



November 5, 2024

Notice is hereby given of a Regular Meeting of Nacogdoches City Council to be held on the above date in the City Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, beginning at 5:30 p.m. for the purpose of considering the following agenda items.

Some City Council Members may attend via videoconference but a quorum of the City Council and the Presiding Officer will be present at the above-stated physical location. The meeting will be streamed live at: <https://www.nactx.us/21>. There will be an opportunity for the public to comment on agenda items in person in Council Chambers.

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

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. OPEN FORUM. Open Forum is an opportunity for citizens to address the City Council about items listed on the agenda, as well as on matters that are not specifically listed on the agenda. Alternatively, a citizen may address the City Council about an agenda item when the item comes up for consideration during the meeting. In order to address the City Council, please complete the Public Comment Form and submit it to the City Secretary prior to the start of the meeting. In accordance with the Texas Open Meetings Act, the City Council will not discuss, deliberate, or make any decisions on items not listed on the agenda. Comments are limited to 3 minutes per person.
4. ITEMS TO BE REMOVED FROM CONSENT AGENDA.
5. 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 a contract by and between the City of Nacogdoches and SCS Engineers for professional engineering services on Landfill Major Permit Amendment – Phase I Services in a not-to-exceed amount of \$724,135.00. (Assistant City Engineer)
 - B. Consider approval of the renewal of a two-year contract between the City of Nacogdoches and HillCo Partners for the provision of intergovernmental consulting services in an amount not to exceed \$120,000. (City Manager)
 - C. Consider approval of multiple Indefinite Deliverable Indefinite Quantity contracts by and between the City of Nacogdoches and Longview Asphalt, Inc. and Texas Materials, for asphalt products and limestone base material used in Public Works operations in a not-to-exceed total budgeted amount of \$250,000.00. (Director of

Public Works)

- D. Consider approval of a Professional Services Contract between Cunningham Recreation and the City of Nacogdoches for playground design and construction at Robert McCrimmon Park for an amount not to exceed \$240,000. (Community Services Director)
 - E. Consider approval of minutes for the October 8, 2024, City Council Regular Meeting and the October 15, 2024, City Council Regular Meeting. (City Secretary)
 - F. Consider approval of the purchase of Track Loader from Holt Cat for a not-to-exceed amount of \$467,080.00. (Public Works Operations Manager)
6. REGULAR AGENDA: City Council will receive staff recommendations and public input on the following items, and may deliberate and take formal action on the item.
- A. **Public Hearing:** Consider approval of a Specific Use Permit, in a B-2, General Business and R-4, Multi-Family Zoning District for Stone, Sand, Gravel & Mineral Extraction, for approximately 5 acres, on Lot 1, City Block 47, generally located on the east side of Old Tyler Road, approximately one-half mile north of the Powers Street and Old Tyler Road intersection. This request has been submitted by James Wood on behalf of the owner, John Mast of Separate Property Partnership, L.P. Case File SUP2024-06. (Interim City Planner)
 - B. **Public Hearing:** Consider approval of a Zone Change from I-2, Heavy Industrial to R-4, Multi-Family for approximately 2.87 acres, on Lot 78-S-5, City Block 56, located at 808 East Lane Drive and 2924 Hunter Street. This request has been submitted by the property owners, Lee and Tracy Saenz. Case File ZON2024-03. (Interim City Planner)
 - C. **Public Hearing:** Consider approval of a Zone Change from R-2, Single Family to R-3, Two Family for approximately 1 acre, on Lot(s) 1&2, of the Larry Wade Subdivision and Lot(s) 6, 7, 8, 9, & 10, City Block 47, generally located on the north side of Powers Street, approximately 350 feet east of the Ritchie Street and Powers Street intersection. This request has been submitted by the owner, Clifton White. Case File ZON2024-04. (Interim City Planner)
 - D. **Public Hearing:** Consider amending the Code of Ordinances of the City of Nacogdoches, Texas, Chapter 78 – “Signs”, Article I. – “In General”, Article IV – “Permits”, and Article V. – “Regulations for On-Premises Signs by District”, to define feather-type signs and allow for further control of placement, maintenance, and the number of times these signs can be used throughout the year. (Executive Director of Development and Infrastructure)
 - E. **Public Hearing:** Consider amending the Code of Ordinances of the City of Nacogdoches, Texas, including Chapter 46 – “Health and Sanitation”, Article III. – “Smoking Pollution Control”, and Chapter 118 – “Zoning”, Article I – “In General”, Article III. – “District Regulations”, and Article IV. – “Supplementary District Regulations” to allow for additional clarification and requirements for tobacco and

vape stores in the city of Nacogdoches. (Executive Director of Development and Infrastructure)

- F. **Public Hearing:** Consider amending the Code of Ordinances of the City of Nacogdoches, Texas, Chapter 118 – “Zoning”, Article II – “Administration”, Division 4 – “Amendment Procedure”, to allow for the change of designation of the controlling board for protests of zoning changes. (Executive Director of Development and Infrastructure)
- G. **Public Hearing:** Consider amending the Code of Ordinances of the City of Nacogdoches, Texas, Chapter 118 – “Zoning”, Article II – “Administration”, Division 3 – “Board of Adjustment”, to amend the number of days to file an appeal to the Board of Adjustment and who may appeal Board of Adjustment decisions. (Executive Director of Development and Infrastructure)
- H. Consider approval of the purchase of 65 body-worn cameras and approval of a contract by and between Nacogdoches Police Department and Motorola Solutions. (Chief of Police)
- 7. **EXECUTIVE SESSION:** Executive Sessions are for City Council to receive information and deliberate on matters specified in Subchapter D of the Texas Open Meetings Act. Council may reconvene in open session to vote on the matter.
 - A. Personnel Matters – Pursuant to Texas Government Code Section 551.074, deliberations regarding the appointment or employment of a public officer or employee. The subject of this executive session is the position of the City Manager.
- 8. Open for action, if any, on Executive Session item(s).
- 9. ADJOURN.



Rhonda Lewis
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 Attorney General of Texas at 1-800-252-8011; City Secretary at (936) 559-2506 or visit City of Nacogdoches web site at www.nactx.us.

CERTIFICATION

This meeting will be conducted pursuant to Chapter 551 of the Texas Government Code. The Council reserves the right to adjourn into Executive Session at any time during the meeting to discuss any of the above posted agenda, as authorized by Texas Local Government Code Sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of

interest in real property], 551.073 [prospective gift to city], 551.074 [certain personnel deliberations], 551.076 [deployment/implementation of security personnel or devices], or 551.087 [deliberations regarding economic development negotiations]. The City of Nacogdoches is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications may be provided upon request. Please contact the City Secretary at (936) 559-2506 for information. I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, on October 31, 2024, by 5:00 p.m., pursuant to Chapter 551 of the Texas Government Code.

Rhonda Lewis, City Secretary