

HEWITT TEXAS

**MINUTES OF A CITY COUNCIL
REGULAR MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
August 26, 2019 – 6:30 PM**

Members present: Mayor Charlie Turner (presiding), Mayor Pro Tem Wilbert “Walky” Wachtendorf, Council Members Bill Fuller, Michael S. Bancale, Matthew Mevis, Steve Fortenberry, and Erica Bruce

Staff present: City Attorney Mike Dixon, City Engineer Miles Whitney, City Manager Bo Thomas, Police Chief Jim Devlin, Fire Chief Lance Bracco, Community Development Director Tracy Lankford, Finance Director Lee Garcia, Library Director Waynette Ditto, Utilities Director Kevin Reinke, and City Secretary Lydia Lopez

Staff absent: Assistant Police Chief Tuck Saunders

1. Mayor Charlie Turner called the meeting to order at 6:30 PM. City Secretary Lydia Lopez polled the Council for attendance.
PRESENT: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.** Mayor Charlie Turner asked Betty Orton to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE SPECIAL CALLED MEETING OF AUGUST 12, 2019, AND SPECIAL CALLED MEETING OF AUGUST 19, 2019.** Mayor Charlie Turner called for those wishing to speak in favor. No one appeared. Mayor Turner called for those wishing to speak against. No one appeared. The public hearing was closed.
MOTION: Council Member Wilbert “Walky” Wachtendorf moved to approve the minutes but allow for corrections.
SECOND: Council Member Matthew Mevis
AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner
NAYES: None
ABSENT: None
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* Mayor Charlie Turner recognized those present to address the Council. **The following appeared:**

Ann Schiltz, 1220 Dendron, appeared to commend all city employees for their hard work and dedication; commended the Library for their wonderful programs such as Splash Day and Dog Days. She further spoke in favor of providing cell phones to council subject to the development of a cell phone policy.

Betty Orton, 912 Steamboat Circle, addressed the following budget concerns: large debt, recommended the Council consider setting aside a six month reserve, pay raises, purchasing policy, and suggested conservative spending.

Jeanne Passalugo, 137 E Chapman Rd., appeared in opposition to providing the Council with cell phones.

Debi Beaumont, 1055 Waverly Drive, addressed concerns with the inclusion of the dog park and splash pad being included in the Capital Improvements Plan list; suggested the Council spend funds for necessary streets improvements; and opposed providing the Council with cell phones.

5. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2019-17 ACCEPTING 2019 TAX ROLL.** City Manager Bo Thomas presented this item.
MOTION: Council Member Michael Bancale moved to approve Ordinance No. 2019-17 accepting the 2019 Tax Roll.
SECOND: Council Member Bill Fuller
AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner
NAYES: None
ABSENT: None
MOTION PASSED.

6. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2019-18 ADOPTING 2019 TAX RATE.** City Manager Bo Thomas presented this item and summarized the proposed tax rate.
Mayor Charlie Turner stated that although the tax rate remain the same, the increase in tax revenue was due to new development. Council Member Michael Bancale inquired as to how much of the increase was due to new development. City Manager responded 25-35%.
MOTION: Council Member Erica Bruce moved to approve that the property tax rate be increased by the adoption of a tax rate of .539677, which is effectively a 5.74% increase in the tax rate.
SECOND: Council Member Steve Fortenberry
AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner
NAYES: None
ABSENT: None
MOTION PASSED.

7. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2019-12 APPROVING FY 2019-2020 MASTER FEE SCHEDULE.** City Manager Bo Thomas presented and summarized changes.
MOTION: Council Member Michael Bancale moved to approve Resolution No. 2019 - 12 approving FY2019-2020 Master Fee Schedule.
SECOND: Council Member Matthew Mevis

AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner

NAYES: None

ABSENT: None

MOTION PASSED.

8. **A. CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2019-19 ADOPTING THE FY 2019-2020 ANNUAL OPERATING AND CAPITAL BUDGET.** City Manager Bo Thomas presented and summarized a brief overview of Budget.

Council Member Michael Bancale inquired about the 90 day Fund Balance requirement. Mr. Thomas responded that the 90 day Fund Balance requirement is a Government Finance Officers' Association (GFOA) standard.

Council Member Wilbert "Walky" Wachtendorf inquired whether the budget being voted on included funds for a dog park or splash pad. Mr. Thomas explained that these projects were not funded in this budget but are a part of the Capital Improvement Plan and would require future Council action.

MOTION: Council Member Erica Bruce moved to approve Ordinance No. 2019-19 adopting the FY 2019-2020 Annual Budget.

SECOND: Council Member Michael Bancale

AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner

NAYES: None

ABSENT: None

MOTION PASSED.

- B. CONSIDERATION OF AND ACTION ON RATIFICATION OF THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE BUDGET.** City Manager Bo Thomas presented.

MOTION: Council Member Steve Fortenberry moved to ratify the property tax increase reflected in the FY 2019-2020 Annual Budget.

SECOND: Council Member Bill Fuller

AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner

NAYES: None

ABSENT: None

MOTION PASSED.

9. **CONSIDERATION OF AND ACTION ON APPOINTMENT TO THE PARKS & BEAUTIFICATION COMMITTEE.** City Manager Bo Thomas presented prospective applicant Casey Lowrey. Mayor Charlie Turner offered the opportunity to Mr. Lowrey to briefly introduce himself.

MOTION: Council Member Bill Fuller moved to appoint Casey Lowrey to the Parks & Beautification Committee.

SECOND: Council Member Michael Bancale

AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner

NAYES: None

ABSENT: None

MOTION PASSED.

10. **ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED BOARD MEMBER OF THE PARKS & BEAUTIFICATION COMMITTEE.** City Secretary Lydia Lopez administered the oath to Casey Lowrey.

11. **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.

12. **CONSIDER AWARD OF BID FOR 2019 – APRIL LN./DECEMBER DR.; STREET IMPROVEMENTS TO WACO PAVING, INC. IN THE AMOUNT OF \$138,487.72.** City Engineer Miles Whitney, P.E. presented.
MOTION: Council Member Wilbert “Walky” Wachtendorf moved to approve the award of bid for 2019 – April Ln./December Dr.; Street Improvements to Waco Paving, Inc., in the amount of \$138,487.72.
SECOND: Council Member Matthew Mevis
AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner
NAYES: None
ABSENT: None
MOTION PASSED.

13. **AUTHORIZE AN ANNUAL MAINTENANCE AGREEMENT FOR THE AUTOMATED METER READING (AMR) EQUIPMENT WITH CORE & MAIN IN THE AMOUNT OF \$6,759.84.** City Manager Bo Thomas presented.
MOTION: Council Member Steve Fortenberry moved to authorize an annual maintenance agreement for the Automated Meter Reading (AMR) equipment with Core & Main in the amount of \$6,759.84.
SECOND: Council Member Matthew Mevis
AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner
NAYES: None
ABSENT: None
MOTION PASSED.

14. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2019-13 ADOPTING AND IMPLEMENTING THE APPROVED MCLENNAN COUNTY HAZARD MITIGATION ACTION PLAN (HMAP) AS IT RELATES TO THE CITY OF HEWITT.** City Manager Bo Thomas presented.
MOTION: Council Member Michael Bancale moved to approve Resolution No. 2019-13 adopting and implementing the approved McLennan County Hazard Mitigation Action Plan (HMAP) as it relates to the City of Hewitt.
SECOND: Council Member Matthew Mevis
AYES: Fuller, Bancale, Mevis, Wachtendorf, Fortenberry, Bruce, Turner
NAYES: None
ABSENT: None
MOTION PASSED.

15. **DISCUSSION REGARDING LEGISLATIVE CHANGES REQUIRING AMENDMENTS TO THE SUBDIVISION AND FLOODPLAIN ORDINANCE.**

City Manager Bo Thomas initiated discussion. City Attorney Mike Dixon informed the Council regarding H.B. 3167 which creates time deadlines for plat submissions is requiring substantial changes to the Subdivision Ordinance. Copies of the bill and a draft ordinance were distributed. City Engineer Miles Whitney briefly reviewed the proposed amendments to the Floodplain Ordinance and discussed changes to the Subdivision Ordinance. General inquiries were made. Both ordinances will be brought back for Council action on September 16, 2019.

16. **DISCUSSION REGARDING DEVELOPMENT OF A CELL PHONE POLICY SPECIFICALLY FOR CITY COUNCIL USE.**

City Manager Bo Thomas stated this item was brought forth at the request of two council members. Mr. Thomas also advised of the passage of S.B. 944 effective September 1, 2019, which requires that all City business conducted on personal devices (texts) be repositied or sent to the records custodian. He stated the premise of this item to seek direction from Council and ensure all members are treated equitably. City Attorney Mike Dixon recommended that Council consider city-issued cell phone to ensure proper compliance with the law and avoid possible civil and criminal penalties. Council Members made various inquiries. Lengthy discussion was held. Council Member Michael Bancala advised that he had a Facebook page and utilized the Next Door application to notify citizens of council meetings. City Attorney recommended Council not use or have a Facebook to conduct City business. Council Member Steve Fortenberry stated his support of city-issued cell phone for city business and would return the city-issued cell phone to the City Secretary. Council Member Bill Fuller requested training on the device. City Manager Bo Thomas advised that with the direction of the Council, staff would bring back the cell phone policy on the 16th.

17. **ADJOURN.**

MOTION: Council Member Bill Fuller moved to adjourn the meeting at 8:48 PM.

SECOND: Council Member Matthew Mevis

AYES: Fuller, Bancala, Mevis, Fortenberry, Bruce, Turner

NAYES: None

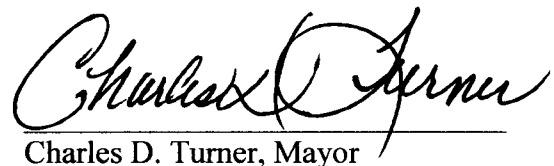
ABSENT: Wachtendorf

MOTION PASSED.

Approved: 09-16-2019

ATTEST:


Lydia Lopez, City Secretary


Charles D. Turner, Mayor