



Nixon City Council Minutes for November 18th, 2024, Regular Meeting

The Nixon City Council convened in a Regular Meeting on Monday, November 18th, 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, and Pat Dingler. Also present were Tanya Torres, Chief Miguel Cantu, Jeremy Bustos, Melissa Pompa, Eddie Escobar, Lew Cohn, Don Watt, Sherry Watt, Adolph Trigo, Pablo Aguirre, Nina Hernandez, Rudy Hernandez, Ron Messman, Gordon Swenson, Vee Strauss, Emilo Guzman, Laura Carvajal, Keith Clifton, John Overstreet, Rachael Barber, Dominic DeJesus and Christian Palacio.

A call to Order was at 6:00 pm by Mayor Ellie Dominguez.

Invocation and Pledges Councilwoman Patricia Dingler gave the Invocation.

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 the 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. Gordon Swenson spoke regarding the Nixon Feed Store and the citations that were given and his plans to fix the problems.

Justin LaFleur made a motion and was seconded by Jack Rogers to move agenda item #13 to the beginning of the meeting to agenda item # 1. Motion passed 5-0.

13. Discuss, Consider, Possible Action on Nixon Feed Company as the Board of Appeals per Ordinance 2022-05-09 Substandard Building Regulations.

a. At this time, I will entertain a motion.

b. I have a motion made by Justin La Fleur with a second from Shannon Smith I move that pursuant to Ordinance No. 2022-05-09, the Nixon Feed Company be given until December 13th, 2024 to get the building into compliance with adopted ordinances, and that this matter be placed on the agenda for December 16th, 2024 for reconsideration of further action. In addition, in exchange for allowing additional

*time to get this building up to code, the feed portion of the store be secured and closed to the public pending construction.
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

1. Discuss, Consider, Possible Action to approve the October 21st, 2024, Regular Meeting minutes.

a. At this time, I will entertain a motion.

*I have a motion made by Patricia Dingler with a second from Patsy Scherrer to approve the minutes of the October 21st, 2024, Regular Meeting.
Is there any further discussion?*

b. 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.

c. Motion Passed

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

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

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 Financial Statements. Is there any further discussion? Councilmember Patsy Scherrer had some questions regarding the phone stipend for the Finance Officer since the department was new.

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*

3. Discuss, Consider, Possible Action to Approve St. Joseph Catholic Church to close Washington Ave on Wednesday December 4th, 2024, for one hour.

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 St. Joseph Catholic Church to close Washington Ave on Wednesday December 4th, 2024, for one hour.* *Is there any further discussion? The Chief of Police volunteered to have patrol vehicles there to stop traffic.*
- 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*

4. **Presentation given by Pablo Aguirre regarding the Gladys Finch Pocket Park during the Christmas Holidays.**

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by _____ with a second from _____ to*
- Is there any further discussion? **No action was taken.***
- 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:*

5. **Discuss, Consider, Possible Action on approving a mobile home variance at 304 N. Garden Ave.**

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Pat Dingler with a second from Justin La Fleur to approve the mobile home variance at 304 N. Garden 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 Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

6. **Discuss, Consider, Possible Action on approving and adopting the revised Fee and Permit schedule.**

- 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 and adopt the revised Fee and Permit schedule.*
- 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 Dinger: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

7. 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.

- 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 Table Amendment #1 for the Engineering Service contract for the GLO CDBG - DR Program Contract number #20-065-051-C160 to a later time.*
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 Dinger: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

8. 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 Justin La Fleur with a second from Patsy Scherrer to Table Amendment #2 for the Grant Administration Services contract for the GLO CDBG - DR Program Contract Number #20-065-051-C160 to a later time.*
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 Dinger: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

9. Discuss, Consider, Possible Action on the City of Nixon's Adoption of the 2021 ICC International Electric Code, 2021 ICC International Building Code, 2021 ICC International Residential Code 2021 ICC International Mechanical Code, 2021 ICC International Plumbing

Code, 2021 ICC International Energy Conservation Code and 2021 ICC International Existing Building Code via Ordinance No. 0-2024-11-18-ICC.

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Jack Rogers with a second from Shannon Smith to adopt the City of Nixon's Adoption of the 2021 ICC International Electric Code, 2021 ICC International Building Code, 2021 ICC International Residential Code 2021 ICC International Mechanical Code, 2021 ICC International Plumbing Code, 2021 ICC International Energy Conservation Code and 2021 ICC International Existing Building Code via Ordinance No. 0-2024-11-18-ICC.*
Is there any further discussion? There was consideration of maybe having to hire a third-party inspector.
- 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*

10. Discuss, Consider, Possible Action on Approving the Fire Prevention and Protection Ordinance No. 0-2024-11-18-IFC.

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Justin La Fleur with a second from Pat Dingle to Approve the Fire Prevention and Protection Ordinance No. 0-2024-11-18-IFC as read.*
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*

11. Discuss, Consider, Possible Action on Approving the Peddler Ordinance No. 0-2024-11-18-PED.

- a. *At this time, I will entertain a motion.*
- b. *I have a motion made by Patsy Scherrer with a second from Shannon Smith to Approve the Peddlers Ordinance No. 0-2024-11-18 PED.*
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 Dinger: Aye
- Jack Rogers: Aye
- Shannon Smith: Aye

12. Discuss, Consider, Possible Action on Approving the Minimum Property Standards Ordinance No. 0-2024-11-18-MPS.

- At this time, I will entertain a motion.
- I have a motion made by Justin La Fleur with a second from Shannon Smith to Approve the Minimum Property Standards Ordinance No. 0-2024-11-18-MPS. 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 Dinger: Aye
 - Jack Rogers: Aye
 - Shannon Smith: Aye

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

- At this time, I will entertain a motion.
- I have a motion made by _____ with a second from _____ to make any necessary 2024-2025 budget amendments. Is there any further discussion? **The mayor added that the Council would need (3) Chromebooks. No Action was taken.**
- 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:
- Patsy Scherrer:
- Patricia Dinger:
- Jack Rogers:
- Shannon Smith:

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

16. Public Works Director Report. Public Works Director Jeremy Bustos asked the council if they had any questions regarding his report. They did not.

17. Code Compliance Report. Code Compliance Officer Barber gave a brief report.

18. Interim City Manager Report. Interim City Manager Becker was not present.

19. Notices/Announcements/Items of Community Interest.

God's Store House Grand Opening and Ribbon Cutting Ceremony Thursday, November 21, 2024 @ 11:30 a.m. Mr. Christian Palacio was present. He is with Congressman McCloud's office. Happy Thanksgiving to All!!!

20. City Attorney Report. City Attorney Eddie Escobar let the council know that they would need to go into Executive Session under Texas Government Code 551.071 for his report.

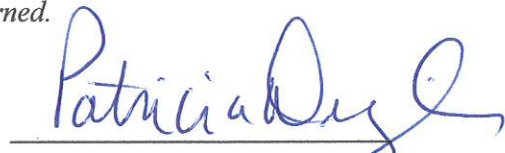
Council came out of the Regular Session at 7:14 pm and took a five-minute recess. The council went into Executive Session at 7:21 pm. Council came out of Executive Session at 8:39 pm and went into Regular Session at 8:39 pm.


21. 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 Patsy Scherrer 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 their right hand saying "Nay". The motion passes or fails.*
- d. *Motion*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingle: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

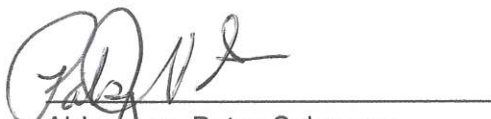
The time is now 8:40 pm, and this meeting is adjourned.


Mayor, Ellie Dominguez


Alderman, Patricia Dingle


Alderman, Justin LaFleur


Mayor Pro-Tem, Jack Rogers


Alderman, Patsy Scherrer


Alderman, Shannon Smith

Attest:


Tanya Torres
City of Nixon Secretary