

HEWITT TEXAS

CITY COUNCIL REGULAR MEETING (AMENDED)

October 03, 2022 at 7:00 PM

Hewitt City Hall, 200 Patriot Court, Hewitt, TX 76643

AGENDA

Steve Fortenberry, Mayor, Ward 3

Michael S. Bancale, Mayor Pro Tem, At-Large – **Charlie Turner**, Council Member, Ward 1

Johnny Stephens, Council Member, Ward 1 – **Johnny Price**, Council Member, Ward 2

Bob Potter, Council Member, Ward 2 – **Erica Bruce**, Council Member, Ward 3

The meeting will be streamed live on the city's website at www.cityofhewitt.com/790/Hewitt-TX-TV.

REGULAR MEETING - 7:00 PM

DECLARATION OF A QUORUM AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

The City Council invites citizens to speak on any topic not already scheduled for a public hearing. The Texas Open Meetings Act prohibits the Council from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda. [Note: Prior to the meeting, the citizen must complete a "Public Comment Form" and present it to the City Secretary.]

REGULAR AGENDA ITEMS

1. Approve minutes of the City Council Regular Meeting of September 19, 2022.

EXECUTIVE SESSION: Notice is given that a closed meeting will be held pursuant to Section 551.072 of the Texas Government Code (V.T.C.A.) so that the Council may deliberate the purchase, exchange, lease, or value of real property--10 acres of land owned by the City of Hewitt on South Hewitt Drive.

EXECUTIVE SESSION: Notice is given that a closed meeting will be held pursuant to Section 551.074 of the Texas Government Code (V.T.C.A.) so that the Council may discuss personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee--Reorganization.

ADJOURNMENT

I certify that the above notice of meeting was posted on the Public Notice Board located in front of City Hall on September 29, 2022, by 5:00 PM.

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 City Council meetings. The facility is wheelchair accessible, with handicap parking available at the front of the building. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting by calling the City Secretary at 254.296.5602 or by fax at 254.666.6014.

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: October 3, 2022

AGENDA ITEM #: 1

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Approve minutes of the City Council Regular Meeting of September 19, 2022.

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

CITY COUNCIL REGULAR MEETING

September 19, 2022 at 7:00 PM

Hewitt City Hall, 200 Patriot Court, Hewitt, TX 76643

MINUTES

Steve Fortenberry, Mayor, Ward 3

Michael S. Bancale, Mayor Pro Tem, At-Large – **Charlie Turner**, Council Member, Ward 1

Johnny Stephens, Council Member, Ward 1 – **Johnny Price**, Council Member, Ward 2

Bob Potter, Council Member, Ward 2 – **Erica Bruce**, Council Member, Ward 3

REGULAR MEETING - 7:00 PM

DECLARATION OF A QUORUM AND CALL TO ORDER

Mayor Steve Fortenberry called the Regular Meeting to order at 7:00 PM and announced all members were present except Council Member Potter and Council Member Price. Mayor Fortenberry noted that Council Member Price would be arriving shortly.

PLEDGE OF ALLEGIANCE

Mayor Fortenberry invited the Midway Little League Champions to lead the pledge.

SPECIAL PRESENTATION(S) AND RECOGNITION(S)

- SPECIAL PRESENTATION OF PROCLAMATION IN RECOGNITION OF MIDWAY LITTLE LEAGUE 2022 ALL-STAR SOFTBALL TEAM - WORLD SERIES (12U) CHAMPIONS.** Mayor Fortenberry presented the proclamation declaring September 19, 2022, as Midway Little League World Series Championship Day.

NOTE: Council Member Price arrived at 7:07 PM.

PUBLIC COMMENTS

The City Council invites citizens to speak on any topic not already scheduled for a public hearing. The Texas Open Meetings Act prohibits the Council from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda. [Note: Prior to the meeting, the citizen must complete a “Public Comment Form” and present it to the City Secretary.]

Mayor Steve Fortenberry noted he received one public comment form. Mayor Fortenberry acknowledged David Hodson, 508C Sun Valley Blvd., Hewitt, TX 76643. He expressed appreciation to the city for allowing short-term rentals in the city, and he stated he had some questions about a letter received requiring registration and payment of hotel occupancy tax.

PUBLIC HEARINGS AND RELATED ACTION

2. PUBLIC HEARING AND ACTION ON ORDINANCE NO. 2022-12(A) APPROVING A REQUEST FOR A VARIANCE TO THE SIGN ORDINANCE FOR A PYLON SIGN LOCATED AT 325 ENTERPRISE BLVD. AS PRESCRIBED IN CHAPTER 58 SIGN REGULATIONS, SECTION 58-7 (P) SIGN REQUIREMENTS FOR NON-RESIDENTIAL USES, OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT. THE REQUEST IS TO ALLOW FOR THE INSTALLATION OF A 40-FOOT-TALL PYLON SIGN WITH APPROXIMATELY 80 SQUARE FEET OF FACING PER SIDE.

City Manager Bo Thomas presented. Mayor Steve Fortenberry opened the hearing at 7:15 PM. Mayor Fortenberry called for those wishing to speak in favor. Mike Beavers with Sensato addressed the Council on behalf of his client and requested the variance be approved. No one else appeared in favor. Mayor Fortenberry called for those in opposition. No one appeared. The public hearing was closed at 7:17 PM.

MOTION: Mayor Pro Tem Michael Bancale moved approval of **Ordinance No. 2022-12(A)** approving a sign variance request located at 325 Enterprise Blvd. for a 40-foot-tall pylon sign as presented.

SECOND: Council Member Johnny Price

AYES: Bruce, Price, Stephens, Turner, Bancale, and Fortenberry

NAYES: None

ABSENT: Potter

MOTION PASSED.

REGULAR AGENDA ITEMS

3. APPROVE MINUTES OF THE CITY COUNCIL WORKSHOP/REGULAR MEETING OF AUGUST 15, 2022.

MOTION: Council Member Charlie Turner moved approval of the minutes but to allow for corrections.

SECOND: Council Member Johnny Stephens

AYES: Bruce, Price, Stephens, Turner, Bancale, and Fortenberry

NAYES: None

ABSENT: Potter

MOTION PASSED.

4. DISCUSSION ON ITEMS DEEMED SURPLUS INVENTORY BY COUNCIL SOLD AT AUCTION.

City Manager Bo Thomas shared with the council the proceeds from the surplus sale and noted the amount received was \$34,425.00 instead of \$34,450. Council took no action.

5. BRIEFING AND DISCUSSION CONCERNING FINANCIAL STATEMENTS ENDING AUGUST 31, 2022.

City Manager Bo Thomas advised that Finance Director Lee Garcia previously sent the August Financial Statements electronically for the Council to review and inquired if Council had any questions. Council raised no questions or concerns. **No action was required.**

**6. PRESENTATION OF THE REPORT FORM CITY ENGINEER MILES WHITNEY, P.E.
UPDATE ON PENDING UTILITY PROJECTS
UPDATE ON PENDING STREET PROJECTS
UPDATE ON PENDING DRAINAGE PROJECTS.**

City Engineer Miles Whitney presented a review of the list of projects. Council took no action.

**7. DISCUSSION AND ACTION ON RESOLUTION NO. 2022-10 APPROVING A
NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING
COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION
REGARDING THE COMPANY’S 2022 RATE REVIEW MECHANISM FILINGS.**

City Manager Bo Thomas presented.

MOTION: Council Member Charlie Turner moved approval of **Resolution No. 2022-10** approving a negotiated settlement between Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division.

SECOND: Council Member Erica Bruce

AYES: Bruce, Price, Stephens, Turner, Bancale, and Fortenberry

NAYES: None

ABSENT: Potter

MOTION PASSED.

**8. DISCUSSION AND ACTION ON RESOLUTION NO. 2022-11 AUTHORIZING THE CITY
MANAGER TO EXECUTE AND SUBMIT AN APPLICATION TO THE SOUTHERN
TRINITY GROUNDWATER CONSERVATION DISTRICT (STGCD) FOR THE
CONSTRUCTION OF THE COMMERCE PARK WATER WELL.**

City Manager Bo Thomas presented. Council Member Turner requested clarification on the usage and expressed his concern.

MOTION: Council Member Charlie Turner moved approval of **Resolution No. 2022-11** authorizing the City Manager to execute and submit an application to the STGCD for construction of the Commerce Park Water Well.

SECOND: Council Member Erica Bruce

AYES: Bruce, Price, Stephens, Turner, Bancale, and Fortenberry

NAYES: None

ABSENT: Potter

MOTION PASSED.

**9. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2022-12 AUTHORIZING
THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO MUTUAL AID
AGREEMENTS WITH FIRE AND RESCUE AGENCIES WITHIN MCLENNAN COUNTY.**

City Manager Bo Thomas presented.

MOTION: Council Member Charlie Turner moved approval of **Resolution No. 2022-12** authorizing the City Manager or his designee to enter into mutual aid agreements with fire and rescue agencies within McLennan County.

SECOND: Council Member Erica Bruce

AYES: Bruce, Price, Stephens, Turner, Bancale, and Fortenberry

NAYES: None

ABSENT: Potter

MOTION PASSED.

10. DISCUSSION AND ACTION ON RESOLUTION NO. 2022-13 AUTHORIZING THE SUBMISSION OF FY 2023 BULLET-RESISTANT SHIELD GRANT FROM THE OFFICE OF THE GOVERNOR FOR HEWITT POLICE SCHOOL RESOURCE OFFICER BALLISTIC SHIELD PROJECT.

City Manager Bo Thomas presented and stated the items funded by this grant were already budgeted for the upcoming year, and the grant would offset part of the expense.

MOTION: Council Member Charlie Turner moved approval of **Resolution No. 2022-13** authorizing the submission of a grant application for the Hewitt Police School Resource Officer Ballistic Shield Project.

SECOND: Council Member Johnny Stephens

AYES: Bruce, Price, Stephens, Turner, Bancale, and Fortenberry

NAYES: None

ABSENT: Potter

MOTION PASSED.

ADJOURNMENT

MOTION: Council Member Charlie Turner moved to adjourn the meeting at 7:49 PM.

SECOND: Council Member Johnny Stephens

AYES: Bruce, Price, Stephens, Turner, Bancale, and Fortenberry

NAYES: None

ABSENT: Potter

MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Steve Fortenberry, Mayor