

Agenda

CITY OF NEVADA

424 E FM 6 NEVADA, TX 75173 | 972-853-0027



AGENDA

CITY COUNCIL MEETING

Tuesday, January 2, 2024
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

REGULAR MEETING

1. Call to Order and Declaration of Quorum- Time:
2. 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.

Pledge of Allegiance to the Texas Flag -

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

4. Public Comment –

Citizens are invited to address the meeting with public comments. Comments regarding items for which notice has not been given will be limited to three minutes. 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 when recognized by the Chair. An intentional act intended to disrupt a government meeting is a violation of law.

REPORTS

5. Reports:
 - a. City Secretary Report
 - b. City Attorney Report
 - c. Code Enforcement Report
 - d. Financial Report (2nd Council Meeting)
 - e. Mayor Pro Tem Report
 - f. Mayor's Report/Status
 - g. NVFD Report (2nd Council Meeting)

CONSENT AGENDA: ACTION

6. Approval of Previous Meeting(s) Minutes – December 19, 2023.

REGULAR AGENDA

7. Discuss and consider taking action on a potential Waste Water Treatment Plant.
Summary: City Engineer, Chris Donnan is here to provide an update and answer any questions from the Council.
8. Discuss and consider taking action the quote provided by WOPAC for the pothole repairs and level up repairs on various streets in the city limits of Nevada.
Summary: James/Adam from WOPAC can speak on this agenda item.
9. Discuss and consider taking action on providing CARDS with a 90-day termination notice and the potential acceptance of proposals for waste management services for the City of Nevada.
Summary: The City Council is to discuss and deliberate upon the consideration of accepting potential bids for waste management services within the municipal boundaries of the City of Nevada.
10. Discuss and consider taking action on the removal of Planning & Zoning Commissioner, Karl Fisher from the P&Z Commission.
Summary: Commissioner Fisher was last in attendance of a P&Z meeting in May 2023.

FUTURE AGENDA ITEMS

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.

- | | | |
|----|-----|-----|
| 1. | 6. | 11. |
| 2. | 7. | 12. |
| 3. | 8. | 13. |
| 4. | 9. | 14. |
| 5. | 10. | 15. |

Executive Session - Time: _____

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.

Regular Session: Reconvene from Executive Session - Time: _____

If required, act on items reviewed in Executive Session.

Adjournment / Closing - Time: _____

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting, the Council reserves the right to adjourn into executive session on any of the above-posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of an interest in real property], 551.073 [contract for gift to City], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices] 551.087 [deliberation regarding economic development negotiations].

The City of Nevada is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at (469) 788-7610 Ext: 102 for information.**

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the other boards, commissions and/or

committees shall not deliberate or decide any matters relating to items listed on this agenda and no minutes shall be prepared.

A member or member of the government body holding this meeting may attend via videoconference pursuant to the provisions of Tex. Gov't Code 551.127. In the event that a member or members of the government body holding this meeting attends via videoconference, a quorum of the government body holding this meeting will be physically present at the location identified above.

I certify that the above agenda for this meeting of the City Council of the City of Nevada, Texas, was posted on the bulletin board at City Hall, in Nevada, Texas, on **Friday, December 29, 2023, at 5:00 pm** pursuant to Chapter 551 of the Texas Government Code.


Morgan Kowaleski, City Secretary



Agenda Item #5a.
City Secretary
Report

Agenda Item #5b.

**City Attorney
Report**

Agenda Item #5c.

Code

Enforcement

Report

Agenda Item #5d.

Financial Report

Agenda Item #5e.
Mayor Pro Tem
Report

Agenda Item #5f.

Mayor's Report

Agenda Item #5g.

NVFD Report

Agenda Item # 6



MINUTES

CITY COUNCIL MEETING

Tuesday, December 19, 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 Secretary

Citizens:
Bruce Mathews, Russell Newton,
James Gracey, Eric Welwood,
Rachel Ponce, Tracey Ponce

REGULAR MEETING

1. **Call to Order and Declaration of Quorum –**

Time: 7:03PM

Council Members Deering and Laye were absent.

2. **Invocation –**

Mayor Benito Ponce asked EDC President Bruce Mathews to lead 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. **Reports:**

a. **City Secretary Report –**

Good evening, Council Members & Citizens,

We have an assortment of cookies and pastries available, as well as a hot chocolate bar. Please no one hesitate to help yourselves.

Today I had a conference call with Hau, from Revize who we are currently working with to finalize a stie map for our new website. Hau has created an initial sitemap to be reviewed, which I will forward to Clayton, the Mayor, and Mayor Pro Tem. If anyone else on the council would like to share their input, I can forward it to you as well. As Haw explained it, once reviewed and changes made, the sitemap will go back and forth between the city & Revize to be finalized.

b. City Attorney Report –

N/A

c. Code Enforcement Report –

Code Enforcement Officer Dennis Wagner provided the Council with an update and answered questions.

d. Financial Report (2nd Council Meeting) –

Council reviewed the November 2023 Financial Report.

e. Mayor Pro Tem Report –

Mayor Pro Tem Longoria provided council and citizens an update on the Eugene Road repair bid with Collin County and asked citizens for their feedback on CARDS waste management.

f. Mayor's Report/Status –

Mayor Ponce provided an update to the “old Nevada” drainage project.

g. NVFD Report (2nd Council Meeting) –

N/A

CONSENT AGENDA

6. Approval of Previous Meeting Minutes – December 5, 2023 –

Council Member Clayton Laughter made a motion to approve the minutes as written. Council Member Longoria seconded the motion to approve the minutes. Motion carried with a 3-0 Vote.

REGULAR AGENDA

7. Discuss and consider the quote provided by WOPAC for the pothole repairs and level up repairs on various streets in the city limits of Nevada –

Council Member Longoria made a motion to table this agenda item until a WOPAC representative could appear before the council to answer the council's questions. The council would also like to perform an onsite analysis and map to determine the level of urgency. Council Member Laughter seconded the motion to table. Motion carried with a 3-0 Vote.

8. Discuss the concern brought before Council by Nevada citizen Eric Welwood regarding anonymous complaints being filed against Cedar Ridge Estates residents –

Mayor Ponce addressed the Council and citizens regarding a concern brought before council by Eric Welwood. No action was taken.

9. 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.

- | | | |
|--------------------------|-----|-----|
| 1. CARDS – 90 Day Notice | 6. | 11. |
| 2. WOPAC Quote | 7. | 12. |
| 3. Old Nevada Drainage | 8. | 13. |
| 4. WWTP Update | 9. | 14. |
| 5. Karl Fisher – P&Z | 10. | 15. |

10. Executive Session –

11. Regular Session: Reconvene from Executive Session –

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

13. Adjournment/Closing –

Time: 8:04 PM

Benito Ponce, Mayor

Attest:

Morgan Kowaleski, City Secretary

Agenda Item # 7

From: [Chris M. Donnan](#)
To: [Benito Ponce](#); [Kerrie Longoria](#)
Cc: [Jim Shepherd \(jim@jshepherdlaw.com\)](#); [Morgan Kowaleski](#)
Subject: City of Nevada - Sanitary Sewer Flows
Date: Thursday, December 28, 2023 12:21:55 PM
Attachments: [image001.png](#)
[City of Nevada - Wastewater Flows \(Hidden Creek Development\).msg](#)
[City of Nevada - Hidden Creek WWTP.msg](#)
[SYSTEM MAP CR 1040.pdf](#)
[Potential WWTP Locations.pdf](#)

Good afternoon. I hope everyone had a great Christmas.

I think we had a good meeting with Nevada SUD last week. The SUD has proposed two possible locations for the WWTP (System Map CR 1040 attached). Both are southeast of town and would discharge into Bois d Arc Creek or a major tributary. If you look at the attached "Potential WWTP Locations Map" that I created a few weeks ago you will see that over 3,000-acres would gravity drain to either location proposed by the SUD. Of course, much of this acreage will see residential development and based on my conversations with you guys, the City is really only interested in providing capacity to the proposed WWTP to commercial development. Residential development would still be required to have OSSF. Doing this keeps the density of residential development to a half-acre minimum. Moving forward under that assumption, of the over 3,000 acres, approximately 400 acres have a future land use designation of commercial (this excludes the school). At this preliminary planning stage, I think it would be wise to tack on another 100 to 200 acres as large residential development may find it desirable to mix in some commercial components.

Therefore, assuming 600 acres of future commercial development at 1,500 gallons per acre per day (gpac) (based City of McKinney Design Manual) results in a required capacity of 900,000 gallons per day (gpd). That is a significant amount of wastewater flow. Of course, the 1,500 gpac from McKinney's Design Manual assumes dense commercial development. At this stage, I believe it is safe to assume that commercial development in Nevada will not be as dense as it is in McKinney. With that in mind, I believe a more realistic assumption for wastewater flows would be 750 to 1,000 gpac. This results in a required capacity of 450,000 to 600,000 gpd. Based on all of this, I would recommend requesting an **ultimate capacity of 600,000 gpd**. Please keep in mind, these are preliminary numbers looking to full buildout 30+ years down the road. Unfortunately, I do not have a crystal ball so the required capacity we provide the SUD today should be routinely reevaluated (at least once every five years) to ensure we are accurately tracking the City's needs as it grows.

Earlier this year we did a similar exercise (see attached emails) for the Stinebaugh Development (50-acres) and settled on 75,000 gpd for the Stinebaughs and another 75,000 gpd for near term (next 5 to 10 years) commercial development. As it was then and still is now, without knowing what exactly the commercial development will look like (e.g. restaurants, offices, storage, outlets, box stores, mixed use), one must make some broad assumptions which will ideally result in a high flow rate estimate.

I believe Nevada should request 150,000 gpd with the first phase of the WWTP. This will cover the Stinebaugh Development and other near term future commercial development. As the WWTP

expands and the City grows, we will have to evaluate how much additional capacity is needed and when. When considering ultimate development (30+ years down the road), it is my recommendation that the City request capacity for 600,000 gpd.

Please note that these calculations are preliminary and high level in nature. Without knowing specifics on the type and density of future commercial development, it is difficult to accurately calculate the wastewater flows. I believe I have made conservative assumptions; however, the anticipated wastewater flows should be routinely reevaluated (at least once every 5 years if not more frequently as development demands it) to ensure we are providing the SUD with as accurate an estimate as possible as we move forward.

Thank you,

Chris Donnan, P.E. CFM

Principal / Project Manager

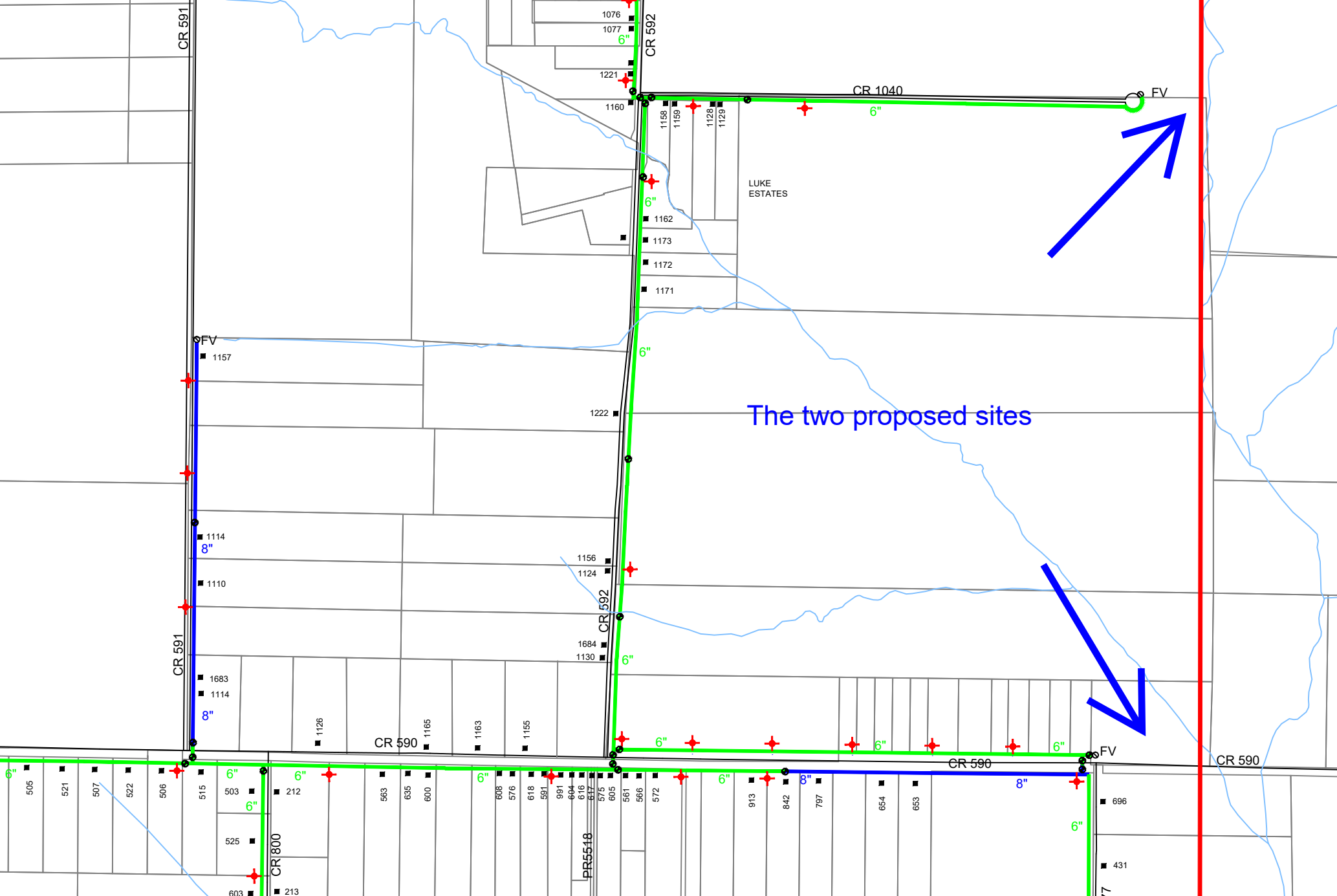


TxEng F-315 | TxSurv F-10028600 | OSBPE/LS #603 | ASBPE #2521

4445 SE Loop 286 | Paris, TX 75460

O: 903.785.0303 | D: 903.401.8561 | C: 903.249.2736

<https://haytereng.com/>



The two proposed sites



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Legend <div><div></div> Sewer Boundary</div> <div><div></div> City Limits</div> <div><div></div> ETJ</div>	Sanitary Sewer Flows (Hidden Creek WWTP)	
	Nevada, Texas	
	HAYTER ENGINEERING Practical Infrastructure Solutions	Hayter Engineering, Inc. 4445 SE Loop 286 Paris, TX 75460 www.haytereng.com TxEng F-315 TxSurv F-10028600
	March 2023	PROJECT NO.: 385001-86.41

0

900

1,800

Feet

N

Agenda Item # 8

WOPAC Const. Inc.

P.O. Box 819
Prosper, TX 75078
972-562-8316
adamleachwopac@aol.com
wopacconst.com

Estimate

Estimate No:

2355

Date:

4/10/2023



Quote To:

City of Nevada
424 E. FM 6
Nevada, TX 75173

WOPAC Construction Inc. hereinafter called the company, offers to furnish all labor, materials and equipment required for the performance of the following described work.

Job and Location: Pot Hole repairs and Level up repairs on Various Streets in City. 12-12-23

Item	Description	Quantity	Unit	Rate	Amount
1	Repair potholes and install asphalt Level ups in low areas on the following streets: West St. - from Hwy 6 South to County Maint Sign. Kerens St. - from FM 1138 to East St. Eve St. - from Hwy 6 to Kerens St. Cole St. - North and South of Hwy 6.	1	LS	\$22,500.00	\$22,500.00
2	Repair Potholes on CR 589 from end of West St. to County Maint Sign.	1	LS	\$2,450.00	\$2,450.00
3	Repair potholes on Eugene, East, Collins and Evans Streets.	1	LS	\$3,100.00	\$3,100.00
4	Repair potholes on South St.	1	LS	\$3,600.00	\$3,600.00

Grand Total

\$31,650.00

Agenda Item # 9

NO DOCUMENT

Agenda Item # 10

NO DOCUMENT