

THE STATE OF TEXAS
CITY OF NOLANVILLE

Minutes for THURSDAY, NOVEMBER 15, 2012

To consider and to act on the following Agenda:

Call to Order and Announce a Quorum is Present. **Mayor Pro-Tem Brenda Huckaba called the meeting to order at 7:00 p.m. and announced that a quorum was present. Donald Matthews, Duane Hampton and Lacie Hicks were present. Sherri Morales was absent.**

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

2. **PLEDGE TO THE FLAGS:** Led by Mayor Pro-Tem Huckaba

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.

Dennis Biggs, Ave. H, Nolanville, addressed the council and the citizens stating that since the election there were seats that had become vacant on the Planning and Zoning Board and also the Board of Adjustments and that these committees will need volunteers to help fill these positions. He encouraged any and all citizens to get involved with each board and to become more interactive with the city. That it takes each and everyone on these boards to help make the city more productive and efficient.

4. **ANNOUNCEMENTS :**

- City of Nolanville Holiday Decoration Contest
- Let's light up Nolanville's Main Street and Downtown area for the Holidays **Councilmember Hampton gave the announcements of the Holiday Decoration Contest and Let's light up Nolanville's Main Street and Downtown area for the Holidays. Letting the citizens know that this is a good way to get the festivities for the holiday started and encouraged everyone to get involved.**

5. **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.

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6. CONSENT AGENDA:

- A. Consider approval of minutes for regular council meeting on November 1, 2012. (City Secretary)
- B. Consider approval of Quarterly Investment Report, Ending September 30, 2012.
**Motion was made by Councilmember Hicks to approve the Consent Agenda.
Motion was seconded by Councilmember Matthews. Motion carried 4-0.**

7. NEW BUSINESS AND ACTION ITEMS:

- A. ~~Report from Nolanville Planning and Zoning Commission on rezoning request from~~
property owner, of the tract generally described below, to rezone property from R-1S:
Single Family Suburban District to R-2: Two Family District.

- Being a 29.458 acre tract of land situated in and being out of the I. Shriver Survey, Abstract No. 769 and the A.L. Evans Survey, Abstract No. 289, Bell County, Texas and being part of that tract conveyed to James M. Wright and Michael R. Lackmeyer as recorded in Volume 5190, Page 73, deed Records of Bell County, Texas.

Candace Landis, Secretary of the Planning and Zoning Board spoke to the council and gave the report on the rezoning request from property owner, of the tract generally described below, to rezone property from R-1S: Single Family Suburban District to R-2: Two Family District.

Ms. Landis stated that the Planning and Zoning Commission had met on November 5, 2012 and would like to make the recommendation to deny the proposed request of the tract generally described below from R1-S; Single Family Suburban District to R-2; Two Family District.

Being a 29.458 acre tract of land situated in and being out of the I. Shriver Survey, Abstract No. 769 and the A.L. Evans Survey, Abstract No. 289, Bell County, Texas and being part of that tract conveyed to James M. Wright and Michael R. Lackmeyer as recorded in Volume 5190, Page 73, deed Records of Bell County, Texas.

Councilmember Hampton asked Ms. Landis what reasons the Planning and Zoning Commission had to come to their decision for the denial.

Ms. Landis stated that they had surveyed the community and found that there was no need for more duplexes since so many of them were already vacant. Then listening to the residents of the Wildwood Subdivision, there were many concerns their financial investments in Nolanville, having chose Nolanville for the quiet and safety of their subdivision, they were concerned about their property value decreasing, Phase II and Phase III were promised with equal or higher valued homes than those in Wildwood, also is has been proven that the crime rate is higher in multiple housing areas and then there is the noise of the traffic and also heard from the citizens living on North and South Streets and they were also concerned about the noise and excess traffic. There were no more questions from the council.

Nita Sims came before the council stating that City Manager had asked her to come to the meeting and elaborate on the Planning and Zoning Meeting that was held on November 5, 2012. Ms. Sims stated there were a few red flags that went

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up when Mr. Lackmeyer had put on his application for the rezoning stating that there was a demand for the duplexes but in looking around the Nolanville area, there are duplexes that have not even been rented since they were constructed. She mentioned that Mr. Lackmeyer had put on the application that development was for 15 acres, the new information that was received on the night of the meeting the acreage had almost doubled, when Mr. Lackmeyer was asked about the difference, he commented, "that was how the survey came out." Ms. Sims said that several citizens were quiet concerned about the situation. When Planning and Zoning was first handed the development for this area, Mr. Lackmeyer had told them it would be in 3 phases, this new application states 6 phases and it is to include the duplexes. Ms. Sims feels that the citizens of this area need representation to help them and she hopes that the Planning and Zoning have been able to do that for them by making the recommendation to deny the request is felt that is the best thing to do.

- B. Report from Nolanville Planning and Zoning Commission on property owner request to amend zoning ordinance to allow private ambulance service in a B-2: Neighborhood, Community and Retail Business District.
Candace Landis, Secretary of the Planning and Zoning Board spoke to the council for the recommendation on the property owner request to amend zoning ordinance to allow private ambulance service in a B-2: Neighborhood, Community and Retail Business District.
Ms. Landis stated that on November 5, 2012 and would like to recommend to amend the zoning ordinance to allow private ambulance service in a B-2: Neighborhood, Community and Retail Business District.
Councilmember Hicks asked Ms. Landis to explain how the Planning and Zoning came about their decision on this matter.
Ms. Landis stated that when this subject came up at the meeting the citizens seemed very favorable and there were no objections to the amendment.
- C. Discussion and possible action for the City to direct the City Manager to make an offer to purchase land existing within the city limits.

The City Council may adjourn into executive session per Texas Government Code 551.072, Deliberations about Real Property, to discuss this item.

Mayor Pro-Tem Huckaba called for council to go into executive session, sighting Government Code 551.072 (Deliberations about Real Property). Adjournment from regular meeting was at 7:27 p.m. Council reconvened into regular session at 7:41 p.m.

There were no decisions made in executive session.

Councilmember Hicks explained that the executive session was to authorize the City Manager to offer on a piece of property that is within the city limits. With the reasoning of this being discussed in executive session it is allowing the city to give up its negotiating position.

Motion was made by Councilmember Hicks to direct the City Manager to move forward with the offer on the property within the city limits.

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

D. Discussion and possible action to approve CANVASSING OF ELECTION and CALLING RUNOFF ELECTION; RESOLUTION NO. 2012-11-15 #8095 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, CANVASSING THE ELECTION HELD ON NOVEMBER 6, 2012 BY CERTIFYING THE GENERAL ELECTION, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO COUNCILMEMBERS; AND THE SPECIAL-CALLED ELECTION FOR THE PURPOSE OF ELECTING ONE COUNCILMEMBER TO FILL A ONE YEAR UNEXPIRED TERM; DECLARING THE RESULTS; ORDERING A RUNOFF ELECTION FOR THE ONE YEAR UNEXPIRED TERM; FOR DECEMBER 18, 2012; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Pro-Tem Huckaba announced the November 6, 2012 Election Results with those being as follows:

<u>OFFICE SOUGHT</u>	<u>CANDIDATE</u>	<u>EARLY VOTING</u>	<u>ELECTION DAY</u>	<u>TOTAL</u>	
Mayor Seat	Denise M. Hungerford	134	188	322	45.74%
Mayor Seat	Christina Rosenthal	156	226	382	54.26%
Council Seat #1	Dennis Biggs	219	335	554	100%
Council Seat #3	Sherese Karlsson	223	330	553	100%
Council Seat #4	Duane G. Hampton	97	118	215	34.18%
Council Seat #4	Robert Meeks	102	172	274	43.56%
Council Seat #4	Randy Sammons	61	79	140	22.26%

Mayor Pro-Tem Huckaba announced that the Runoff Election for Councilmember Seat #4 would begin with Early Voting on December 6, 2012 and ending on December 14, 2012 and Election Day Voting will be held on December 18, 2012.

Motion was made by Councilmember Hicks to approve CANVASSING OF ELECTION and CALLING RUNOFF ELECTION; RESOLUTION NO. 2012-11-15 #8095

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, CANVASSING THE ELECTION HELD ON NOVEMBER 6, 2012 BY CERTIFYING THE GENERAL ELECTION, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO COUNCILMEMBERS; AND THE SPECIAL-CALLED ELECTION FOR THE PURPOSE OF ELECTING ONE COUNCILMEMBER TO FILL A ONE YEAR UNEXPIRED TERM; DECLARING THE RESULTS; ORDERING A RUNOFF ELECTION FOR THE ONE YEAR UNEXPIRED TERM; FOR DECEMBER 18, 2012; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

E. Presentation of Certificate of Election to New Mayor and Councilmembers (Mayor Pro-Tem)

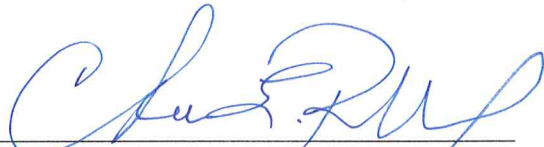
Mayor Pro-Tem Huckaba presented the Mayor and Seat #1 and Seat #3 Councilmember with their Certificate of Election.

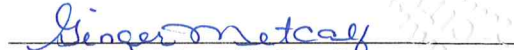
ADJOURNMENT

Motion was made by Councilmember Matthews to adjourn the meeting at 7:53 p.m.

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

Date Minutes Approved by Council: December 6, 2012


Christina Rosenthal, Mayor


Ginger Metcalf, City Secretary

