



## Notice of Meeting Nixon City Council August 19<sup>th</sup>, 2024

The Nixon City Council will convene in a Regular Meeting on Monday, August 19<sup>th</sup>, 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. Council member Jack Rogers was absent. Also present were Tanya Torres, Darryl Becker, Dorothy Alexander, Frieda Canada, Nina Hernandez, Rudy Hernandez, Melissa Pompa, Kelly Roberts Cooper, Chief Mike Cantu, Joe Looper, Lew Cohn, Jeremy Bustos, Rachael Barber Briana Dominguez, Hector Dominguez Jr. 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 July 15<sup>th</sup>, 2024, Regular Meeting, July 29<sup>th</sup>, 2024, Special Meeting, and August 5<sup>th</sup>, 2024 Special Meeting.
  - 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 the minutes of the July 15, 2024, Regular Meeting, July 29<sup>th</sup>, 2024, Special Meeting, and the August 5<sup>th</sup>, 2024, Special Meeting. 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.*
  - e. *Motion*
    - *Justin LaFleur: Aye*
    - *Patsy Scherrer: Aye*
    - *Patricia Dingler: Aye*

- *Jack Rogers:*
- *Shannon Smith: Aye*

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

- Is there any discussion?*
- If there is no discussion, I will entertain a motion.*
- I have a motion made by Justin La Fleur with a second from Pat Dingler to approve financial statements. Is there any further discussion?*
- Hearing none, all those in favor signify by saying "Aye." All those who opposed signify by saying "Nay." The motion passes.*
- Motion*
  - *Justin LaFleur: Aye*
  - *Patsy Scherrer: Aye*
  - *Patricia Dingler: Aye*
  - *Jack Rogers:*
  - *Shannon Smith: Aye*

**3. Discuss, Consider, Possible Action to approve the use of barricades and road closure for the Saint Joseph Catholic Festival that will be held in September**

- Is there any discussion?*
- If there is no discussion, I will entertain a motion.*
- I have a motion made by Pat Dingler with a second from Patsy Scherrer to approve the use of barricades and road closure for the Saint Joseph Catholic Festival to be held in September. Is there any further discussion?*
- Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes.*
- Motion*
  - *Justin LaFleur: Aye*
  - *Patsy Scherrer: Aye*
  - *Patricia Dingler: Aye*
  - *Jack Rogers:*
  - *Shannon Smith: Aye*

**4. Discuss, Consider, Possible Action on approving Interim City Manager Darryl Becker and Director of Public Works Jeremy Bustos's authority to get bids for a 500-thousand-gallon ground storage tank.**

- Is there any discussion?*
- If there is no discussion, I will entertain a motion.*
- I have a motion made by Justin La Fleur with a second from Pat Dingler to approve Interim City Manager Darryl Becker and Director of Public Works Jeremy Bustos's authority to seek bids for a 500-thousand-gallon ground storage tank. Is there any further discussion?*
- Hearing none, all those in favor signify by saying "Aye". All those opposed signify by saying "Nay". The motion passes.*
- Motion*

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

**5. Discuss, Consider, Possible Action to discuss the City of Nixon Real property and possible Real property acquisition.**

- a. *Is there any discussion? The agenda item needs to be taken into Executive Session under Texas Government Code 551.072*
- b. *If there is no discussion, I will entertain a motion.*
- c. *I have a motion made by Justin La Fleur with a second from Shannon Smith to take the agenda item into Executive Session under Texas Government Code 551.072. 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.*
- e. *Motion*
  - *Justin LaFleur: Aye*
  - *Patsy Scherrer: Aye*
  - *Patricia Dingler: Aye*
  - *Jack Rogers:*
  - *Shannon Smith: Aye*

**6. Discuss, Consider, Possible Action to Approve the New Permits and Fees Schedule presented by the Code Compliance Officer.**

- a. *Is there any discussion? No Action was taken.*
- b. *If there is no discussion, I will entertain a motion.*
- c. *I have a motion made by \_\_\_\_\_ with a second from \_\_\_\_\_ to approve the New Permits and Fees Schedule presented by the Code Compliance Officer. 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*
  - *Justin LaFleur:*
  - *Patsy Scherrer:*
  - *Patricia Dingler:*
  - *Jack Rogers:*
  - *Shannon Smith:*

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

- a. *Is there any discussion? No Action was taken.*
- b. *If there is no discussion, I will entertain a motion.*

- c. *I have a motion made by \_\_\_\_\_ with a second from \_\_\_\_\_ to make any necessary 2023-2024 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*
  - *Justin LaFleur:*
  - *Patsy Scherrer:*
  - *Patricia Dingler:*
  - *Jack Rogers:*
  - *Shannon Smith:*

**8. Fire Chief Report. The Fire Chief was not present.**

**9. Police Chief Report.**

**10. Public Works Director Report.**

**11. Code Compliance Report**

**12. Interim City Manager Report.**

**13. Notices/Announcements.**

Sunday, August 25, 2024, at 2:30 pm the Harris Chapel United Methodist Church will hold their 114<sup>th</sup> Anniversary. All are welcome.

The council came out of the Regular Session at 6:15 pm and convened into Executive Session at 6:17 pm.

The Council came out of the Executive Session at 6:57 pm and convened into the Regular Session at 6:58 pm.

A motion was made by Justin La Fleur and seconded by Shannon Smith to give Interim City Manager Darryl Becker authority to negotiate the real property acquisition. Motion passed 5-0.

A motion was made by Justin La Fleur and seconded by Pat Dingler to revisit agenda item #6 (Discuss, Consider, Possible Action to Approve the New Permits and Fees schedule presented by the Code Compliance Officer). Motion passed 5-0

A motion was made by Justin La Fleur and seconded by Shannon Smith to approve the amended permit fee schedule presented by the Code Compliance Officer and to make a line item for commercial buildings that move into the city limits as a \$300.00 fee, and anything larger than 800 square feet will be under square foot.

14. Adjournment.

- a. *Is there any discussion?*
- b. *If there is no discussion, I will entertain a motion.*
- c. *I have a motion made by Jusitn La Fleur with a second from Pat Dingler to adjourn. 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.*
- e. *Motion*
  - *Justin LaFleur: Aye*
  - *Patsy Scherrer: Aye*
  - *Patricia Dingler: Aye*
  - *Jack Rogers:*
  - *Shannon Smith: Aye*

**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 12<sup>th</sup>, 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

