

CITY OF NEVADA

424 E FM 6 NEVADA, TX 75173 | 972-853-0027



AGENDA

COUNCIL MEETING

Tuesday, March 21, 2023

7:00PM at City Hall

Mayor – Ben Ponce

Council Member Place 1 – Mike Laye
Council Member Place 2 – Donald Deering
Council Member Place 3 – Kerrie Longoria

Council Member Place 4 – Karl Fisher
Council Member Place 5 – John McBride

REGULAR MEETING

1. Call to Order and Declaration of Quorum

Time: _____

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.

REPORTS

6. Reports:
 - a. City Secretary Report
 - b. City Attorney Report
 - c. Code Enforcement Report (1st Council Meeting)
 - d. Financial Report (2nd Council Meeting)
 - e. Mayor Pro Tem Report
 - f. Mayor's Report/Status
 - g. NVFD Report (2nd Council Meeting)

CONSENT AGENDA: ACTION

7. Approval of previous meeting's minutes- March 7, 2023, Minutes.

REGULAR AGENDA

8. Discuss and consider taking action on Nevada, Texas citizen Janella Deer's three-page letter titled, "Junk Yards, Clogged Ditches and Smashed Culvert Complaints" sent to the City Secretary's office via email on Tuesday March 7, 2023, at 3:35pm.
Summary: City Secretary Waters received a request via email from Janella Deer to be placed on the agenda 14 days before the City Council Meeting and is here tonight to speak on this agenda item.
9. Discuss and consider taking action on the drainage project number 9.
Summary: City Engineer, Chris Donnan will speak on this agenda item and provide a recommendation on how to move forward with the drainage project work.
10. Discuss and consider taking action on the Horseshoe Drive issue that Mr. Randy DeMauro brought to the City Council on Tuesday March 7, 2023.
Summary: City Secretary Waters asked City Engineer Donnan to look at the issue on Horseshoe Drive and will speak on this agenda item.
11. Discuss and consider taking action on the negotiations of a sewer line to be ran from the future site of the Hidden Creek development in the City of Josephine's ETJ on County Road 637.
Summary: Nevada Special Utility District General Manager (GM), Johnny Rudisill requested a meeting on Thursday March 16, 2023, at 9:00am at City Hall with the developer of the future development and City Administration. GM Rudisill is present to speak on this agenda item.
12. Discuss and consider taking action on the contractor for the property maintenance and landscaping on the 12 City of Nevada owned properties.

Summary: City Secretary Waters reached out to a company that he has had previous professional experience in the past who provides property maintenance and the owner and manager of Chief Landscaping, Jorge Figueroa is here tonight to give a presentation on what his company can offer.

13. Discuss and consider taking action on Ordinance No. 032123, an ordinance of the city of Nevada, Texas, repealing the sales tax exemption on telecommunications as authorized by Texas Tax Code section 321.210 as set forth below; providing a severability clause; providing a repealer clause; providing for a penalty of a fine not to exceed the sum of \$500.00 for each offense; providing a publication clause; and providing an effective date.

Summary: The Telecommunication Sales Tax terms were discussed and approved at the last City Council Meeting and this is the ordinance that makes it official.

14. Discuss and consider taking action on Ordinance No. 032123A, an ordinance of the City of Nevada, Texas, adopting the city fee schedule; establishing fees, costs and expenses charged by the city; adopting penalty rates established by the state of Texas; and adopting a savings clause, a repealer clause, and a penalty clause.

Summary: City Secretary Waters and Building Official, James Chumley have developed a new schedule of fees for the City Council's review and approval.

15. Discuss and consider taking action on Ordinance No. 032123B, an ordinance of the City of Nevada, Texas, ratifying and approving the operation of the City Council of Nevada to perform the duties of a board of adjustment for the City of Nevada, making provisions for changing the members of the board of adjustment from council members to non council members; repealing any conflicting provisions of other ordinances of the city; providing a severability clause; and providing for an effective date hereof.

16. Discuss and consider taking action on setting a permanent Municipal court date.

Summary: City Attorney Jim Shepherd is working with a Municipal Judge to conduct Nevada Municipal Court.

17. Discuss and consider taking action on the Over 65 Tax Exemption.

Summary: Retired Collin County Chief Appraiser, Bo Daffin sent the email that is included in the City Council's packet to City Secretary Waters on January 18, 2023.

18. Discuss and consider taking action on the Steinbaugh property.

Summary: City Secretary Waters made contact with Whitney Rae who is one of the property owners for the 50 acres across the street from City Hall. Ms. Rae advised that her and her family decided to lease the property back to Gage Farm Solutions for the current growing season. Ms. Rae advised that she still wants to expand on the vision of putting a City of Nevada "Square" on the property. City Secretary Waters advised Ms. Rae about the Nevada Economic Development Corporation planned meeting and she advised that she would attend once they have had a chance to brainstorm on her family's property. Ms. Rae advised that she would like to have something in place before the end of the lease term with Gage Farm Solutions on September 1, 2023.

19. Discuss and consider taking action on amending Ordinance No. 09-05, an ordinance of the city of Nevada, Texas, repealing ordinance no(s). 02-10 and 04-04, and establishing the regulation of construction, enlargement, alteration, and maintenance of all fences within the boundaries of the city of Nevada in order to provide a practical safe guarding of life, health, and property from hazards that may arise from improper construction of such installations. however, this section and the provisions here of shall not apply to fences erected or maintained in districts within the city which are zoned but are still under the agricultural use as undeveloped property; providing for the issuance of permits and the collection of fees, providing for a penalty clause, a severability clause, a repealing clause, and an effective date.

FUTURE AGENDA ITEMS

20. 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.

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21. Executive Session - Time: _____

Texas Government Code 551.074 Personnel---deliberation regarding the City Secretary and City Clerk's positions or other personnel for city staff.

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 Govt. 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.

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

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

23. Adjournment / Closing - Time: _____

NOTE: The City of Nevada, Texas, City Council meets regularly on the first and third Tuesday of each month at 7:00 P.M. The Council adheres to the printed Agenda for official action. Any individuals desiring official action on a matter should submit a request

for the item to be considered for inclusion on a future Agenda to the office of the City Secretary no later than fourteen (14) days prior to the Council Meeting.


CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting, the Council reserves the right to adjourn into executive session on any of the above-posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of an interest in real property], 551.073 [contract for gift to City], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices] 551.087 [deliberation regarding economic development negotiations]. The City of Nevada is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at (469) 788-7610 Ext: 102 for information.**

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the other boards, commissions and/or committees shall not deliberate or decide any matters relating to items listed on this agenda and no minutes shall be prepared.

A member or member of the government body holding this meeting may attend via videoconference pursuant to the provisions of Tex. Gov't Code 551.127. In the event that a member or members of the government body holding this meeting attend via videoconference, a quorum of the government body holding this meeting will be physically present at the location identified above.

I certify that the above agenda for this meeting of the City Council of the City of Nevada, Texas, was posted on the bulletin board at City Hall, in Nevada, Texas, on **Friday, March 17, 2023, by 5:00 pm** pursuant to Chapter 551 of the Texas Government Code.



Douglas "Deuce" Waters II, City Secretary

