



Nixon City Council Minutes for December 16th, 2024, Regular Meeting

The Nixon City Council convened in a Regular Meeting on Monday, December 16th, 2024, at 6:00 p.m. in the Nixon City Hall Council Chamber 302 E. Central Ave Nixon, TX 78140.

Members present were Mayor Ellie Dominguez, Justin La Fleur, Jack Rogers, Shannon Smith, Patsy Scherrer, Pat Dingler, Darryl Becker, Tanya Torres, Eddie Escobar, Melissa Pompa, Jeremy Bustos, Miguel Cantu, Rachael Barber, Lavon Villanueva, Adolph Trigo, Jessica Smith, Kat Whitecotton, Lew Cohn, David Aguilar, Rachel Aguilar, Dominic DeJesus, Don Watt, Mark Mendez, Elainy Rodriguez, Pablo Aguirre, Lino Tovar, and Edgardo Tovor.

A call to Order was made at 6 pm by Mayor Ellie Dominguez.

Invocation and Pledges were given by Mayor Pro-Tem Jack Rogers.

Public Comment – (This time is provided for citizens to address the Council on issues and concerns. No action can or will be taken on issues discussed under this portion of the meeting. Please limit your remarks to a period not to exceed three (3) minutes. We ask that you approach the council and state your name and address for the record.) **Under House Bill 2840 (codified in Texas Government Code Section 551.007), all attending citizens who wish to comment on specific agenda items, during a scheduled meeting, must sign up to do so before the start of the meeting and indicate which agenda item they wish to comment on. Said public comment on agenda items shall occur once the agenda item is reached during the meeting, but before the City Council deliberating the matter. A time limit of three (3) minutes shall be observed by all commenting citizens.**

Mr. Pablo Aguirre spoke positively about the work of Interim City Manager Darryl Becker with the City of Nixon and the various projects he has been managing.

Mr. Don Watt praised Interim City Manager Darryl Becker for his excellent work in the City of Nixon and highlighted how helpful he and the city are to organizations and businesses.

1. Discuss, Consider, Possible Action to approve the November 18th, 2024, Regular Meeting minutes.

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Pat Dingler with a second from Patsy Scherrer to approve the November 18th, 2024, Regular Meeting minutes.*
Is there any further discussion?
- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- d. *Motion Passed*
 - *Justin LaFleur: Aye*

- *Patsy Scherrer: Aye*
- *Patricia Dingler: Aye*
- *Jack Rogers: Aye*
- *Shannon Smith: Aye*

2. Discuss, Possible Action on the Approval of City Bills and Signatures on Checks.

- At this time, I will entertain a motion.*
- I have a motion made by Justin La Fleur with a second from Patsy Scherrer to the Approval of City Bills and Signatures on Checks and that a resolution be drawn up.*

Is there any further discussion?

- Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

3. Discuss, Consider, Possible Action to Approve the Financial Statements.

- At this time, I will entertain a motion.*
- I have a motion made by Pat Dingler with a second from Shannon Smith to approve the Financial Statements*

Is there any further discussion?

- Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

4. Discuss, Consider, Possible Action to Approve Amendment #1 for the Engineering Service contract for the GLO CDBG – DR Program Contract number #20-065-051-C160.

- At this time, I will entertain a motion.*
 - I have a motion made by Justin La Fleur with a second from Pat Dingler to approve Amendment #1 for the Engineering Service contract for the GLO CDBG – DR Program Contract number #20-065-051-C160.*
- Is there any further discussion?*

- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- d. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingle: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

5. Discuss, Consider, Possible Action to Approve Amendment #2 for the Grant Administration Services contract for the GLO CDBG – DR Program Contract Number #20-065-051-C160.

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Pat Dingle with a second from Patsy Scherrer to approve Amendment #2 for the Grant Administration Services contract for the GLO CDBG – DR Program Contract Number #20-065-051-C160.*
Is there any further discussion?
- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- d. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingle: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

6. Discuss, Consider, Possible Action regarding a Mobile Home Variance at 110 S. Washington Ave.

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Patsy Scherrer with a second from Pat Dingle to approve a Mobile Home Variance at 110 S. Washington Ave.*
Is there any further discussion?
- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- d. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingle: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

7. Discuss, Consider, Possible Action regarding the Memorandum of Understanding with Golden Crescent Regional Planning Commission for compliance with Statewide Emergency Radio Infrastructure Grants.
- At this time, I will entertain a motion.*
 - I have a motion made by Pat Dingler with a second from Shannon Smith to approve the Memorandum of Understanding with Golden Crescent Regional Planning Commission for compliance with Statewide Emergency Radio Infrastructure Grants. Is there any further discussion?*
 - Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right hand saying "Nay." The motion passes or fails.*
 - Motion Passed*
 - Justin LaFleur: Aye*
 - Patsy Scherrer: Aye*
 - Patricia Dingler: Aye*
 - Jack Rogers: Aye*
 - Shannon Smith: Aye*
8. Discuss, Consider, Possible Action regarding 206 W. 3rd Ave, 508 N. Travis, 903 N. Lowery, and 600 block of N. Washington (old Boone house) for the Board of Appeals per Ordinance 2022-05-09 Substandard Building Regulations.
- At this time, I will entertain a motion.*
 - I have a motion made by Justin La Fleur with a second from Patsy Scherrer that 206 W. 3rd Ave find remedies to fix the structure and place a lien on the property. Motion passed. A motion was made by Justin La Fleur and seconded by Pat Dingler that 508 N Travis be given 30 days to begin to fix the property and bring it up to compliance. Motion passed. A motion was made by Justin La Fleur and seconded by Shannon Smith that 903 N. Lowery also has 30 days to comply. Motion passed. A motion was made by Justin La Fleur and seconded by Patsy Scherrer that 600 N. Washington be abated by the City of Nixon by demolition and placing a lien on the property. Motion passed. Is there any further discussion?*
 - Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right hand saying "Nay." The motion passes or fails.*
 - Motion Passed*
 - Justin LaFleur: Aye*
 - Patsy Scherrer: Aye*
 - Patricia Dingler: Aye*
 - Jack Rogers: Aye*
 - Shannon Smith: Aye*
9. Discuss, Consider, Possible Action on an update regarding the Nixon Feed Store's progress.
- At this time, I will entertain a motion.*
 - I have a motion made by Jack Rogers with a second from Justin La Fleur to approve any updates regarding the Nixon Feed Store's progress. And gave the Feed Store another 30 days to comply. Is there any further discussion?*

- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- d. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

10. Discuss, Consider, Possible Action with the Interim City Administrator/Interim City Manager regarding potential personnel matters, under Executive Session pursuant to Texas Government Code Section 551.072.

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Justin La Fleur with a second from Patsy Scherrer to take Agenda item #10 into executive session under Texas Government Code 551.072.*

Is there any further discussion?
- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- d. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

11. Discuss, Possible Action on the Posting of the City Manager position.

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Justin La Fleur with a second from Patsy Scherrer to take Agenda item #10 into executive session under Texas Government Code 551.072.*

Is there any further discussion?
- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*
- d. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

12. Discuss, Consider, Possible Action on any necessary 2024-2025 budget amendments under items listed on the current agenda.

- a. *At this time, I will entertain a motion. No action will be taken.*
- b. *I have a motion made by _____ with a second from _____ to*

Is there any further discussion?

- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye." All those who opposed signifying by raising your right saying "Nay." The motion passes or fails.*

- d. *Motion Passed*

- *Justin LaFleur:*
- *Patsy Scherrer:*
- *Patricia Dingler:*
- *Jack Rogers:*
- *Shannon Smith:*

13. Police Chief Report. Police Chief Miguel Cantu gave his report.

14. Public Works Director Report. The Public Works Director asked if the council had any questions for him, and they did not.

15. Code Compliance Report. Code Compliance Officer Rachael Barber gave her report.

16. Interim City Manager Report. Interim City Manager Darryl Becker gave his report.

17. Notices/Announcements/Items of Community Interest.

MERRY CHRISTMAS & A HAPPY NEW YEAR

18. City Attorney Report. City Attorney Eduardo Escobar asked that his report be given in Executive session under Texas Government Code 551.071.

A motion was made by Justin La Fleur and seconded by Pat Dingler to take the City Attorney's Report into Executive Session. Motion passed 5-0.

The council came out of the Regular session at 7:34 pm and went into the Executive Session at 7:45 pm.

The council came out of the Executive Session at 8:34 pm and went into the Regular session at 8:35 pm.

The council took No Action on Agenda Item #10.

A motion was made by Shannon Smith and seconded by Pat Dingler to name Darryl Becker the City Administrator of the City of Nixon for 2 years.

19. Adjournment.

- a. *If there is no discussion at this time, I will entertain a motion to adjourn.*
- b. *I have a motion made by Justin La Fleur with a second from Pat Dingler to adjourn. Is there any further discussion?*
- c. *Hearing none, all those in favor signify by raising your right hand saying "Aye". All those opposed signify by raising your right hand saying "Nay". The motion passes or fails.*
- d. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

The time is now 8:38 pm, and this meeting is adjourned

EXECUTIVE SESSION: The Nixon City Council may convene into an executive (Closed) session by the Texas Government Code when necessary and legally justified. Any item on this agenda may be discussed in executive session if authorized by Texas Law regardless of whether it is listed under "Executive Session" of this agenda and regardless of any past or current practice of the City Council. Executive sessions herein are closed meetings and may include the consideration of any item otherwise listed on the agenda plus any subject matter specified in the executive session notice and may include items under the Texas Government Code as follows: Section 551.071 (Consultation with Attorney regarding contemplated or pending litigation, a settlement officer or administrative hearing); Section 551.072 (Deliberations regarding Real Property); Section 551.073 (Deliberations about Gifts and Donations); 551.074 (Personnel Matters); Section 551.076 (Deliberation about Security Devices); Section 551.086 (Deliberations regarding Municipally Owned Utility) and Section 551.087 (Deliberations regarding Economic Development Negotiations).

This Notice of Meeting was posted for public viewing at City Hall in Nixon, Texas, a place convenient and readily accessible to the general public at all times. It was posted on Thursday, December 19th, 2024, at 5:00 p.m. and remained posted for 72 hours preceding the scheduled time of the meeting.

Attest:

Tanya Torres
City of Nixon Secretary

Handwritten signatures in blue ink, including: Elhi Dominguez, Pat Dush, Shannon Smith, Jack Rogers, and Justin LaFleur.