

HEWITT TEXAS

CITY COUNCIL REGULAR MEETING AGENDA

June 21, 2021

Regular Meeting – 7:00 PM

**Hewitt City Hall, 200 PATRIOT COURT
HEWITT, TX 76643**

MAYOR AND CITY COUNCIL

Steve Fortenberry – Mayor, Ward 3

Michael S. Bancale – Mayor Pro Tem, At-Large

Charlie Turner – Council Member, Ward 1

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

Bob Potter – Council Member, Ward 2

Erica Bruce – Council Member, Ward 3

CITY STAFF

Bo Thomas, 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	Tracy Lankford, Community Dev. Director
Kevin Reinke, Utilities Director	Scott Coleman, General Services Director
Tuck Saunders, Assistant Police Chief	Jessica Higgins, HR Manager/Civil Service 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 **Monday, June 21, 2021, at 7:00 PM** in **Hewitt City Hall, Council Chamber, 200 Patriot Court**, Hewitt, Texas, at which time the following subjects will be discussed and upon which action may be taken:

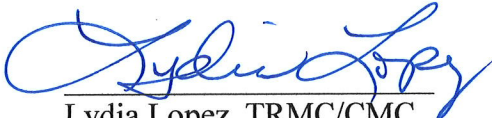
In accordance with social distancing guidelines, the City Council meeting will not be open to the public. Some council members may attend, while others may call in to participate. The meeting will be streamed live on the city's website at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>.

Citizens who wish to address the Council may submit written comments on any items listed on the agenda or under the hear visitors. Complete a [Public Comment form](#) available online and submit via email to the [City Secretary](#). Comments must be received no later than **noon** on the date of the meeting.

1. Call meeting to order.
2. Pledge of Allegiance to the U.S. Flag
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.*
4. Consider approval of minutes of the Regular Meeting of June 7, 2021.
5. Briefing and discussion concerning Financial Statements ending May 31, 2021.
6. Consideration and action on rescheduling the Council meeting of July 5, 2021.
7. Consideration and action on FY 2021-2022 member funding assessments for the Waco-McLennan County Public Health District.
8. Consideration and action on **Ordinance No. 2021-09**; conferring authority on the City Manager to make budgeted expenditures not exceeding \$50,000.
9. Consideration and action on **Ordinance No. 2021-10**; establishing a Planning and Zoning Commission.
10. Briefing and discussion concerning scheduling of Budget Workshops other than those planned at future regular scheduled city council meetings.
11. Briefing and discussion concerning Coronavirus (COVID-19) measures, protocols, and mitigation efforts.
12. Adjourn.

I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 1:00 AM/PM on June 16, 2021.

CITY OF HEWITT



Lydia Lopez, TRMC/CMC
City Secretary

In compliance with the American with Disabilities Act, the City of Hewitt will provide reasonable accommodations for persons attending and/or participating in this Council Meeting. To better serve you, request must be made at least 24 hours prior to the meeting. Contact the City Secretary at 254.666.6171 or by fax at 254.666.6014. The building is wheelchair accessible, with handicap parking available at the front of the building.



AGENDA ITEM #3 – HEARING OF VISITORS

PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

Due to the public health crisis (COVID-19) and social distancing guidelines, all City Council Meetings, will not be opened to the public; however, the meetings will be streamed live on the City of Hewitt's website at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>.

Citizens who wish to address the Council on any item on the agenda or under this hearing of visitors, must complete and submit the [Public Comment Form](#) via email to the [City Secretary](#) or in person at Hewitt City Hall, 200 Patriot Court by **NOON** on the day of the meeting. Your comments will be read into the record during the meeting.

Council may not comment publicly on issues raised during citizen comments that are not listed on the Agenda but may direct the City Manager to resolve or request the matter to be placed on a future agenda. Such public comments shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended.

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: June 21, 2021

AGENDA ITEM #: 4

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Regular Meeting of June 7, 2021.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a draft copy of the meeting minutes. Please review and advise if any corrections are needed.

FISCAL IMPACT:

Amount Budgeted – N/A
Line Item in Budget – N/A

SUGGESTED MOTION:

I move approval of the minutes as presented but to allow for corrections.

ATTACHMENTS:

Draft minutes

HEWITT TEXAS

**MINUTES OF A CITY COUNCIL
REGULAR MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
June 7, 2021 – 7:00 PM**

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

Staff present:

City Manager Bo Thomas
City Secretary Lydia Lopez
Fire Chief Lance Bracco
Police Chief Jim Devlin
Library Director Waynette Ditto
City Engineer Miles Whitney
Utilities Director Kevin Reinke
City Attorney Mike Dixon

Note: The meeting was live-streamed for view by the public on the City of Hewitt’s website at <https://www.cityofhewitt.com/790/Hewitt-TX-TV>. Citizens could submit written comments to the City Secretary.

REGULAR MEETING – 7:00 PM

- 1. CALL MEETING TO ORDER.** Mayor Steve Fortenberry called the meeting to order at 7:00 PM. Mayor Fortenberry noted that all members of the Council were present with the exception of Council Member Charlie Turner.
- 2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.** Mayor Steve Fortenberry 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. Mayor Steve Fortenberry inquired if any public comments were received. **City Secretary responded no public comment forms were submitted.**

4. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL SPECIAL CALLED WORKSHOP AND SPECIAL CALLED MEETING OF MAY 24, 2021.**
MOTION: Council Member Wilbert “Walky” Wachtendorf moved approval of the minutes as presented but to allow for corrections.
SECOND: Council Member Bill Fuller
AYES: Fuller, Potter, Bancale, Bruce, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: Turner
MOTION PASSED.

5. **PRESENTATION OF REPORT FROM CITY ENGINEER MILES WHITNEY, P.E.**
 - Update on pending utility projects.
 - Update on pending street projects.
 - Update on pending drainage projects.

6. **AUTHORIZE A CHANGE ORDER TO THE 2019 – FM 2113; UTILITY IMPROVEMENTS CONTRACT WITH BELL CONTRACTORS, INC., IN THE AMOUNT NOT TO EXCEED \$23,641.61.** City Engineer Miles Whitney presented an explanation for the change order.
MOTION: Council Member Bob Potter moved to authorize a change order to the contract with Bell Contractors, Inc., in an amount not to exceed \$23,641.61.
SECOND: Mayor Pro Tem Michael Bancale
AYES: Fuller, Potter, Bancale, Bruce, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: Turner
MOTION PASSED.

7. **AUTHORIZE THE CITY MANAGER TO EXPEND FUNDS TO PURCHASE TWO (2) DODGE CHARGER PATROL VEHICLES FROM DEFENDER SUPPLY IN A TOTAL AMOUNT \$74,962.** City Manager Bo Thomas presented.
MOTION: Mayor Pro Tem Michael Bancale moved to authorize the City Manager to expend funds to purchase two (2) Dodge Charger patrol vehicles from Defender Supply in the total amount of \$74,962.
SECOND: Council Member Bob Potter
AYES: Fuller, Potter, Bancale, Bruce, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: Turner
MOTION PASSED.

8. **CONSIDERATION AND ACTION ON ORDINANCE NO. 2021-07; ADOPTING THE CITY'S 2021 WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN IN CHAPTER 78 - UTILITIES OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT, TEXAS.** City Manager Bo Thomas presented.
MOTION: Council Member Wilbert "Walky" Wachtendorf moved to approve **Ordinance No. 2021-07** adopting the City's 2021 Water Conservation and Drought Contingency Plan in Chapter 78 – Utilities of the Code of Ordinances of the City of Hewitt, Texas.
SECOND: Council Member Bill Fuller
AYES: Fuller, Potter, Bancale, Bruce, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: Turner
MOTION PASSED.
9. **CONSIDERATION AND ACTION ON ORDINANCE NO. 2021-08; ADOPTING THE AMENDED CITY CHARTER AS APPROVED AT THE MAY 1, 2021 CHARTER AMENDMENT ELECTION.** City Manager Bo Thomas presented. City Attorney Mike Dixon stated that the City Council had to approve the final amended Charter and the City Secretary would submit a certified copy to the Secretary of State.
MOTION: Mayor Pro Tem Michael Bancale moved approval of **Ordinance No. 2021-08** adopting the amended City Charter.
SECOND: Council Member Wilbert "Walky" Wachtendorf
AYES: Fuller, Potter, Bancale, Bruce, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: Turner
MOTION PASSED.
10. **BRIEFING AND DISCUSSION CONCERNING CORONAVIRUS (COVID-19) MEASURES, PROTOCOLS, AND MITIGATION EFFORTS.** City Manager Bo Thomas stated that he had responded to an inquiry from a local newspaper reporter inquiring when the Council would be opening up Council meetings to the public. Mr. Thomas provided an explanation of the recent Council discussions on the subject matter and noted that the Open Meetings Act rules were still suspended per the Governor.
11. **ADJOURN.**
MOTION: Council Member Bill Fuller moved to adjourn the Regular Meeting at 7:22 PM.
SECOND: Mayor Pro Tem Michael Bancale
AYES: Fuller, Potter, Bancale, Bruce, Wachtendorf, and Fortenberry
NAYES: None
ABSENT: Turner
MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Steve Fortenberry, Mayor

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: June 21, 2021

AGENDA ITEM #: 5

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Briefing and discussion concerning Financial Statements ending May 31, 2021.

STAFF RECOMMENDATION/ITEM SUMMARY:

The financial statements ending May 31, 2021, were sent electronically to city council on June 10, 2021. This is an opportunity for the council to ask any questions or make comments.

FISCAL IMPACT:

Amount Budgeted – N/A
Line Item in Budget – N/A

SUGGESTED MOTION:

No action required.

ATTACHMENTS:

None.

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: June 21, 2021

AGENDA ITEM #: 6

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consideration and action on rescheduling the Council meeting of July 5, 2021.

STAFF RECOMMENDATION/ITEM SUMMARY:

The Independence Holiday will be observed on July 5, 2021; therefore, staff recommends the Council meeting be rescheduled to July 6, 2021.

FISCAL IMPACT:

Amount Budget - NA
Line Item in Budget - NA

SUGGESTED MOTION:

I move that we approve the rescheduling of the Council meeting of July 5, 2021 to July 6, 2021.

ATTACHMENTS:

None

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: June 21, 2021

AGENDA ITEM #: 7

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consideration and action on FY 2021-2022 member funding assessments for the Waco-McLennan County Public Health District.

STAFF RECOMMENDATION/ITEM SUMMARY:

The City of Hewitt along with McLennan County, the City of Waco, and 18 other local municipalities jointly participate and fund the Waco-McLennan County Public Health District. The District provides a multitude of services specifically related to improving the overall health and wellness of McLennan County residents. Most residents are aware of the health inspections and permits for food establishments and restaurants. Many residents, however, are not aware of the Epidemiological Services, Public Health Nursing Services, immunizations, and HIV/STD services rendered annually to Hewitt residents.

The cooperative agreement was amended and approved by Council on June 4, 2018. This amended agreement included annual gradual increases in funding per member cities. The current contribution of \$2.40 per person will increase to \$2.70 per person. The funding assessments are based Hewitt's population which is estimated at 14,937. This translates to \$40,329.90 for the upcoming Fiscal Budget Year 2021-2022. This amount is included in the proposed budget. The attached Funding Choice Form needs to be completed by August 20, 2021.

FISCAL IMPACT:

Amount Budgeted – \$40,329.90
Line Item in Budget – 10-50409-61-00

SUGGESTED MOTION:

I move to approve the funding assessments for the Waco-McLennan County Public Health District for FY 2021-2022.

ATTACHMENTS:

Funding Letter from Health District



Waco-McLennan County Public Health District

LaShonda Malrey-Horne, Director of Public Health

225 W. Waco Drive, Waco, Texas 76707

Phone 254-750-5459

Fax: 254-750-5452

LaShondaM@wacotx.gov

City of Bellmead

June 3, 2021

City of Beverly Hills

Mayor Steve Fortenberry

City of Bruceville-Eddy

City of Hewitt

City of Crawford

200 Patriot Court

Hewitt, TX 76643

City of Gholson

Dear Mayor Fortenberry:

City of Golinda

City of Hallsburg

The Waco-McLennan County Public Health District (Health District) is the entity created by the Waco-McLennan County Public Health District Cooperative Agreement, executed by McLennan County and municipalities located in McLennan County to perform public health functions. The Health District performs public health functions through the provision of child/adult immunizations, epidemiology and communicable disease investigations and treatment, health education, public health emergency preparedness and other services.

City of Hewitt

City of Lacy-Lakeview

City of Leroy

City of Lorena

Health District staff endeavors to provide high quality preventive health services in order that McLennan County residents have an opportunity to live in a community where all people can live, work, play and thrive. While continuing to play a vital role in the education and support of healthier lifestyle choices for citizens, we are advancing Public Health with the lens of health equity through 1) Bridging the gap between public health and primary care, 2) Building a culture of health both internally & community-wide, and 3) Being a voice to champion health equity. This will be accomplished through the provision of public health services and partner collaborations being under girded by four key strategic priorities: 1) Effective Communication, 2) Meaningful Engagement, 3) Strong Leadership and 4) Intentional Synergy.

City of Mart

City of McGregor

City of Moody

City of Riesel

City of Robinson

City of Ross

City of Waco

Section 7.4 of the current Cooperative Agreement states that no later than May 1st of each year, the Director shall send to the Board and the governing body of each Member, a copy of the proposed budget and notice of the proposed contribution by each Government Member, based on the contribution formula outlined under subsection 7.5. Section 7.5.1 of the Cooperative Agreement, which was amended and approved for Fiscal Year 18-19, states that contributions for persons residing within Government Member cities shall begin at One Dollar and Eighty Cents (\$1.80) per person for persons residing within the corporate limits of the Member city. Each year, this pro capita contribution will increase by thirty cents (\$0.30), so that during the fifth year of this five-year agreement (or between October 1, 2022, and September 30, 2023), each Government Member city will contribute Three Dollars (\$3.00) per person residing within the corporate limits of the Member city.

City of West

City of Woodway

McLennan County

Fiscal Year 21-22 will be year 4 of the tiered funding contribution level. The current contribution of \$2.40 per person will increase to \$2.70 per person. If the City of Hewitt chooses to participate as a Funding Member, the annual contribution will be \$40,329.90 based on a population of 14,937 at \$2.70 per person. The funding assessment is based on the latest population figures available from the 2019 Estimates at Census.gov. Please complete the Funding Choice Form and return to April Snyder at the address on this letterhead by August 20, 2021. You may also email the completed form to Aprils@wacotx.gov or fax it to 254-750-5452. The proposed budget will be provided later.

I am appreciative of your support for preventive health services as a proven, cost effective means to improve the health status for our citizens. I would be happy to visit with you or any of the council members to discuss any questions or concerns you may have prior to July 31, 2021.

Sincerely,

LaShonda Malrey-Horne

LaShonda Malrey-Horne
Director of Public Health

cc: Lydia Lopez, City Secretary, City of Hewitt
Bo Thomas, City Manager, City of Hewitt

City of Bellmead

City of Beverly Hills

City of Bruceville-Eddy

City of Crawford

City of Gholson

City of Golinda

City of Hallsburg

City of Hewitt

City of Lacy-Lakeview

City of Leroy

City of Lorena

City of Mart

City of McGregor

City of Moody

City of Riesel

City of Robinson

City of Ross

City of Waco

City of West

City of Woodway

McLennan County

FUNDING FOR FY 2021-2022

City of Hewitt with a population of 14,937

Is interested in being a:

☐ Non-Funding Member

☐ Funding Member

☐ at \$2.70 per person

Signed by: _____

Date: _____

Print Name & Title: _____

Please return to the Health District by either fax
(254)750-5452 or by mail to:

Waco-McLennan County Public Health District

Attention: Administration

225 W. Waco Drive

Waco, TX 76707

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: June 21, 2021

AGENDA ITEM #: 8

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

Consideration and action on **Ordinance No. 2021-09**; conferring authority on the City Manager to make budgeted expenditures not exceeding \$50,000.

STAFF RECOMMENDATION/ITEM SUMMARY:

Section 7.13 of the Amended City Charter, authorizes the City Manager to make expenditures for budgeted items not exceeding a certain amount established by ordinance of the City Council without further approval of the City Council.

The attached ordinance enacts the purchasing authority approved by the voters in the Special Charter Amendment Election of May 1, 2021. Staff recommends approval.

FISCAL IMPACT:

Amount Budgeted – NA
Line Item in Budget – NA

SUGGESTED MOTION:

I move to approve Ordinance No. 2021-09 conferring authority on the City Manager to make budgeted expenditures not exceeding \$50,000.

ATTACHMENTS:

Ordinance No. 2021-09

ORDINANCE NO. 2021-09

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS
CONFERRING AUTHORITY ON THE CITY MANAGER TO MAKE
BUDGETED EXPENDITURES NOT EXCEEDING THE LIMIT SET FORTH
HEREIN WITHOUT FURTHER CITY COUNCIL APPROVAL

WHEREAS, for budgeted expenditures, the City Council has already approved the expenditure by virtue of adopting the budget;

WHEREAS, the Amended City Charter provides that “the council may by ordinance confer upon the City Manager general authority to contract for expenditures without further approval of the Council for all budgeted items not exceeding the amount set by the Council in its ordinance,” and

WHEREAS, the City Council believes there is a need for such an ordinance to provide for more efficient government; and

WHEREAS, a logical amount is the dollar amount at which competitive bidding is required by state law, which is currently \$50,000.

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

1. In accordance with Section 7.13 of the Amended City Charter, the City Manager is authorized to make expenditures for budgeted items not exceeding \$50,000 without further approval of the City Council; and

2. The City Council reserves the right to amend this ordinance at any time.

PASSED this ____ day of _____, 2021.

CITY OF HEWITT, TEXAS

Steve Fortenberry, Mayor

Attest:

Lydia Lopez, City Secretary

Approved:

Michael W. Dixon, City Attorney



COUNCIL AGENDA ITEM FORM

MEETING DATE: June 21, 2021

AGENDA ITEM #: 9

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

Consideration and action on **Ordinance No. 2021-10**; establishing a Planning and Zoning Commission.

STAFF RECOMMENDATION/ITEM SUMMARY:

The attached ordinance enacts the changes to the Planning and Zoning Commission authorized by the Amended City Charter and approved by the voters in the Special Charter Amendment Election of May 1, 2021.

Staff recommends approval.

FISCAL IMPACT:

Amount Budgeted – NA
Line Item in Budget – NA

SUGGESTED MOTION:

I move to approve Ordinance No. 2021-10 establishing a Planning and Zoning Commission.

ATTACHMENTS:

Ordinance No. 2021-10

Ordinance No. 2021-10

AN ORDINANCE OF THE CITY OF HEWITT, TEXAS ESTABLISHING A PLANNING AND ZONING COMMISSION; PROVIDING FOR ALTERNATES; PROVIDING FOR TRANSITION; PROVIDING FOR TERMS; PROVIDING FOR OFFICERS; PROVIDING FOR MEETINGS; AND PROVIDING POWERS AND AUTHORITY TO THE PLANNING AND ZONING COMMISSION

WHEREAS, as authorized by the Amended Charter, certain changes to the Planning and Zoning Commission are to be made by the City Council through ordinance(s);

WHEREAS, the following are the City Council's acts to comply with the Amended Charter.

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

A. Establishment, Composition, Places, and Terms

1. The Planning and Zoning Commission of the City of Hewitt, Texas is established. Members of the Commission shall serve two (2) year terms.

2. The Commission consists of (7) members.

3. The current six (6) members (one vacancy) shall continue to serve for their terms as appointed.

4. The City Council shall appoint two (2) alternates to serve who may fill in during a meeting for any member(s) who is/are absent. Alternates may only vote on matters when filling in for an absent member. The commission may establish rules for determining the order in which alternates fill in for absent members.

5. Alternate positions are up for appointment by the Council every two (2) years.

B. Officers. The Commission shall select a Chairperson and Vice Chairperson from their number. The Chairperson shall be responsible for presiding over meetings of the Commission. In the Chairperson's absence, the Vice Chairperson may perform such functions.

C. Meetings. The Commission shall meet two (2) times per calendar month unless the second meeting is cancelled by the City Manager or designee for lack of business. A simple majority constitutes a quorum for the Commission to conduct business.

D. Powers. The Commission shall have all powers granted to it by state law and all powers and authority granted to it by the Ordinances of the City of Hewitt.

PASSED this ____ day of _____, 2021.

CITY OF HEWITT, TEXAS

Steve Fortenberry, Mayor

Attest:

Lydia Lopez, City Secretary

Approved:

Michael W. Dixon, City Attorney