

THE STATE OF TEXAS  
CITY OF NOLANVILLE

Minutes for THURSDAY, JUNE 21, 2012

To consider and to act on the following Agenda:

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Call to Order and Announce a Quorum is Present. Mayor Charlie Stewart called the meeting to order at 7:00 P.M. and announced that a quorum was present. Mayor Charlie Stewart, Donald Matthews, Brenda Huckaba, and Duane Hampton were present. Councilmember's Sherri Morales and Lacie Hicks were not present.

1. **INVOCATION:** Given by Councilmember Hampton

2. **PLEDGE TO THE FLAGS:** Led by Mayor Stewart

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 were no visitors 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 from the Consent Agenda**

5. **CONSENT AGENDA:**

A. Consider approval of minutes for regular council meeting on June 7, 2012.  
(City Secretary)

**Motion was made by Councilmember Huckaba to approve the consent agenda.**

**Motion was seconded by Councilmember Hampton. Motion carried 3-0.**

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

A. Discussion and possible action to Consider/Authorize Kerbow and Associates to proceed with the 2013/2014 Texas Community Development Program Application on behalf of Bell County WCID #3.

**Mr. Steve Kerbow with Kerbow and Associates came before the Council stating that WCID#3 had voted to request the city's sponsorship to apply for another Community Development Block Grant on behalf of the WCID #3, due to the fact that a city or county are the only eligible ones to apply for these grants. Mr. Kerbow, stated that the guidelines haven't been quiet finalized as of yet for this grant but they do anticipate water and sewer being**

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priority again. There are a number of other factors that could be considered. WCID's main request is what would be the most competitive project. There is the possibility of going with a Phase III for the Plaza. The 2012 grant has not been completed for approval as of yet, but does not see a problem with the completion of it. To benefit the entire community there would have to be a city wide survey done and there would have to be a 51% of low-cost income, the State is still determining the 2000 Census and Nolanville is right around 40%. Recommendation was to go on and do Phase III for the Plaza area.

Motion was made Councilmember Huckaba for Kerbow and Associates to proceed with the 2013/2014 Texas Community Development Program Application on behalf of Bell County WCID #3.

Motion was seconded by Councilmember Matthews. Motion carried 3-0.

**B. Discussion and possible action to approve Weapons Ordinance No.5006-C  
SECOND READING**

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS REPEALING ORDINANCE 5006-B IN ITS ENTIRETY, UP- DATING ALL ARTICLES THEREIN, REGULATING THE USE OF FIREARMS WITHIN THE CITY LIMITS; REPEALING ALL ORDINANCES OR SECTIONS IN CONFLICT THEREWITH; PROVIDING FOR THE FOLLOWING; FINDINGS OF FACT; A PURPOSE; DEFINITIONS; EXCEPTIONS; RESTRICTING THE DISCHARGE OF AIR GUNS; AN EFFECTIVE DATE; ENFORCEMENT CLAUSE INCLUDING INJUNCTIVE RELIEF; A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$1,500.00 AND CIVIL PENALTIES NOT TO EXCEED \$100.00 PER VIOLATION; SEVERABILITY; AND PROPER NOTICE.

**After discussion of the ordinance on Section 4-C-1**

**It shall be unlawful for any person to discharge a firearm within the extraterritorial jurisdiction or in an area annexed after September 1, 1981; Provided that this section shall not be so construed as to prohibit the discharge of firearms as follows:**

**The firearm is a shotgun, air rifle or pistol, BB gun, or bow and arrow; and**

- a) Discharged on a tract of land of ten acres or more;**
- b) Discharged more than 150 feet from a residence or occupied building located on another property; and**
- c) In a manner not reasonably expected to cause a projectile to cross the boundary of the tract.**

**Motion was made by Councilmember Hampton to look at the ordinance and make it less restrictive for the above discussed:**

**Motion died for lack of a second.**

**Motion was then made by Councilmember Hampton to table the approval of the Weapons Ordinance until a workshop date to further discuss the issues.**

**Motion again, died for lack of a second.**

**Motion was then made by Councilmember Huckaba to approve and pass the Weapons Ordinance No. 5006-C upon this second reading as is:**

**AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS REPEALING ORDINANCE 5006-B IN ITS ENTIRETY, UP- DATING**

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ALL ARTICLES THEREIN, REGULATING THE USE OF FIREARMS WITHIN THE CITY LIMITS; REPEALING ALL ORDINANCES OR SECTIONS IN CONFLICT THEREWITH; PROVIDING FOR THE FOLLOWING; FINDINGS OF FACT; A PURPOSE; DEFINITIONS; EXCEPTIONS; RESTRICTING THE DISCHARGE OF AIR GUNS; AN EFFECTIVE DATE; ENFORCEMENT CLAUSE INCLUDING INJUNCTIVE RELIEF; A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$1,500.00 AND CIVIL PENALTIES NOT TO EXCEED \$100.00 PER VIOLATION; SEVERABILITY; AND PROPER NOTICE.

**Motion was seconded by Councilmember Matthews. Motion carried 2-1.**

**C. Discussion and possible action to approve Signs Ordinance No.2012-06-07**

**#9015B SECOND READING**

AN ORDINANCE REPEALING ORDINANCE #2011-06-17 #9015A IN ITS ENTIRETY, CHANGING AND UP-DATING ALL ARTICLES THEREIN, REGULATING SIGNS AND BILLBOARDS; DEFINING SIGN TERMS, ESTABLISHING REGULATIONS ON SIGNS IN THE CITY LIMITS AND ETJ, SETTING PERMIT AND INSPECTION REQUIREMENTS; SETTING PENALTIES FOR VIOLATION; AND PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

**Motion was made by Councilmember Hampton to approve and pass Signs Ordinance No. 2012-06-07 #9015B upon second reading:**

AN ORDINANCE REPEALING ORDINANCE #2011-06-17 #9015A IN ITS ENTIRETY, CHANGING AND UP-DATING ALL ARTICLES THEREIN, REGULATING SIGNS AND BILLBOARDS; DEFINING SIGN TERMS, ESTABLISHING REGULATIONS ON SIGNS IN THE CITY LIMITS AND ETJ, SETTING PERMIT AND INSPECTION REQUIREMENTS; SETTING PENALTIES FOR VIOLATION; AND PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

**Motion was seconded by Councilmember Matthews.**

**Motion carried 3-0.**

**D. Discussion and possible action to approve Resolution No. 2012-06-21 Criminal Justice Division Grant Program Application for the Technology Equipment Improvement Plan**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A CRIMINAL JUSTICE DIVISION GRANT PROGRAM APPLICATION FOR THE TECHNOLOGY EQUIPMENT IMPROVEMENT PLAN; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN

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ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CRIMINAL JUSTICE DIVISION GRANT PROGRAM.

Motion was made by Councilmember Hampton to approve Resolution No. 2012-06-21 Criminal Justice Division Grant Program Application for the Technology Equipment Improvement Plan.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A CRIMINAL JUSTICE DIVISION GRANT PROGRAM APPLICATION FOR THE TECHNOLOGY EQUIPMENT IMPROVEMENT PLAN; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CRIMINAL JUSTICE DIVISION GRANT PROGRAM.

Motion was seconded by Councilmember Matthews. Motion carried 3-0.

E. Discussion of upcoming 2012-2013 Fiscal Year Budget

City Manager discussed that a workshop was to be held on June 28, 2012 at 7:00 p.m. for the upcoming 2012-2013 Fiscal Year Budget. He went over several of the issues that would be discussed such as, streets, the parking lot at city hall, and the park, these were just a few of the mentioned items.

Mr. Pearl would like for the council to have in mind what they want to see for the upcoming year and be ready for discussion at the workshop.

7. ADJOURNMENT

Motion was made by Councilmember Matthews to adjourn the meeting at 8:12 p.m.

Motion was seconded by Councilmember Hampton. Motion carried 3-0.

Date Minutes Approved by Council: July 5, 2012



Charlie Stewart Sr., Mayor



Ginger Metcalf, City Secretary

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