

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

October 1, 2018

Regular Meeting – 6:00 PM

CITY HALL, 200 PATRIOT COURT

HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Ed Passalugo – Mayor, Ward 3

Steve Fortenberry – Mayor Pro Tem, Ward 3

Travis Bailey – Council Member, Ward 1

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

James Vidrine – Council Member, Ward 2

Vacant – Council Member At-Large

CITY STAFF

Adam Miles, City Manager

Michael W. Dixon, 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

Tracy Lankford, Community Dev. Director

Tuck Saunders, Assistant Police Chief

Kevin Reinke, Utilities Director

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 **1st day of October, 2018, at 6:00 PM in Hewitt City Hall, Council Workshop Room/Council Chambers, 200 Patriot Court**, Hewitt, Texas, at which time the following subjects will be discussed and upon which action may be taken:

1. Call meeting to order
2. Pledge of Allegiance to the U.S. Flag
3. Presentation of report from City Engineer.
4. Consider approval of minutes of the City Council Regular Meeting of September 17, 2018.
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. Interview, as needed, of prospective members interested in serving on the Library Board and Parks and Beautification Board.
7. Consideration and possible action on appointments to the Library Board and Parks and Beautification Board.
8. Administer oath of office to the newly appointed members.
9. Public hearing, consideration and possible action on an ordinance amending Chapter 58-Sign Regulations of the Code of Ordinances of the City of Hewitt providing a variance process.
10. Consideration and possible action on amendment to the fee schedule to include sign variance fee in the amount of \$250.
11. Public hearing, consideration, and possible action on an ordinance granting or denying a sign variance request made by Cracker Barrel for development located at 221 Enterprise Blvd., Hewitt, Texas.
12. Consideration and possible action on appointment of member(s) to the McLennan County 9-1-1 Emergency Assistance District.
13. 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 September 28, 2018.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 3

SUBMITTED BY: Miles Whitney, City Engineer

ITEM DESCRIPTION:

Presentation of report from City Engineer.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a City Engineer's report dated September 28, 2018.

ATTACHMENTS:

City Engineer's Report



CITY ENGINEER'S REPORT

September 28, 2018

Lift Station No. 5 Removal

Project plans and bidding documents are complete. Will begin advertising.

IH - 35 Waterline

- Sun Valley to Flat Rock Trailers
 - Project plans and bidding documents are complete. We have received permits from TxDOT and will begin advertising.
- Castleman Creek to Glenleigh
 - Working on plans and acquiring easements. Investigating existing waterline locations for tie in locations.

Sun Valley Rd.; Waterline

City's crews are stock piling materials to begin their portion. They have pulled of this project and have been working on the road crossings on Attaway to get that one complete.

2018 Street Improvements; Slurry Seal

Contractor finished work and should be holding a final walkthrough shortly.

Ritchie Road Improvements; (From Warren Dr. to Park Place Dr.)

Notice to proceed has been issued and contractor is to begin with in the coming months, however as discussed before, we may not see too much movement on our end, of the project, until later.

Plant No. 1; Chemical Disinfectant Building; (Community Services)

The plans and specifications have been sent to TCEQ for project approval.

Old Temple Rd. / Attaway Rd; Street Improvements

Mill and Overlay Project plans are complete, one area on Attaway will be reclaimed, and we intend to go out for bids as soon as City crews install a waterline sleeve at Castleman Circle and Sun Valley Blvd.

Boleman Dr. Reclaim

Topo has been ordered. Originally Linden Ln. was supposed to be reclaimed first, however given the existing conditions of Boleman Dr. we have elected to perform Boleman Dr. first.

HEWITT TEXAS II

CITY ENGINEER'S REPORT

September 28, 2018

April/December; Mill and Overlay

Topo has been ordered.

Waco Water Contract

We have begun putting the data together to provide Waco with the needed information for the new water contract.

Street Condition Report

Will discuss as needed.

By:



Miles W. Whitney P.E.
Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 4

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the City Council Regular Meeting of September 17, 2018.

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
REGULAR MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
September 17, 2018 – 6:00 PM**

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

Staff present: City Attorney Mike Dixon, City Engineer Miles Whitney, City Manager Adam Miles, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders; Fire Chief Lance Bracco, Managing Director Katie Allgood, Library Director Waynette Ditto, Community Development Director Tracy Lankford, Utilities Director Kevin Reinke, and City Secretary Lydia Lopez

Staff absent: Finance Director Lee Garcia

REGULAR MEETING - 6:00 PM

1. **CALL TO ORDER.** Mayor Ed Passalugo called the meeting to order at 6:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Ed Passalugo asked Mayor Pro Tem Steve Fortenberry to lead the Pledge of Allegiance.
3. **PRESENTATION BY MICHAEL W. DIXON OF HALEY & OLSON, P.C. REGARDING AGENDA ITEMS.** Mike Dixon stated that he had placed for consideration an amendment of the rules for citizen comments with the intent to restore some level of normalcy during the process. He further stated, “Both the Council persons and the citizens need to understand that how meetings are run, taped, or perceived has an effect on how your city is perceived. It detracts from important business on the agenda both by taking the time and focus. You have Council people that need to concentrate on business items and it is very difficult to get a Council person’s attention sometimes when they are still fuming about being called every name in the book, or being called a crook or whatever. They don’t tend to be good listeners after that. So, all I was seeking was a good faith attempt to improve stability and decorum. I would ask the Council not to consider the rule changes because hopefully they will never become necessary, but secondly, they need some further refinement in conjunction with a grievance process. There seems to be a lot of interest in the item on the removal of Charlie Buenger. I also ask the Mayor to move the citizens input item to right after my presentation.”

Mayor Ed Passalugo reorder the agenda as follows:

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.*

Ann Schiltz, 1220 Dendron, appeared in support of the City Manager Adam Miles, City staff, and City Attorney Charlie Buenger. She stated that the results of the independent investigation and complaints should come to the citizens; employees should receive raises immediately; City officials and Council should come together to work for the betterment of Hewitt and there should be better communication between the citizens and Council.

Michael Bancale, 909 Stoneridge Drive, shared a positive note card to Council; appeared in support of city employees; requested that Council unfreeze employee raises; and asked Council to reconsider the firing of City Attorney Charlie Buenger.

Bob Potter, 409 W. Wall Street, appeared in support of city employee pay increases; opposed the termination of the city attorney and stated the Council should not attempt to terminate the city manager.

Stephen Rynerson, 809 Cheyenne Trail, appeared to suggest that all should be kind to one another.

Charlie Buenger, 3203 Robinson Drive, appeared to express appreciation to citizens for their support and stated that Hewitt was blessed with excellent city staff.

No one else appeared.

5. **DISCUSSION AND ACTION IN ACCORDANCE WITH THE CITY COUNCIL'S AUTHORITY UNDER ARTICLE II, SECTION 2.8 OF THE HEWITT CITY CHARTER TO REMOVE BUENGER & ASSOCIATES AND CHARLES BUENGER AS CITY ATTORNEY.** Council Member Steve Fortenberry asked Council to utilize this opportunity to do the right thing and support Charlie Buenger. *A motion was made by Council Member James Vidrine and second by Council Member Travis Bailey to remove Buenger & Associates and Charlie Buenger as City Attorney; four voted in favor (Bailey, Vidrine, Wachtendorf, and Passalugo); two in opposition (Fortenberry and Fuller); motion passed.*
6. **Executive Session:** Mayor Ed Passalugo convened a closed meeting at 6:27 PM to be held pursuant to *Section 551.074 of the Government Code (V.T.C.A)* so that the City Council can deliberate the appointment, employment, evaluation, reassignment, duties, grievances against, discipline, or dismissal of an employee or officer: Interview and evaluation of the possible appointment of a City Attorney---Michael W. Dixon of Haley & Olson, P.C.
7. Mayor Ed Passalugo closed the Executive Session at 7:25 PM and reconvened the Regular Meeting.

8. **CONSIDERATION AND POSSIBLE ACTION ON ENGAGING THE FIRM OF HALEY & OLSON, P.C. FOR MICHAEL W. DIXON TO SERVE AS CITY ATTORNEY.** *A motion was made by Council Member James Vidrine and second by Council Member Steve Fortenberry to appoint Michael W. Dixon as City Attorney for the City of Hewitt, Texas; all voted in favor, motion passed.*
9. **OR INTERVIEW AND CONSIDER THE FIRM OF HALEY & OLSON, P.C. AND MICHAEL W. DIXON FOR THE PROVISION OF LEGAL COUNSEL INDEPENDENT OF THE OFFICE OF CITY ATTORNEY AS AN INDEPENDENT CONTRACTOR [OPEN SESSION].** NOT HELD/NO ACTION
10. **CONSIDERATION AND POSSIBLE ACTION ON ENGAGING THE FIRM OF HALEY & OLSON, P.C. AND MICHAEL W. DIXON TO PROVIDE LEGAL COUNSEL INDEPENDENT OF THE OFFICE OF CITY ATTORNEY.** NOT HELD/NO ACTION
11. **CONSIDER AND POSSIBLE APPROVAL OF CHANGE TO PROCEDURE FOR CITIZEN PARTICIPATION IN MEETINGS TO ADD NO. 6.** NOT HELD/NO ACTION
12. **Hearing of Visitors – moved to item #4.**
13. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL SPECIAL CALLED MEETING OF AUGUST 27, 2018, SPECIAL CALLED MEETING OF SEPTEMBER 4, 2018, AND SPECIAL CALLED MEETING OF SEPTEMBER 10, 2018.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Travis Bailey to approve the minutes as submitted but allow for corrections; all six in favor, motion passed.*
14. **PUBLIC HEARING AND ACTION ON AN ORDINANCE REZONING OF O’CAMPO C A-32 ACRES 5.435 LOT 1, BLOCK 1 RABROKER ADDITION, ON THE WEST SIDE OF I-35 +/- 775’ NORTH OF BAXLEY STREET FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-O (OUTDOOR COMMERCIAL DISTRICT); PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.** Mayor Ed Passalugo opened the public hearing at 7:28 PM and asked for those who wished to speak in favor. Kyle Schultz, P.E., Walker Partners, appeared in favor. Mayor Ed Passalugo called for those wishing to speak against. No one appeared. Public hearing was closed at 7:29 PM. Council Member James Vidrine suggested that the Planning & Zoning Plat application be clarified as to the Flood Zone designation. *A motion was made Council Member Bill Fuller and second by Council Member Travis Bailey to approve ordinance; all six in favor, motion passed.*

15. **DISCUSSION AND POSSIBLE ACTION CONCERNING CRACKER BARREL SIGNAGE.** Community Development Director Tracy Lankford sought Council direction with regards to amending the current sign ordinance to allow for a variance for an overhead signs. It was a consensus of the Council to bring forward the amended ordinance allowing the variance at the next meeting.
16. **DISCUSSION AND POSSIBLE ACTION ON BALANCING THE DRAINAGE BUDGET EITHER BY ADOPTING PROPOSED DRAINAGE FEE OR REDUCING THE DRAINAGE BUDGET.** *Motion was made by Council Member James Vidrine and second by Council Member Wilbert “Walky” Wachtendorf to maintain the 2017-2018 Drainage Fees to reduce the Drainage Budget; all voted in favor, motion passed.*
17. **CONSIDERATION OF AND POSSIBLE ACTION ON AN ORDINANCE UNFREEZING THE SALARIES, WAGES, AND BASE PAY OF ALL CITY PERSONNEL (CIVIL SERVICE AND CIVILIAN) TO ALLOW FOR A COST OF LIVING ADJUSTMENT AND MOVEMENT IN THE STEP PAY PLANS AND/OR OTHER POSSIBLE ACTIONS RELATING TO COST OF LIVING ADJUSTMENTS AND/OR RAISES.** Council Member James Vidrine asked City Attorney Mike Dixon to explain what the motion to table means. City Attorney Mike Dixon stated that to table a motion does not mean to deny but rather to defer to a later time. He further advised that the budget adopted includes funds for both step plan and the cost of living. Council Member James Vidrine asked City Manager Adam Miles to explain why cost of living adjustments and raises were not given in the last budget. City Manager Adam Miles stated that the budget adopted last year did not have funds established with the tax rate that was adopted. *A motion was made by Council Member Steve Fortenberry and second by Council Member Bill Fuller to approve; all voted in favor, motion passed.*
18. **CONSIDERATION OF AND POSSIBLE ACTION ON A RESOLUTION APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2018 RATE REVIEW MECHANISM FILINGS.** *A motion was made Council Member Bill Fuller and second by Council Member James Vidrine to approve; all voted in favor, motion passed.*
19. **ADJOURN.** *A motion was made by Council Member Bill Fuller and second by Council Member Travis Bailey, all voted in favor, meeting was adjourned at 7:40 PM.*

Approved: October 1, 2018

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.
3. 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.**
4. 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.
5. As a general rule, citizens may not participate or address the council or staff during the workshop session.

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.

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 6

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Interview, as needed, of prospective members interested in serving on the Library Board and Parks and Beautification Board.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached are applications for one prospective member for the Library Board and two prospective members of the Parks and Beautification Board. All will be present for a brief interview should you choose to have interviews.

ATTACHMENTS:

Applications

APPLICATION FOR BOARDS & COMMISSIONS 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 you to play a vital role in shaping your community.

NAME OF APPLICANT: Justin Scott Anderson
HOME ADDRESS: 726 Park Meadows Hewitt TX 76712
DAYTIME TELEPHONE NUMBER: 254-578-0724 E-MAIL ADDRESS: JAnderson@raisingcane.com

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: 5 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: _____

SPECIAL INTERESTS/SKILLS/EXPERIENCE/EDUCATION YOU FEEL MAY BE HELPFUL: Operate business on Hewitt Prime. Sponsor multiple Library functions

OCCUPATION/EMPLOYER: Raising Cane's Chicken Fingers

REFERENCES (MUST BE HEWITT RESIDENTS): Michelle Anderson TELEPHONE #: 254-855-8363
TELEPHONE #: _____

SIGNATURE OF APPLICANT: [Signature] DATE: 4/25/2018

Return Application to:
Lydia Lopez, City Secretary
200 Patriot Court
Hewitt, Texas 76643
Phone: 254-666-6171
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: November 2017

APPLICATION FOR BOARDS & COMMISSIONS 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 you to play a vital role in shaping your community.

NAME OF APPLICANT: CRAIG D. SMITH
HOME ADDRESS: 209 NEW ACRES DR HEWITT TX
DAYTIME TELEPHONE NUMBER: 254-733-7104 E-MAIL ADDRESS: CRAIG.254.SMITH.733.7104

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: _____

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.

2 Board of Adjustment (must be resident and owner of property in Hewitt)
3 Civil Service Commission (must be resident of Hewitt)
4 Library Board (must be resident of Hewitt)
1 Parks and Beautification Committee (must be resident of Hewitt)
5 Planning and Zoning Commission (must be resident and owner of property in Hewitt)

OTHER WAYS YOU SERVE YOUR COMMUNITY: _____

SPECIAL INTERESTS/SKILLS/EXPERIENCE/EDUCATION YOU FEEL MAY BE HELPFUL: I HAVE A
MASTERS OF PUBLIC ADMINISTRATION - HUMAN RESOURCES MGMT

OCCUPATION/EMPLOYER: RETIRED

REFERENCES (MUST BE HEWITT RESIDENTS): JAMES STOVALL TELEPHONE #: 254 534-2634
VANLADA DAVIS TELEPHONE #: 254 716-8605

SIGNATURE OF APPLICANT: Craig D. Smith DATE: 8/20/2018

Return Application to:
Lydia Lopez, City Secretary
200 Patriot Court
Hewitt, Texas 76643
Phone: 254-666-6171
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: August 2018

APPLICATION FOR BOARDS & COMMISSIONS 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 you to play a vital role in shaping your community.

NAME OF APPLICANT: TOM HERNANDEZ
HOME ADDRESS: 1321 DARBYTON DR HEWITT, TX 76643
DAYTIME TELEPHONE NUMBER: 271-8536 E-MAIL ADDRESS: HUSKERS1990@YAHOO.COM

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: 22 MONTHS

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: FIRST WOODWAY BAPTIST CHURCH
ADULT SUNDAY SCHOOL FACILITATOR

SPECIAL INTERESTS/SKILLS/EXPERIENCE/EDUCATION YOU FEEL MAY BE HELPFUL: VOLUNTEERING (IOWA)
CERTIFIED PROFESSIONAL IN LEARNING PERFORMANCE (CPLP) ASSOCIATION OF DEVELOPMENT

OCCUPATION/EMPLOYER: ASEPTIC TRAINING MGR. ALLERGAN

REFERENCES (MUST BE HEWITT RESIDENTS): CHARLES MCGILL TELEPHONE #: 864-918-4454
Lydia J. McGill TELEPHONE #: 864-884-0369

SIGNATURE OF APPLICANT: Tom Hernandez DATE: 08/29/18

Return Application to:
Lydia Lopez, City Secretary
200 Patriot Court
Hewitt, Texas 76643
Phone: 254-666-6171
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: August 2018



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 7

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consideration and possible action on appointments to the Library Board and Parks and Beautification Board.

STAFF RECOMMENDATION/ITEM SUMMARY:

An application for Board service was received by Mr. Justin Scott Anderson indicating a preference for service on the Library Board of Directors. Mr. Anderson will be replacing Shirlene Lands who retired off the Board in December 2017.

Two applications for Board service were also received by Craig D. Smith and Tom Hernandez indicating their preference for service on the Parks and Beautification Board. The Board currently has three vacancies.

ATTACHMENTS:

None

Form #2201 Rev. 09/2017
Submit to:
SECRETARY OF STATE
Government Filings
Section P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Justin Scott Anderson, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Library Board

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 10-01-2018

Signature of Officer

Form #2201 Rev. 09/2017
Submit to:
SECRETARY OF STATE
Government Filings
Section P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Craig D. Smith, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Parks and Beautification Board

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 10-01-2018

Signature of Officer

Filing Fee: None

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 8

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Administer oath of office to the newly appointed members of the Library Board and the Parks and Beautification Board

STAFF RECOMMENDATION/ITEM SUMMARY:

Justin Scott Anderson, Craig Smith and Tom Hernandez will be present to be sworn in as a member of the Library Board and members the Parks and Beautification Board, respectively.

ATTACHMENTS:

Oath of Office

Form #2204 Rev 9/2017

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
FAX 512-463-5569
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Justin Scott Anderson, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of Library Board 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

Certification of Person Authorized to Administer Oath

State of _____

County of _____

Sworn to and subscribed before me on this _____ day of _____, 20____.

(Affix Notary Seal,
only if oath
administered by a
notary.)

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

Lydia Lopez, City Secretary

Printed or Typed Name

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
FAX 512-463-5569
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Craig D. Smith, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of Parks and Beautification Board 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

Certification of Person Authorized to Administer Oath

State of _____

County of _____

Sworn to and subscribed before me on this _____ day of _____, 20____.

(Affix Notary Seal,
only if oath
administered by a
notary.)

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

Lydia Lopez, City Secretary

Printed or Typed Name

Form #2204 Rev 9/2017

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
FAX 512-463-5569
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,

I, Tom Hernandez, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Parks and Beautification Board 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

Certification of Person Authorized to Administer Oath

State of _____

County of _____

Sworn to and subscribed before me on this _____ day of _____, 20____.

(Affix Notary Seal,
only if oath
administered by a
notary.)

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

Lydia Lopez, City Secretary

Printed or Typed Name



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 9

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing, consideration and possible action on an ordinance amending Chapter 58-Sign Regulations of the Code of Ordinances of the City of Hewitt providing a variance process.

STAFF RECOMMENDATION/ITEM SUMMARY:

This is a request to amend Chapter 58 Sign Regulations of the Code of Ordinances as it pertains to variances adding a section 58-2.1. A copy of the draft ordinance is included in the backup material.

ATTACHMENTS:

Draft ordinance

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY OF HEWITT, TEXAS AMENDING CODE OF ORDINANCES CHAPTER 58 BY ADDING SECTION 58-2.1- VARIANCES; PROVIDING FOR INCLUSION IN THE CODE: PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 216.901 of the Texas Local Government Code authorizes the governing body of a home rule municipality to regulate signs, in addition to a city's inherent powers as a home rule municipality under the Texas Constitution, and Chapters 9 and 216 of the Texas Local Government Code; and

WHEREAS, an amendment to the City of Hewitt's Sign Regulations has been proposed to provide for a variance procedure for certain properties along Interstate 35, and

WHEREAS, a public hearing was held where the public had the opportunity to speak for or against the proposed amendment; and

WHEREAS, the City Council of the City of Hewitt, Texas deems that this amendment is in accordance with the spirit and intent of the Code of Ordinances and is in the public interest.

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

SECTION ONE. Chapter 58 "Signs" of the Code of Ordinances of the City of Hewitt, Texas, is AMENDED to add the following section:

Sec. 58-2.1. – Variances

(A) City Council variance authority. For developments of more than two (2) acres abutting Interstate 35, the City Council may grant variances related to the provisions of Section 58-7 (p) Special Provisions.

(B) Variance procedure. A property owner or the owner's authorized representative may file an application with the Building Official for a variance that will provide the applicant appropriate relief from the standards of this chapter. Upon filing of an application, the Building Official will, within 10 business days, determine whether the application is complete. The application for a variance shall be accompanied by a non-refundable application fee in accordance with the most current master fee schedule. The Building Official will make arrangements with the City Secretary's office to have the item placed on the next available City Council agenda in accordance with the preset schedule for such meetings, or a public hearing. In no event will the hearing date be more than 45 days from the date the application for a variance is deemed complete. A public hearing will be held on each variance application. The City Council shall rule on the variance at the conclusion of the hearing.

- (C) Factors in Granting Variance. A variance may be granted if:
- 1) the topography or other special condition of the property not caused by the applicant supports granting the variance to improve sign visibility; or
 - 2) intervening structures or signs would block or substantially block the view from the Interstate of a sign standardly required in this Chapter, and the variance would enhance sign visibility, or
 - 3) other special circumstances support the variance, such as the size of the development, the distance of the development from the Interstate, or the business is of a type where such signage is a standard in the industry and without the variance the business would be at a serious competitive disadvantage.

But Only If:

- a) The requested sign will not block the view from the Interstate of any other sign or structure, or otherwise have a serious adverse effect on the use and enjoyment of neighboring properties;
- b) The applicant will suffer a substantial hardship if the variance is not granted due to less utilization of its development;
- c) Granting the variance would not be contrary to the public interest and is within the spirit of the ordinance and past practices; and
- d) The variance would further substantial justice and fairness.

(D) Notice. Notice of the variance hearing shall be by posting on the agenda for the City Council in compliance with applicable law (72 hours). Owners of land within 200 feet of the applicant's land according to the latest property tax records will be sent notice of the variance hearing posted to the U.S. Mail no less than five (5) days before the variance hearing.

SECTION TWO. Severability.

Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reason thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion of portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

SECTION THREE. 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 FOUR. Effective Date.

This ordinance shall take effect immediately from and after its passage.

SECTION FIVE. 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, *Chap. 551, Tex. Gov't Code*.

PASSED AND APPROVED this the 1st day of October, 2018 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

APPROVED AS TO FORM AND LEGALITY:

Michael W. Dixon, City Attorney

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 10

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Consideration and possible action on amendment to the fee schedule to include sign variance fee in the amount of \$250.

STAFF RECOMMENDATION/ITEM SUMMARY:

Approval of the ordinance amending Chapter 58 Sign Regulations of the Code of Ordinances providing a variances requires an amendment to the fee schedule. Staff is recommending that the fee be set at \$250. A copy of the revised fee schedule is included in the backup material.

ATTACHMENTS:

Revised Fee Schedule

HEWITT MASTER FEE SCHEDULE

Table of Contents

Department	Pages
Building Department	1-4
Police Department	5
Administration Fees	5
Library Fees	5
Facility Rental Fees	6
Customer Monthly Fees	7
Utility Fees	8-9

New Construction

New Construction Building Permit

New Construction Building Permit	\$0.22 sq. ft. under roof (per floor) min \$320
Electrical Permit	\$0.06 sq. ft. under roof (per floor)
Plumbing Permit	\$0.06 sq. ft. under roof (per floor)
Mechanical Permit	\$0.06 sq. ft. under roof (per floor)

General Permits

Alcohol Permit	\$60
Carport Permit	\$50, \$0.20 per sq. ft.
Commercial Accessory Building	\$75 min, \$9 per \$1,000
Commercial Building Permit – Temporary 72 hr.	\$50
Commercial Occupancy Inspection	\$50
Deck Permit	\$30
Demolition Permit	\$100
Estate Sale/Auction	\$50
Fence Permit	\$35
Flat Work Permit	\$40 min, \$0.02 per sq. ft.
Foundation Repair	\$30
Garage Sales	\$15
Gas Permit	\$24, \$6 per appliance
Hot Tub/Spa	\$100

Land Clearing Filling or Grading Permit	\$240
Lawn Sprinkler System Permit	\$25 base, \$1 per head/\$10 backflow
Mobile Home Move-In Permit	\$35
Moving a Building Permit	\$100
Patio Cover	\$35 min, \$0.10 per sq. ft.
Re-Inspect Fee	\$25 1 st time; \$10 increase cumulative after
Remodeling Permit	\$125 min, \$9 per \$1,000
Residential Accessory Building Permit	\$40 for 120 sq. ft. more + \$0.08 per sq. ft.
Roof Permit	\$35
Sign Permit	
Up to 72 sq. ft.	\$44
Up to 300 sq. ft.	\$75
Up to 600 sq. ft.	\$100
Sign Variance Request	\$250
Swimming Pool Permit (above/inground)	\$50/\$150
Temporary On-Site Storage Containers	\$10 first 15 days + \$25 next 16 days + \$50 for >30 days/year
Window Replacement Fee	\$25/\$25 Re-Inspect Fee

Electrical

Electrical Permit	\$24
Up to 400 Amp	\$11
Over 400 Amp	\$24
3 Phase Circuits	\$7
220 Circuits	\$6
110 Circuits	\$5
Equipment Motors	
½ hp – 50 hp	\$11
Over 50 hp	\$24
Transformers	
Up to 50 KVA	\$11
Over 50 KVA	\$24
Elevators	\$54
Signs	\$24
Temporary Service	
Carnivals or Similar	\$54

Mechanical

Mechanical Permit	\$24
Up to 250,000 BTU	\$17
250,000 – 500,000 BTU	\$34
Each Ad. 50,000 Over 500,000 BTU	\$5
Refrigerated Air Systems	
Up to 5 Tons	\$17
Over 5 Tons	\$34
Each Ad. Ton Over	\$5
Ventilation Systems	
Installation Blower or fan to duct system for each building	\$24

Plumbing

Plumbing Permit	\$24
Per Fixture, Traps, etc.	\$6
Sewer/Water	\$8
Vacuum Breakers	\$8
Backflow Device	\$24
Roof Drain Permit	\$24
Discharge Line	\$8
Roof Drain	\$6

Planning & Zoning

Application for Abandonment of Public Right of Way	\$300
Application for Amendment of the Zoning Ordinance	\$300
Application for Appeal to Board of Adjustment	\$300
Application for Preliminary Plat	\$150 + \$2 per acre
Application for Final Plat, Amended Plat, Administrative Plat	\$200
Application for Final Plat and Re-Plat with Infrastructure	\$200 + \$27 per lot
Application for Platting or Re-Platting with Variance Request	\$250 + \$2 per lot

Plat/Plan Review other than Original Review (Staff)	\$50 per hour, one hour minimum
Plat/Plan Review other than Original Review (Engineer)	\$150 per hour, one hour minimum

Fire Protection

Fire Protection Systems	\$55
Per Head	\$0.25
Underground Main	\$50
Fire Pump	\$30
Stand Pipe System	\$55
Per Outlet	\$5
Fire Alarm System	\$55
Per Device	\$1
Hood and Duct System	\$30
Per Nozzle	\$2.50
Commercial Paint Spray	\$30
Other Fire Suppression System	\$30
Per Head	\$55

Network Nodes, Node Support Poles & Transfer Facilities

Network Nodes-Application Fee	Lesser of: actual cost or \$500 for up to 5 Network Nodes, and \$250 for each additional Network Node on a permit (up to 30, per Sec 284.152(b))
Network Nodes-Annual Rental Rate	\$1,500 per Network Node site, with annual CPI adjustment
Node Support Poles-Application Fee	\$1,000 for each pole
Node Support Poles-Annual Rental Rate	\$1,500 per Network Node site, with annual CPI Adjustment
Transfer Facilities-Application Fee	\$500 for an application including up to 5 Network Nodes, and \$250 for each additional Network Node on a permit
Transfer Facilities-Monthly Rental Rate	\$500 monthly for each Network Node site
For all other applicants	\$200.00

Police Department Fees

Administration

Accident Reports	\$6
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Animal Control

Animal Registration	\$10 first 2 pets; \$2 each additional
Animal Reclaim/Disposal Fee	\$75

Administration Fees – Non Department

Returned Check Fee	\$35
NSF Electronic Draft Fee	\$35
Copies of Public Information	
Standard – 8.5x11	\$0.10 per page
Oversize – 11x17	\$0.50 per page
Postage/Shipping	Actual Cost
Other Media	
Audio Cassette	\$1 each
CD/RW or CD/R	\$1 each
Other Charges	Actual Cost

Public Library Fees

Material Fees - Overdue

Book	\$0.25 per day
DVD, Play-a-way, Audiobooks, VHS	\$1 per day
Tex-Share ILL	\$1 per day + \$5 processing fee + any fee by lending library
Lost Book	Cost of book + \$5 processing fee

Material Fees - Damaged

Damaged Books	Cost of damage is calculated by the amount of damage divided by cost of book + \$5 processing fee
Barcode Replacement	\$1
Media Case Replacement	\$5
Hanging Bag	\$1

Printing Fees

3D Printing	\$0.10 per gram
Paper Copy – Black & White	\$0.15
Paper Copy – Color	\$1.25
Large format Printing	Estimate per item: L x W x .035 x 40%

Other Fees

Lost Library Card Replacement	\$1
Return Check Fee	\$35

Facility Rental Fees

Amphitheatre

Private	\$150 per hour (4 hour min)
Deposit for Private	\$400 – refundable
Wedding Package Amphitheatre Only Friday – Sunday	\$1500 (10am – 11pm) + rehearsal (\$125/additional hour)
Wedding Package Amphitheatre Only Monday – Thursday	\$1200 (10am – 11pm) + rehearsal (\$125/additional hour)
Wedding Package Amphitheatre & Pavilion Friday – Sunday	\$1800 (10am – 11pm) + rehearsal (\$150/additional hour)
Wedding Package Amphitheatre & Pavilion Monday – Thursday	\$1440 (10am – 11pm) + rehearsal (\$150/additional hour)
Wedding Package Entire Park Friday – Sunday	\$2500 (10am – 11pm) + rehearsal (\$200/additional hour)
Wedding Package Entire Park Monday – Thursday	\$2000 (10am – 11pm) + rehearsal (\$200/additional hour)
Deposit	\$600 - refundable

Food Truck Permits

No Event	\$50/day (up to 12 hours)
Event	\$125/day (up to 12 hours)
Water Spigot Deposit	\$50 - refundable

Fields

Playing Field (practice)	\$30/practice (2 hour block)
Playing Field (game)	\$75/game (4 hour block)
Practice Field	First Come, First Serve

Park Facility

Park Pavilion – Hewitt/Warren Park – Up to 150 People	\$35 per hour (minimum 2 hours)
Park Pavilion – Hewitt/Warren Park – Over 150 People	\$50 per hour (minimum 2 hours)
Water Key	\$50 deposit – refundable upon return of key

Customer Monthly Fees

Water Rates

Residential, Commercial & Builders – Base Rate	1 st 3,000 Gal
5/8"	\$30
1"	\$63
1.5"	\$190
2"	\$190
3"	\$380
4"	\$380
6"	\$570
Volume Rate	Per 1,000 Gal
3,001 – 7,000 Gal	\$4.85
7,001 – 12,000 Gal	\$5.40
12,001+ Gal	\$5.85

Bulk Water Rates

Deposit	\$900
Set Fee & Move Fee	\$100

Base Rate for 3" Meter	\$380 per month + consumption
Consumption Rate	\$6.40 per 1,000 gallons
One Day Fee	\$35 per day for 5,000 gallons or less + \$6.40 per 1,000 gallons over 5,000 gallons

All Bulk Water will be sold in 1,000 gallon increments.

Wastewater Rates

#1 – Standard Wastewater Rates

Residential Base Rate – 1 st 5,000 Gal	\$26.50
Residential Volume Rate (Per 1,000)	\$4.50
Industrial Institution or Commercial Base Charge – 1 st 20,000 Gallons	\$57.25
Industrial Institution or Commercial Volume Rate (Per 1,000)	\$4.50

Wastewater Rates

#2 – Winter Average Rates

Single Family Residential Base Rate	\$18 (no minimum gallons)
Single Family Residential Volume Rate (Per 1,000)	\$2.80 (no maximum gallons)

Wastewater Rates

#3 – Flat Rate

Single Family Residential Flat Rate	\$36.50
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Drainage Fees

Residential	\$4.35
Commercial	
1 – 10,000	\$10.08
10,001 – 20,000	\$29.65
20,001 – 40,000	\$48.05
40,001 – 60,000	\$94.55
60,001 – 100,000	\$148.80
100,001 – 150,000	\$228.63
150,001 +	\$359.60

Trash Administrative Fee

Administrative Fee – Per Unit	\$1.50 per unit
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Trash – Pick Up

Residential	
Collection	\$15.76
Additional Polycart	\$4.67
Commercial	
Collection	\$16.41
Additional Polycart	\$4.67
Dumpster Overload Fee – Per cubic yard, Market Rate as Determined by Republic Services	\$25

Trash – Front Load Containers*

Size	1x	2x	3x	4x	5x	6x
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					

*Tax at 8.25% applies to all fees

Trash – Roll Off Containers*

Size	Type	Delivery	Rent Day	Rate/Load	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

*Tax at 8.25% applies to all fees

Utility Fees

Deposits – Residential/Commercial	\$50 - \$160 Credit Based
Initial Connection Fee	\$20
Delinquent Fees	10% of balance

Collection Services	25% of final balance
Non-Pay Reconnect	\$50 before 4pm
After Hours Non-Emergency Service Call	\$40 after 4pm
Meter Accuracy Check (Reread)	\$20
Meters up to 1" – Meter Testing Deposit	\$50
Meters greater than 1" up to 2" – Meter Testing Deposit	\$250
Meters larger than 2" – Meter Testing Deposit	Base Fee – Quoted on per cost basis

Tampering Fees

Tampering with Meter without City Permission	\$300 per event
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Water Taps & Meter Set**

Prior to the connection of any water line onto a city water main, the party requesting such connection shall pay the city the water service installation and meter fees for labor and materials as follows:

All Water Taps	\$1,000 Base Fee – Quoted on per cost basis
5/8" x 3/4" meter set	\$300 + cost of meter box if needed
3/4" x 3/4" meter set	\$300 + cost of meter box if needed
1" or larger service or meter set	Base Fee – Quoted on per cost basis

Wastewater Taps & Service Connection Fees**

All Wastewater Taps	\$500 Base Fee – Quoted on per cost basis
4" Tap	\$500 Base Fee – Quoted on per cost basis
6" Tap	\$500 Base Fee – Quoted on per cost basis
8" or Larger Lateral	\$500 Base Fee – Quoted on per cost basis

***In addition, service lines that require the cutting or boring of paved streets or alley will be subject to a minimum charge of \$500 Base Fee – Quoted on per cost basis. The decision of a bore or utility cut will be made by Community Services.*



COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 11

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing, consideration, and possible action on an ordinance granting or denying a sign variance request made by Cracker Barrel for development located at 221 Enterprise Blvd., Hewitt, Texas.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached for your consideration is a draft ordinance granting or denying a sign variance request by Cracker Barrel. Cracker Barrel has requested a variance to allow a 75 foot tall pole sign with a facing of 420 square feet. Staff is recommending approval. Supporting documents are also included for your review.

ATTACHMENTS:

Draft ordinance/supporting documents

ORDINANCE NO. 2018-

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS
GRANTING A VARIANCE TO SECTION 58-7(p) "SPECIAL PROVISIONS" OF
CHAPTER 58 "SIGNS" OF THE CODE OF ORDINANCES OF THE CITY OF
HEWITT, TEXAS TO ALLOW FOR SIGN REQUESTED BY DEVELOPMENT
LOCATED AT 221 ENTERPRISE BLVD., HEWITT, TEXAS (CRACKER BARREL)

CAME ON FOR CONSIDERATION a variance request by Cracker Barrel ("Applicant") for a pole sign to be located at its development at 221 Enterprise Blvd., Hewitt, Texas. The development exceeds two acres and abuts I-35, qualifying to apply for a variance under Section 58-2.1 of the Hewitt Code of Ordinances. After a public hearing on the variance the City Council considered and acted on the variance request.

Based on the information provided it is FOUND that the Applicant is entitled to the variance requested because:

- 1) the topography or other special condition of the property not caused by the applicant supports granting the variance to improve sign visibility; and/or
- 2) intervening structures or signs would block or substantially block the view from the Interstate of a sign standardly required in this Chapter, and the variance would enhance sign visibility

It is further FOUND that:

- a) The requested sign will not block the view from the Interstate of any other sign or structure, or otherwise have a serious adverse effect on the use and enjoyment of neighboring properties;
- b) The applicant will suffer a substantial hardship if the variance is not granted due to less utilization of its development;
- c) Granting the variance would not be contrary to the public interest and is within the spirit of the ordinance and past practices; and
- d) The variance would further substantial justice and fairness.

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

1. The recitals set forth above are incorporated and made findings of fact; and
2. The variance requested by Cracker Barrel for a 75 foot tall pole sign with a facing of 420 square feet is approved to be located at its development at 221 Enterprise Blvd., Hewitt, Texas is GRANTED.

PASSED AND APPROVED: October ____, 2018.

Ed Passalugo, Mayor
City of Hewitt, Texas

Attest:

Lydia Lopez
City Secretary



Via Electronic Mail

September 27, 2018

City Hewitt
State of Texas

Re: Cracker Barrel Old Country Store® located in Hewitt, TX

To Whom It May Concern:

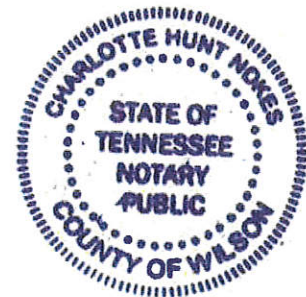
Jasen Riherd with Elrod Engineering is hereby authorized to present the request for sign variance to the City of Hewitt, Texas on behalf of CBOCS Texas, LLC. Enclosed with this letter is statement outlining the variance request.

Should you have any questions, please reach out to our Construction Project Manager, Jason Cherry at jason.cherry@crackerbarrel.com or 615-443-9387.

Regards,

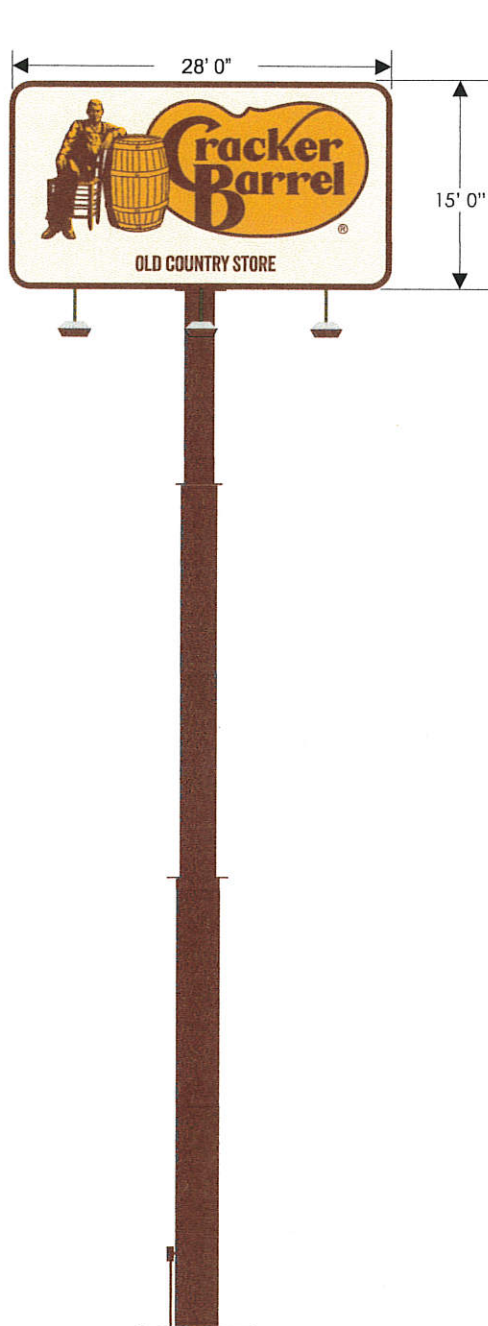
P. Doug Couvillion
President, CBOCS Distribution, Inc., CBOCS Texas, LLC's sole member

Enclosures

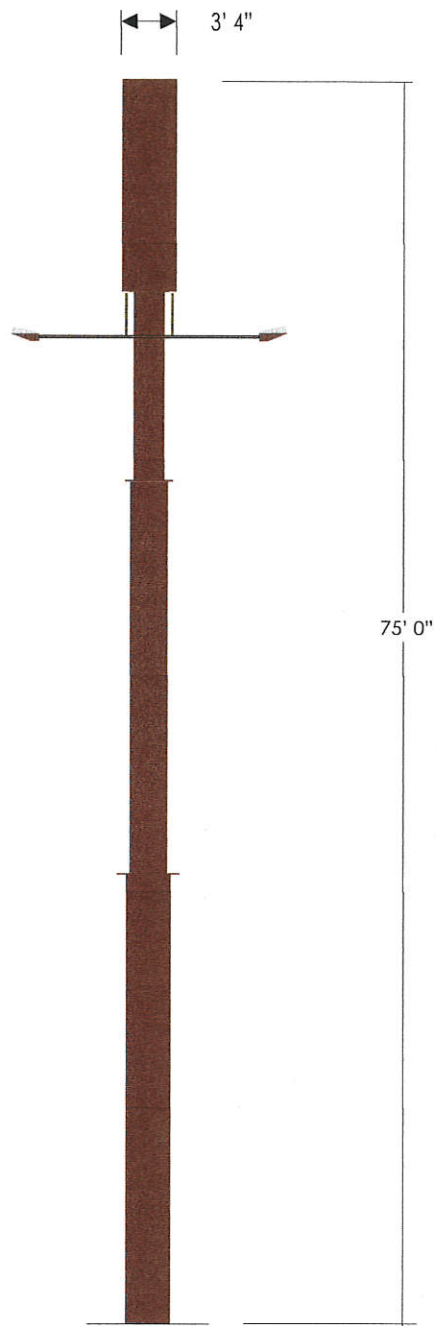


P.O. Box 787 • HARTMANN DRIVE
LEBANON, TENNESSEE 37088-0787
PHONE 615 444 5533

Charlotte H. Nokes
My Commission Expires
12/22/21.



Sign Elevation



Sign Profile

420sf porcelain faced cabinet at 75' OAH

Store #CB766
Hewitt TX

 ELROD ENGINEERING 410 New Salem Road, Suite 106 Murfreesboro, TN 37129 615.890.9405	SCALE:	NO: 420SF@75' Porcelain	
	DATE: 08/29/2018	REVISION:	REVISION DATE:

HEWITT TEXAS

Application of Sign Variance

Legal Description of Property: CRACKER BARREL OLD COUNTRY STORE

Describe the location of the property as submitted by this application. This may be in the form of a street address, general description, or nearest intersection.

221 ENTERPRISE BLVD
HEWITT TX

Number of Lots: 1 Number of Acres: 2.53 Flood Zone: X

Zoning Classification: BP

Existing Building(s) on Property: 1 - CRACKER BARREL

Total Square footage of all buildings on Property: BUILDING - 9170 SF PARK - 1316 SF

I, the undersigned property owner or applicant of the following described real property located in the City of Hewitt, Texas hereby make this application by variance, by requesting approval for the following project: (Include how the project plans vary from the Sign Ordinance): ALLOW A 470 SF DYON SIGN

AT 75' OVER ALL HEIGHT. CURRENTLY ALLOWED A MINIMUM
DUE TO LESS THAN 3 ACRE PARCEL & LESS THAN 100,000 SF
BUILDING.

Indicated the number and give a brief description of the Section of the Sign Ordinance for which the variance is being requested. SECTION 58-7 (P)(1)(a, b.)

a) THE TRACT OR LOT EXCEEDS 3 ACRES IN AREA.

b) THE BUILDING EXCEEDS 100,000 SF IN AREA.

Please provide the following recording information and a copy of the document(s) listed below with this application:

Ownership (deed): Doc. #/MCC No.: 2014013492

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule): OCTOBER 1ST

The Variance application must be completed along with the following information:

1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request and stating reasons for request.
2. Submit one (1) copy of survey and one (1) copy of building plans.
3. Non-refundable application fee (see fee schedule).
4. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see schedule).

I attest that the above information is true and correct to the best of my knowledge and I am now or will be fully prepared to present the above proposal at the City Council hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I, understand that in the event the undersigned is not present or represented at the public hearing, the City Council shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by the City Council.

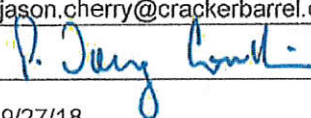
I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice to the City Council shall constitute a denial by the City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Name of Property Owner: CBOCS Texas, LLC

Telephone Number: 615-444-5533

Mailing Address: 307 Hartman DR., Lebanon, TN 37087

Email Address: jason.cherry@crackerbarrel.com

Signature of Property Owner: 

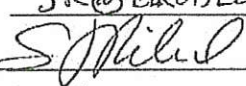
Date: 9/27/18

Name of Applicant/Representative: S. JASEN RIGERD AT TELROD ENGINEERING

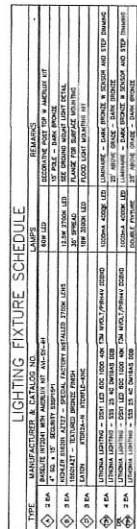
Telephone Number: 615 890 9405 E. 114

Mailing Address: 871 SEVEN OAKS BLVD #220 SMYRNA TN 37167

Email Address: JR@TELROD.LLC.com

Signature of Applicant/Representative: 

Date: 9.27.2018



CAUTION

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATION OF UTILITIES. THE CONTRACTOR SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE PROJECT. THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

GRAPHIC SCALE
1" = 30' FOR 30° & 45° PLAYS

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98. P.V.C. PHOTO CELL.
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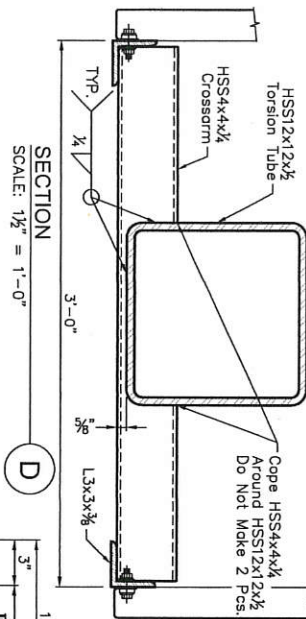


46

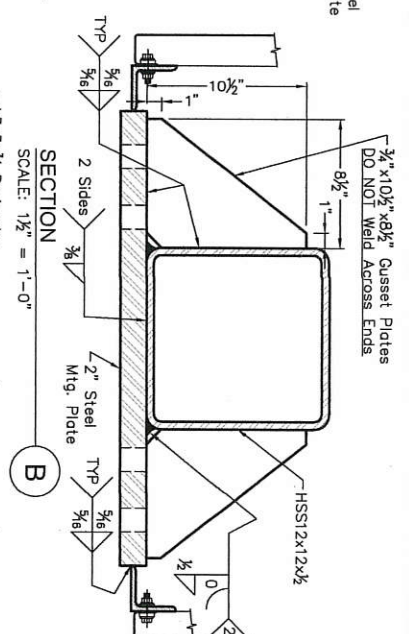


SECTION _____ A

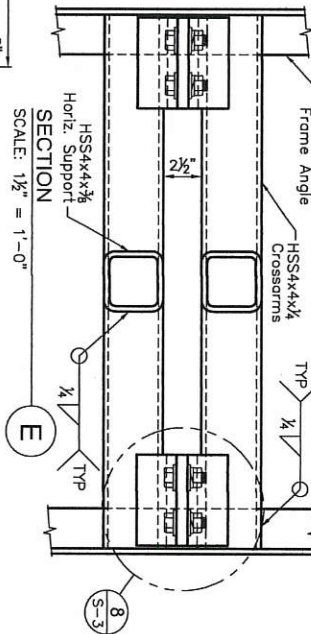
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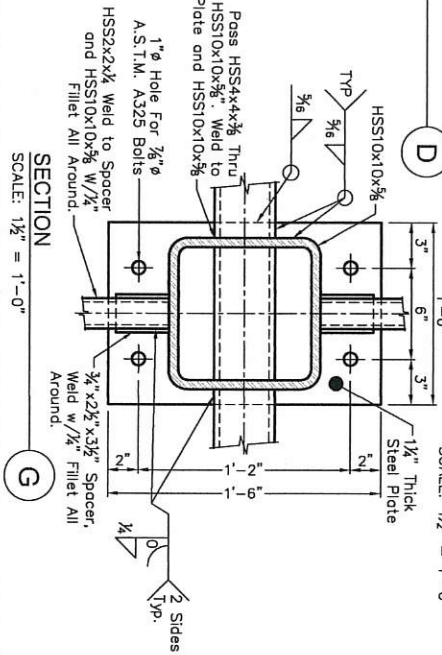
SCALE: 1/2" = 1'-0"



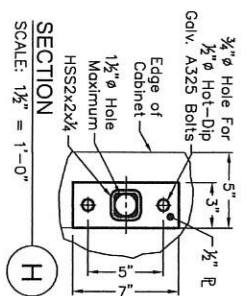
SCALE: 1/2" = 1'-0"



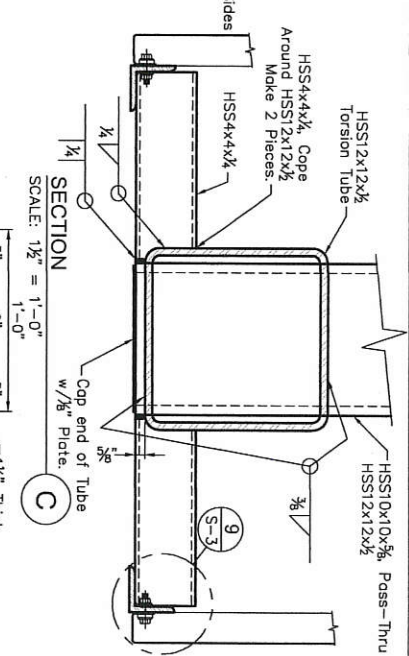
SCALE: $1\frac{1}{2}" = 1'-0"$



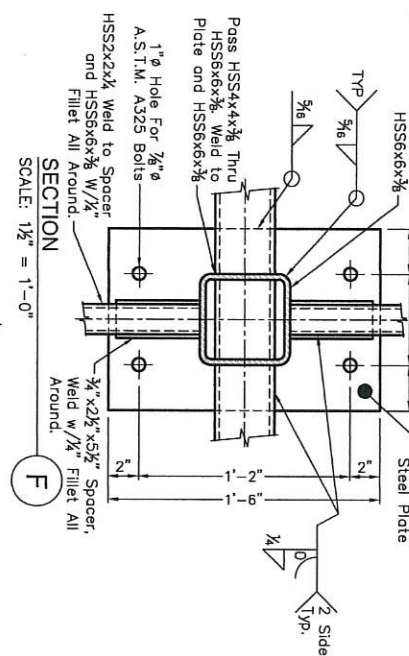
SCALE: 1½" = 1'-0"



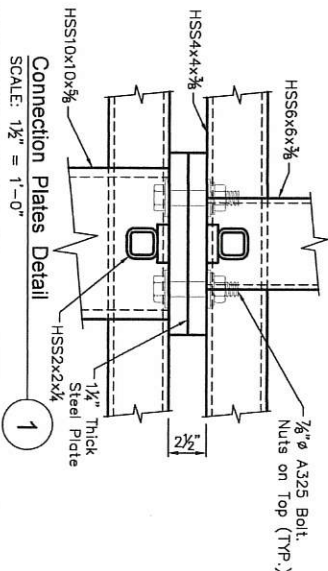
SCALE: $1\frac{1}{2}" = 1'-0"$



SCALE: 1/2" = 1'-0"



SCALE: $1\frac{1}{2}" = 1'-0"$



SCALE: 1/2" = 1'-0"



Drawn	TBC
Checked	MWL
EAC Job#	1633371
Filename	1633371.dwg
Created	07/06/2016



EuroD
ENGINEERING

8701 Swamp Lake Blvd, Suite 220
Naperville, IL 61767
866-399-5111

CLIENT:
SIGN PROGRAM
307 HARTMANN DRIVE
LEBANON, TN


Trucker Barrel
OLD COUNTRY STORE

STORE #: Program Book
SITE #: 163.0000
DWG #: C420PF-X3371

CRACKER BARREL
Program Drawing Book
Lebanon, TN

Revisions	
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HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: October 1, 2018

AGENDA ITEM #: 12

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consideration and possible action concerning on appointment of member(s) to the McLennan County 9-1-1 Emergency Assistance District.

STAFF RECOMMENDATION/ITEM SUMMARY:

The McLennan County 9-1-1 Board of Managers canvassed ballots received for Seat One (1) on its Board of Managers on September 12, 2018. Since no candidate received a majority (more than 50%) of the votes cast, a run-off between Bret Crook and Mary Jo Jaska is being held. According to the District, the votes are required to be returned by September November 9, 2018. The ballots will then be tabulated, and the individual with the majority of votes cast will be declared the appointee to Seat One.

ATTACHMENTS:

Supporting Documents



McLennan County 9-1-1 Emergency Assistance District

Proudly serving the citizens of McLennan County for over 30 years!

September 19, 2018

The Honorable Ed Passalugo
Mayor, City of Hewitt
200 Patriot Court
Hewitt, TX 76643

Re: Appointment of 9-1-1 Board Member to Seat One (1)

Dear Mayor Passalugo:

Recently the McLennan County 9-1-1 Emergency Assistance District requested from the municipalities located within McLennan County nominees for Seat 1 on its Board of Managers. Four names were submitted: Bret Crook, Kyle Deaver, Jeffrey Douglas, and Mary Jo Jaska. Following an allotted time for the municipalities to return ballots indicating their respective preference, the McLennan County 9-1-1 Board of Managers canvassed those ballots at its September 12, 2018 meeting with the following results, in alphabetical order:

- Bret Crook – 7 votes
- Kyle Deaver – 3 votes
- Jeffrey Douglas – 3 votes
- Mary Jo Jaska – 5 votes

Since no single candidate received a majority (more than 50%) of the votes cast a run-off between the two recipients that received the most votes, **Bret Crook** and **Mary Jo Jaska**, is necessary. For reference purposes, a brief personal biography provided by each nominee is contained within the following pages.

A ballot is included for the purpose of the run-off. Please use this ballot to indicate your city's preference, and return it so that it is received by and in the possession of McLennan County 9-1-1 prior to the deadline of 4:00 p.m. on November 9, 2018. A self-addressed, stamped envelope is provided for your convenience.

If there are any questions, please feel free to call this office.

Respectfully,

A handwritten signature in blue ink that reads "Jesse A. Harrison".

Jesse A. Harrison, ENP
Executive Director

Enclosure

107 Burnett Ct. • Woodway, TX 76712 • (254) 776-8911 • (254) 732-0544 Fax

McLENNAN COUNTY 9-1-1 EMERGENCY ASSISTANCE DISTRICT
BALLOT for SEAT ONE

The two finalists are listed below in alphabetical order.
Please select only one:

SEAT ONE

(select one)

_____ **BRET CROOK**, City of Woodway Public Safety Director

_____ **MARY JO JASKA**, Retired Nurse

City of _____

Mayor or designee signature: _____

Printed Name and Title: _____

Contact Number: _____

Date: _____

Please return this completed ballot to:

McLennan County 9-1-1 Emergency Assistance District
Attention: Jesse Harrison, Executive Director
107 Burnett Ct.
Woodway, TX 76712

(A self-addressed stamped envelope is provided for your convenience).

NOTE: Ballot forms MUST be received at the above address no later than
4:00 pm, Friday, November 9, 2018.