

HEWITT TEXAS

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

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

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

Staff absent: City Attorney Charlie Buenger

WORKSHOP – 5:30 PM

1. Mayor Travis Bailey 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:
 - Nacho Daddy (Greater Hewitt Chamber Event) Warren Park – May 12, 2018, 5:30 to 9:00 PM
 - Waste Diversion Day – May 19, 2018
 - c. Briefing and discussion concerning Preliminary Tax Roll.
 - d. Briefing and discussion concerning financial reports.
 - e. Briefing and discussion concerning post-election procedures.
 - f. Briefing and discussion concerning Brush and Bulk Collection Site.
 - g. Briefing and discussion concerning vacancies and appointments.
 - h. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - Midway ISD – School Resource Officer (SRO)
3. Review of the regular meeting agenda. (Not Held)
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 Mayor Pro Tem Ed Passalugo and second by Council Member Steve Fortenberry to close the Executive Session and adjourn the Workshop at 6:55 PM; all seven in favor, motion passed.*

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER.** Mayor Travis Bailey called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Travis Bailey asked Police Chief Jim Devlin to lead the Pledge of Allegiance.
3. **SPECIAL PRESENTATION OF HEWITT POLICE HERO AWARD.** Police Chief Jim Devlin presented six-year old Boston Rosas with the “Hero Award” for his heroic actions on Wednesday, April 11, 2018. Boston called Hewitt 911 to report his stepmother was having difficulty breathing. His action saved her life.
4. **SPECIAL PRESENTATION OF PROCLAMATION IN RECOGNITION OF “MUNICIPAL CLERKS WEEK”.** Mayor Travis Bailey presented proclamation to City Secretary Lydia Lopez.
5. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP AND REGULAR MEETING OF April 16, 2018.** *A motion was made by Mayor Pro Tem Ed Passalugo and second by Council Member Bill Fuller to approve the minutes as submitted but allow for corrections; all seven in favor, motion passed.* Mayor Pro Tem noted a correction.
6. **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*

Note: Mayor Travis Bailey relinquished the Chair to Assistant City Attorney Kathleen Dow to preside over the following item:

7. **CONSIDER AND ACT ON DESIGNATION OF MAYOR.** Assistant City Attorney Kathleen Dow opened the floor for nominations. . *A motion was made by Council Member James Vidrine and second by Council Member Kurt Krakowian to nominate Ed Passalugo as Mayor; all seven in favor, motion passed.* Ed Passalugo was officially elected to the post of Mayor.

Note: Assistant City Attorney Kathleen Dow relinquished the chair to Mayor Ed Passalugo to preside for the remainder of the meeting.

8. **CONSIDER AND ACT ON DESIGNATION OF MAYOR PRO TEM.** Mayor Ed Passalugo called for nominations. *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Travis Bailey to nominate Steve Fortenberry as Mayor Pro Tem; all seven in favor, motion passed.* Steve Fortenberry was officially elected to the post of Mayor Pro Tem.

9. **PUBLIC HEARING AND ACTION ON A REQUEST FOR A SPECIAL USE PERMIT FOR A SPECIAL AND OTHER PRIVATE SCHOOL AT 1731 SPRING VALLEY BLVD. AS PRESCRIBED IN PART 4 OF APPENDIX-A ZONING OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT.** Mayor Ed Passalugo asked for those to who wished to speak in favor. Marie Billings, 601 Crestwood, applicant, appeared in favor and responded to Council inquiry regarding location of school and the number of students. 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 Travis Bailey to approve the special use permit; all seven in favor, motion passed.*

10. **CONSIDER APPOINTMENT TO THE PLANNING & ZONING COMMISSION.** City Manager Adam Miles stated that Mr. Jim Pless was not able to serve on the Board of Adjustment due to a conflict with the meeting times; however, expressed a desire to serve on the Planning and Zoning Commission. Council Member Wilbert “Walky” Wachtendorf confirm that Mr. Pless would be able to serve and had no conflict with meeting times. *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Kurt Krakowian to appoint Jim Pless; all seven in favor, motion passed.*

11. **CONSIDER AWARD OF BID FOR 2018 - SIERRA SLOPE/ANGEL FIRE STREET; STREET IMPROVEMENTS TO WACO PAVING IN THE AMOUNT OF \$30,861.12.** City Engineer Miles Whitney presented. *A motion was made by Council Member Travis Bailey and second by Council Member Bill Fuller to approve bid; all seven in favor, motion passed*

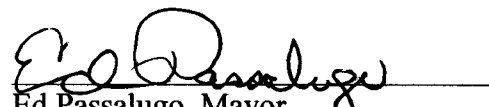
12. **AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERLOCAL COOPERATION ACT AGREEMENT WITH MCLENNAN COUNTY FOR SLURRY SEAL OF SELECTED PUBLIC ROADS IN MCLENNAN COUNTY ROAD SYSTEM, PRECINCT 4.** City Manager Adam Miles presented. *A motion was made by Council Member Bill Fuller and second by Council Member Travis Bailey to approve; all seven in favor, motion passed.*

13. **CONSIDER AND TAKE APPROPRIATE ACTION TO JOIN AS PLAINTIFF IN THE LAWSUIT BETWEEN THE CITY OF MCALLEN, ET AL, VS STATE OF TEXAS IN A CHALLENGE TO THE CONSTITUTIONALITY OF SB 1004, WHICH RELATES TO THE DEPLOYMENT OF NETWORK NODES IN MUNICIPAL RIGHTS-OF-WAY AND THE FEES CITIES MAY CHARGE FOR USE OF THEIR RIGHTS-OF-WAY.** City Manager Adam Miles presented. *A motion was made by Council Member Steve Fortenberry and second by Council Member Kurt Krakowian to approve; all seven in favor, motion passed.*

14. **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, AND PROVIDING AN EFFECTIVE DATE.** City Manager Adam Miles presented. *A motion was made by Council Member Wilbert "Walky" Wachtendorf and second by Council Member Bill Fuller to approve ordinance; all seven in favor, motion passed.*
15. **CONSIDER AMENDING THE MASTER FEE SCHEDULE CONCERNING FRANCHISE FEES AND SMALL CELL NODES.** City Manager Adam Miles presented options. *A motion was made by Council Member Steve Fortenberry and second by Council Member Bill Fuller to approve Option B (City "Market-Based" Fees); all seven in favor, motion passed.*
16. **AUTHORIZE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF AGREEMENT CONCERNING ACQUISITION OF LAND RELATED TO THE RITCHIE ROAD WIDENING PROJECT.** City Manager Adam Miles presented. *A motion was made by Council Member Bill Fuller and second by Council Member Travis Bailey to approve; six in favor and one opposition (Kurt Krakowian), motion passed.*
17. **CONSIDER AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS APPROVING AND DIRECTING INITIATION AND PROSECUTION OF EMINENT DOMAIN PROCEEDINGS FOR LAND NEEDED FOR THE RITCHIE ROAD PROJECT, AND ADDITIONAL AUTHORIZATIONS AND FINDINGS.** City Manager Adam Miles presented. *A motion was made by Wilbert "Walky" Wachtendorf and second by Council Member Travis Bailey to approve ordinance; all seven in favor, motion passed.*
18. **ADJOURN.** *A motion was made by Council Member Bill Fuller and second by Council Member Travis Bailey to adjourn the regular meeting at 7:30 PM; all seven in favor, motion passed.*

Approved: May 21, 2018


Lydia Lopez, City Secretary


Ed Passalugo, Mayor