



REGULAR MEETING MINUTES July 18, 2019

1. CALL TO ORDER, INVOCATION AND PLEDGES TO FLAGS

Mayor Andy Williams called the meeting to order at 6:00 pm. A quorum was present. Butch Reis, George French III, David Williams and James Bilberry were all present. Mayor Pro-tem Joan Hinshaw was absent.

Councilmember James Bilberry performed the Invocation. Mayor Andy Williams led the Pledge to Flags.

2. CITIZENS/VISITORS' FORUM

Beverly Chilton, Business Director of Federal Comp & Wellness Center in Nolanville – Ms. Chilton expressed dealing with the challenging since moving to their location. Ms. Chilton says there are problems with the post office and 911 addressing regarding 1875 E. Central Texas Expressway.

3. PUBLIC HEARINGS

- A. Public hearings will be held to consider the approval of a zoning amendment, amending Chapter 14, Zoning, Article II, Definitions, Section 201.1, Interpretation of Words and terms, to add definitions.
- B. Public hearings will be held to consider the approval of an amendment, amending Chapter 14, Zoning, Exhibit A, Land Use Chart, to change permitted uses in the B-1, Professional Business District, and B-2, Neighborhood, Community Retail Business District, B-3, Secondary & Highway Business District, B-4 General Business District, and M-1, Light Manufacturing District.
- C. Public hearings will be held to consider the approval of a zoning amendment, amending Chapter 14, Zoning, Creating Division 15, Section 415, Main Street Overlay District.
- D. Public hearings will be held to consider the approval of an amendment, amending Division 2, Planning and Zoning Commission, Sections 1.03.032-033 regarding the

appointment and term of members; and removal of members making these sections consistent with the City Charter and State Law.

- E. Public hearing will be held to consider support for Safe Projects: FM 439 Spur Safe Routes to School and Ave G & 5th Street, Safe Routes to School.
- F. Public hearing to consider the rezoning request from Walter Castro for 209 West Lorrie from R-1 Single Family to R-2 Two Family District.

Public Hearing Opened at 6:04pm. Letter/Comments were read – one (1) in favor of Mr. Castro rezoning request and one (1) against.

Public Hearing Closed at 6:04pm.

4. STAFF REPORTS

Staff reports were provided in advance to City Council in lieu of presentation.

5. PROCLAMATIONS, ANNOUNCEMENTS & PROJECT UPDATES

Kara Escajeda provided a summary of the following:

- Construction Update
- Substandard Building Update
- Upcoming Events Update

6. CONSENT AGENDA

- A. Consider Approval of Regular Meeting Minutes for June 20, 2019.
- B. Consider Approval of Monthly Financial Report for June 2019.

Motion was made by Councilmember George French III to approve the Consent Agenda; motion second by Councilmember Butch Reis. All voted in favor. Motion carried 4-0.

7. ACTION ITEMS

- A. Discuss and possible approval for rezoning request of 209 West Lorrie from R1 Single Family District to R2 Two Family District as requested by Walter Castro.

ORDINANCE NO. Z 19-07 #5

REZONING

**SUBJECT PROPERTY: OAKRIDGE, BLOCK 001, LOT 3, PT 2, (E 49.44' OF 2), ACRES
0.333 TRACT OR LOT: 3, PT 2**

B. Discuss and possible approval Concept Plan for Liberty Springs I.

1.) Staff Report

2.) Variance requests:

- a) Right of Way and Back of Curb widths for Freedom Circle for Dale Avenue – requesting 50' ROW/31' BC for Freedom Circle and 60' ROW/36' BC for Dale Avenue.
- b) 600' Block Length requirement for Freedom Circle with traffic calming measures approved by the City during Final Plat
- c) Parkland Dedication requirements – linear park central in the development to facilitate traffic calming and pedestrian access.
- d) Sidewalk exchange for outer perimeter in order to increase FM 439 Spur Sidewalk to an 8' shared use path and trail through linear park.

3.) Public Comments

Motion was made by Councilmember Butch Reis to approve the Concept Plan for Liberty Springs I; motion second by Councilmember David Williams. Three (3) voted in favor and one (1) against. Motion carried 3-1.

C. Discuss and possibly approve RESOLUTION NO. Z 19-07: OFFICIAL PROJECT SPONSOR RESOLUTION, SAFE ROUTES TO SCHOOL, FM 439 SPUR;

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF AN ADVANCED FUNDING AGREEMENT TO TEXAS DEPARTMENT OF TRANSPORTATION SAFE ROUTES TO SCHOOL (SRTS); AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN 2019 PROJECT CALL FOR FM 439 SPUR SHARED PATH IMPROVEMENTS.

Motion was made by Councilmember Butch Reis to approve RESOLUTION NO. Z 19-07: OFFICIAL PROJECT SPONSOR RESOLUTION, SAFE ROUTES TO SCHOOL, FM 439 SPUR; motion second by Councilmember James Bilberry. All voted in favor. Motion carried 4-0.

D. Discussion and possible approval of KPA Proposal for engineering and administrative services for Park Connectivity Project (Avenue H from 10th to Mesquite & the entire length of Mesquite Street), TxDOT Category 7.

Motion was made by Councilmember James Bilberry to table this item; motion second by Councilmember George French III. All voted in favor. Motion carried 4-0.

- E. Discussion and possible approval of Investment Policy RESOLUTION No. F 19-07:**

A RESOLUTION OF THE CITY COUNCIL ADOPTING AN INVESTMENT POLICY FOR FISCAL YEAR 2019 AND DESIGNATING INVESTMENT OFFICERS

Motion was made by Councilmember George French III to table this item until Special Call Meeting at the end of the month; motion second by Councilmember James Bilberry. All voted in favor. Motion carried 4-0.

- F. Discussion and possible approval of EDC Budget for FY 2019-2020.**

Motion was made by Councilmember James Bilberry to EDC Budget for FY 2019-2020; motion second by Councilmember George French III. All voted in favor. Motion carried 4-0.

- G. Discussion and possible approval Resolution No. E 19 – 07:**

A Resolution Of The City Of Nolanville, Texas, Approving A Project Of The Nolanville Economic Development Corporation “Meet Me At Corner” That Includes Particular Improvements To 204 Main Street Area: Buildings, Equipment, Facilities, Targeted Infrastructure, Improvements, And Expenditures Found By The Nolanville Economic Development Corporation’s Board Of Directors To Promote Or Develop New Or Expanded Business Within The City Of Nolanville, Enhancing the Community and Improving the Quality of Life; In An Amount Not To Exceed \$120,000.00 As An Authorized Project Of The Nolanville EDC; Complying With Sections 501.103, 505.152, 505.155, 505.158 and 505.302 Texas Local Government Code.

Motion was made by David Williams; motion second by George French III. All voted in favor. Motion carried 4-0.

- H. Discuss and possible approval of Kountry Containers for restaurant business incubator for \$49,995.**

Motion was made by Councilmember David Williams to table this item; motion second by Councilmember James Bilberry. All voted in favor. Motion carried 4-0.

I. Discussion and possibly authorize **Zoning Ordinance Amendments as follows:**

- 1.) Amending Chapter 14, Zoning, Article II, Definitions, Section 201.1, Interpretation of Words and terms, to add definitions.

**DEFINITIONS AMENDMENT
ORDINANCE NO. Z 19-08 #1**

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS AMENDING CHAPTER 14, AMENDING ARTICLE II, SECTION 201.1 "DEFINITIONS" TO INCLUDE DEFINITION FOR BREWERY/WINERY/DISTILLERY, MIXED USE DEVELOPMENT, AND MOBILE FOOD VENDOR. PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND HEARING.

Motion was made by Councilmember David Williams to approve Ordinance No. Z 19-08 #1, Amending Chapter 14, Zoning, Article II, Definitions, Section 201.1, Interpretation of Words and terms, to add definitions; motion second by Councilmember James Bilberry. All voted in favor. Motion carried 4-0.

- 2.) *Amending Chapter 14, Zoning, Exhibit A, Land Use Chart, to change permitted uses in the B-1, Professional Business District, and B-2, Neighborhood, Community Retail Business District.*

**ZONING USE CHART AMENDMENT
ORDINANCE NO. Z 19-08 #2**

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS AMENDING CHAPTER 14, ZONING, EXHIBIT A, LAND USE CHART, TO ADD BREWERY/WINERY/DISTILLERY AS A SPECIAL USE PERMIT IN THE IN THE NEIGHBORHOOD, COMMUNITY RETAIL BUSINESS DISTRICT (B-2), SECONDARY & HIGHWAY BUSINESS DISTRICT (B-3), AND GENERAL BUSINESS DISTRICT (B-4), AND AS A PERMITTED USE IN THE LIGHT MANUFACTURING DISTRICT (M-1); TO ADD RESTAURANTS (NO DRIVE-THRU) AS A PERMITTED USE IN THE PROFESSIONAL BUSINESS DISTRICT (B-1); TO ADD BEER AND WINE RETAIL SALES BY SPECIAL USE PERMIT IN THE PROFESSIONAL BUSINESS DISTRICT (B-1) AND THE COMMUNITY RETAIL BUSINESS DISTRICT (B-2); TO ADD RETAIL, GENERAL AS A PERMITTED USE IN THE PROFESSIONAL BUSINESS DISTRICT (B-1); TO ADD TAVERN AS A SPECIAL USE PERMIT IN THE SECONDARY &

HIGHWAY BUSINESS DISTRICT (B-3), COMMUNITY RETAIL BUSINESS DISTRICT (B-2), AND SECONDARY & HIGHWAY BUSINESS DISTRICT (B-3); REMOVE GARDEN HOME/TOWNHOME FROM BEING AN ALLOWED USE IN THE PROFESSIONAL BUSINESS DISTRICT (B-1), AND COMMUNITY RETAIL BUSINESS DISTRICT (B-2); AND TO ADD MIXED USE DEVELOPMENT AS A SPECIAL USE PERMIT IN THE COMMUNITY RETAIL BUSINESS DISTRICT (B-2); AND TO ADD MOBILE FOOD VENDORS AS A PERMITTED USE IN THE A-1, GENERAL AGRICULTURE DISTRICT; AND AMENDING DIVISION 8 SPECIAL USE CONDITIONS TO ADD PROVISIONS FOR MIXED USE DEVELOPMENT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND HEARING.

Motion was made by Councilmember Butch Reis to approve Ordinance No. Z 19-08 #2, *Amending Chapter 14, Zoning, Exhibit A, Land Use Chart, to change permitted uses in the B-1, Professional Business District, and B-2, Neighborhood, Community Retail Business District*; motion second by Councilmember George French III. All voted in favor. Motion carried 4-0.

3.) Amending Chapter 14, Zoning, Creating Division 15, Section 415, Main Street Overlay District.

**MAIN STREET SPUR OVERLAY DISTRICT
ORDINANCE NO. Z 19-08 #3**

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS AMENDING CHAPTER 14, ZONING, ADDING REQUIREMENTS FOR DIVISION 15, SECTION 415, TO CREATE THE MAIN STREET OVERLAY DISTRICT. THE OVERLAY WILL GOVERN CERTAIN REAL PROPERTY IN THE CITY LIMITS KNOWN AS MAIN STREET SPUR OVERLAY DISTRICT TO ALLOW FOR A RESIDENT AND TOURIST FRIENDLY DOWNTOWN SHOPPING AND RESTAURANT DISTRICT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

Motion was made by Councilmember James Bilberry to approve Ordinance No. Z 19-08 #3, *Amending Chapter 14, Zoning, Creating Division 15, Section 415, Main Street Overlay District*; motion second by Councilmember George French III. All voted in favor. Motion carried 4-0.

4.) Amending Division 2, Planning and Zoning Commission, Sections 1.03.032-033 regarding the appointment and term of members; and removal of members making these sections consistent with the City Charter and State Law.

**Appointment and Term of Members
ORDINANCE NO. Z 19-08 #4**

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS AMENDING DIVISION 2, PLANNING AND ZONING COMMISSION, SECTION 1.03.032, APPOINTMENT AND TERM OF MEMBERS, AND 1.03.033, REMOVAL OF MEMBERS, MAKING THESE SECTIONS CONSISTENT WITH THE CITY CHARTER. PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND HEARING.

Motion was made by Councilmember George French III to approve Ordinance No. Z 19-08 #4, *Amending Division 2, Planning and Zoning Commission, Sections 1.03.032-033 regarding the appointment and term of members; and removal of members making these sections consistent with the City Charter and State Law;* motion second by Councilmember David Williams. All voted in favor. Motion carried 4-0.


8. ADJOURNMENT

Meeting adjourned at 7:50 pm.

Date Minutes approved by Council: August 1, 2019


Andy Williams, Mayor



Attest:

Crystal Briggs, City Secretary