



THE STATE OF TEXAS
CITY OF NOLANVILLE

SPECIAL CALL MEETING MINUTES

Wednesday, September 20, 2017

1. **ROLL CALL:**

Mayor Christina Rosenthal called the meeting to order at 6:00 pm and announced a quorum was present. Mayor Pro-tem Butch Reis and Councilmembers Joan Hinshaw, George French III, David Williams and James Bilberry were present.

2. **INVOCATION:**

Invocation was performed by Councilmember James Bilberry.

3. **PLEDGE TO THE FLAGS:**

Mayor Christina Rosenthal led the pledges to the flags.

4. **VISITORS/CITIZENS FORUM:**

Irene Andrews, a local representative for Texas Silver-Haired Legislature who resides on Wayne Drive addressed the City Council. Ms. Andrews wanted to thank City Council and City Staff for allowing the Texas Silver-Haired Legislature to use the JW Sims Center for the town hall meeting. Ms. Andrews advised City Council of the great turnout. She explained that State Representative Scott Cosper said, "Let's do this again." Ms. Andrews would love the opportunity to provide another Town Hall Meeting in the future.

5. **PUBLIC HEARINGS:**

- A. The City Council of the City of Nolanville will conduct the second Public Hearing to receive comments on the Proposed Budget for FY 2017-2018 filed with the City Secretary on August 1, 2017.

Public Hearing opened at 6:04 pm.

There weren't any citizens wishing to make comments.

Public Hearing closed at 6:05 pm.

- B. The City Council of the City of Nolanville will conduct the second Public Hearing to receive comments on the Proposed Tax Rate for FY 2017-2018 filed with the City Secretary on August 1, 2017.

Public Hearing opened at 6:05 pm.

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Councilmember James Bilberry wanted to Thank Kara Escajeda and Staff for being prudent with the budget.

There weren't any citizens wishing to make comments.

Public Hearing closed at 6:06 pm.

6. NEW BUSINESS AND ACTION ITEMS:

A. Discussion and possible consideration to approve Ordinance No. F 17-09 #1:

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS, ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; PROVIDING THAT ALL PREVIOUS BUDGET ALLOCATIONS SHALL BE SAVED; AND PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.

Recorded Vote Required

Motion was made by Councilmember David Williams to approve Ordinance No. F 17-09 #1, adopting the budget for fiscal year beginning October 1, 2017 and ending September 30, 2018; motion was second by Mayor Pro-tem Butch Reis. All voted in favor. Motion was carried 5-0.

Christina Rosenthal, Mayor	No vote required
Councilmember Butch Reis	<u>X</u> (aye) ___ (nay) to ___ (abstention)
Councilmember Joan Hinshaw	<u>X</u> (aye) ___ (nay) to ___ (abstention)
Councilmember George French III	<u>X</u> (aye) ___ (nay) to ___ (abstention)
Councilmember David Williams	<u>X</u> (aye) ___ (nay) to ___ (abstention)
Councilmember James Bilberry	<u>X</u> (aye) ___ (nay) to ___ (abstention)

B. Discussion and possible consideration to approve Ordinance No. F 17-09 #2:

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS, SETTING A PROPERTY (AD VALOREM) TAX RATE AND APPROVING THE FY 2017-2018 AD VALOREM TAX RATE AND LEVY OF (\$0.4999) PER ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; AND PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.

Recorded Vote Required

Christina Rosenthal, Mayor	No vote required
Councilmember Butch Reis	<u>X</u> (aye) ___ (nay) to ___ (abstention)
Councilmember Joan Hinshaw	<u>X</u> (aye) ___ (nay) to ___ (abstention)
Councilmember George French III	<u>X</u> (aye) ___ (nay) to ___ (abstention)
Councilmember David Williams	<u>X</u> (aye) ___ (nay) to ___ (abstention)
Councilmember James Bilberry	<u>X</u> (aye) ___ (nay) to ___ (abstention)

Motion was made by Councilmember Joan Hinshaw to approve Ordinance No. F 17-09 #2, setting property (Ad Valorem) tax rate and approving the FY 2017-2018 Ad Valorem Tax Rate and Levy of (\$0.4999) Per one hundred dollars (\$100) of assessed valuation of all taxable property within the corporate limits of the City; motion was second by Councilmember David Williams. All voted in favor. Motion was carried 5-0.

- C. Discuss and possibly take action on Construction Contract (“Contract”) with Peal and Associates, Inc. (“Contractor”) for CDBG Contract No. 745048 (Community Center).

Motion was made by Councilmember James Bilberry to approve taking action on Construction Contract with Peal and Associates for CDBG Contract No. 745048 (Community Center); motion was second by Councilmember George French III. All voted in favor. Motion was carried 5-0.

- 1) Approve declaration that Contractor has violated and defaulted on the terms of the Contract.

Motion was made by Councilmember James Bilberry to approve declaration that Contractor has violated and defaulted on the terms of the Contract; motion was second by Councilmember George French III. All voted in favor. Motion was carried 5-0.

- 2) Authorize withholding of payments to Contractor pursuant to Contract Par. 6(d).

Motion was made by Councilmember James Bilberry to authorize withholding of payments to Contractor pursuant to Contract Par. 6(d); motion was second by Councilmember George French III. All voted in favor. Motion was carried 5-0.

- 3) Authorize enforcement of liquidated damages pursuant to Contract Par. 9(c) in the amount of \$300.00 for each calendar day of delay.

Motion was made by Councilmember James Bilberry to authorize enforcement of liquidated damages pursuant to Contract Par. 9(c) in the amount of \$300.00 for each calendar day of delay; motion was second by Councilmember George French III. All voted in favor. Motion was carried 5-0.

- 4) Authorize Contract termination pursuant to Contract Par. 9(b) if violations and delays do not cease and an arrangement of correction is made to the satisfaction of the City Manager.

Motion was made by Councilmember James Bilberry to authorize Contract termination pursuant to Contract Par. 9(b) if violations and delays do not cease and an arrangement of correction is made to the satisfaction of the City Manager; motion was second by Councilmember George French III. All voted in favor. Motion was carried 5-0.

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- 5) In the event of Contract termination, authorize filing and pursuing of a claim with Contractor's surety, Sure Tec Insurance Co.

Motion was made by Councilmember James Bilberry authorize filing and pursuing of a claim with Contractor's surety, Sure Tec Insurance Co; motion was second by Councilmember George French III. All voted in favor. Motion was carried 5-0.

7. **WORKSHOP ITEMS:** Workshop began at 6:51 pm

Discussion commenced on the following:

- A. Code of Ethics for City Council

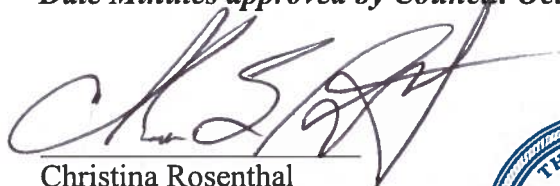
Councilmember to review Code of Ethics and submit their recommendations to the City Secretary for review at a workshop in October.

- B. Color Selections for the Park Multi Use Center

8. **Adjournment**

Meeting was adjourned at 7:14 pm.

Date Minutes approved by Council: October 5, 2017



Christina Rosenthal
Mayor



Attest.



Crystal Briggs
City Secretary