaling \$.216726 cents for debt service and \$.322951 cents for maintenance and operations, as an action item for the August 21st, 2017 council meeting to be held at 7 p.m. at City Council Chambers, 200 Patriot Court, Hewitt, Texas AND to set 2 public hearings, as required by law, to be held on Monday, August 7th, 2017, at 7:00 p.m. and Monday, August 14th, 2017, at 7:00 p.m. at City Council Chambers, 200 Patriot Court, Hewitt, Texas.”

ATTACHMENTS: