



Quinlan City Council Regular Meeting

P.O. Box 2740 ~ 104 East Main St.

Quinlan, TX 75474

Ph. (903) 356-3306 ~ Fax (903) 356-4267

QUINLAN CITY COUNCIL CHAMBERS

September 12, 2022

104 E MAIN ST.

7:00 p.m.

NOTICE is hereby given that members of the Quinlan Economic Development Corporation, Quinlan Planning and Zoning Commission and/or Quinlan Zoning Board of Adjustment may be in attendance at this Quinlan City Council Meeting.

- I. PRESIDING OFFICER TO CALL HE QUINLAN CITY COUNCIL MEETING TO ORDER AND ANNOUNCE THAT A QUORUM IS PRESENT.**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE.**
- III. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS.**

Members of City Council and staff have the opportunity to notify others of community events, functions and other activities.
- IV. CONSENT AGENDA**

Items on the consent agenda are considered routine, not likely to require discussion or deliberation and may be approved in a single motion. Items listed may be removed from the consent agenda for individual discussion and action.

 - A.** Approve the Minutes of the August 29, 2022 City Council Meeting. * (City Secretary)
 - B.** Approve a Resolution, declaring October 13th through October 15th as the 2022 Fall "Chunk Your Junk" Cleanup event. (Public Works Director)
 - C.** Approve a Resolution, designating the Greenville Herald Banner as the City of Quinlan's official newspaper. (City Secretary)
 - D.** Approve an Ordinance, continuing the City's Investment Policy, Ordinance 2015-03-02 adopted March 09, 2015. (City Secretary)
- V. CITIZENS COMMENTS**

Citizens, who wish to address the Council, may discuss matters not on the agenda and who have not previously expressed to the Council or City Hall a desire to discuss such matters. Anyone wishing to speak should sign-up on the provided sheet, prior to the start of the meeting. Presentation shall be limited to three (3) minutes each. The only response from the Council can be to request these items to be placed on a future agenda for discussion or action.
- VI. NEW BUSINESS**
 - A.** Presentation of Mayor's **Proclamation** for Daughters of the American Revolution 15 (DAR 15) designating September 17 through 23, 2022 as Constitution Week. (Mayor)
 - B.** Presentation and discussion regarding Cash Fire Department monthly report. (Cash Fire Dept)
 - C.** Consideration and action on a **Resolution**, approving the Fiscal Year 2022-2023 Budget for the Quinlan 4B Economic Development Corporation. (QEDC)
 - D.** Consideration and possible action on a **Resolution**, approving a contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP pursuant to Section 6.30 of the Texas Property Tax Code, said contract being for the collection of delinquent government receivables owed to City of Quinlan and notice of said contract is posted with the agenda in accordance with Section 2254 of the Government Code. (City Administrator)



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- E. Public Hearing**, discussion and possible action on an **Ordinance**, finding certain structures to be public nuisances, in violation of the minimum standards for the continued use and occupancy of City of Quinlan, including any order authorized by Chapter 214 of the Texas Local Government Code and Article 3.03 of the Quinlan Code of Ordinances, including, but not limited to an order to secure, vacate, repair, remove and/or demolish the following structures: (Code Compliance)
 - 200 W Main St.
 - F. Public Hearing**, discussion and possible action on an **Ordinance**, finding certain structures to be public nuisances, in violation of the minimum standards for the continued use and occupancy of City of Quinlan, including any order authorized by Chapter 214 of the Texas Local Government Code and Article 3.03 of the Quinlan Code of Ordinances, including, but not limited to an order to secure, vacate, repair, remove and/or demolish the following structures: (Code Compliance)
 - 1205 E Quinlan Pkwy
 - G. Public Hearing**, discussion and possible action on an **Ordinance**, adopting local amendments to the City's adopted building and construction codes, including the 2018 ICC Codes and the 2017 NEC Code. (Code Compliance)
 - H. Public Hearing** and action on an **Ordinance**, approving the continuation of the Juvenile Curfew Ordinance (Police Chief)
 - I.** Discussion and possible action regarding the acquisition of vehicles for the Police Department and Public Works Department. (City Administrator)

VII. FUTURE AGENDA ITEMS

Council Members may request items be placed on a future agenda.

VIII. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Notes to the Agenda:

1. Items marked with an * are consent items considered to be non-controversial and will be voted on in one motion unless a council member asks for separate discussion.
2. The Council may vote and/or act upon each of the items listed in this Agenda except for discussion-only items.
3. The Council reserves the right to retire into executive session under Sections 551.071/551.074 – of the Texas Open Meetings Act concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act.
4. Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 903-356-3306 two working days prior to the meeting so that appropriate arrangements can be made.

This is to certify that I, Laura Kennemer, City Secretary for the City of Quinlan, posted this Agenda on the glass by the front door of the City Hall, facing outside, located at 105 W. Main St., on or before 5:00 PM, September 9, 2022.

LK

Laura Kennemer, City Secretary

Removed from posting this _____ day of September, 2022 at _____ a.m./p.m.

Laura Kennemer, City Secretary

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, City of Quinlan (“City”), will consider entering into a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. (“Firm”) and hereby posts this notice pursuant to Sec. 2254.1036 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(a)(2) of the Government Code and shall announce the following:

- A. The City pursuing a contract with the Firm for the collection of delinquent ad valorem taxes owed to the City and through this contract the City seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(a)(1)(A).
- B. The City believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(a)(1)(B). The Firm has collected delinquent government receivables for 52 years, including the collection of delinquent ad valorem taxes. The Firm currently has 14 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 400 individuals, including over 56 attorneys. It uses a multi-office, fully integrated team approach allowing the City access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes proprietary collection software that can be tailored to meet any special need the City may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, mailings and phone calls, return mail and address updates, payment notification and processing and workflow.
- C. The nature of any relationship between the City and the Firm is as follows. GOVT. CODE § 2254.1036(a)(1)(C).

The Firm currently collects delinquent municipal court fines and fees for the City of Quinlan, pursuant to Article 103.0031 of the Texas Code of Criminal Procedure.

- D. The City is unable to collect its delinquent ad valorem taxes. GOVT. CODE § 2254.1036(a)(1)(D). The City currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the City.
- E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(a)(1)(E). The Tax Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent ad valorem taxes. This percentage-based fee is assessed only against the debtor and not the City or taxpayers of the City. The collection of delinquent ad valorem taxes is a high-volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed amount of delinquent ad valorem taxes due. Moreover, the City will bear the cost of

these hourly fees and not the debtor, because the Tax Code does not expressly authorize the City to pay for collection services based on an hourly fee.

- F. The City believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(a)(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to the City or taxpayers in the City.