

HEWITT TEXAS

**MINUTES OF A CITY COUNCIL
WORKSHOP/REGULAR MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
April 16, 2018 – 5:30 PM/7:00 PM**

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

Members absent: Mayor Travis Bailey

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

Staff absent: City Attorney Charlie Buenger

WORKSHOP – 5:30 PM

1. Mayor Pro Tem Ed Passalugo called the meeting to order at 5:30 PM.
2. City Manager presented an update on municipal business:
 - a. Report from City Engineer
 - b. Briefing and discussion concerning upcoming events:
 - o Earth Day Celebration - Warren Park – April 21, 2018, 10:00 AM to 12:00 PM
 - o Citizens Police Academy – February 20, 2018 through April 24, 2018
 - o Nacho Daddy (Greater Hewitt Chamber Event) Warren Park – May 12, 2018, 5:30 to 9:00 PM
 - o Waste Diversion Day – May 19, 2018
 - c. Briefing and discussion concerning financial reports.
 - d. Briefing and discussion concerning Brush and Bulk Collection Site.
 - e. Briefing and discussion concerning vacancies and appointments.
 - f. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - o Midway ISD – School Resource Officer (SRO)
3. The regular meeting agenda was reviewed.
4. *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Bill Fuller to convene Executive Session at 6:33 PM pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:*

- **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**
5. **Close Executive Session/Adjourn.** *A motion was made by Council Member Bill Fuller and second by Council Member Steve Fortenberry to close the Executive Session and adjourn the Workshop at 6:55 PM; all six in favor, motion passed.*

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER.** Mayor Pro Tem Ed Passalugo called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG –** Mayor Pro Tem Ed Passalugo asked Police Chief Jim Devlin to lead the Pledge of Allegiance.

Item not listed on the printed agenda: Hewitt Police Chaplain Leroy Grant, Jr. provided an invocation.

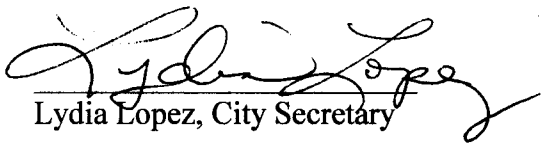
3. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP AND REGULAR MEETING OF APRIL 2, 2018.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Kurt Krakowian to approve the minutes as submitted but allow for corrections; all six in favor, motion passed.*
4. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** *Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda. NONE*
5. **PUBLIC HEARING AND ACTION ON AN ORDINANCE AMENDING APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT BY THE REZONING OF 699 SUN VALLEY BLVD. (BEING PROPERTY LOCATED IN THE HEWITT MOBILE HOME DISTRICT, BLOCK A, LOT 16, +/- 1.6774 ACRES) FROM MH MANUFACTURED HOME DISTRICT TO BP BUSINESS PARK DISTRICT, PROVIDING AN EFFECTIVE DATE.** Mayor Pro Tem Ed Passalugo asked for those who wished to speak in favor. Feliciano Feregrino appeared in favor. Mayor Pro Tem Ed Passalugo asked for those who wish to appear in opposition. No one appeared. Public hearing was closed. *A motion was made by Council Member James Vidrine and second by Council Member Wilbert “Walky” Wachtendorf to approve the ordinance; all six in favor, motion passed.*
6. **CONFIRM CITY MANAGER’S APPOINTMENT OF SAMMY L. THOMAS TO THE POLICE OFFICERS’ CIVIL SERVICE COMMISSION IN ACCORDANCE WITH CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Steve Fortenberry to confirm City Manager’s appointment of Sammy L. Thomas to the Police Officers’ Civil Service Commission; all six in favor, motion passed.*

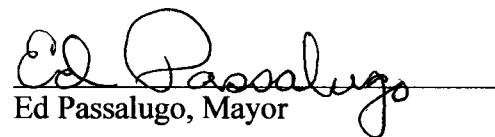
7. **CONSIDER REAPPOINTMENTS TO THE BOARD OF ADJUSTMENT.** *A motion was made by Council Member Bill Fuller and second by Council Member Kurt Krakowian to approve the reappointment of Jim Winton and Brad Turner; all six in favor, motion passed.*
8. **CONSIDER ACTION TO AMEND THE CITY OF HEWITT POLICY FOR ADMINISTRATION OF BOARDS, COMMISSIONS, AND COMMITTEES TO ALLOW INDIVIDUALS TO CONCURRENTLY SERVE ON MORE THAN ONE BOARD, COMMISSION, OR COMMITTEE UNLESS PROHIBITED BY LAW.** Council Member James Vidrine asked for clarification on the policy. City Manager Adam Miles advised that this policy would allow City Council to formally appoint a member to serve on two boards. *A motion was made by Council Member Bill Fuller and second by Council Member Steve Fortenberry to approve; all six in favor, motion passed.*
9. **CONSIDER AWARD OF BID FOR 2018 – VARIOUS STREET IMPROVEMENTS; SLURRY SEAL TO VIKING CONSTRUCTION, INC., IN THE AMOUNT OF \$177,740.30.** *A motion was made by Council Member Bill Fuller and second by Council Member Wilbert “Walky” Wachtendorf to approve bid; all six in favor, motion passed.*
10. **CONSIDER AWARD OF BID FOR 2017 – 209/213 CROSS COUNTRY DRIVE DRAINAGE IMPROVEMENTS TO HOLY CONTRACTORS, LLC IN AN AMOUNT OF \$63,417.21.** *A motion was made by Council Member Kurt Krakowian and second by Council Member Steve Fortenberry to approve bid; all six in favor, motion passed.*
11. **AUTHORIZE CITY MANAGER TO NEGOTIATE AND EXECUTE WACO METROPOLITAN AREA REGIONAL SANITARY SEWERAGE SYSTEM (WMARSS) PROJECT AGREEMENT RELATED TO THE LA SALLE TRANSFER LIFT STATION/FORCE MAIN PROJECT IN AN AMOUNT NOT TO EXCEED \$3,304,502.24.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member James Vidrine to approve; all six in favor, motion passed.*
12. **AUTHORIZE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF AGREEMENT CONCERNING ACQUISITION OF LAND RELATED TO THE RITCHIE ROAD WIDENING PROJECT.** *A motion was made by Council Member Bill Fuller and second Council Member Kurt Krakowian to approve; all six in favor, motion passed.*
13. **CONSIDER AN ORDINANCE AMENDING CHAPTER 78 - UTILITIES, ARTICLE VII. - USE AND OCCUPANCY OF CITY’S RIGHTS-OF-WAY FOR PROVISION OF UTILITY, TELECOMMUNICATIONS AND CABLE SERVICES, OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT, PROVIDING RULES AND REGULATIONS RELATED TO NETWORK NODES, TRANSPORT FACILITIES AND NODE SUPPORT POLES, ADOPTING A DESIGN MANUAL, AMENDING THE MASTER FEE SCHEDULE, AND PROVIDING AN EFFECTIVE DATE.** City

Manager Adam Miles presented and responded to questions. Mayor Pro Tem Ed Passalugo expressed his opposition to the ordinance in that the phone companies would not be paying their fair share for the use of right of way and this State legislation takes away the rights of way owned by the citizens. City Manager recommended approval so that the City can maintain some provisions to regulate. *A motion was made by Wilbert “Walky” Wachtendorf and second by Council Member Bill Fuller to approve ordinance; three in favor (Wachtendorf, Fuller, Vidrine); three in opposition (Krakowian, Fortenberry, and Passalugo), motion failed.*

14. **CONSIDER AN ORDINANCE AMENDING PART II, APPENDIX A - ZONING, SECTION 12.102 - DEFINITIONS, OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT, PROVIDING FOR THE DEFINITION OF A BEAUTY SHOP, A BARBER SHOP, AND SEMI-PERMANENT COSMETICS, PROVIDING AN EFFECTIVE DATE.** *A motion was made by Council Member James Vidrine and second by Council Member Steve Fortenberry to approve ordinance; all six in favor, motion passed.*
15. **CONSIDER AN ORDINANCE AMENDING CHAPTER 30 - ENVIRONMENT OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT ESTABLISHING ARTICLE XI - STORMWATER, ESTABLISHING RULES AND REGULATIONS RELATED TO MANAGEMENT OF STORMWATER RUNOFF, ESTABLISHING BEST MANAGEMENT PRACTICES, PROVIDING FOR DEFINITIONS, PROVIDING FOR A PENALTY, REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member James Vidrine to approve ordinance; all six in favor, motion passed.*
16. **ADJOURN.** *A motion was made by Council Member Bill Fuller and second by Council Member Kurt Krakowian to adjourn the regular meeting at 7:31 PM; all six in favor, motion passed.*

Approved: May 7, 2018


Lydia Lopez, City Secretary


Ed Passalugo, Mayor