



City of La Vernia
CITY COUNCIL MEETING

Section 4, Item A.

102 E. Chihuahua St., La Vernia, Texas 78121

July 20, 2023

6:30 PM

MINUTES

1. Call to Order

The meeting was called to order at 6:32 pm

2. Invocation & Pledge of Allegiance

Pastor Bobby Nixon prayed and Mayor Poore led the pledges

Mayor Poore along with Councilmembers Recker, Oates, Gilbert, Rabel, and Rauschuber were present

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 of 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.)

Resident Dan Hughes spoke regarding liquid discharge entering his property from what he believes to be The Texan gas station land site, he claims that two of his young cows have recently passed away with an assumed connection to this discharge, he claims that the discharge smells foul and appears to be more than water

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. Financials and check register for May and June 2023
- B. Meeting minutes from 06-08-23 Joint City Council and Planning and Zoning Meeting
- C. Meeting Minutes from 06-08-23 City Council Meeting

Councilmember Recker made a motion to accept the consent agenda as listed, seconded by Councilmember Gilbert, all in favor

5. Presentations

- A. Presentation of Texas Workforce Commission summer employee, Cristan Perez

City Administrator Yvonne Griffen introduced Cristan Perez

6. Public Hearing

A. The City of La Vernia City Council will hold a public hearing at the request of land owners SANDERS, DAVID & MARGARET

Property: Current Legal Description: 243 WISEMAN LANE LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 303 (PT) & 303A, ACRES 10.84 proposed to be a mixed-use planned development

Request: to create a Planned Development which would be zoned as PD (Currently Residential Agricultural Zoning, R-A)

- 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 on Ordinance No. 072023-01 the re-zone/ PD of the location specifically known as 243 WISEMAN LANE LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 303 (PT) & 303A, ACRES 10.84

A.1 Open Public Hearing

The public hearing was opened at 6:46 pm

A.2 Requestor Presentation

There was no requestor presentation

A.3 Staff Presentation

The staff recommended that the Council table the decision regarding this public hearing to a future meeting as the requestors have indicated to staff that they would like more time to prepare the Planned Development Document

A.4 Receive Public Comments

No public comments were made

A.5 Close Public Hearing

The public hearing was closed at 6:47 pm

A.6 Discuss and consider action on Ordinance No. 072023-01 the re-zone/ PD of the location specifically known as 243 WISEMAN LANE LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 303 (PT) & 303A, ACRES 10.84

Councilmember Recker made a motion to table this action to a future meeting, seconded by Councilmember Oates, all in favor

B. Public hearing regarding the request of the City of La Vernia on the proposed amendments to the City's Land Use Assumptions (LUA's) and Capital Improvement Plans (CIP) relating to impact fees.

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 only, no action to be taken** Ordinance No. 072023-02 approving the amendments to the City's Land Use Assumptions (LUA's) and Capital Improvement Plans (CIP) and approving water and wastewater impact fees

A.1 Open Public Hearing

The public hearing was opened at 6:49 pm

A.2 Requestor Presentation

No requestor presentation

A.3 Staff Presentation

No staff presentation

A.4 Receive Public Comments

Jeanine Schoenert, a local land developer, spoke to the Council regarding her request to be "grandfathered in" the existing impact fee rate rather than paying the proposed rates if adopted

Jeff and Kathy Townes, local land developers, spoke to the Council reiterating what Jeanine Schoenert said

A.5 Close Public Hearing

The public hearing was closed at 7:09 pm

A.6 Discuss only, no action to be taken Ordinance No. 072023-02 approving the amendments to the City's Land Use Assumptions (LUA's) and Capital Improvement Plans (CIP) and approving water and wastewater impact fees

The Council would like staff to discuss the requests of public comments with the city attorney's office and discover the feasibility and options available

7. Discussion/Action

- A. Discuss and consider action on the proposed engagement letter from Armstrong and Vaughn regarding the FY 2023 Audit

Councilmember Oates made a motion to accept the engagement letter from Armstrong and Vaughn regarding the FY 2023 Audit, seconded by Councilmember Recker, all in favor

- B. Discuss and consider approval on appointing Dawn Polasek Barnett, Wilson County Tax Assessor-Collector, as the designated officer to calculate the No-New Revenue Tax Rate and the Voter-Approval Tax Rate for the 2022 tax year, as outlined in Chapter 26 of the Texas Tax Code

Councilmember Recker made a motion to appoint Dawn Polasek Barnett, Wilson County Tax Assessor-Collector, as the designated officer to calculate the No-New Revenue Tax Rate and the Voter-Approval Tax Rate for the 2022 tax year, as outlined in Chapter 26 of the Texas Tax Code, seconded by Councilmember Rauschuber, all in favor

- C. Discuss and consider action on an amendment to interlocal agreement for police services between La Vernia Independent School District and the City of La Vernia

Councilmember Gilbert made a motion to approve the amendment to the interlocal agreement for police services between the La Vernia Independent School District and the City of La Vernia, seconded by Councilmember Recker, all in favor

8. Resolutions

- A. Discuss and consider action on Resolution No. 072023-01 awarding the street maintenance contract to a qualified bidder

Frank Jaster, representing the Cities engineering firm, KCI, spoke on the phone regarding the street maintenance bids

The council asks the staff to set up a meeting the following week to discuss this matter further

Councilmember Recker made a motion to seek no action on this item tonight, seconded by Councilmember Rabel, all in favor

- B. Discuss and consider action on Resolution No. 072023-02 authorizing the City Administrator to declare certain city property surplus and authorizing the sale of said property in the manner most advantageous to the City of La Vernia

Detective Beck presents regarding selling a city-owned Chevrolet Tahoe at auction

Councilmember Oates made a motion to approve Resolution No. 072023-02 authorizing the City Administrator to declare certain city property surplus and authorizing the sale of said property in the manner most advantageous to the City of La Vernia, seconded by Councilmember Gilbert, all in favor

9. 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 Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; to discuss matters related to the property located at Lot 8a in the Country Gardens subdivision in La Vernia, Texas Reconvene into regular session and take action/ or give direction, if necessary, on items discussed in Executive Session

- B. The City of La Vernia City Council will adjourn into Executive Session as authorized by the Texas Open Meetings Act, Texas Governmental Code Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; to discuss matters related to the property located at 440 BLUEBONNET RD LA VERNIA, TX 78121 Reconvene into regular session and take action/ or give direction, if necessary, on items discussed in Executive Session

The council adjourned into executive session at 7:45 pm

The council reconvened into regular session at 8:08 pm

Councilmember Recker made a motion to sell the property located at Lot 8a in the Country Gardens subdivision in La Vernia, Texas, provided that the city is provided access rights, seconded by Councilmember Rauschuber, all in favor

Councilmember Oates made a motion not to sell the property located at 440 BLUEBONNET RD LA VERNIA, TX 78121, however, to ensure that the city looks into placing a fence and increasing functional drainage at the property site, seconded by Councilmember Recker, all in favor

10. Items Specific to Future Line Items on the Agenda

-revisit the Planned Development proposition at Wiseman Ln

- Revisit both items discussed in the executive session tonight
- Street meeting next week
- Budget workshop next week
- discussion regarding isolation valves at the budget meeting
- discussion regarding the emergency prep plan at the budget meeting

11. Adjourn

Councilman Oates made a motion to adjourn the meeting at 8:14 pm, seconded by Councilman Rabel, all in favor

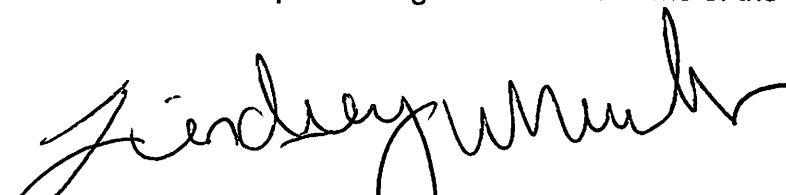
DECORUM REQUIRED

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order to the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave 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 are available to all persons regardless of disability. The facility is wheelchair-accessible parking spaces are available. Request for accommodations, 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.

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 **July 15th, 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