



Notice is hereby given of a Regular Meeting of the Nacogdoches City Council to be held **November 17, 2015, beginning at 5:30 p.m.** in the Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

PLEASE LIMIT PRESENTATIONS TO THREE MINUTES
(UNLESS PRIOR APPROVAL IS OBTAINED)

1. Call to order.
2. Items to be removed from Consent Agenda.
3. **CONSENT AGENDA:** Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.
 - A. Consider approval of minutes from November 3, 2015 regular session. (City Secretary)
 - B. Consider casting votes for Nacogdoches Central Appraisal District Board of Directors. (City Manager)
 - C. Consider approval of Historic Restoration Grant budget for FY 2016. (Director of Community Services)

REGULAR AGENDA:

4. Consider authorization to purchase fire engine from Siddons-Martin Emergency Group in the amount of \$449,611. (Fire Chief)
5. Consider appointment of one member to the Main Street Advisory Board to fill a vacancy. (City Secretary)
6. Consider authorization to purchase John Deere 115hp Tractor with Boom Mower. (Public Works Manager)

For audience convenience, Council may conduct Executive Session deliberation in Room 112, of City Hall. Reconvening open session for action, if any, on Executive Session items will be in City Council Chambers. Regular Session agenda items appropriate for Executive Session consideration may be moved into Executive Session for deliberation, but not action, upon proper announcement at the meeting by the presiding officer.

7. **EXECUTIVE SESSION:**

- A. Personnel - Review City Attorney Applications as per G.C. 551.074.
- B. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:

1. Discuss or deliberate regarding commercial or financial information the City received from business projects the City body seeks to have locate in the City of Nacogdoches and with which the City is conducting economic development negotiations; and
 2. Deliberate the offer of a financial or other incentive to business prospects described by Subdivision 1 above.
- C. Deliberation Regarding Security Devices or Security Audits under G.C. 551.076 (1) the deployment, or specific occasions for implementation, of security personnel or device.
8. Open for action, if any, on Item 7-A.
 9. Open for action, if any, on Item 7-B-1.
 10. Open for action, if any, on Item 7-B-2.
 11. Open for action, if any, on Item 7-C.
 12. Consider amendment to Resolutions 576-12-95 and 825-9-03 regarding licensed open or concealed carrying of handguns in Council Chambers during Council meetings and possession of other firearms on City premises or in City vehicles. (City Attorney)
 13. Adjourn.



Jan Vinson, City Secretary



This agenda is posted as required under G. C. Section 551.041. For more information or a copy of the Open Meetings Act, please contact the Attorney General of Texas at 1-800-252-8011; the City Secretary at 936/559-2506 or visit the City of Nacogdoches web site at www.ci.nacogdoches.tx.us.

Nacogdoches City Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (936) 559-2506 or FAX (936) 559-2912 for further information.

CERTIFICATION

I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on November _____, 2015 at 5:00 p.m. and remained posted until meeting convened.

Jan Vinson, City Secretary

ITEM NO. 3-A

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: CONSENT AGENDA: Consider approval of minutes from regular session of November 3, 2015.

MEETING DATE: November 17, 2015

CITY CONTACT: Jan Vinson
City Secretary
vinsonj@ci.nacogdoches.tx.us
559-2506

ATTACHMENTS: Minutes

MINUTES
Regular Session
Nacogdoches City Council
November 3, 2015 – 5:30 p.m.
City Council Room – City Hall
202 E. Pilar Street

DRAFT

Regular Session:

Those Present:

Mayor Roger Van Horn; Council members Shelley Brophy, Roy Boldon, Mike Keller and David Norton; City Manager Jim Jeffers, City Attorney Rob Atherton and City Secretary Jan Vinson.

Mayor Van Horn called meeting to order at 5:31 p.m.

Mayor Van Horn presented a proclamation to John Boyett, Texas Forest Service, recognizing the first Friday in November as Arbor Day in the City of Nacogdoches.

2. Items to be removed from Consent Agenda.

None.

3. CONSENT AGENDA: Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.

A. Consider approval of minutes from October 20, 2015 regular session.

B. Consider authorization for tax resale for property described as: Being part of Lot 5, Block Number 2 of W. Nim Muckleroy Subdivision, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 397, Page 841, Deed Records of Nacogdoches County, TX. GEO (18-6302-005010).

C. Quarterly investment report for quarter ending September 30, 2015.

Council member Keller moved to approve consent agenda as presented. Motion seconded by Council member Boldon and unanimously passed.

REGULAR AGENDA:

4. Consider payment to Nacogdoches Convention and Visitors Bureau for website upgrade.

City Manager Jim Jeffers presented background regarding CVB's request for funding of a new website. Carl Watson, CVB Director, requested \$48,700 from the City of Nacogdoches to acquire software for a new website. Simpleview, LLC was chosen by the CVB and its Board of Directors to provide the new website, which is robust on the back end, to replace the outdated and inadequate website currently used.

Mark Barringer, CVB Chairman of the Board and Jannette Sparks, CVB Marketing Director spoke in support of the new website and gave a brief description of what could be expected from Simpleview, LLC with an expected launch date of May 2016. The CVB will provide quarterly reports to the city regarding the progress and how the software is producing results.

Council member Norton moved to approve payment of \$48,700 to Nacogdoches Convention and Visitors Bureau as requested. Motion seconded by Council member Brophy and unanimously passed.

Minutes unofficial until approved by City Council

5. Consider selection and award of a Professional Engineering Contract to Schaumburg & Polk, Inc. for design of several sanitary sewer projects.

Robert Haberle with Schaumburg and Polk, Inc. was present. City Engineer Steve Bartlett presented Council with information regarding replacing sanitary sewer line along North Street from Magnolia Court Assisted Living to Rose Lake Boulevard, which has failed and is experiencing frequent collapses and blockages. SPI will also provide bid plans for a new sewer extension along North Stallings Drive to serve the new Travel Plaza & Denny's. Total approximate construction cost is \$550,000.

Council member Keller moved to approve selection and award to Schaumburg and Polk, Inc. Motion seconded by Council member Boldon and unanimously passed.

6. EXECUTIVE SESSION:

- A. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:
1. Discuss or deliberate regarding commercial or financial information that the City has received from business projects that the City body seeks to have locate in the City of Nacogdoches and with which the City is conducting economic development negotiations; and
 2. Deliberate the offer of a financial or other incentive to business prospects described by Subdivision 1 above.

City Council went into Executive Session at 6:08 p.m.

City Council reconvened Open Session at 6:20 p.m.

7. Open for action, if any, on Item 9-A.

No action taken.

8. Adjourn.

Mayor Van Horn adjourned meeting at 6:21 p.m.

Mayor Roger Van Horn
City Council
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary



ITEM NO. 3-B

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: CONSENT AGENDA: Consider casting votes for Nacogdoches Central Appraisal District Board of Directors

MEETING DATE: November 17, 2015

DESCRIPTION: The City of Nacogdoches is entitled to 665 votes for Central Appraisal District Board of Directors. Roger Van Horn is the City's nomination.

RECOMMENDED ACTION: Cast all entitled votes for Roger Van Horn.

CITY CONTACT: Jim Jeffers, City Manager
559-2501
jeffers@ci.nacogdoches.tx.us

ATTACHMENTS: Resolution

RESOLUTION

A RESOLUTION CASTING THE CITY OF NACOGDOCHES' VOTES FOR CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS

WHEREAS, the City of Nacogdoches has been allocated 665 votes for this entitlement for Central Appraisal District Board of Directors; and

WHEREAS, the Nacogdoches City Council meeting in regular session on November 17, 2015 is in agreement that all votes should be cast for the City's nomination in order to increase the chances of having a City representative elected to the Board; and

WHEREAS, Roger Van Horn is the City's nomination to the Central Appraisal District Board of Directors.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NACOGDOCHES, TEXAS AS FOLLOWS:

City Council of the City of Nacogdoches does hereby cast all 665 votes for Roger Van Horn to serve on the Central Appraisal District Board of Directors.

PASSED AND APPROVED THIS 17TH DAY OF NOVEMBER, 2015.

Mayor Roger Van Horn
City Council
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

Approved as to form: _____
Rob Atherton, City Attorney

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: CONSENT AGENDA: Consider approval of the Historic Restoration Grant budget for FY 2016

MEETING DATE: November 17, 2015

DESCRIPTION: The Historic Restoration Grant fund is used to aid in the preservation of historic structures located within the Historic Overlay. Since the program began in 1989 the city has awarded approximately \$750,000 in grant funds used to complete approximately \$3,200,000 worth of exterior restoration projects. For this grant cycle \$60,727.94.00 in grants funds will help complete approximately \$120,000 in exterior renovations. The Historic Landmark Preservation Committee met on November 2, 2015 and recommended a budget that will match 50% of each project. \$25,000 in HOT funds is allocated to this program in each year's budget. However, when an applicant forfeits their award, by not completing the project, or when a project comes in under budget, the funds are placed back into the account. This year's award of approximately \$60,000 is an accumulation of funds from previous years in addition to the current fiscal years allocation of \$25,000.

COST: \$60,727.94

FUNDING FROM CURRENT BUDGET

FUNDING:	<u>Acct. Name & No.</u>	<u>Balance</u>	<u>Requested</u>
	<i>Hotel Motel Tax</i>	<i>\$63,176.17</i>	<i>\$60,727.94</i>

SCHEDULE: The grant funds will be disbursed upon completion of each project. Each of the approved applicants will have one year to complete their project.

RECOMMENDED ACTION: The Historic Landmark Preservation Committee recommends approval of the attached budget for the FY 2016 Historic Restoration Grant funding.

CITY CONTACT: Brian W. Bray, Director of Community Services
936-559-2935
brayb@ci.nacogdoches.tx.us

ATTACHMENTS: Historic Restoration Grants FY 2016 project list and budget.

FY 2016 Historic Restoration Grant Funding

Case	Use	Project Address	Applicant	Project Estimate	% Awarded	Amount Granted	FY 2016 Amount Awarded	Project Description
2016-001	Comm	407 E. Main	Antonia Garcia	\$ 4,511.88	50.00%	\$ 2,255.94		Paint Building and install sign
2016-002	Res	512 N. Lanana	Clarence McMichael	\$ 16,060.00	50.00%	\$ 8,030.00		Repair cracked concrete on driveway, install fence along the side and back of the building Repaint building, install awning and iron post on front of building, install outdoor signage, repaint and level bricks on rear outside wall.
2016-003	Comm	114 S. Pecan	Richard Fischer	\$ 30,000.00	50.00%	\$ 15,000.00		
2016-004	Comm	1801 North St	Russell R. Smith	\$ 5,963.50	50.00%	\$ 2,981.75		Replace existing lighting and replace gutters
2016-005	Comm	110 N. Pecan	Bo Miller	\$ 23,545.00	50.00%	\$ 11,772.50		Reroof and replace bay door with commercial raised panel door
2016-006	Res	210 S. Lanana	Margaret Abemethy Duffin	\$ 10,000.00	50.00%	\$ 5,000.00		Reroof
2016-007	Comm	418 N. Mound	Thomas Tracy	\$ 31,375.50	50.00%	\$ 15,687.75		Extend eaves to the end of the front porch, replace existing brick (concrete walkway with brick) walkway, restore windows and doors, install skirting under porch
2016-008	Res	321 Lanana	Guy Mayfield	\$ 18,800.00	50.00%	\$ 9,400.00		Repair damaged/rotten wood, remove and replace old roof, repair roof bracing as needed, replace windows and replace garage door
2016-009					No application			
2016-010	Comm	222 N. Mound St	Milton Pitts	\$4,800.00	50.00%	\$ 2,400.00		Install pavestone walkway
				TOTAL	\$121,456	\$ 60,727.94	\$0.00	
				AVERAGE	50%	\$ 11,098.05	#DIV/0!	

Total available funds \$ 63,176.17

Total unallocated funds \$2,448.23

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider authorization to purchase fire engine from Siddons-Martin Emergency Group in the amount of \$449,611.

MEETING DATE: November 17, 2015

DESCRIPTION: Nacogdoches Fire & Rescue operates 5 fire stations and responds to over 4,400 calls per year. Response to the all-hazard situations in our community requires a fleet of apparatus including engines, ladder trucks, rescue trucks, boats and staff vehicles.

The FY 15-16 budget includes funding of \$450,000 for the purchase of a replacement fire engine. This fire engine will be assigned to Station 4 (High School) and will replace a 26 year old reserve engine. This engine will be capable of responding to a wide variety of emergencies and has a projected lifespan of over 15 years.

Staff has selected a 2016 Pierce Saber pumper to be purchased through the H-GAC Cooperative Purchasing Agreement. This fire engine closely resembles the 2012 engine located at Station 3. Pierce, and their dealer, Siddons-Martin Emergency Group have been dependable partners in our emergency vehicle fleet for many years and have provided a high quality product and exceptional service.

This engine includes a pre-payment discount which is secured by a performance bond.

COST: The cost of the system is \$449,611.00 which includes a pre-payment discount of \$13,597.00 and the H-GAC administration fee of \$2000.

SCHEDULE: Delivery time for the engine is up to 9 months from approval.

RECOMMENDED ACTION: Approve purchase of fire truck as specified.

CITY CONTACT: Keith Kiplinger, Fire Chief
936-559-2540

ATTACHMENTS: Quote can be viewed at Fire Administration.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider the appointment of one member to the Main Street Advisory Board to fill a vacancy.

MEETING DATE: November 17, 2015

DESCRIPTION: There is a vacancy on the Main Street Advisory Board upon the resignation of Susie Lower in October 2015. The appointment must be designated by the City Council. The Main Street Manager Amy Mehaffey recommends Bo Miller, who has already interviewed with the selection committee, for this appointment.

SCHEDULE: Upon City Council approval, staff will notify the appointed members.

CITY CONTACT: Jan Vinson, City Secretary
559-2506

ATTACHMENTS: Application

City of Nacogdoches
Application for Appointment to City Boards and Committees

Name of Board or Committee to which you are applying: HIPC, Main Street Advisory

Note: A person may serve on only two (2) City boards or committees at one time.

Name: Mr Miller William (Bo) Grady
(Title) (Last) (First) (Middle)

Permanent Residence Address: _____
(Street) (City) (State) (Zip Code)

Preferred Mailing Address: _____
(If different from above) (Street) (City) (State) (Zip Code)

Preferred Phone and Fax: _____
(Phone) (Fax)

Email Address: _____

Occupation: Self employed

Employer: Miller's Point Title: Owner

Are you a registered voter in the City of Nacogdoches? ___ Yes No

Are you a resident of the City of Nacogdoches? ___ Yes No

Length of residence: _____ In which Ward do you reside? _____

Do you, your spouse or your employer have any financial interest, direct or indirect in any contract with the City of Nacogdoches?
___ Yes No
If Yes, please explain: _____

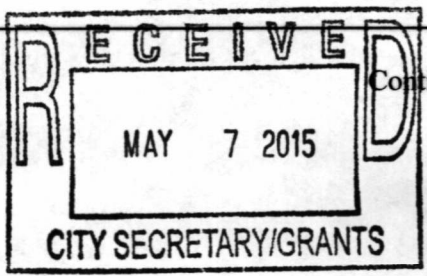
Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service?
___ Yes No
If Yes, please explain: _____

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board or Committee to which you are seeking appointment?
___ Yes No
If Yes, please explain: _____

Convictions: Have you ever been convicted of violating any federal, state or municipal law, regulation or ordinance? ___ Yes No
If so, give details. Do not include traffic violations. _____

(Rev. 12/09)

Acknowledged 5-7-15



Continued on Page 2

City of Nacogdoches Application for Appointment to City Boards and Committees (Page 2)

Name: _____

BACKGROUND

Education: Bachelor of Science Louisiana Tech

Professional: Realstate, Retail, Forestry services

Volunteer Experience/Community Service: _____

Areas of interest: Realstate, Commerce

Please specify membership on any other governmental Board or Committee. List all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities of which you are currently a member and/or officer and/or employed by, and give the title and dates of any position that you have held in such organization.

Organization: _____

Title: _____ Dates: _____

Organization: _____

Title: _____ Dates: _____

Reasons for Seeking Appointment: Please attach a brief narrative outlining your interests and qualifications for seeking appointment. You may also add a résumé or additional information.

I have rread and understand the instructions and appointment process. The foregoing and any attached statements are true, accurate and complete; and I agree that any misrepresentation or omission of facts may result in my disqualification for appointment.

Signature [Handwritten Signature]

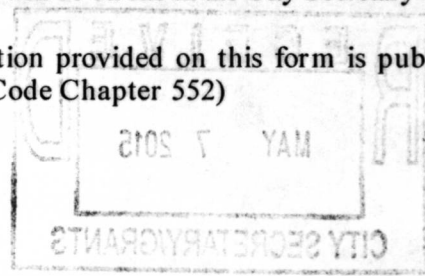
Date 5/7/2015

FILE COMPLETED FORM WITH CITY SECRETARY'S OFFICE BY DEADLINE FOR PROCESSING

Nacogdoches City Secretary
P.O. Box 635030
Nacogdoches, Texas 75963-5030
Phone: 936-559-2504
Fax: 936-559-2912

(Original copy will be on file in the City Secretary's Office for 12 months.)

Note: Information provided on this form is public and subject to the Texas Public Information Act (Government Code Chapter 552)



Handwritten note: forward to [unclear]

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider authorization to purchase of John Deere 115hp Tractor with Boom Mower

MEETING DATE: November 17, 2015

DESCRIPTION: This a John Deere 115hp Tractor with an extendable reach 17' Boom Mower attachment used to trim brush in R.O.W., steep embankments or slopes.

COST: \$ 98,001.42

FUNDING FROM CURRENT BUDGET

FUNDING:	Acct. Name & No.	Requested
Street Department	Capital Equip/ 01.86 680.25	\$110,000

ACTION: Award bid for purchase of above John Deere 115hp Tractor with Boom Mower thru Fish & Still Equipment via Buy Board for Total Price of \$ 98,001.42

CITY CONTACT: Cary Walker, Public Works Manager
(936) 559-2582

ATTACHMENTS: Quotation/specifications available for review at the Public Works Department.

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: EXECUTIVE SESSION:

- A. Personnel – Review City Attorney Applications as per G.C. 551.074.**
- B. Deliberation regarding Economic Development negotiations under Local Government Code Section 551.087 as follows:**
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 - 2. Deliberate the offer of a financial or other incentive to business prospects described by Subdivision 1 above.**
- C. Deliberation Regarding Security Devices or Security Audits under G.C. 551.076 (1) the deployment, or specific occasions for implementation, of security personnel or device.**

MEETING DATE: November 17, 2015

**Presentation will be made at
Tuesday's meeting**



ITEM NO. 12

**CITY OF NACOGDOCHES
AGENDA INFORMATION SHEET:**

PROJECT: Consider amendment to Resolutions 576-12-95 and 825-9-03 regarding licensed open or concealed carrying of handguns in Council Chambers during Council meetings and possession of other firearms on City premises or in City vehicles.

MEETING DATE: November 17, 2015

DESCRIPTION: Recent State legislation has both limited the Council's ability to regulate licensed carry of handguns and allowed licensed open carry of handguns beginning January 1, 2016. Resolutions by prior Councils now overreach in permissible regulation and do not address open carry. Firearms regulation by the City as to type, location, and persons needs to be revisited to get direction from Council.

SCHEDULE: At Council discretion

RECOMMENDED ACTION: Receive direction from Council

CITY CONTACT: Rob Atherton, City Attorney
936-559-2503

ATTACHMENTS: None