



MINUTES

CITY COUNCIL MEETING

Tuesday, September 19, 2023
7:00PM at City Hall

Mayor – Benito Ponce

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

Council Member Place 4 – Clayton Laughter
Council Member Place 5 – Frank Hudson

City Staff:

Morgan Kowaleski, City Clerk
Dennis Wagner, Code Enforcement
Jim Shepherd, City Attorney
Deuce Waters, City Secretary

Citizens:

Russell Newton, Bruce Mathews,
Paul Brietzman, Debra Caldwell

REGULAR MEETING

1. Call to Order and Declaration of Quorum –

Time: 7:02PM

Council Member Frank Hudson was absent.

2. Invocation –

Mayor Benito Ponce led the 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.

Those in attendance pledged allegiance to the United States of America.

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.

Those in attendance pledged allegiance to the Texas Flag.

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,

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.

Citizen Paul Brietzman addressed the City Council and spoke about the Budget and Property Tax Increase and the amendment of Ordinance Number O040423.

REPORTS

6. Reports:

a. City Secretary Report –

1. Good Evening, Mayor Pro Tem, Council, and citizens. Revize has sent over an initial design concept, which has been printed out for you. Text, font, images, etc. can all be easily edited for changes. After development, the site will be responsive and fit to any screen size. If there is no feedback on colors, sizing, or placement, we can move forward with this design. Morgan is going to begin working on the sitemap, which is essentially a list of pages for Revize to build out into the new website.
2. Now that we are past the budget season, I have reached back out to our third party vendors for the potholes and street signs. I am expecting updated quotes from them to have the remaining potholes and street signs repaired and replaced. Once we have those back, we will get those in front of the council for approval.
3. I have recently been in contact with Kyle Caperton with Murrey Paschall & Caperton and we are again about to start the independent third-party audit process again, very soon over our finances.
4. There is an update for Dollar General. We have received their payment for both their fire inspection and health inspection. We have sent this information over to BCCS and they are scheduling their inspections. I have talked with BCCS and they have advised that they will have it inspected by the end of the week. Once the inspections are passed, the Dollar General will be back open for business.

b. City Attorney Report –

No report at this time.

c. Code Enforcement Report –

Code Enforcement Officer, Dennis Wagner, was present and provided a documented report for the Council to review.

d. Financial Report (2nd Council Meeting) –

Finance Director, Ray Smith, provided a documented report for the Council to review. Mayor Pro Tem Longoria advised for line item 59 be moved to 101 on the next report.

e. Mayor Pro Tem Report –

No report at this time.

f. Mayor's Report/Status –

No report at this time

g. NVFD Report (2nd Council Meeting) –

Chief Anderson of the Nevada Volunteer Fire Department gave his report.

CONSENT AGENDA

7. Approval of Previous Meeting Minutes – August 22, 2023 –

Council Member Deering made a motion to approve. Council Member Laye seconded the motion. The motion was carried with a 4-0 vote.

REGULAR AGENDA

8. City Council to deliberate on the Budget and Property Tax increase for 2023-2024 and to include all issues regarding the petition for roll back election –

Council Member Deering made no comment.

Council Member Laye made no comment.

Mayor Pro Tem Longoria spoke on the comments and conduct of citizen's at the previous Public Hearing.

Council Member Laughter spoke on the goals and projects the City Council has for the City of Nevada.

Mayor Ponce spoke the numerous improvements that have been made during his tenure as Mayor. He also spoke about the inaccurate comments made online pertaining to the previous Public Hearing and the Council. Mayor Ponce encouraged the citizens to reach out to the Council directly with questions or concerns.

9. Discuss and consider the MyGov questions that were asked by the City Council –

After much discussion about security concerns and costs, no action was taken.

10. Discuss and consider the update from the Nevada Economic Development Corporation (NEDC) –

EDC Member Bruce Mathews provided an update for the EDC. No action was taken.

11. Discuss and Consider action on the Kerens Street Drainage Project –

City Engineer Chris Donnan spoke and answered questions on this agenda item.

Council Member Deering made a motion to rebid Drainage Project #9 starting April 1st, 2024. Mayor Pro Tem Longoria seconded the motion. The motion was carried with a 4-0 vote.

12. Discuss and consider the Legacy Park Development Agreement –

City Attorney Jim Shepherd and Bart Carroll spoke on this Agenda Item.

Council Member Laye made a motion to table Agenda Item #12 until the next meeting with changes, and a copy of the redline Development Agreement. Council Member Deering seconded the motion. The motion was carried with a 4-0 vote.

13. Discuss and Consider action on amending Ordinance Number 040423, an ordinance of the City of Nevada, Collin County, Texas regulating property maintenance and community appearance; providing a savings clause; providing a repealer clause; providing a penalty clause based on state law and the type of violation not to exceed \$200.00, \$500.00; or \$2000.00 for each violation; and providing an effective date –

After much discussion, Council Member Deering made a motion to approve the amendment. Council Member Laye seconded the motion. The motion was carried with a 4-0 vote.

14. Discuss and consider action on the replat of Community Corners –

Council Member Laye made a motion to approve the plat due to the lack of movement on the 30-day shot clock. Council Member Deering seconded the motion. The motion was carried with a 4-0 vote.

15. Discuss and consider action on the replat of CRBR Ranch –

Council Member Laye made a motion to approve the plat due to the lack of movement on the 30-day shot clock. Council Member Deering seconded the motion. The motion was carried with a 4-0 vote.

16. 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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| 1. My Gov Action | 6. | 11. |
| 2. Legacy Park Development | 7. | 12. |
| 3. Kerens Street Drainage | 8. | 13. |
| 4. ½ Acre Ordinance | 9. | 14. |
| 5. | 10. | 15. |

17. Executive Session –

Time: 10:00 PM

18. Regular Session: Reconvene from Executive Session –

Time: 10:39 PM

19. If required, act on items reviewed in Executive Session –

Council Member Deering made a motion to accept the resignation of City Secretary, Deuce Waters. Council Member Laughter seconded the motion. The motion was carried with a 4-0 vote.

20. Adjournment/Closing –

Time: 10:42PM



Benito Ponce, Mayor

Attest:



Morgan Kowaleski, City Clerk

