



Nixon City Council Minutes for 03.07.2023 Regular Meeting

The Nixon City Council met in Regular Session on the 7th day of March 2023 at 5:30 p.m. in the Council Chambers at City Hall 302 E. Central Ave Nixon, TX 78140.

Members present were Mayor Dorothy Riojas, Justin La Fleur, Maggie Gaytan, Ellie Dominguez, and Rene Amaya. Also present were Michael Martinez, Shawn Shaw, Lew Cohn, Donald Hoffman, Jesus Reyes, Frank Hernandez, Angel De La Cruz, Kathy Harvey, Mark Mendez, Brittany Scarff, Valerie Tristan, Patsy Scherrer, Briana Dominguez, Pablo Aguirre, James McGarr, Natividad Ruiz, Adolph Trigo, Jeremy Bustos, Tanya Torres and Harold Rice.

Quorum was declared present, and the meeting was called to order by Madame Mayor Dorothy Riojas at 5:31 p.m.

Prayer was given by Rene Amaya. And the pledge of Allegiance to the United States of America and the State of Texas was recited.

There were five citizens to be heard. Angel De La Cruz spoke regarding the upcoming Memorial Day presentation and Memorial wall. Brittany Wagner Scarff spoke regarding the N-S Education Foundation/ Bud Box Camp house concert/picnic to be held April 5, 2023. Patsy Vigil Scherrer spoke regarding the railing downtown on N. Nixon Ave. Adolph Trigo spoke regarding the times of the Council meetings, and Valerie Vazquez spoke regarding agenda item #15, which was the submission of City approval of the master plan showing 11 lots, 9 residential and 2 commercials with a public road and cul-de-sac.

Motion was made by Rene Amaya and seconded by Ellie Dominguez to approve the minutes of the February 6th, 2023 regular meeting. Motion carried 3-0. Maggie Gaytan abstained she was not at that meeting.

Motion was made by Maggie Gaytan and seconded by Rene Amaya to approve the financial statements and paid bills. Motion carried 4-0.

Motion was made by Justin La Fleur and seconded by Maggie Gaytan to close east second street from north Nixon to north Roosevelt for feather fest on Cinco de Mayo. Motion carried 4-0.

Council discussed the entertainment and some activities scheduled for feather fest on Cinco de Mayo.

Motion was made by Rene Amaya and seconded by Maggie Gaytan to move agenda items 5-8 into executive session under Government Code 551.071(Consultation with Attorney regarding contemplated or pending litigation, a settlement officer or administrative hearing.) and 551.074(Personnel Matters). Motion carried 4-0.

Motion was made by Maggie Gaytan and seconded by Justin La Fleur to upgrade police vehicles for OLS (Operation Lone Star) not to exceed \$40,000.00. Motion carried 4-0.

Motion was made by Justin La Fleur and seconded by Maggie Gaytan to allow the city manager and Chief of Police to sell vehicle surplus at auction and follow all local and state guidelines. Motion carried 4-0.

At this time Mayor Riojas found another citizen to be heard sheet under her paperwork and gave Briana Dominguez the floor at that time. Ms. Dominguez spoke regarding agenda items #5,6,7 and 8 which were employment contracts for the city manager, chief of police, city secretary and city attorney and agenda item #12 which was amending mobile home ordinance 0907.

Motion was made by Justin La Fleur and seconded by Maggie Gaytan to approve a unity title for the 300 block of east 6th street. Motion carried 3-1. Ellie Dominguez abstained because it was not explained to her and did not know about it.

Also at this time Pablo Aguirre had signed up under citizens participation to speak on agenda item #12. It was explained by the city attorney that if you sign up to speak under citizens participation that you must do so at that time and not later. Mr. Aguirre spoke regarding the mobile home ordinance. He is concerned that as a person investing in the city that it could jeopardize his investment if mobile homes will be allowed.

Motion was made by Justin La Fleur and seconded by Maggie Gaytan to move agenda item #12 to executive session under Government code 551.071 (Consultation with Attorney regarding contemplated or pending litigation, a settlement officer or administrative hearing). Motion carried 4-0.

Motion was made by Justin La Fleur and seconded by Rene Amaya to move agenda item #13 and #14 to executive session under Government code 551.071 (Consultation with attorney regarding contemplated or pending litigation, a settlement officer or administrative hearing.) and Government code 551.086 (Deliberations regarding municipally owned utility.) Motion carried 4-0.

Valerie Vazquez also signed up under citizens participation to speak regarding agenda item #15. Her concern is how will the new subdivision going in will affect her property with water flow and trash. James McGarr who is the engineer for the subdivision spoke to council as well as to Mrs. Vazquez regarding her concerns.

Motion was made by Maggie Gaytan and seconded by Justin La Fleur to approve the master plan showing 11 lots, 9 residential and 2 commercials, with a public road and cul-de-sac. All lots to be served with city water and sewer. Developer will construct water and sewer main lines to be dedicated to the city upon completion and acceptance. Public road to be dedicated to the city upon completion and acceptance. Motion carried 4-0.

Motion was made by Rene Amaya and seconded by Justin La Fleur to move agenda item #16 to executive session under Government code 551.086 (Deliberations regarding municipally owned utility.) Motion carried 4-0.

Motion was made by Justin La Fleur and seconded by Rene Amaya to make necessary 2022-2023 budget amendments pursuant to items listed on the current agenda item #9. To use OLS (Operation Lone Star) or ARPA funding to purchase the police vehicle. Motion carried 4-0.

Police Chief Cantu gave the month of January police report.

Fire Chief Mendez gave the month of January fire report.

City manager Harold Rice gave the manager report for the month of January.

Council came out of regular session at 6:44pm from council chambers and went into executive session at 6:49pm in the community center so that citizens that signed up to speak regarding an agenda item may have the opportunity to speak with council.

Motion was made by Maggie Gaytan and seconded by Justin La Fleur to open back up citizen participation. Adolph Trigo had signed up to speak, however his form was not seen. Motion carried 4-0.

Adolph Trigo spoke regarding the meeting times and dates.

Council came out of executive session at 8:10pm and went back into regular session at 8:11pm.

Motion was made by Ellie Dominguez and seconded by Maggie Gaytan to table items #5-8 to give time to review the contracts for next month. Motion was 2 for and 2 against. Mayor Riojas was the tie breaking vote, and she voted not to table until next month. Motion was 3-2 with Justin La Fleur, Rene Amaya and Mayor Riojas against tabling agenda item #5-8, and Ellie Dominguez and Maggie Gaytan for.

Motion was made by Justin La Fleur and seconded by Rene Amaya to approve the contracts of the City of Nixon police chief, city manager, city secretary and city attorney. Motion carried 3-1. Ellie Dominguez voted against.

Motion was made by Justin La Fleur and seconded by Maggie Gaytan not to make any amendments to the mobile home ordinance 0907 at this time. Motion carried 4-0.

Motion was made by Justin La Fleur and seconded by Rene Amaya on adopting all Wilson County's rules and regulations with regard to on site sewage facilities and infrastructure for any properties located in Wilson County and outside the Nixon City limits, but officially annexed by the City of Nixon, Texas. Motion carried 4-0.

Motion was made by Justin La Fleur and seconded by Rene Amaya to adopt all Gonzales County's rules and regulations with regards to on site sewage facilities and infrastructure for any properties located in Gonzales County and outside the Nixon City limits, but officially annexed by the City of Nixon, Texas. Motion carried 4-0.

Motion was made by Justin La Fleur and seconded by Rene Amaya to approve the use of septic systems for sewage on half acre and larger lots (according to current Wilson County standards) for our mobile home/housing development on our Wilson County land outside of the Nixon City limits. Motion carried 4-0.

Motion was made by Justin La Fleur and seconded by Maggie Gaytan to adjourn the meeting. Motion carried 4-0

Mayor, Dorothy Riojas

Alderman, Maggie Gaytan

Alderman, Justin La Fleur

Alderman, Rene Amaya

Alderman, Ellie Dominguez

Alderman, MaryAnn Fatheree

Attest:

Tanya Torres
City of Nixon Secretary