



MINUTES CITY COUNCIL MEETING

Tuesday, October 10, 2023
7:00PM at City Hall

Mayor – Benito Ponce

Council Member Place 1 – Mike Laye
Council Member Place 2 – Donald Deering
Council Member Place 3 – Kerrie Longoria

Council Member Place 4 – Clayton Laughter
Council Member Place 5 – Frank Hudson

City Staff:

Morgan Kowaleski, City Clerk
Jim Shepherd, City Attorney

Citizens:

Eric Wellwood, Tricia Brown,
Larry Thomson, Deuce Waters,
Beth Noska, Kaylee Tolin
Jeff Owens, Steve Weeks
Julian Valenback, Paul Breitzman
Derrick Little, Judith Hudson,
Julie Strickland, Debra Caldwell,
Charles Hatfield, Bart Carroll,
Nathan Olson, Jim Woomer,
Russell Newton, Bruce Mathews

REGULAR MEETING

1. Call to Order and Declaration of Quorum –

Time: 7:09PM
Council Member Don Deering was absent.

2. Invocation –

Mayor Benito Ponce led the invocation.

3. Pledge of Allegiance to the United States of America –

I pledge Allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all.

Those in attendance pledged allegiance to the United States of America.

4. Pledge of Allegiance to the Texas Flag –

Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Those in attendance pledged allegiance to the Texas Flag.

5. Public Comment –

Citizens are invited to address the City Council with public comments. Comments regarding items for which notice has not been given will be limited to three minutes, prior to discussion of agenda items, and Council responses shall be in accordance with Sec. 551.042 of the Texas Government Code. Comments regarding an item on the agenda may be given before or during discussion of that item. An intentional act intended to disrupt a Government meeting is prohibited.

Citizen Eric Wellwood addressed the City Council and spoke on his concerns regarding the Atmos Easement located in Cedar Ridge Estates.

Citizen Paul Brietzman addressed the City Council and spoke on current events.

REPORTS

6. Reports:

a. City Secretary Report –

No report at this time.

b. City Attorney Report –

No report at this time.

c. Code Enforcement Report –

No report at this time.

d. Financial Report (2nd Council Meeting) –

No report at this time.

e. Mayor Pro Tem Report –

Mayor Pro Tem provided updates to the City Council and Citizens about the increased cost of Employee Health Care Benefits, the Street Sign Project, and the setup of a potential meeting between the City & Cards Recycling & Waste Management to discuss and resolve complaints.

f. Mayor's Report/Status –

Mayor Ponce discussed a recent vehicle accident on FM 1138 & 541, downed trees within Nevada city limits and potholes. Mayor Ponce presented former City Secretary, Deuce Waters with a gift in recognition of his tenure with the City of Nevada.

g. NVFD Report (2nd Council Meeting) –

No report at this time.

CONSENT AGENDA

7. Approval of Previous Meeting Minutes – September 19, 2023 and September 26, 2023 –

Mayor Pro Tem Longoria made a motion to approve the minutes as written. Council Member Laye seconded the motion. The motion was carried with a 5-0 vote.

REGULAR AGENDA

8. City Council to deliberate on Beer and Wine sales within Nevada City limits –

City Attorney Jim Shepherd spoke on this agenda item and explained the various options for beer & wine sales within Nevada City Limits.

9. Discuss and consider action on the MyGov platform –

Council Member Laye made a motion to approve. Council Member Laughter seconded the motion. The motion was carried with a 5-0 vote.

10. Discuss and consider action on the Legacy Park Development Agreement –

City Attorney, Jim Shepherd and Developer, Bart Carroll both spoke on this agenda item. Mayor Pro Tem Longoria voiced concern on the traffic issues that this development could cause. Bart Carroll stated that a traffic impact analysis would be performed.

Council Member Laye made a motion to approve the Legacy Park Development Agreement. Council Member Laughter seconded the motion. The motion was carried with a 4:1 vote. Mayor Pro Tem Longoria voted in opposition.

11. Review and take any appropriate action on a concept plan for the Bear Creek subdivision by the owners, Cope Equities, for a new single family residential subdivision –

City Attorney, Jim Shepherd spoke on this agenda item. Cope representatives, Jim Woomer, Nathan Olson, and Steve Cope answered the City Council’s questions. No action was taken.

12. Future Agenda Items –

Future agenda items shall be designated by the Mayor. In addition, a motion and a second from any two Councilpersons shall be sufficient to add an agenda item for a future meeting. Staff and counsel shall have prior consent of the Mayor to add an agenda item for a future meeting.

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| 1. Advertising Sign Ordinance | 6. | 11. |
| 2. ½ Acre Ordinance | 7. | 12. |
| 3. Roof Slope | 8. | 13. |
| 4. Solicitation Ordinance | 9. | 14. |

13. Executive Session –

Texas Government Code 551.074 Personnel---Review of City Clerk and City Secretary positions, evaluation, terms, duties, compensation and related matters for either one or both positions.

As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Time: 8:28 PM

14. Regular Session: Reconvene from Executive Session –

Time: 8:50 PM

15. If required, act on items reviewed in Executive Session –

Council Member Laughter made a motion to appoint Morgan Kowaleski to the role of City Secretary. Mayor Pro Tem Longoria seconded the motion. The motion was carried with a 5-0 vote.

16. Adjournment/Closing –

Time: 8:59 PM

Benito Ponce, Mayor

Attest:

Morgan Kowaleski, City Secretary

