



**City of La Vernia**  
**REGULAR CITY COUNCIL MEETING**  
City Council Chambers of La Vernia City Hall  
102 E. Chihuahua Street, La Vernia, Texas 78121

July 19, 2018  
6:30 PM

**AGENDA**

**1. Call to Order**

**2. Invocation, Pledge of Allegiance, and Texas Pledge** (*Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible*).

**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)*

**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 June 14, 2018 Regular City Council Meeting
- B. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of June 2018;
- C. Check Register and financial report for the month of June 2018

**5. Presentation**

- A. Public Works Director, David Mahula, will introduce new public works employees.

**6. Public Hearing**

- A. Public Hearing to receive public comments regarding the granting of a Specific Use Permit for a drive-thru lane for a coffee/snow cone shop located at 102 San Antonio Rd., La Vernia, Texas 78121.

**7. Discussion/Action**

- A. Discuss and consider action on the purchase of generators for the Wastewater Treatment Plant/Raceway.
- B. Discuss and consider action on the remaining use of Park Grant funds for additional projects.
- C. Discuss and consider action on speed bumps/humps throughout the City.

**8. Ordinances**

- A. Discuss and consider possible action on the approval of Ordinance No. 071918-01 regarding the granting of a Specific Use Permit for a drive-thru lane for a coffee/snow cone shop located at 102 San Antonio Rd., La Vernia, Texas 78121.

## 9. Executive Session

- A. The City Council will adjourn into Executive Session as authorized by the Texas Open Meetings Act, Texas Government Code §551.071 (Consultation with Attorney) Water #6 Contract with Bauman executive session

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

- Discuss Budget Workshop Dates in August

## 11. Adjourn

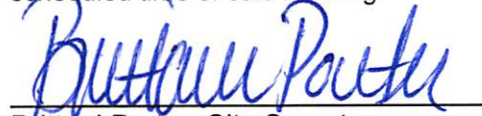
### DECORUM REQUIRED

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 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 §551.086 (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 City Council meetings are available to all persons regardless of disability. This facility is wheelchair accessible parking spaces are available. Requests 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 [bporter@lavernia-tx.gov](mailto:bporter@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 true and correct copy of said Notice on the bulletin boards, of the City Hall of said City of La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **July 16, 2018 at 4:30 P.M.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



Brittani Porter, City Secretary



**City of La Vernia**  
**REGULAR CITY COUNCIL MEETING**  
City Council Chambers of La Vernia City Hall  
102 E. Chihuahua Street, La Vernia, Texas 78121

June 28, 2018  
6:30 PM

**MINUTES**

- 1. Call to Order** – Mayor Gregory called the meeting to order at 6:30 PM and declared a quorum. All members were present.
- 2. Invocation, Pledge of Allegiance, and Texas Pledge** Councilman Cormier gave invocation and all in attendance recited the pledges.
- 3. Citizens to be Heard**  
*There were no citizens to be heard.*
- 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 May 10, 2018 Regular City Council Meeting
  - B. Minutes from the May 24, 2018 Special City Council Meeting
  - C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of May 2018;
  - D. Check Register and financial report for the month of May 2018

**MOTION:**

**5. Discussion/Action**

- A. Discuss and consider the appointment of Mayor Pro-Tem.**  
**MOTION:** Councilwoman Recker made a motion to appoint Councilman Cormier as Mayor Pro-Tem, seconded by Councilman Poore. **Motion passed: 5-0.**
- B. Discuss and consider action on approving the Wilson County Appraisal District FY 2019 Budget.**  
Jenny Coldewey, with WCAD, went over FY 2019 budget.  
  
**MOTION:** Councilwoman Recker made a motion to approve Wilson County Appraisal District FY 2019 Budget, seconded by Councilman Doege. **Motion passed: 5-0.**
- C. Discuss and consider action on water line & filter upgrade/project at Well #6 located on CR 342.**  
Discussed different options on the filter plant and water lines.
- D. Discuss and consider action on wastewater plant project to include new racetrack.**  
Discussed different option for the wastewater plant to include a new racetrack that is in need of attention.
- E. Discuss and consider purchase of generator for the Wastewater Treatment Plant located on River Rd.**

Discussed three (3) different quotes received by Holt, Loftin and Generac. Mayor Gregory stated he wanted to visit a bit more on the service requests from SARA and revisit this next meeting. No action.

**F. Agreement for Provision of Professional Services between the City of La Vernia and The La Vernia Municipal Development District (Agreement expires 7-31-2018)**

**MOTION:** Councilwoman Recker made a motion to approve agreement for Provision of Professional Services, seconded by Councilman Hennette. **Motion passed: 5-0.**

**G. Discuss and consider action on approving engagement letter for audit Armstrong, Vaughn & Associates, P.C.**

**MOTION:** Councilman Poore made a motion to approve engagement letter for audit, seconded by Councilman Cormier. **Motion passed: 5-0.**

**H. Discuss and consider action on approving speed bumps/humps throughout the City.**

**MOTION:** Councilman Poore made a motion to approve speed/humps with a budget not to exceed \$4K, seconded by Councilman Cormier.

**MOTION AMENDED:** Councilman Poore made a motion to approve speed/humps with a budget not to exceed \$5K, seconded by Councilman Cormier. **Motion passed: 5-0**

**I. Discuss and consider action on the resignation of Carol Lohse from the Planning and Zoning Commission.**

**MOTION:** Councilman Hennette made a motion to accept the resignation of Carol Lohse, seconded by Councilman Cormier. **Motion passed: 5-0**

**J. Discuss and consider recommendations on appointing a Commissioner to the Planning & Zoning Commission.**

No action.

**K. Discuss and consider action on “No Parking Signs” on the 100 block of DL Vest.**  
Council requested to put this request in the form of an Ordinance and bring it back for approval at the following meeting.

**L. Discuss and consider action on the purchase of a new patrol unit for the replacement of the wrecked 2017 Chevrolet Tahoe for the Police Department.**

Chief Ritchey stated that an officer was involved in an accident, no injuries, and was hit on the left side quarter panel causing tire and frame damage. It would not be safe to fix this vehicle and put it back in the fleet.

**MOTION:** Councilman Poore made a motion to approve purchase of new patrol unit, seconded by Councilman Hennette. **Motion passed: 5-0.**

**7. Ordinances**

**A. Discuss and consider approval of Ord. No. 062818-01, decreasing speed limit in the Silverado Hills Subdivision.**

Mayor stated that doing this will be an opportunity to do so on the other streets as consideration for safety to children.

**MOTION:** Councilman Hennette made a motion to approve an ordinance reducing the speed limit in Silverado Hills, to include Lauren Ct. & Alexandria St., seconded by Councilwoman Recker. **Motion passed: 5-0.**

## **8. Resolutions**

### **A. Discuss and consider approval of Resolution accepting the conveyance of the street commonly known as River Ln. for public use and maintenance.**

**MOTION:** Councilman Poore made a motion to accept a resolution for the conveyance of the street commonly known as River Ln. for public use and maintenance, seconded by Councilwoman Recker. Motion passed: 5-0.

## **10. Items Specific to Future Line Items on the Agenda**

- Reducing Speed Limit within City
- Generator – Public Works

**11. Adjourn** – Councilwoman Recker made a motion to adjourn the meeting, seconded by Councilman Hennette. Meeting was adjourned at 7:53 PM.

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Brittani Porter, City Secretary

La Vernia Police Department  
Enforcement Statistics  
June 2018

<b>Case Type</b>		
Criminal Complaints	10	15.00%
Incidents	58	85.00%
	<hr/>	
<b>Total</b>	<b>68</b>	<b>100.00%</b>

**CRIMINAL COMPLAINT - Offense Code**

CRIMINAL MISCHIEF	1	10.0%
THEFT	3	30.0%
HARRASSMENT	1	10.0%
BURGLARY VEHICLE	1	10.0%
POSS CS PG 1	1	10.0%
ROBBERY	1	10.0%
CRIMINAL TRESPASS	1	10.0%
UNLAW CARRY WEAPON	1	10.0%
	<hr/>	
<b>Total</b>	<b>10</b>	<b>100.00%</b>

**INCIDENT - Offense Code**

INFO	14	25%
IM POUND VEHICLE	2	2%
INCIDENT REPORTS	7	20%
DISTURBANCE	6	10%
ALARM	10	18%
ACCIDENT INVOLVING DAMAGE TO V	6	10%
SUSPICIOUS PERSON	4	6%
LOOSE LIVESTOCK	1	1%
WELFARCE CONCERN	3	3%
ASSIST OTHER AGENCY	3	3%
FUNERAL ESCORT	1	1%
WARRANT SERVICE	1	1%
	<hr/>	
<b>Total</b>	<b>58</b>	<b>100.00%</b>

**Citations**

VIOLATIONS	119	75.00%
WARNINGS	62	25.00%
	<hr/>	
<b>Total</b>	<b>181</b>	<b>100.00%</b>



Bruce Ritchey  
Chief of Police

**To:** La Vernia City Council  
**From:** Planning & Zoning Commission  
**Date:** July 16, 2018  
**Subject** Special Use Permit

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To the La Vernia City Council,

Subsequent to the review of the SUP (Special Use Permit) application made for the 102 San Antonio, La Vernia, Texas, address, the council unanimously voted to recommend approval of the SUP for a 'drive through' for the business to be located at that address.

Sincerely,

Gordon Bake  
Chairman P&Z

Date Received 6-6-2018  
Permit/Receipt No. \_\_\_\_\_  
Fee Paid \$100.00

**City of La Vernia**  
**Specific Use Permit**  
102 E. Chihuahua Street  
P.O. Box 225, La Vernia, TX 78121  
(830) 779-4541 • Metro/Fax (830) 253-1198  
[codeenforcement@lavernia-tx.gov](mailto:codeenforcement@lavernia-tx.gov)



**Land ownership must be verified with a notarized statement. If the applicant is acting as the agent for the property owner, the property owner must provide a signed and notarized letter authorizing the agent to act on their behalf, and the letter must accompany the application.**

Name Cindy Couch

Mailing Address 4457 FM 775 La Vernia 78121

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Mobile \_\_\_\_\_ Email \_\_\_\_\_

Property Address/Location 102 San Antonio Rd Property ID No \_\_\_\_\_

Legal Description  
Name of Subdivision Lot 414

Lot(s) 414 Block(s) \_\_\_\_\_ Acreage .31

Existing Use of Property Empty Lot

Proposed Use of Property (attach additional or supporting information if necessary)  
Drive thru coffee shop + snow cones

Current Zoning C1

Proposed use of Property and/or Reason for Request (please explain in detail and attach additional pages if needed):  
Drive thru coffee shop + snow cones.

**Attachments:**

- \_\_\_\_\_ Accurate metes and bounds description of the subject property (or other suitable legal description)
- \_\_\_\_\_ Survey exhibit and other appropriate exhibits as deemed necessary by the city including, but not limited to, site plans, maps, architectural elevations, and information about proposed uses.
- \_\_\_\_\_ Notarized statement verifying land ownership and if applicable, authorization of land owner's agent to file the zoning change request.

***A denied application is ineligible for reconsideration for one year.***

**The undersigned hereby requests rezoning of the above described property as indicated:**

Signature of Owner(s)/Agent

6-6-18  
Date

<b>For Office Use Only</b>	
Date of Publication <u>06-14-2018</u>	Date of P&Z Public Hearing <u>07-03-2018</u>
Date of 200 Ft Notices <u>06-25-2018</u>	Date of Council Public Hearing <u>07-19-2018</u>
Ordinance No. <u>07918-01</u>	Approved _____ Denied _____





## NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of Cindy Couch in the space specifically known as:

102 San Antonio Rd., City of La Vernia, LOT 414 (PT LOTS 31 & 32 MOODY ADDITION), zoned C-1 Retail

Request: for granting a Specific Use Permit for the purpose of a drive thru window for coffee shop.

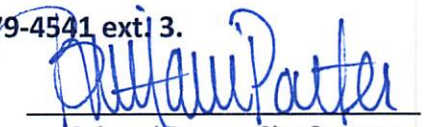
Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. **However, the zoning of your property will not be affected.** The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Planning Commission in making a recommendation to City Council.

Public hearing for this request are scheduled before the Planning & Zoning Commission on Tuesday July 3<sup>rd</sup>, 2018, and tentatively before City Council on Thursday July 19<sup>th</sup>, 2018. Both meetings will begin at 6:30 PM in the City Hall Council Chambers, 102 E. Chihuahua St. and are open to the public. To submit written comments please complete the information below, including your signature, and return by Friday June 29<sup>th</sup>, 2018 to:

Mail: City of La Vernia  
Brittani Porter  
102 E. Chihuahua St.  
La Vernia, Texas 78121

Email: [bporter@lavernia-tx.gov](mailto:bporter@lavernia-tx.gov)

If you have questions, please call Brittani Porter at (830) 779-4541 ext. 3.

  
Brittani Porter, City Secretary

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### YOUR OPINION MATTERS – DETACH AND RETURN

Circle one

I am ( **in favor** ) ( **opposed to** ) the proposed Special Use Permit for the property described as 102 San Antonio Rd., City of La Vernia, LOT 414 (PT LOTS 31 & 32 MOODY ADDITION), La Vernia, Texas 78121.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

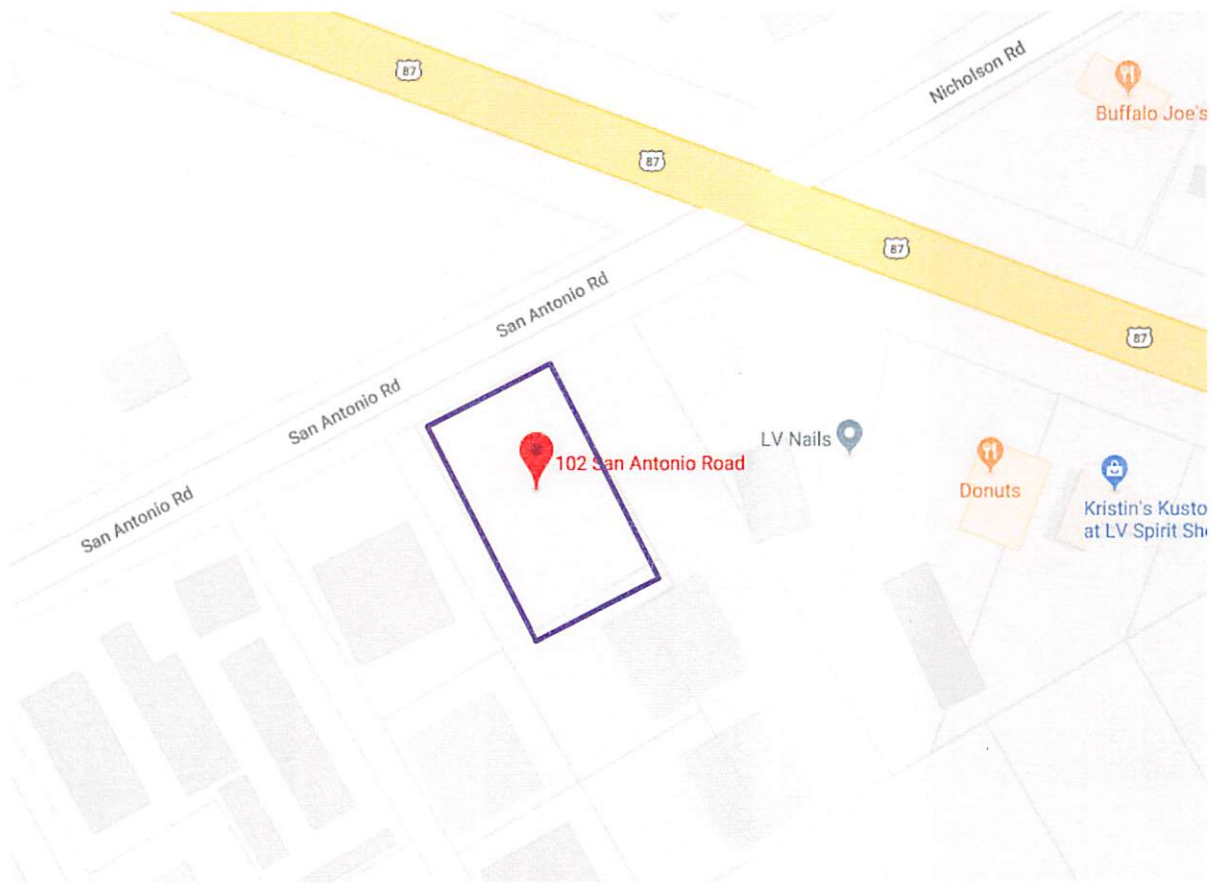
**By State Law – Unsigned submission cannot be counted as official comment.**

Handwritten scribbles at the top right of the page.

Handwritten signature or name in blue ink, possibly reading "John Doe".

Main body of extremely faint, illegible text, likely bleed-through from the reverse side of the page.

Bottom section of the page containing faint, illegible text, possibly a footer or additional notes.



Santana-Rodriguez Invest. Property  
4546 Oceanridge Dr.  
Huntington Beach, CA 92649

Esther Ortega  
501 Triple Crown Dr.  
Schertz, Texas 78154

City of La Vernia  
P.O. Box 225  
La Vernia, Texas 78121

Tommy & Cyndie Barnes  
Jay & Connie Hearne  
314 Oak Bend Dr.  
La Vernia, Texas 78121

Patricia Perez Goynes  
P.O. Box 196  
La Vernia, Texas 78121

Donald Rackler  
6491 FM 775  
La Vernia, Texas 78121

Hahn Nguyen & Ngo Hien  
9815 Hawk Shore  
Converse, Texas 78109

PSJS Enterprises LLC  
13345 US Hwy 87 W  
La Vernia, Texas 78121

KK & E LLC  
3610 Bramble Pass  
San Antonio, Texas 78261

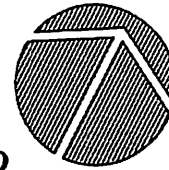
Justin & Kristin Oates  
111 McCoy St.  
La Vernia, Texas 78121

In Favor: 3

Opposed: ~~0~~

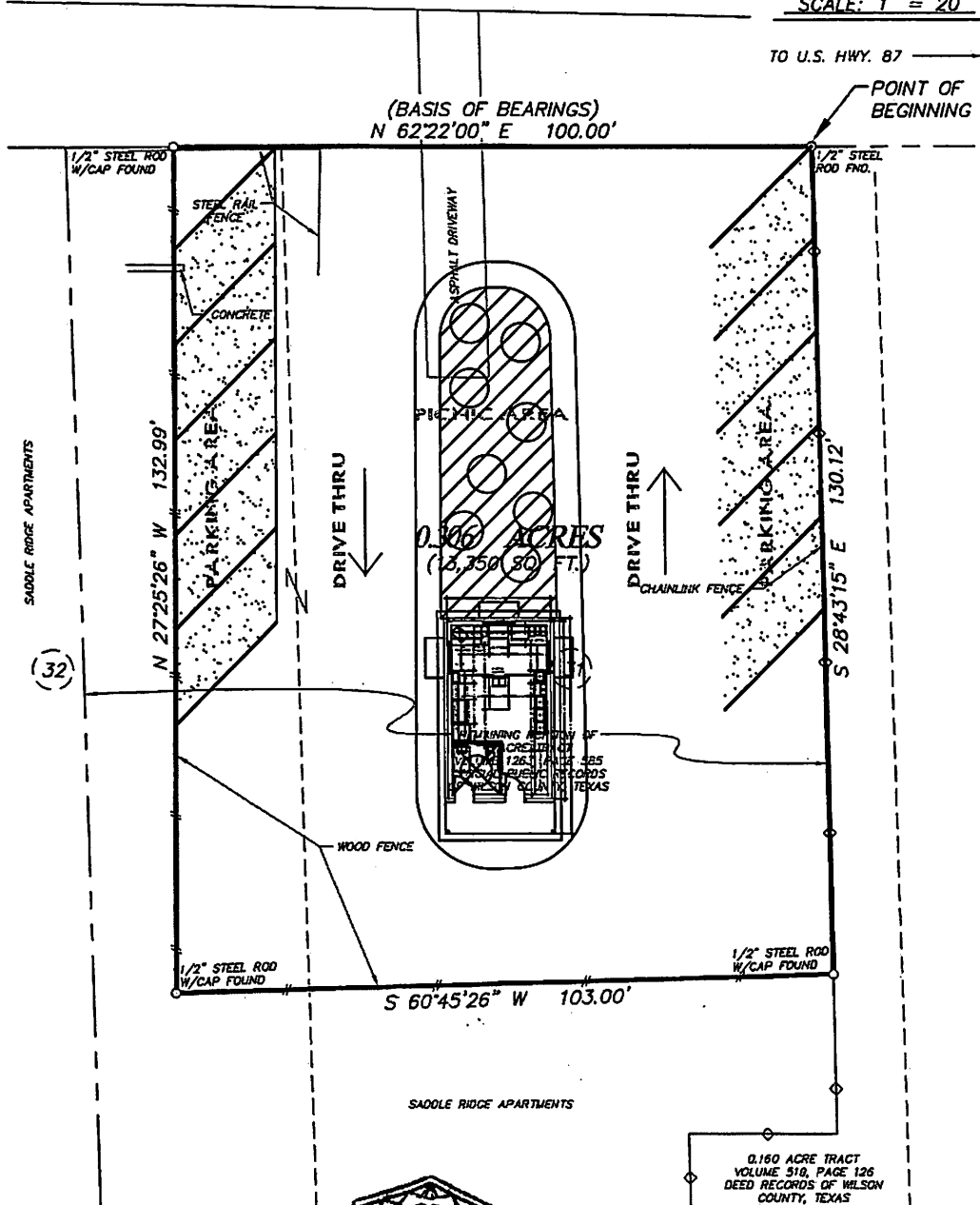
SURVEYOR'S NOTE: BEARINGS ARE BASED ON THE DEED OF 1.132 ACRE TRACT AS RECORDED IN VOLUME 1059, PAGE 464, OFFICIAL PUBLIC RECORDS OF WILSON COUNTY, TEXAS.

SURVEYOR'S NOTES:  
1. A METES AND BOUNDS DESCRIPTION PREPARED THIS SAME DATE AS PART OF THIS SURVEY.



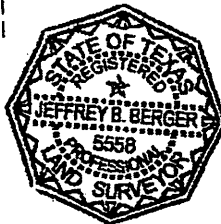
# SAN ANTONIO ROAD

SCALE: 1" = 20'



PLAT SHOWING:  
0.306 ACRES SITUATED IN LOT 31 & 32 OF THE MOODY ADDITION TO THE TOWN OF LA VERNIA, WILSON COUNTY, TEXAS.  
102 SAN ANTONIO RD.

Reference:  
VOLUME 1059, PAGE 464,  
OFFICIAL RECORDS OF  
WILSON COUNTY, TEXAS.



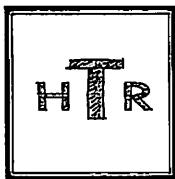
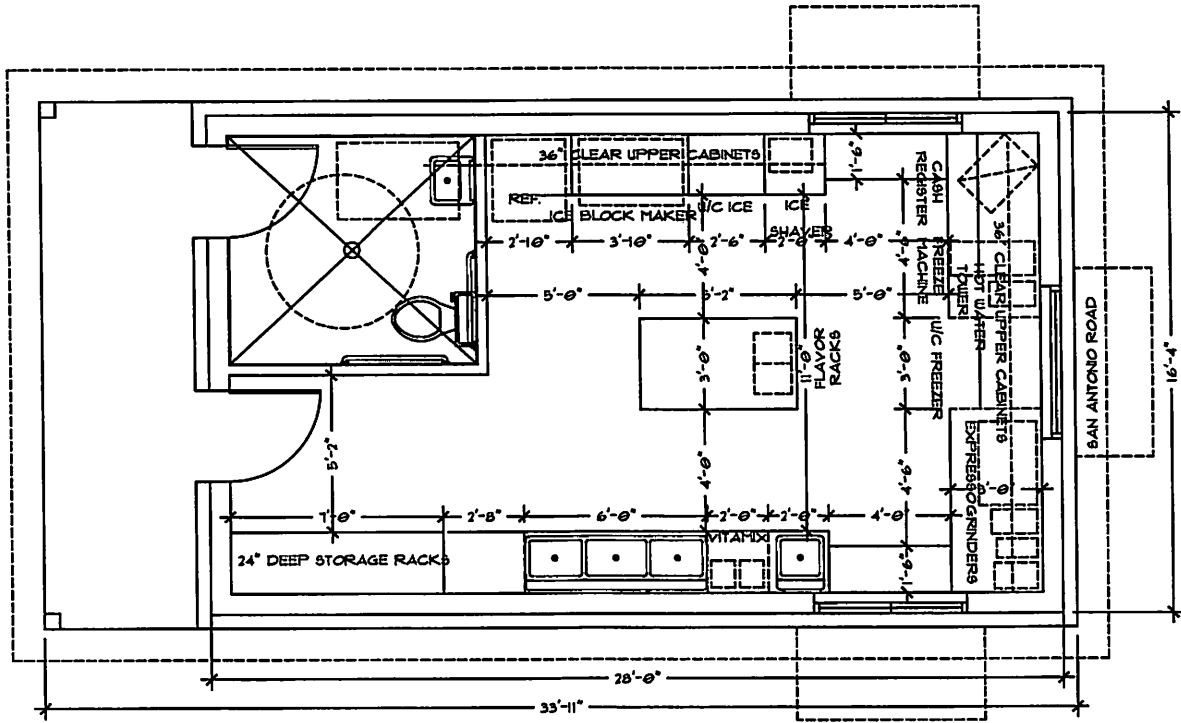
PREPARED BY:  
**BERGER LAND SURVEYING**  
TBPLS FIRM NO. 10171400  
172 ROSEWOOD DRIVE  
LA VERNIA, TEXAS 78121-4756  
PHONE (830) 217-4228 FAX (868) 808-3636

STATE OF TEXAS  
COUNTY OF WILSON

I HEREBY STATE THAT THE ABOVE PLAT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

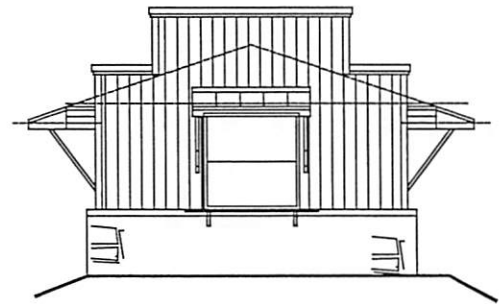
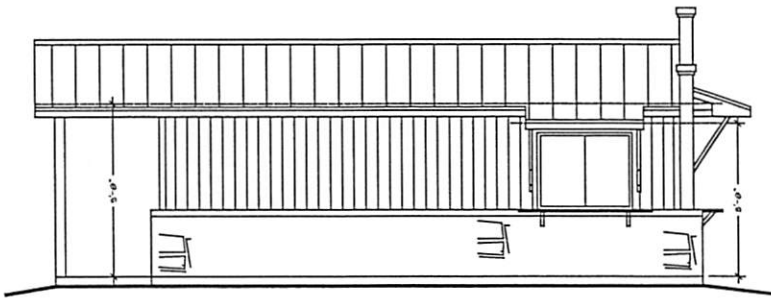
This 31ST day of OCTOBER, 2014 A.D.

*Jeffrey B. Berger*  
JEFFREY B. BERGER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5558  
FILE NAME: BLS14277\_FINAL.DWG Job No. BLS14277

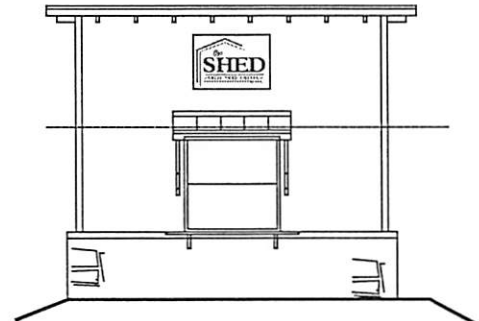
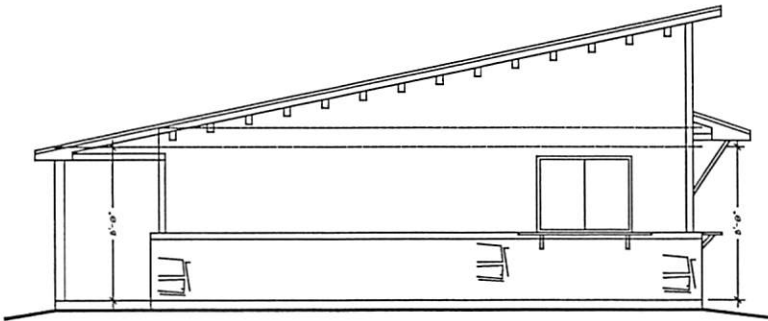


## FLOOR PLAN

SQUARE FOOTAGE  
 TOTAL LIVING : 457 S.F.  
 TOTAL SLAB : 585 S.F.



ELEVATION □ OPT. 1



ELEVATION □ OPT. 2