

THE STATE OF TEXAS
CITY OF NOLANVILLE

Minutes for THURSDAY, JANUARY 17, 2013

To consider and to act on the following Agenda:

Call to Order and Announce a Quorum is Present. Mayor Rosenthal called the meeting to order at 7:01 p.m. and announced that a quorum was present. Councilmembers Dennis Biggs, Sherese Karlsson, Duane Hampton, and Lacie Hicks were present; Councilmember Sherri Morales was absent.

1. **INVOCATION:** Given by Council Member Hampton
2. **PLEDGE TO THE FLAGS:** Lead by Mayor Rosenthal
3. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

This is an opportunity for members of the public to suggest the addition of topics for the discussion or to address topics of interest, with presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. No profane or threatening language will be tolerated. All speakers will be recognized prior to speaking and will announce their name and address for the minute purpose.

There was none to speak

4. **ITEMS TO BE REMOVED FROM THE CONSENT AGENDA:**
If discussion is desired by the council, any item may be removed from the consent agenda prior to voting, at the request of any Councilmember, and it will be considered separately.
There were no items to be removed.

5. **CONSENT AGENDA:**

- A. Consider approval of minutes for regular council meeting on January 3, 2013.
(City Secretary)
Motion was made by Councilmember Hicks to approve the Consent Agenda.
Motion was seconded by Councilmember Hampton. Motion carried 4-0.

6. **NEW BUSINESS AND ACTION ITEMS:**

- A. Discussion and possible action to Award Administrative Contract for the 2012 Texas Community Development Block Grant (Kerbow & Associates)
The Administrative Contract is to implement a Texas Community Development Program on behalf of Bell County WCID #3 to provide sewer system improvements in the City under the general direction of a 2012 Texas Community Development Program; and Whereas the City desires to engage Firm to render those administrative services required to implement the activities as stated in the City of

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Nolanville's - Texas Community Development Fund Program contract to provide said infrastructure improvements in Nolanville, Texas.

Motion was made by Councilmember Hampton to Award Administrative Contract for the 2012 Texas Community Development Block Grant. Motion carried 4-0.

- B. Discussion and possible action to Award Engineering Contract for the 2012 Texas Community Development Block Grant (Kerbow & Associates)
The Engineering Contract is to provide professional services required for bidding and construction of the 2012 Texas Community Development Grant Project - The Plaza Wastewater Line Rehabilitation – Phase II project.
Motion was made by Councilmember Biggs to Award Engineering Contract for the 2012 Texas Community Development Block Grant to Kasberg, Patrick & Associates, LP.
Motion was seconded by Councilmember Hampton. Motion carried 4-0.
- C. Discussion and possible action to Adopt Resolution Authorizing Signatures for the 2012 Texas Community Development Block Grant (Kerbow & Associates)
A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, APPOINTING THE MAYOR, TREASURER, CITY MANAGER, AND CITY SECRETARY AS THE AUTHORIZED SIGNATORIES FOR PAYMENT REQUESTS TO THE TEXAS DEPARTMENT OF AGRICULTURE.
Motion was made by Councilmember Hampton to Adopt Resolution Authorizing Signatures for the 2012 Texas Community Development Block Grant.
Motion was seconded by Councilmember Biggs. Motion carried 4-0.
- D. Discussion and possible action to Adopt Resolution Promoting Fair Housing (Kerbow & Associates)
A Resolution Promoting Fair Housing which prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States.
Motion was made by Councilmember Hicks to Adopt Resolution Promoting Fair Housing for the 2012 Texas Community Development Block Grant.
Motion was seconded by Councilmember Hampton. Motion carried 4-0.
- E. Discussion and possible action to Appoint Fair Housing/Equal Opportunity Section 504 Standards Officer (Kerbow & Associates)
The Fair Housing/Equal Opportunity/Section 504 Standards Officer shall be responsible for the oversight and compliance of fair housing and equal opportunity activities to be performed by the City of Nolanville as required by the Texas Community Development Block Grant Program Contract No. 712260 .
The Fair Housing/Equal Opportunity/Section 504 Standards Officer is responsible for being familiar with and adhering to all civil rights laws and regulations pertaining to the Texas Community Development Block Grant Program.

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Motion was made by Councilmember Biggs to Appoint Fair Housing/Equal Opportunity Section 504 Standards Officer.

Motion was seconded by Councilmember Hampton. Motion carried 4-0.

- F. Discussion and possible action to Appoint Labor Standards Officer for the 2012 Texas Community Development Block Grant (Kerbow & Associates)**
The appointed Labor Standards Officer is assigned to oversee the labor portion of the contract and will be responsible for assuring compliance with all requirements.

Motion was made by Councilmember Hicks to Appoint Labor Standards Officer for the 2012 Texas Community Development Block Grant.

Motion was seconded by Councilmember Biggs. Motion carried 4-0.

- G. Discussion and possible action to Adopt Section 3 Plan (Kerbow & Associates)**
The City of Nolanville agrees to implement to the greatest extent feasible, to provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the 2012 Texas Community Development Program/Project is being carried out.

Motion was made by Councilmember Hicks to Adopt Section 3 Plan.

Motion was seconded by Councilmember Hampton. Motion carried 4-0.

- H. Discussion and possible action to Approve the Interlocal Agreement Between The City of Nolanville and Bell County Water Control and Improvement District #3 – For the Plaza Wastewater Line Improvements (Kerbow & Associates)**

Motion was made by Councilmember Hicks to Approve the Interlocal Agreement Between The City of Nolanville and Bell County Water Control and Improvement District #3 – For the Plaza Wastewater Line Improvements.

Motion was seconded by Councilmember Hampton. Motion carried 4-0.

- I. Report from Nolanville Planning and Zoning Commission on the proposed rezoning of a five-hundred (500) foot wide area of land parallel and adjacent to Warriors Path, further described below, from R-1S: Single Family Suburban District to B-3: Secondary and Highway Business District.**

A five-hundred (500) foot wide area of land parallel and adjacent to Warriors Path further described as:

- Consisting of a portion of the 12.581 parcel of land on Warriors Path A 0177BC E Berry 2 five hundred (500) feet deep parallel and adjacent to Warriors Path Road perpendicular to the entire western boundary; and
- Consisting of a portion of the 33.436 parcel of land on Warriors Path A 0177BC E Berry 1-1 five hundred (500) feet deep parallel and adjacent to Warriors Path Road perpendicular to the entire western boundary of the 12.581 acre parcel described above; and

- Consisting of a portion of the 82.14 parcel of land on Warriors Path A 0401BC U Hunt 2 five hundred (500) feet deep parallel and adjacent to Warriors Path Road perpendicular to the entire western boundary.

Chairperson, Michael Lathan and Secretary, Candace Landis with the Planning and Zoning Commission came before the Nolanville City Council and explained the reasoning for the zoning recommendation.

Mr. Lathan stated that on January 7, 2013 the Planning and Zoning Commission held a public hearing to propose rezoning 500 feet parallel and adjacent to Warriors Path Road and to earmark this as B-3 Business District, Secondary, and Highway District.

They stated that the owners of the land, the Sutton's and their heirs were present during the public hearing and discussed the value and the sentimental value that the land had to them. The family questioned the 500 feet saying that this was too much land to be rezoned for commercial and inquired about the B-3 businesses that could go in. After the discussion, the Planning and Zoning Commission did not make any decisions but asked that they be allowed additional time to do more research on the situation.

On January 11, 2013, the Planning and Zoning held a Special Called Meeting. Mr. Trae Sutton was present and reiterated that 500 feet was too much land to take and would like the Planning and Zoning to reconsider and look at possibly 300 feet instead. Mr. Sutton also stated that the family opposed the B-3 proposed rezoning and would like the rezoning to be a B-2 Business District because by doing a B-2 there is control over the businesses coming into a family neighborhood.

Ms. Yvonne Frate, Alternate Commissioner, researched the difference of the B-3 and B-2 and found that the B-2 would be better conducive to the neighborhood setting, Planning and Zoning agreed. Ms. Landis then asked Mr. Sutton if the family would consider a compromise and do the rezone at 400 feet, after discussion with the family, Mr. Sutton stated "Yes," they would agree to the 400 feet.

The Planning and Zoning Commission then stated to the Nolanville City Council that they would like to make the recommendation to approve the new revision of the proposed rezoning of rezoning four hundred (400) foot area of land parallel and adjacent to Warriors Path, further described below from R-1: Single Family Suburban District to B-2: Secondary and Highway Business District. A four hundred (400) foot wide area of land parallel and adjacent to Warrior's Path Road is further described below:

Consisting of a portion of the 12.581 parcel of land on Warriors Path A 0177BC E Berry 2 four hundred (400) feet deep parallel and adjacent to Warriors Path Road perpendicular to the entire western boundary; and

Consisting of a portion of the 33.436 parcel of land on Warriors Path A 0177BC E Berry 1-1 four hundred (400) feet deep parallel and adjacent to Warriors Path Road perpendicular to the entire western boundary of the 12.581 acre parcel described above; and

Consisting of a portion of the 82.14 parcel of land on Warriors Path A 0401BC U Hunt 2 four hundred (400) feet deep parallel and adjacent to Warriors Path Road perpendicular to the entire western boundary.

- J. Discussion of street, sidewalk & drainage improvements within the city (Trae Sutton – Engineer)

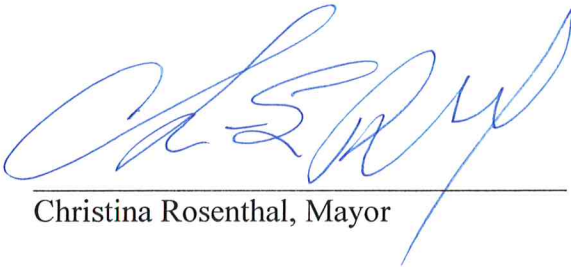
There was discussion between the Nolanville Council members and Engineer- Mr. Trae Sutton on the streets, sidewalk & drainage improvements within the city.

Mr. Sutton displayed an aerial map of the city showing areas of where the improvements were going to be along the Ave. H project and where other improvements could be made within the city. There was in-depth discussion on the street repairs and what could be utilized to improve the streets and what could be done to possibly make the streets last longer and to improve the drainage problems inside the city. There was also discussion of adding sidewalks, lighting and various other improvements in various parts of the city such as in the park, Bella Charca area and the Main Street area.

7. ADJOURNMENT

Motion was made by Councilmember Hampton to adjourn at 8:29 p.m.
Motion was seconded by Councilmember Hicks. Motion carried 4-0.

Date Minutes Approved by Council: February 7, 2013



Christina Rosenthal, Mayor



Ginger Metcalf, City Secretary