



Notice of Meeting Nixon City Council July 15th, 2024

The Nixon City Council will convene in a Regular Meeting on Monday, July 15th, 2024, at 6:00 p.m. in the Nixon City Hall Council Chambers 302 E. Central Ave Nixon, TX 78140. The order of business will be as follows: All council members were present. Also present were Tanya Torres, Darryl Becker, Jesse Bell, Carlos Maldonado, Nina Hernandez, Nelly Flores, Sandra Flores, Chief Mike Cantu, Rachel Barber, Briana Dominguez, Shawn Collins, Teresa Maldonado, Melissa Pompa, Lew Cohn, Margaret Davis, Donald Hoffman, Jeremy Bustos, Dominic De Jesus and Eddie Escobar.

Call to Order

Invocation and Pledges

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.**

1. Discuss, Consider, Possible Action to approve the minutes of the June 17th, 2024, Regular Meeting,
 - a. *Is there any discussion?*
 - b. *If there is no discussion at this time, I will entertain a motion.*
 - c. *I have a motion made by Pat Dingler with a second from Jack Rogers to approve the minutes of the June 17th, 2024. Is there any further discussion?*
 - d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
 - e. *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. *Is there any discussion?*
- b. *If there is no discussion, I will entertain a motion.*
- c. *I have a motion made by Pat Dingler with a second from Patsy Scherrer to approve financial statements. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye." All those who opposed signify by saying "Nay." The motion passes or fails.*
- e. *Motion Passed*
 - Justin LaFleur: *Aye*
 - Patsy Scherrer: *Aye*
 - Patricia Dingler: *Aye*
 - Jack Rogers: *Aye*
 - Shannon Smith: *Aye*

3. Discuss, Consider, Possible Action on reviewing, and revising the current RV Park ordinances presented by Jesse Box and Carlos Maldonado owner of the RV Park on Artesia.

- a. *Is there any discussion? Give the Interim City Manager, Code Compliance officer, and City Attorney the authority to re-do the RV ordinances.*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin La Fleur with a second from Shannon Smith to approve the reviewing and revising of the current ordinances. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - Justin LaFleur: *Aye*
 - Patsy Scherrer: *Aye*
 - Patricia Dingler: *Aye*
 - Jack Rogers: *Aye*
 - Shannon Smith: *Aye*

4. Discuss, Consider, Possible Action on reviewing, and revising the current Food Vendor permits and pricing ordinances presented by Nelly Flores and Erika Vigil.

- a. *Is there any discussion? To allow food trucks to park at the Post Office parking lot from 2pm until 12am for free.*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin La Fleur with a second from Patsy Scherrer to approve the reviewing and revising of the current Food Vendor permits and pricing ordinances. Is there any further discussion? Food vendors may park at no charge from 2 pm-12am at the Post Office parking lot or the Glaydne Finch Pocket Park.*

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

5. Discuss, Consider, Possible Action on approving the Union Valley Baptist Church to use the Community Center at no charge for their Annual Rummage Sale.

- a. *Is there any discussion?*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin La Fluer with a second from Pat Dingler to approve Union Valley Baptist Church the use of the Community Center at no charge for their Annual Rummage Sale. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

6. Discusse, Consider, Possible Action on approving the use of the Community Center for the Nixon Bobcats Athletic Program at no charge for the banquet.

- a. *Is there any discussion?*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Patricia Dingler with a second from Jack Rogers to approve the Nixon Bobcats Athletic Program the use of the Community Center at no charge for their Athletic Program. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

7. Discuss, Consider, Possible Action on paving E. 4th Ave presented by Lorena Garcia.

- a. *Is there any discussion? Mrs. Garcia was not present, but would revisit the issue during budget.*
- b. *If there is no discussion at this time, I will entertain a motion.*

- c. *I have a motion made by Justin La Fleur with a second from Shannon Smith to address the paving of E. 4th Ave during the budget workshop. Is there any further discussion? Will be discussed during budget workshop.*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

8. Discuss, Consider, Possible Action on Surplusing a 1998 John Deere Backhoe Model 310E VIN/ID T0310EX837671 for the City of Nixon.

- a. *Is there any discussion?*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin La Fleur with a second from Patricia Dingler to approve the surplus of a 1998 John Deere Backhoe Model 310E VIN/ID T0310EX837671 for the City of Nixon. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

9. Discuss, Consider, Possible Action on Surplusing a Viatallis Maintainer Model 65-B VIN/ID 68C04631 for the City of Nixon.

- a. *Is there any discussion?*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin La Fleur with a second from Patsy Scherrer to approve the surplus of a Viatallis Maintainer Model 65-B VIN/ID 68C04631 for the City of Nixon. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

10. Discuss, Consider, Possible Action on Approving the 2024-2025 Notice of Renewal of Medical, Dental, and Vision benefits for the City of Nixon Employees.

- a. *Is there any discussion?*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin La Fleur with a second from Pat Dingler to approve the 2024-2025 Notice of Renewal of Medical, Dental, and Vision benefits for the City of Nixon Employees. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - Justin LaFleur: *Aye*
 - Patsy Scherrer: *Aye*
 - Patricia Dingler: *Aye*
 - Jack Rogers: *Aye*
 - Shannon Smith: *Aye*

11. Discuss, Consider, Possible Action regarding the Nixon/Rancho Historical Association using the City of Nixon Librarian to collect fees for the John Wesley Hardin documentary, and the leasing of the Lion's Club conference room at the Nixon Public Library for the John Wesley Hardin documentary to be viewed.

- a. *Is there any discussion? Donald Hoffman spoke.*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin La Fleur with a second from Patsy Scherrer to approve the the Nixon/Rancho Historical Association using the Nixon Lions Club conference room for the John Wesley Hardin documentary, and the leasing of the Lion's Club conference room at the Nixon Public Library for the John Wesley Hardin documentary to be viewed. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - Justin LaFleur: *Aye*
 - Patsy Scherrer: *Aye*
 - Patricia Dingler: *Aye*
 - Jack Rogers: *Aye*
 - Shannon Smith: *Aye*

12. Discuss, Consider, Possible Action on the sub-leasing of the monuments outside of Nixon for the City of Nixon to maintain.

- a. *Is there any discussion? No Action*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by _____ with a second from _____ to approve the sub-leasing of the monuments outside of Nixon for the City of Nixon to maintain. Is there any further discussion?*

- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion No Action Taken*
 - *Justin LaFleur:*
 - *Patsy Scherrer:*
 - *Patricia Dingler:*
 - *Jack Rogers:*
 - *Shannon Smith:*

13. Discuss, Consider, Possible Action on adopting the 2024-2025 Holiday Schedule for the City of Nixon.

- a. *Is there any discussion?*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Pat Dingler with a second from Patsy Scherrer to approve the 2024-2025 Holiday Schedule for the City of Nixon. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed as read*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

14. Discuss, Consider, Possible Action on setting and approving the two dates for the upcoming Budget Workshop.

- a. *Is there any discussion? First budget meeting 7/29/2024 @ 6pm and second budget meeting 8/5/2024 @ 6pm both to be held in council chambers.*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin La Fleur with a second from Patsy Scherrer to approve the Setting of two dates for the upcoming Budget Workshop on July 29th and August 5th. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

15. Discuss, Consider, Possible Action on any necessary 2023-2024 budget amendments under items listed on the current agenda.

- a. *Is there any discussion? Allocate \$25,000.00 from General Fund for legal expenses.*
- b. *If there is no discussion at this time, I will entertain a motion.*
- c. *I have a motion made by Justin LaFleur with a second from Patsy Scherrer to approve any necessary 2023-2034 budget amendments under items listed on the current agenda. Is there any further discussion?*
- d. *Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- e. *Motion Passed*
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

16.Fire Chief Report.

17.Police Chief Report.

18.Public Works Director Report.

19.Code Compliance Report

20.Interim City Manager Report.

21.Notices/Announcements/Items of Community Interest.- Nixon Volunteer Fire Department BBQ on Saturday @ 11:00 am and the Community Yard Sale.

22.City Attorney Report. Requested to go into Executive Session under Government Code 551.071.

Motion was made by Justin La Fleur and seconded by Patsy Scherrer to revisit agenda item #15.
Motion passed 5-0.

- a. A motion was made by Justin La Fleur and second by Jack Rogers to allocate \$25,000.00 General Fund any and all legal expenses.
- b. Motion Passed
 - *Justin LaFleur: Aye*
 - *Patsy Scherrer: Aye*
 - *Patricia Dingler: Aye*
 - *Jack Rogers: Aye*
 - *Shannon Smith: Aye*

23. 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 saying "Aye". All those opposed signify by saying "Nay". The motion passes or fails.*
- d. *Motion*
- Justin LaFleur: *Aye*
 - Patsy Scherrer: *Aye*
 - Patricia Dingler: *Aye*
 - Jack Rogers: *Aye*
 - Shannon Smith: *Aye*
- e. *The time is now 9:02 pm, and this meeting is adjourned.*

Elle Dominguez
Patricia Dingler
Patsy Scherrer
Jack Rogers
Shannon Smith
Justin LaFleur

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 Friday, July 12th, 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