



**NOTICE OF A CALLED MEETING OF
THE CITY COUNCIL
Friday, May 9, 2025
5:30 PM**

Mayor
Ernie Burns
Mayor Pro-Tem
Mark Heatwole
Council Member
Samantha Smith
Council Member
Charles Ryan
Council Member
Laura Duncan
Council Member
City Manager

AGENDA

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Van City Council will meet in a Called Meeting Friday, May 9, 2025, at 5:30 PM at Van City Hall, 310 Chestnut St., Van, TX 75790. The items listed below are placed on the agenda for discussion and/or action.

The City Council reserves the right to adjourn into executive session at anytime during the course of this meeting to discuss any of the matters listed below, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

I. CALL MEETING TO ORDER

A. Roll Call and Establish a Quorum

II. ACTION ITEMS

- A. Discussion, Consideration, and Possible Action on resolution 05-09-2025 canvassing the returns and declaring the results of the General Election held on May 3, 2025, by the City of Van.
- B. Discussion, Consideration, and Possible Action on resolution 05-09-2025-1 canvassing the returns and declaring the results of a Bond Election held on May 3, 2025, by the City of Van, Texas.

III. ADJOURN

CERTIFICATION

I hereby certify that the above notice was posted on the bulletin board at Van City Hall, 310 Chestnut St., Van, Texas 75790 by 5:00 pm on Tuesday, May 6, 2025.

Sereca Huff-Huggins, City Secretary

NOTE: If, during the meeting, any discussion of any item on the agenda should be held in a closed meeting, the Council will conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapters D and E

 *Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the Van City Hall 48 hours in advance, at (903)963-7216, and reasonable accommodations will be made for assistance.*

RESOLUTION 05-09-2025

A RESOLUTION CANVASSING THE ELECTION RETURNS AND DECLARING THE RESULTS OF MAY 03, 2025, GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF A MAYOR (one- year unexpired term) AND THREE CITY COUNCIL MEMBERS

Whereas, the City Council of the City of Van, Texas have considered the returns of an election held on May 03, 2025, for the purpose of electing the hereinafter named officials, and it appears from said returns, duly and legally made, that there were two hundred and seventy votes cast; that each of the candidates in said election received the following votes:

<u>For City Council Member</u>		<u>Votes Cast</u>
Ernie Burns, Mayor	ELECTED	162
Samantha Smith, Council Member Place 1	ELECTED	188
Mark Heatwole, Council Member Place 2	ELECTED	209
Bill Dwyer, Council Member Place 3	ELECTED	201

Other Votes cast for candidates NOT elected:

Don Smith	103
Micheal Jarrett	76

Now, Therefore, Be It Resolved by the City Council of the City of Van, Texas:

That said election was duly called; that said election was given in accordance with law, and that said election was held in accordance with law; and that Ernie Burns, one year term and Samantha Smith, Mark Heatwole, Bill Dwyer were duly elected to serve a two year term on the City Council for the City of Van, subject to taking the oath of office as provided by the laws of the State of Texas.

Passed and approved this 09th day of May 2025.

Ernest Burns, Mayor

ATTEST:

Sereca Huff-Huggins, City Secretary

RESOLUTION NO. 05-09-2025-1

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION; AND OTHER MATTERS IN CONNECTION THEREWITH

* * * * *

WHEREAS, on February 13, 2025, the City Council (the *Council*) of the City of Van (the *City*) ordered an election to be held on May 3, 2025 for the purpose of determining whether the resident, qualified voters of the City would authorize the issuance of general obligation bonds by the City; and

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the City Council hereby canvasses the returns of this election, at which there were submitted to all resident, qualified voters of the City for their action thereupon, the following propositions:

PROPOSITION A

“Shall the City Council of the City of Van, Texas, be authorized to issue general obligation bonds of the City in the principal amount not to exceed \$3,500,000 for constructing, improving and extending the City’s water system, to-wit: drilling, constructing, and improving Water Well #3; such bonds to mature serially or otherwise over a period not to exceed 25 years from their date of issuance, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance of the bonds; and whether the City Council of the City shall be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the City sufficient to pay the principal of and interest on the bonds?”

and

WHEREAS, the City Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully made to the City Council by the judges and clerks holding and conducting such election; the poll lists and the official election returns showing separately the votes cast in the election; and

WHEREAS, from these returns, this City Council hereby finds that the following votes were cast in the election by voters who were resident, qualified voters of the City:

PROPOSITION A

“THE ISSUANCE OF NOT TO EXCEED \$3,500,000 CITY OF VAN, TEXAS
GENERAL OBLIGATION BONDS FOR DRILLING, CONSTRUCTING, AND
IMPROVING WATER WELL #3 AND THE IMPOSITION OF A TAX
SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE
BONDS”

	<u>For</u>	<u>Against</u>
Early Votes	77	20
Absentee Votes		
Election Day Votes	117	51
Provisional Votes		
TOTAL	194	71

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VAN, TEXAS THAT:

SECTION 1: The City Council officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given in the English language and the Spanish language (to the extent required by law), that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified voters of the City were permitted to vote at the election, that due returns of the results of the election had been made and delivered, and that the City Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the order calling the election.

SECTION 2: A MAJORITY of the resident, qualified voters of the City of Van, Texas voting in such election, having voted FOR the authorization and issuance of \$3,500,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition A, the City Council hereby finds and determines that Proposition A carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law and that the City Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 3: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 4: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 5: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 7: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 8: This Resolution shall be in force and effect from and after its final passage and it is so resolved.

PASSED, ADOPTED, AND APPROVED on May 9, 2025, the date of the canvassing meeting.

CITY OF VAN, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)