

HEWITT TEXAS

MINUTES OF A CITY COUNCIL REGULAR MEETING HEWITT CITY HALL – 200 PATRIOT COURT December 7, 2020 – 7:00 PM

Attendee Name	Title	Absent	Present	Arrived
Charles D. Turner (presiding)	Mayor, Ward 1	☐	☒	
Wilbert “Walky” Wachtendorf	Mayor Pro Tem, Ward 1	☒	☐	
Bill Fuller	Council Member, Ward 2	☐	☒	
Bob Potter	Council Member, Ward 2	☐	☒	
Michael S. Bancale	Council Member, At-Large	☐	☒	
Steve Fortenberry	Council Member, Ward 3	☐	☒	
Erica Bruce	Council Member, Ward 3	☐	☒	

Staff present:

City Manager Bo Thomas
City Secretary Lydia Lopez
Police Chief Jim Devlin
Library Director Waynette Ditto

Note: The meeting was live-streamed for view by the public on the Hewitt TX TV page. Citizens could submit written comments online.

REGULAR MEETING – 7:00 PM

- 1. CALL MEETING TO ORDER.** Mayor Charlie Turner called the meeting to order at 7:00 PM. City Secretary Lydia Lopez polled the Council for attendance.
PRESENT: Bancale, Fuller, Potter, Fortenberry, Bruce, and Turner
ABSENT: Wachtendorf
- 2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.** Mayor Charlie Turner led the Pledge of Allegiance.
- 3. 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. **NOTE:** The public was offered the opportunity to submit written comments on items listed on the agenda or under the hear visitors via the city’s website. **No public comment forms were submitted via the city’s website.**

4. CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL REGULAR MEETING OF NOVEMBER 16, 2020.

MOTION: Council Member Erica Bruce moved approval of the minutes as presented but allow for corrections.

SECOND: Council Member Bob Potter

AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Wachtendorf

MOTION PASSED.

5. PUBLIC HEARING AND ACTION ON ORDINANCE NO. 2020-21 REZONING OF PROPERTY KNOWN AS O'CAMPO C A-32 TRACT 1 (2.27 ACRES) LOCATED IN THE 400 BLOCK OF E. SPRING VALLEY RD., HEWITT, MCLENNAN COUNTY, TEXAS, FROM R-1 SINGLE FAMILY DISTRICT TO R-5 SINGLE FAMILY ATTACHED DWELLING DISTRICT. Mayor Charlie Turner opened the public hearing and called for those wishing to speak in favor. No written comments in favor were received, nor did anyone appear to speak in favor. Mayor Turner called for those wishing to speak in opposition. City Manager Bo Thomas advised that on pages 30-31 of the agenda packet there were two citizens who submitted written comments in opposition.

Mayor read into the record the following comments:

Richard Driver, 320 E. Spring Valley Rd., stated, "Express concern and opposition to two requests of Robert Cervenka on behalf of Roy Nash to rezone property located on/near Spring Valley Road from R-1-G Residential Single-Family Garden Home to R-5 Single-Family attached. Spring Valley Road is not currently designed to accommodate the amount of traffic and congestion witnessed daily, and the proposed construction of Single-Family units would overwhelm the highway in current configuration. Adding new home construction and required traffic to current configuration would increase congestion and disrupt flow of traffic in current configuration and disrupt plans for expansion and modification of the highway in upcoming years."

Ed Vogelsinger, 317 Nash Drive, wrote the following: "I am writing to express my strong opposition to Case #Z-2020-7, the proposed rezoning of O'Campo CA-32, Tracts 1, 1A, 1B, & 1C. There are a number of reasons I am opposed to rezoning, including traffic, environment, schools, and property values. Adding a street entering on to Spring Valley Rd. would increase traffic problems in that stretch of road. Drivers going north on Spring Valley are accelerating to get on the I-35 on-ramp. Others are stopping to turn left on Attaway Road. A neighborhood of duplexes are already going up near that intersection. This section of Spring Valley is at its max capacity.

Currently, the land has a rather large creek running through it. Even with skillful engineering, it does not seem practical to build higher density homes by eliminating a creek. There is other land available in McLennan County that does not require removing a creek.

Midway schools are reported at overcapacity, and the council should not approve rezoning that allows for townhomes or similar housing. This will only exacerbate the problem.

Property values are likely to go down if the area is rezoned. Many families, including myself, purchased homes with the understanding that the land near them would remain single family homes. By combining small townhomes with single family homes, the entire feel of the neighborhood changes. That “feel” means less dollars when prospective buyers drive through a neighborhood. This is not the direction that the City of Hewitt needs to be heading.

I urge you to not allow the proposed rezoning. I am confident that our neighbors have similar thoughts on the situation, even some who have not managed to submit a public comment explaining their opposition. I do hope that the potential developer involved in the case finds other property to develop into affordable housing within McLennan County.

Thank you for all that you do for our community. We appreciate you!”

Best regards,

Eric and Sara Vogelsinger

Council Member Michael Bancale read an email sent to him in opposition by Daren Bowden, 901 Eagle Nest Drive, stating, “With the current news of Spring Valley work being put on hold, I’m completely against rezoning the Nash Drive and Spring Valley area. The streets are overpopulated and townhomes, duplexes, etc., are not needed. Please vote NO on this issue and keep this area zoned as is.”

Mayor Turner closed the public hearing.

Council Member Michael Bancale also raised several concerns.

MOTION: Council Member Michael Bancale moved to deny this rezoning request and all associated rezoning request.

SECOND: Council Member Erica Bruce

AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Wachtendorf

MOTION PASSED.

Council Member Erica Bruce requested clarification on the vote. City Manager Bo Thomas recommended that each agenda item be acted on separately. Mayor Turner advised that he would reference the previous comments received.

6. **PUBLIC HEARING AND ACTION ON ORDINANCE NO. 2020-22 REZONING OF PROPERTY KNOWN AS O’CAMPO C A-32 TRACT 1A (1.258 ACRES) LOCATED IN THE 400 BLOCK OF E. SPRING VALLEY RD, HEWITT, MCLENNAN COUNTY, TEXAS, FROM R-1 SINGLE FAMILY DISTRICT TO R-5 SINGLE FAMILY ATTACHED DWELLING DISTRICT.** Mayor Charlie Turner opened the public hearing and called for those wishing to speak in favor. No written comments in favor were received, nor did anyone appear to speak in favor. Mayor Turner called for those wishing to speak in opposition. He referenced the above comments received in opposition read into the record above from Mr. Richard Driver and Mr. Eric Vogelsinger. The public hearing was closed.
MOTION: Council Member Michael Bancale moved to deny this rezoning request.
SECOND: Council Member Bob Potter
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Wachtendorf

MOTION PASSED.

7. **PUBLIC HEARING AND ACTION ON ORDINANCE NO. 2020-23 REZONING OF PROPERTY KNOWN AS O'CAMPO C A-32 TRACT 1B (2.39 ACRES) LOCATED IN THE 400 BLOCK OF E. SPRING VALLEY RD, HEWITT, MCLENNAN COUNTY, TEXAS, FROM R-1 SINGLE FAMILY DISTRICT TO R-5 SINGLE FAMILY ATTACHED DWELLING DISTRICT.** Mayor Charlie Turner opened the public hearing and called for those wishing to speak in favor. No written comments in favor were received, nor did anyone appear to speak in favor. Mayor Turner called for those wishing to speak in opposition. He referenced the above comments received in opposition read into the record above from Mr. Richard Driver and Mr. Eric Vogelsinger. The public hearing was closed.

MOTION: Council Member Michael Bancale moved to deny this rezoning request.

SECOND: Council Member Steve Fortenberry

AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Wachtendorf

MOTION PASSED.

8. **PUBLIC HEARING AND ACTION ON ORDINANCE NO. 2020-24 REZONING PROPERTY KNOWN AS O'CAMPO C A-32 TRACT 1C (2.05 ACRES) LOCATED IN THE 400 BLOCK OF E. SPRING VALLEY RD, HEWITT, MCLENNAN COUNTY, TEXAS, FROM R-1-G SINGLE FAMILY GARDEN HOME DISTRICT TO R-5 SINGLE FAMILY ATTACHED DWELLING DISTRICT.** Mayor Charlie Turner opened the public hearing and called for those wishing to speak in favor. No written comments in favor were received nor did anyone appear to speak in favor. Mayor Turner called for those wishing to speak in opposition. He referenced the above comments received in opposition read into the record above from Mr. Richard Driver and Mr. Eric Vogelsinger. The public hearing was closed.

MOTION: Council Member Michael Bancale moved to deny this rezoning request.

SECOND: Council Member Bill Fuller

AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Wachtendorf

MOTION PASSED.

9. **AUTHORIZE THE PURCHASE OF A NON CDL PIPE HUNTER SEWER JET TRUCK FROM TEXAS UNDERGROUND, INC., IN THE AMOUNT OF \$140,729.**

City Manager Bo Thomas presented.

MOTION: Council Member Steve Fortenberry moved to authorize the purchase of a non CDL Pipe Hunter sewer jet truck from Texas Underground, Inc., in the amount of \$140,729.

SECOND: Council Member Erica Bruce

AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Wachtendorf

MOTION PASSED.

- 10. AUTHORIZE THE PURCHASE AND INSTALLATION OF SECURITY SMART GLASS FOR THE CUSTOMER SERVICE WINDOWS AT COMMUNITY SERVICES TO ANDERSON GLASS IN THE AMOUNT OF \$11,600.** City Manager Bo Thomas presented.
MOTION: Council Member Michael Bancale moved to authorize the purchase and installation of security smart glass to Anderson Glass in the amount of \$11,600.
SECOND: Council Member Bill Fuller
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Wachtendorf
MOTION PASSED.
- 11. AUTHORIZE THE PURCHASE OF A 2021 FORD F-150 SUPER CAB 4X2 FOR UTILITY SERVICES FROM ROCKDALE COUNTRY FORD IN THE AMOUNT OF \$26,375.** City Manager Bo Thomas presented.
MOTION: Council Member Bob Potter moved to authorize the purchase of a 2021 Ford F-150 Super Cab 4x2 from Rockdale Country Ford in the amount of \$26,375.
SECOND: Council Member Steve Fortenberry
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Wachtendorf
MOTION PASSED.
- 12. CONSIDER APPOINTMENT OF MUNICIPAL COURT JUDGE AND ASSOCIATE MUNICIPAL COURT JUDGE.** City Manager Bo Thomas presented.
MOTION: Council Member Eric Bruce moved to approve the appointment of Municipal Court Judge Dan Francis and Alternate Judge Will Hudson.
SECOND: Council Member Bob Potter
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Wachtendorf
MOTION PASSED.
- 13. CONSIDER APPOINTMENTS AND/OR REAPPOINTMENTS OF MEMBERS TO THE PARKS & BEAUTIFICATION COMMITTEE AND THE LIBRARY BOARD.** City Manager Bo Thomas presented.
MOTION: Council Member Steve Fortenberry moved to reappoint Jerry Snider, Conway Briscoe, and Jamie McKinney to the Parks & Beautification Committee for a two year term expiring in December 2022, and also moved to reappoint Lydia Dashner and to appoint Julie Holcomb, Jennifer Hunt, and Jerry Snider to the Library Board for a two year term ending in December 2022.
SECOND: Council Member Michael Bancale
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Wachtendorf
MOTION PASSED.

- 14. CONSIDERATION AND ACTION ON RESOLUTION NO. 2020-14 AMENDING AND ADOPTING THE CITY OF HEWITT'S INVESTMENT POLICY.** City Manager Bo Thomas presented.
MOTION: Council Member Steve Fortenberry moved to approve **Resolution No. 2020-14** amending and adopting the City of Hewitt's Investment Policy.
SECOND: Council Member Bob Potter
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Wachtendorf
MOTION PASSED.
- 15. CONSIDERATION AND ACTION ON RESOLUTION NO. 2020-15 AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWO YEAR AGREEMENT WITH THE GREATER HEWITT CHAMBER OF COMMERCE FOR MARKETING AND PROMOTION.** City Manager Bo Thomas presented. Mayor Charlie Turner commended the Chamber staff for their work and partnership in promoting the city.
MOTION: Council Member Michael Bancale moved to approve **Resolution No. 2020-15** authorizing the City Manager to enter into two year agreement with the Greater Hewitt Chamber of Commerce.
SECOND: Council Member Bob Potter
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Wachtendorf
MOTION PASSED.
- 16. CONSIDERATION AND ACTION ON RESOLUTION NO. 2020-16 AUTHORIZING THE CITY MANAGER TO ENTER INTO A 380 AGREEMENT FOR ECONOMIC DEVELOPMENT WITH BDC FAMILY LIMITED PARTNERSHIP.** City Manager Bo Thomas presented.
MOTION: Council Member Steve Fortenberry moved to approve **Resolution No. 2020-16** authorizing the City Manager to enter into a 380 agreement for Economic Development with BDC Family Limited Partnership.
SECOND: Council Member Eric Bruce
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Wachtendorf
MOTION PASSED.
- 17. DISCUSSION AND BRIEFING CONCERNING THE CORONAVIRUS (COVID-19) AND ANY ACTIONS NECESSARY THERETO.** City Manager Bo Thomas presented a summary of Governor Abbott's Executive Order GA-32 which was noted in the letter from Texas Department of State Health Services included in the packet.
MOTION: Council Member Steve Fortenberry moved to approve the Order dated December 8, 2020.
SECOND: Council Member Bob Potter
AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner
NAYES: None
ABSENT: Wachtendorf
MOTION PASSED.

- 18. DISCUSSION AND ACTION ON CANCELLING THE COUNCIL MEETING ON DECEMBER 21, 2020.** City Manager Bo Thomas discussed cancellation of the next Council meeting.

MOTION: Council Member Eric Bruce moved to cancel the Council meeting of December 21, 2020.

SECOND: Council Member Michael Bancale

AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner

NAYES: None

ABSENT: Wachtendorf

MOTION PASSED.

- 19. ADJOURN.**

MOTION: Council Member Bill Fuller moved to adjourn the meeting at 8:03 PM.

SECOND: Council Member Bob Potter

AYES: Fuller, Potter, Bancale, Fortenberry, Bruce, and Turner

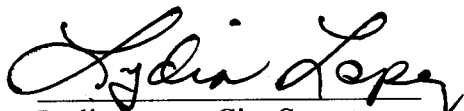
NAYES: None

ABSENT: Wachtendorf

MOTION PASSED.

Approved: 01-04-2021

ATTEST:


Lydia Lopez, City Secretary


Charles D. Turner, Mayor