



MINUTES

COUNCIL MEETING

Tuesday, September 6, 2022

7:00PM at City Hall

1. Call to Order and Declaration of Quorum

Time: 7:32PM

In attendance: Kerrie Longoria, Mike Laye, Donald Deering, and John McBride

Not in attendance: Mayor Ponce, Karl Fisher

2. Invocation

3. Pledge of Allegiance to the United States of America

I pledge Allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all.

4. Pledge of Allegiance to the Texas Flag

Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

5. Public Comment

Citizens are invited to address the City Council with public comments. Comments regarding items for which notice has not been given will be limited to three minutes, prior to discussion of agenda items, and Council responses shall be in accordance with Sec. 551.042 of the Texas Government Code. Comments regarding an item on the agenda may be given before or during discussion of that item. An intentional act intended to disrupt a Government meeting is prohibited.

Signed up to speak during the meeting: Russell Newton, Clayton Laughter, Jeanne Carlson, Randy Hooker.

6. Approval of previous meeting's minutes, or notes.

a. August 16, 2022 MINUTES - **Correct typo under Item 8. d. Mike Laye motioned to approve with changes. Donald Deering 2nds the motion. All in favor aye, motion carried.**

7. Reports:


a. City Clerk Report - NA

b. Code Enforcement Report (2nd Council Meeting) SAFEbuilt operations activity report for July 2022. **Per Kerrie Longoria, the reports coming to her from citizens and builders**

are good and things seem to be working more smoothly than before. Council asked if we could provide a date to code enforcement officer to begin issuing the citations for court. City Attorney Jim Shepherd requested to check with the appointed judge and code enforcement first before we move ahead with court dates.

- c. Financial Report (2nd Council Meeting) - NA
- d. Mayor Pro Tem Report - NA
- e. Mayor's Report/Status - NA
- f. NVFD Report (2nd Council Meeting) - **Thanked Councilman Donald Deering for allowing the NVFD to utilize his personal property for training. Fire Chief Anderson does not recommend lifting the fire ban. Even though the calls for burns have slowed down, the ground is still dry. NVFD will have a lease signed in the next 30 days with the property next door to the fire dept. This provides more room for them to stay overnight.**

8. Business Session:

- a. Discuss/Take Action: Plat and Plan Review fees - next steps. 
Per the City Attorney, Jim Shepherd, the wording needs to be changed to reflect the billing to the City of Nevada. He will send suggestions to what it should say. Council had questions for the flat fee or escrow should be. Mike Laye motions to table until corrections are made. Donald Deering 2nds, all in favor aye, motion carried.
- b. Discuss/Take Action: PZ & Impact Fee Committee Plat recommendation with conditions for Black Mountain Energy Storage II / Wigeon Whistle.
City Attorney, Jim Shepherd reviewed the final plats to ensure the conditions were met as requested by Hayter Engineering. Per Jim, it appears the conditions were met. Kerrie Longoria asked where the batteries would be on the property. Also confirmed Royse City would not need to approve the plat as well. Chris Donnan at Hayter confirmed with Royse City they would not be involved in the approval process for this development. John McBride motioned to approve the final plat. Mike Laye 2nds, all in favor aye, motion carried.
- c. Discuss/Take Action: City of Nevada Schedule of Fees (Permit Fees). **Not ready yet. Mike Laye motioned to table, Donald Deering 2nds. All in favor aye, motion carried.**
- d. Discuss/Take Action: Consider a Resolution for Land Use Assumptions and Capital Improvements plan.
Jim Shepherd, City Attorney, explains what the resolution is for and how it affects the City of Nevada. Recommends the Council familiarize themselves with the plan to understand and be prepared for the meeting/public hearing. Donald Deering motioned to accept the resolution for Land Use Assumptions and Capital Improvements plans. Mike Laye 2nds the motion. All in favor aye, motion carried.

- e. Discuss/Take Action: Consider approval of a permit for CISD Fireworks Event on September 12, 2022.
City Clerk, Misty Hooker confirmed NVFD has been notified and they will have a truck on standby. The Deputy Fire Marshal, Eddie Stough confirmed he will be available and approves the plans. Mike Laye motioned to approve the CISD Fireworks permit. John McBride 2nds the motion. All in favor aye, motion carried.
- f. Discuss/Take Action: FY23 City of Nevada Animal Control and Animal Shelter Agreement.
Kerrie Longoria confirms this is for City of Nevada and Collin County. She asked how the charges are handled for services provided. Council wanted to confirm this agreement is annually paid, and not per time they come out. City Clerk, Misty Hooker confirmed that is correct - all-inclusive annual costs only.
- g. Discuss/Take Action: 2022-2023 Working Budget.
Kerrie Longoria ensures everyone has a copy of the working budget. She thanked everyone for their long hours invested in getting it ready. She wanted to confirm there is no possible way to change the rate. She's hearing it cannot be changed, but also that it's possible to change it. She explains the chart of the accounts. Why there is some confusion on the line items for City Attorney and Engineering fees. City Attorney, Jim Shepherd explains how the taxes work. The reason for the Public Hearing on September 20, 2022 is to adopt the No New Revenue rate at .230187. Mr. Shepherd stated there isn't a lot of law on small taxing units changing the rates. Collin County only provides the calculations. He understands the confusion behind the verbiage on the worksheets provided by county. Mr. Shepherd will check the laws first thing in the morning if it is possible to change the rate at this point with the notices posting in the Wylie News on September 7, 2022. He will contact Mayor and Pro Tem. John McBride explains the budget and each line item. How they determined the tax rate to use for the budget calculations. Also, that the deadlines have come and passed. Let's discuss where to go from here. For the 2022-2023 budget, he recommends the chart of accounts be simplified in the areas Kerrie Longoria mentioned above, and with the City CPA, Ray Smith. Mike Laye asked what if the council would like to go to the higher tax rate. Misty Hooker, will need to be informed when the conversations are happening with developers, to ensure the bills are sent and with the correct dollar amount. Jeanne Carlson asked if the builders are paying any taxes on the properties they build on, while they are developing. Jim Shepherd explains the taxes are paid based on the taxable value at that time. They will be paying the previous fiscal year from January 1st to December 30th.
- h. Discuss/Take Action: Building plan reviewers, inspections and code enforcement services.
Kerrie Longoria states the services are better than it has been in the past. She feels it is moving more efficiently these days. She would still like to receive some quotes from other companies. Misty Hooker, City Clerk will reach out to the company that came by City Hall requesting a chance to provide a quote for their services.

9. Future Agenda Items

Future agenda items shall be designated by the Mayor. In addition, a motion and a second from any two Councilpersons shall be sufficient to add an agenda item for a future meeting. Staff and counsel shall have prior consent of the Mayor to add an agenda item for a future meeting.

1. **2022-2023 Budget to be adopted.**
2. **1st Public Hearing for CIP**
3. **Adopting tax rate**
4. **Signs**

10. Executive Session - Time: _____

As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Texas Government Code 551.071 of the Texas Government Code legal advice from the City Attorney, regarding legal process requirements for code enforcement, building permits, inspections, and municipal court appointment and process.

11. Regular Session: Reconvene from Executive Session - Time: _____

12. If required, act on items reviewed in Executive Session.

13. Adjournment / Closing - Time: **9:45PM**



Kerrie Longoria, Pro Tem



Misty Hooker, City Clerk