

**THE STATE OF TEXAS
CITY OF NOLANVILLE**

The City Council of the City of Nolanville, Texas met in a Regular Meeting in the Council Chambers at JW Sims Community Center at 408 North 10th Street, Nolanville, Texas at

REGULAR MEETING MINUTES for THURSDAY, December 5, 2013

The City Secretary, Crystal Briggs administered the Oath of Office to newly elect Council Members, Sherri Morales and Dave Brackmann. The newly elected Council Members then took their seats.

To consider and to act on the following Agenda:

Call to Order and Announce a Quorum is Present.

Mayor Christina Rosenthal called the meeting to order at 6:00 p.m. and announced that a quorum was present. Council members Dennis Biggs, Sherri Morales, Sherese Karlsson, and Dave Brackmann were present.

1. INVOCATION:

Invocation was given by Chief Kent.

2. PLEDGE TO THE FLAGS:

Pledges were led 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 were no citizens requesting to speak.

4. ANNOUNCEMENTS:

Mayor Roesenthal made announcements

- City of Nolanville Holiday Decoration Contest will be held on Thursday, December 13, 2013.
- 2nd Annual Central Texas First Responders Holiday Parade – Saturday, December 7, 2013 at 1:00PM
- The new City Secretary, Crystal Briggs was introduced. She also stated that Crystal Briggs was the City Secretary a few years ago and welcomed her back.

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5. **REPORTS:**

- A. **Public Works Department** – Director of Public Works, Bob Pena provided a report summary on Ordinance and Animal Control Enforcement, Permits and Inspections.
- B. **Police Department** – Chief Gary Kent provided a report summary of the Case Breakdown, Arrests, Total Calls for Service and Citations.
- C. **Fire Department** – Captain Wright provided a report summary on the Fire Dept. calls and the Status Report for the CBCFR.

6. **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.

No items requested to be removed.

7. **CONSENT AGENDA:**

- A. Consider approval of minutes for Regular Council meeting on November 21, 2013. (Administrative Assistant, Amanda Feeney)

Motion was made by Councilmember Dennis Biggs to approve the consent agenda; motion was seconded by Councilmember Sherri Morales. Motion carried unanimously 4-0.

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

- A. Discussion and possible action to appoint Ernesto Servan to fill City Council Position Seat #4 vacancy until the next uniform election date to be held November 2014.

Motion was made by Councilmember Dennis Biggs to approve the appointment of Ernesto Servan to fill City Council Position Seat #4; motion was seconded by Councilmember Sherri Morales. Motion carried unanimously 4-0.

City Secretary administered the Oath of Office to Ernesto Servan. The newly appointed City Councilmember Servan took his seat.

- B. Discussion and possible action to receive report from Planning and Zoning Commission regarding the amended preliminary plat of Combined Bella Charca Preliminary Plat request by John Blankenship of Casa Frente Development, INC., a nine hundred and eight (908) lot subdivision of approximately 370.20 acres and approximately 39.29 acres of park area and green space.

Mr. Michael Lathan from Planning and Zoning Commission explained the
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recommendations and concerns for the preliminary plat of Combined Bella Charca Plat. There were three (3) areas of consideration. Two (2) were addressed with developer and were met with satisfaction; one (1) was not. Planning and Zoning Commission recommends that street names be added to plat as required by ordinance unless the City Council decides on using block number instead. Mr. Lathan stated that City Council will need to make the decision.

Councilmember Biggs posed question to Mr. John Blankenship, Developer of Casa Frente Development, Inc., for why there aren't any street names on the plat. John Blankenship responded by explaining that verifications of the names chosen would need to be submitted to US Postal Service and other entities to ensure the names can be used. Councilmember Biggs explained the issue would be the same whether done at this time or at a later time. Mr. Blankenship agreed that Councilmember Biggs was correct but had planned to obtain streets for final plat. Mr. Blankenship acknowledged that he also has a preliminary plat with the street names on it.

This agenda item resulted in discussion only; no action taken.

- C. Discussion and possible action to approve amended preliminary plat of Combined Bella Charca Preliminary Plat request by John Blankenship of Casa Frente Development, INC., a nine hundred and eight (908) lot subdivision of approximately 370.20 acres and approximately 39.29 acres of park area and green space.

Mr. John Blankenship, Developer of Casa Frente Development, Inc. provided the City Council a more detailed summary of the plat. Particularly, Mr. Blankenship presented the differences of the original plat to the present plat and the increase in lot size. He stated the modifications are a result of the marketing plan changing with the economy. Mr. Blankenship advised the City Council that he will also be bringing in 19 acre into the plat. Some of the differences shown were the bigger, fewer rural lots eliminating smaller lots, the change in layout with 35 feet setbacks, designated green spaces, one (1) pond, 39 total acres.

City Planner, Sallie Burchett advised City Council of her review of the plats. Mrs. Burchett briefly described the processes of concept plat, preliminary plat and the final plat processes. She further explained that a preliminary plat will nail down the vested rights. Also, then the City cannot make more demands on owner.

Mrs. Burchett continues to communicate that Heritage Estates is a different product that wasn't in the original preliminary, it is an out parcel. The plat combined is the end product with separate rights. The original preliminary plat was approved February 2008.

Mrs. Burchett continued by saying as a planner and from a safety perspective,

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prefers recommendations for 30 feet street width. This would have to be a special exception ordinance because the ordinance now requires a 36' paving. This would be required unless the City of Nolanville were to revise the subdivision ordinance. The Developer wants 28 feet width. The City needs to decide on street width and later formalize it utilizing the special exception.

Mrs. Burchett further conveys the importance of making any major changes prior to final plat being filed with courthouse. She reiterated that approving plat means approving street width. Mrs. Burchett also advised Council that significant changes will cause a revision of the preliminary plat; major changes can cause forfeiture of the plat. Mrs. Burchett also pointed out to the City Council the Ribbon Curbs on the plat allows for easier manoeuvre because curbs are lower. This also makes it easier to pull off the road.

Mrs. Burchett advised Council that they may want to table this item to address all of the concerns. She requested the Council detail their concerns and allow the city attorney to answer the questions.

Council members expressed many concerns. Some of the concerns were as follows:

Councilmember Brackmann – The code dictates the street width and fears change to the street width requirement can be a major safety issue.

Councilmember Morales – If road is approved a certain width, should we then have sidewalks?

Mayor Rosenthal – Council really has all the answers, concern is that City Council doesn't want to give out so many exceptions.

Councilmember Biggs – Requests that parking be on one side, it may also cause a regulatory issue. Also questioned if there will be parking on both sides?

Councilmember Karlsson - Expressed concern with all these issues that were brought up. She continues by saying if we start making exceptions and exceptions won't end.

Mr. Blankenship explained the developers' reasoning for wanting a 28' street width is for the "Rural look" but the standard is 24'. He said the City Staff had some concerns at 24', therefore the developers changed it to 28'. Mrs. Burchett agreed that this width is in line with how it's being done in most other places.

As a result of the mentioned concerns, the City Council requested input from the Fire Department, Chief Worsdale and the Police Department, Chief Kent.

Chief Worsdale stated his main concern would be at the intersections, making

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the turn with the fire truck.

Chief Kent expressed there weren't any concerns with performing any enforcement as a result of approving the plat.

Motion was made by Councilmember Sherri Morales to table action to approve amended preliminary plat of Combined Bella Charca preliminary Plat request by John Blankenship of Casa Frente Development, INC., a nine hundred and eight (908) lot subdivision of approximately 370.20 acres and approximately 39.29 acres of park area and green space.; motion was not seconded. Motion aborted and not carried.

Stephen Pearl, City Manager reiterated Mrs. Burchett recommends the approval of the preliminary plat. He continues to say if approved certain exceptions may apply. Mr. Pearl further explained that if Council is making a motion to table this item, please state the concerns that will need to be addressed.

Mayor Rosenthal communicates that all items have really been addressed.

Motion was made by Councilmember Sherri Morales to approve the amended preliminary plat of the Combined Bella Charca preliminary Plat request by John Blankenship of Casa Frente Development, INC., a nine hundred and eight (908) lot subdivision of approximately 370.20 acres and approximately 39.29 acres of park area and green space with street names as recommended by the Planning and Zoning Commission; motion was seconded by Councilmember Dennis Biggs. Motion carried unanimously 5-0.

- D. Discussion and possible action to approve Special Exception to Subdivision Ordinance 7055-08, Section 4 A (11) (a), by authorizing a fifty-foot (50') dedicated right-of-way for streets and twenty-eight foot (28') paved street; issued to John Blankenship for the property known as Bella Charca Heritage Estates, a subsection of the Combined Bella Charca Preliminary Plat, Nolanville, Texas.

Motion was made by Councilmember Sherri Morales to approve Special Exception to Subdivision Ordinance 7055-08, Section 4 A (11) (a), by authorizing a fifty-foot (50') dedicated right-of-way for streets and twenty-eight foot (28') paved street; issued to John Blankenship for the property known as Bella Charca Heritage Estates, a subsection of the Combined Bella Charca Preliminary Plat, Nolanville, Texas.; motion was seconded by Councilmember Dennis Biggs. Motion carried three (3) ayes (Councilmember Biggs, Morales, and Servan) to two (2) nays (Councilmember Karlsson and Councilmember Brackmann.

- E. Discussion and possible action directing City staff to obtain an appraisal and
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feasibility study on real property in the City limits for the City's potential purchase.

Regular Meeting adjourned at 7:01 pm for Executive Session.

(The City Council may adjourn into Executive Session per Texas Government Code 551.072, Deliberation about Real Property)

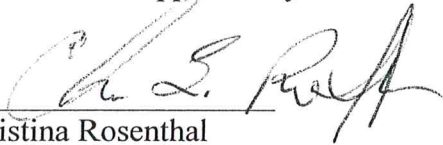
Regular Meeting Re-adjourned at 7:28 pm.

Motion was made by Councilmember Sherese Karlsson to approve directing City staff to obtain an appraisal and a feasibility study on real property in the City limits for the City's potential purchase; motion was seconded by Councilmember Dennis Biggs. Motion carried 5-0.

9. ADJOURNMENT

Motion was made by Councilmember Brackmann to adjourn at 7:31 p.m.; motion was seconded by Councilmember Ernest Servan. Motion carried 5-0.

Date Minutes approved by Council: December 16, 2013



Christina Rosenthal
Mayor



Crystal Briggs
City Secretary