



City of La Vernia  
**CITY COUNCIL MEETING**

Section 4, Item A.

102 E. Chihuahua St., La Vernia, Texas 78121  
March 09, 2023  
6:30 PM

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**MINUTES**

**1. Call to Order**

The meeting was called to order at 6:48 pm; all councilmembers were present (M. Poore, D. Recker, A. Hutchinson, J. Oates, G. Gilbert, G. Rabel)

**2. Invocation & Pledge of Allegiance**

The pledge was led by the Girl Scouts, and the prayer was led by pastor Bobby Nixon

**3. Citizens to Be Heard**

*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention on the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)*

Robert Gregory spoke to commend and thank the city for recently fixing the potholes located in the Westover subdivision

Jeremy Raines spoke regarding his mother-in-law's property located at 336 and 332 Crews St. He says that he has had trouble selling and or building on the property due to it being located in the floodplain and asked the council for their guidance and support.

**4. Consent Agenda**

*(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

A. Minutes from the 02-15-2023 regular City Council Meeting

B. Financials and Check Register for February 2023

MOTION: Councilman Oates made a motion to approve the content agenda as posted, seconded by Councilman Rabel, all in favor

Employee Ashley Ritchey was then recognized for her service to the city of La Vernia as she moves on to new opportunities at the City of Schertz

**5. Proclamations**

A. Proclaiming March 6-12 th Girl Scout Week in La Vernia, Texas

Mayor Poore read around the proclamation and congratulated the Girl Scouts

- A. Discussion regarding changes in the police k-9 program  
The LVPD Chief of Police presented regarding the plan to purchase a city-owned dog which will likely be in service starting in mid-May
- B. Discussion on possible city hall expansion/ or acquisition of new space  
City staff presented the one existing estimate they have for the expansion and stated they would come back with additional estimates soon

## 12. Executive Session

- A. The City of La Vernia City Council will adjourn into Executive Session as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with attorney), to discuss matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act; to wit: provide the City Council legal advice related to definitions and interpretations regarding what constitutes a quorum; and matters related to the City Council Code of Ethics and state statutes

Reconvene into Regular Session and take action/or give direction, if necessary, on items discussed in Executive Session.

Council went into an executive session at 8:42 pm and came out of the executive session at 9:23pm, they took no action at this time

## 13. Items Specific to Future Line Items on the Agenda

- A. Future ethics class to be scheduled with Dan  
Staff will send a survey to all boards to get an idea of time and date

## 14. Adjourn

MOTION: Councilman Oates made a motion to adjourn the meeting at 9:30 pm, seconded by Councilman Rabel, all in favor, meeting adjourned

### DECORUM REQUIRED

*Any disruptive behavior, including shouting or derogatory statements or comments, may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leaves the meeting, and if refused, an order of removal.*

*The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §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), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.*

*The City of La Vernia Council meetings is available to all persons regardless of disability. The facility is wheelchair-accessible parking spaces are available. Request for accommodations,*

The city Administrator presented regarding the city's growth and the need for more on-demand fire inspection service, we discussed the two options for 3rd party contracting the city has already gathered and that more time is needed before making a formal decision

MOTION: Councilman Oates made a motion to approve the plan for a 3rd party contract for fire services, seconded by Councilwoman Recker, all in favor

- E. Discuss and consider action regarding purchasing with the remaining amount of American Rescue Funds

The City Administrator presented a plan to purchase various public works-related items such as a portable generator with the remaining funds

MOTION: Councilwoman Recker made a motion to approve the recommended items for purchase, seconded by Councilman Gilbert, all in favor

**9. Resolutions**

- A. Discuss and consider action on Resolution No 030923-01 to contribute matching funds to the Floresville Electric Light and Power System for the 2023 Summer Youth Program.

MOTION: Councilman Oates made a motion to approve the contribution of matching funds to the Floresville Electric Light and Power System for the 2023 Summer Youth Program, specifically to benefit LVISD, seconded by Councilwoman Recker, all in favor

- B. Discuss and consider action on Resolution No. R030923-02 for new body camera grant for PD

The LVPD presented regarding past and upcoming grants awarded to the City

MOTION: Councilwoman Recker made a motion to approve Resolution No. R030923-02 for new body camera grant for PD, seconded by Councilman Rabel, all in favor

- C. Discuss and consider action on Resolution No. R030923-03 for Ballistic Shields grant program

The LVPD presented regarding past and upcoming grants awarded to the City

MOTION: Councilman Oates made a motion to approve Resolution No. R030923-03 for the Ballistic Shields grant program , seconded by Councilman Rabel, all in favor

**10. Ordinances**

- A. Ordinance No. 030923-03 for pre-development meetings prior to the development of subdivisions or large commercial projects

City Staff presents regarding the need for pr-development group meetings which would include all interested parties becoming a mandate before the production of large-scale developments

MOTION: Councilman Oates made a motion to approve Ordinance No. 030923-03 for pre-development meetings prior to the development of subdivisions or large commercial projects, seconded by Councilman Rabel, all in favor

- B. Ordinance No. 030923-04 canceling the general election to be held on May 6 2023

MOTION: Councilwoman Recker made a motion to approve Ordinance No. 030923-04 canceling the general election to be held on May 6 2023, seconded by Councilman Gilbert, all in favor

**11. Discussion Only**

- B.1** Open Public Hearing
- B.2** Requestor presentation
- B.3** Staff presentation
- B.4** Receive Public Comments
- B.5** Close Public Hearing
- B.6** Discuss and consider action regarding Ordinance Number 030923-02 the Rezone of **5010 US HWY 87 W, LA VERNIA, TEXAS 78121**

**B.1** Open Public Hearing

@ 7:36 pm

**B.2** Requestor presentation

AJ Murphy addressed the Council regarding Bonnie Chessher and potential partners NP Homes's request to re-zone

**B.3** Staff presentation

The City Administrator spoke regarding the outcome of the Planning and Zoning meeting from earlier in the week and the various meetings that city staff had with NP homes leading up to this meeting

**B.4** Receive Public Comments

Planning and Zoning member Chris Jacobs addressed the council to express disapproval of the proposed re-zone request

**B.5** Close Public Hearing

@7:53 pm

**B.6** Discuss and consider action regarding Ordinance Number 030923-02 the Rezone of **5010 US HWY 87 W, LA VERNIA, TEXAS 78121**

The Council expressed that they mostly sided with the views of the Planning and Zoning commission and were not prepared to accept the request for re-zone under the current circumstances, but requested that NP Homes come back to a future Council meeting with additional information or a change of request, (for example but not limited to a planned development or a re-zone request to an R district.)

MOTION: Councilman Gilbert made a motion to deny the re-zone request of NP Homes as posted, but request that they bring back additional information in the future, seconded by Councilwoman Recker, all in favor

**8. Discussion/Action**

- A. Discuss and consider action on new police mental health policy and program  
MOTION: Councilwoman Recker made a motion to approve the implementation of a Police mental health program, seconded by Councilman Oates, all in favor
- B. Discuss and consider action regarding approving the plan to purchase and install isolation valves on city water lines  
The City Public Works Director presented  
MOTION: Councilman Gilbert made a motion to approve the plan to purchase and install isolation valves (4,) seconded by Councilman Oates, all in favor
- C. Discuss and consider action on upgrading lighting at the City Park  
Staff presented an estimate given to us by McFadden Electric  
MOTION: Councilman Gilbert made a motion to approve the park lighting upgrades, seconded by Councilwoman Recker, all in favor
- D. Discuss and consider action on contracting 3rd party for fire inspection services

- B. Proclaiming April Child Abuse Prevention month  
Mayor Poore read aloud the proclamation

**6. Presentations**

- A. Presentation regarding LVISD Bond election on May 6 2023  
Dr Cone representing LVISD presented a slideshow presentation and spoke to the council and community regarding the upcoming bond initiative

**7. Public Hearing**

- A. Public hearing regarding the request for A Special Use Permit (SUP) to allow for a drive-thru in the C-1 zoning district regarding the space specifically known as 427 Bluebonnet Rd, LA VERNIA, TEXAS 78121 legally known as CITY OF LA VERNIA, LOT 441K, ACRES 7.59 BLUEBONNET RD LA VERNIA, TX 78121, and more specifically described as RBFCU ETM, which will occupy only a portion of this parcel as described in the attachment

- A.1 Open Public Hearing
- A.2 Requestor presentation
- A.3 Staff presentation
- A.4 Receive Public Comments
- A.5 Close Public Hearing
- A.6 Discuss and consider action regarding Ordinance Number 030923-01 the SUP for RBFCU ETM

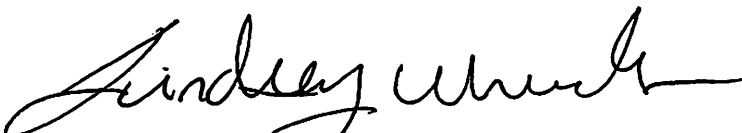
- A.1 Open Public Hearing  
@7:33 pm
- A.2 Requestor presentation  
Jeanine Schoenert addressed the council to explain the drive-thru ETM
- A.3 Staff presentation  
None
- A.4 Receive Public Comments  
None
- A.5 Close Public Hearing  
@7:35 pm
- A.6 Discuss and consider action regarding Ordinance Number 030923-01 the SUP for RBFCU ETM

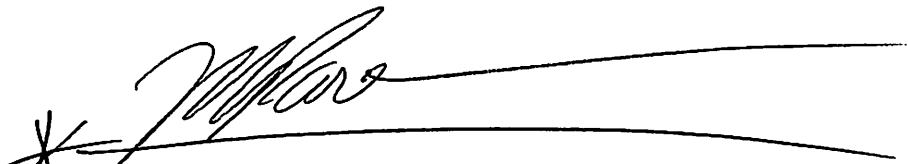
MOTION: Councilman Oates made a motion to approve the SUP for RBFCU ETM as posted, seconded by Councilman Rabel, all in favor

- B. Public hearing regarding the request for CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE PRESENT CLASSIFICATION OF C2 TO C1 (RETAIL) regarding the space specifically known as CITY OF LA VERNIA, 15010 US HWY 87 W, LA VERNIA, TEXAS 78121 LEGALY KNOW AS CITY OF LA VERNIA, LOT 101B, ACRES 46.6996, LA VERNIA, TEXAS, currently owned by Bonnie Chessher

should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email [Lboyd@lavernia-tx.gov](mailto:Lboyd@lavernia-tx.gov).

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia City Council is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **March 03, 2023, at 5:00 PM** and remained so posted continuously for at least 72 Hours proceeding the scheduled time of the said meeting.

  
Lindsey Wheeler, City Secretary

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Mayor, Martin Power