

The La Vernia City Council held a Regular City Council Meeting on December 12, 2013 at 6:30 p.m. at City Hall, La Vernia, Texas.

Item No. 1. Call to Order Mayor Robert Gregory called the meeting to order at 6:30 p.m. Council members present were Marie Gerlich, Randy Leonard, Eloi Cormier, John Richter, and Jennifer Moczygamba. Staff member present were City Secretary-Treasurer Angela Cantu, Public Works Director Jason Mills, and Police Sargent Danny Pitts.

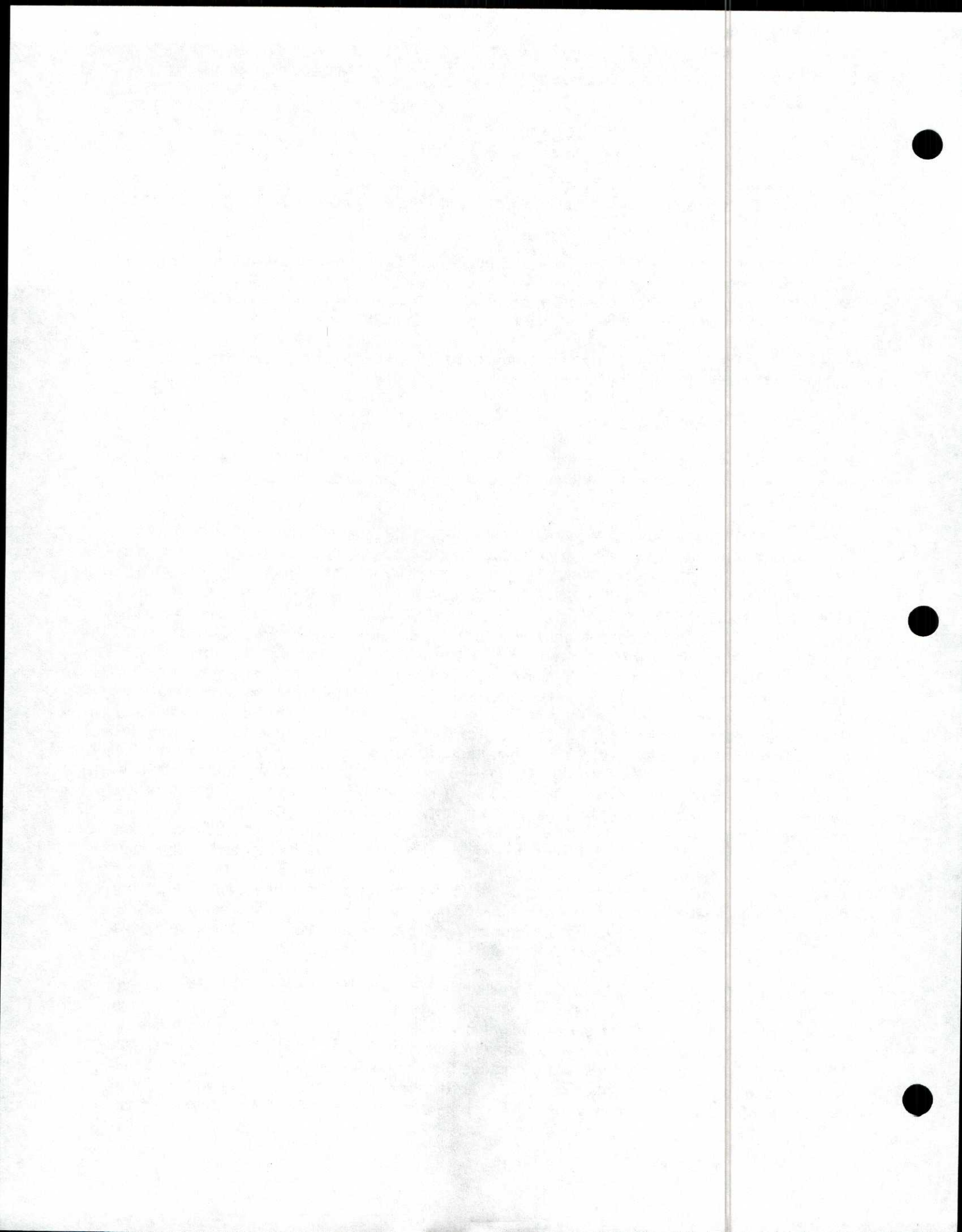
Item No. 2. Pledge of Allegiance and Invocation The pledge of allegiance was recited and Mayor Gregory gave the invocation.

Item No. 3. Citizens to be Heard There were no citizens to be heard.

Item No. 4.A. – H. Consent Agenda After review, Councilwoman Moczygamba made a motion to approve the consent agenda and Councilwoman Gerlich seconded. **Motion carried 5 – 0.**

Item No. 5.A. Ordinance Councilman Leonard explained ORDINANCE NO. 121213-01 AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AMENDING CHAPTER 26 OF THE CITY'S CODE OF ORDINANCES TO PROVIDE ADDITIONAL REGULATIONS OF SIGNS AND BILLBOARDS AND DEFINITIONS; ; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. He explained how the sign ordinance changed to account for sail, teardrop, feather, or bow banner. Councilwoman Gerlich asked about the number allowed per business. Councilman Leonard said that business would only be allowed two signs. Councilman Cormier asked if they can apply for a permit for more than two signs and Councilman Leonard said no. Councilwoman Moczygamba asked to clarify that the maximum amount for a strip center would be two of these types of signs and Councilman Leonard stated that was correct. He continued to explain that when applying for Scenic Texas one of the things the mention in the document is banning banner signs, portable signs & billboards so he feels we should limit the amount of sail, teardrop, feather, or bow banner signs we will allow. Councilman Cormier asked if a business in a strip center would have to have written permission from the property owner. Councilman Leonard stated that the owner would be a joint applicant and the tenant would be paying the permit fee. Councilwoman Gerlich asked what the difference is in a sail, teardrop, feather, or bow banner and Councilman Leonard stated that they are all the same the term just describes the shape. Mayor Gregory asked what the City Attorney's opinion is on this change and City Secretary Cantu stated that they were fine with the legality of the ordinance and only changed to include amending the Code of Ordinances since it is codified. Councilwoman Gerlich made a motion to approve Ordinance No. 121213-01 and Councilman Cormier seconded. **Motion carried 5 – 0.**

Item No. 5.B. Ordinance Mayor Gregory stated we can tweak the right of way ordinance to not allow oil and gas exploration. He also strongly suggests that we disallow seismic testing in the right of way because of the sewer and water lines in those areas. Councilwoman Gerlich stated that she agrees that we do not want to harm the City's infrastructure. Councilman Richter stated that they would repair any damage that they created. Mayor Gregory stated that was the original idea behind the moratorium, to develop regulations and guarantees that if damage is done the party causing the damage will be responsible for repairs. Councilwoman



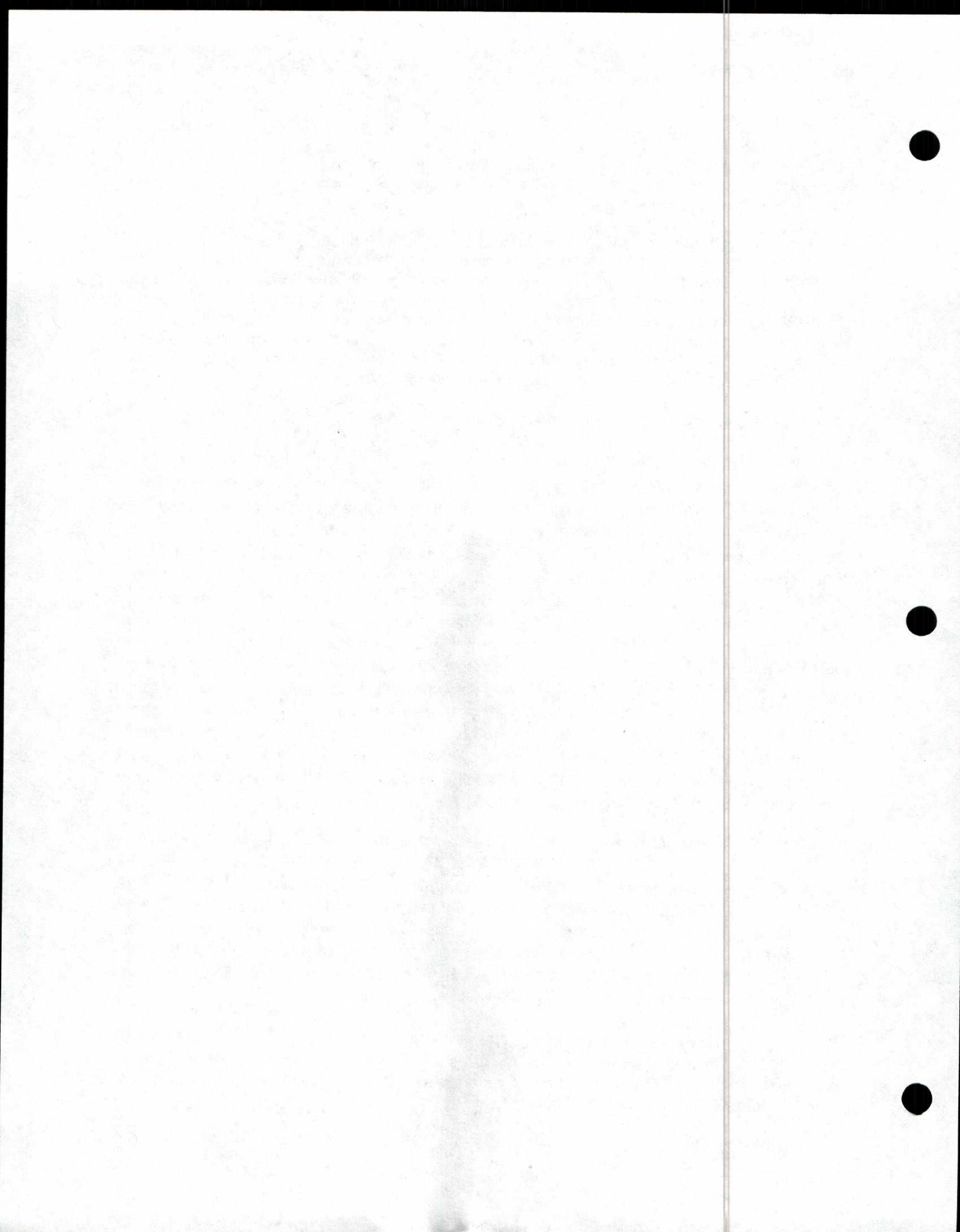
Moczygamba stated that she is on board with disallowing oil and gas exploration in the right of ways. Mayor Gregory stated that we will tweak the language excluding the right of ways and this item will be back on the January agenda.

Item No. 5.C. Ordinance Mayor Gregory stated that he took language from Karnes City and reviewed others as well. Councilwoman Moczygamba asked who would enforce when the standards are not being met. Mayor Gregory stated that we will have to have an oil and gas inspector and Councilwoman Moczygamba stated that Bureau Veritas does have inspectors and we may want to review those services. Mayor Gregory stated that we may want to bring in an oil and gas person to help us develop the regulations. Councilman Cormier asked about disposal wells and Mayor Gregory stated that they are prohibited. Mayor Gregory stated that we need to get together in early January to come up with the language.

Item No. 6.A. Resolutions City Secretary Cantu explained RESOLUTION NO. R121213-01 A RESOLUTION OF THE CITY OF LA VERNIA ESTABLISHING A FEE SCHEDULE FOR FOOD LICENSES; PROVIDING A REPEALING SECTION; PROVIDING AN EFFECTIVE DATE. She stated that Bureau Veritas had come in for a meeting to discuss their services for food license inspections. Councilwoman Moczygamba stated that she was at the meeting and was impressed with the services that Bureau Veritas offers. She explained that they will review our current ordinance to make sure it is up to date and they will also check the grease trap logs to make sure they are being cleaned properly. Councilwoman Gerlich stated that she is concerned about the jump in price however she understands that we want to make sure our food establishments are up to code. Councilwoman Moczygamba stated that when you work out the cost it is only \$1.20 per day. Councilman Leonard asked what would happen if an establishment received a poor review. Mayor Gregory stated that the City would close them down until the problems are corrected. Councilwoman Moczygamba stated that she very much liked how Bureau Veritas stressed how they educate the establishments. Councilman Leonard stated that he feels this is a necessary change but he would like that temporary event permits be at the discretion of the mayor as to needing an inspection. Councilman Leonard made a motion to approve Resolution R121213-01 amending temporary permits be required at mayor or his designee discretion and Councilman Richter seconded. **Motion carried 5 – 0.**

Item No. 6.B. Resolutions City Secretary Cantu explained RESOLUTION R121213-02 A RESOLUTION OF THE CITY OF LA VERNIA, TEXAS ESTABLISHING A FEE SCHEDULE RELATED TO SIGNS AND BILLBOARDS; PROVIDING A REPEALING SECTION; AND PROVIDING AN EFFECTIVE DATE. She explained that the only thing that has been changed is to include a fee for sail, teardrop, feather, and bow banner permits. Councilman Cormier asked if the fee would be per sign and she stated it would. Councilman Richter made a motion to approve Resolution No. R121213-02 with the amendment to state the fee is per sign and Councilman Cormier seconded. **Motion carried 5 – 0.**

Item No. 7.A. Discussion/Action Mayor Gregory stated that he will need to negotiate with HEB to add a generator on their site to handle a power loss. Councilwoman Moczygamba asked how much a generator and Mayor Gregory stated that there are a couple of proposals coming in and we will have to get a final cost.



Item No. 7.B. Discussion/Action Mayor Gregory stated that he spoke with Marlin Tanneberger and that he would help with finding someone to replace him on the FELPS Board of Trustees. He stated that we may need to call a quick special meeting to approve an appointment unless someone has a suggestion. Councilman Lenonard asked how often the board meets and Mayor Gregory stated that he was not sure. Councilwoman Gerlich asked if it is a voting position and Councilwoman Moczygemba stated that is advisory only. No suggests were made.

Item No. 7.C. Discussion/Action Mayor Gregory stated that he was looking to lighten his load and when he called some of the other members of the Appraisal District Board he was asked to remain on the Board. Councilman Richter made a motion to appoint Mayor Gregory to the Wilson County Appraisal District Board of Directors and Councilman Cormier seconded. **Motion carried 5 – 0.**

Item No. 7.D. Discussion/Action This item will be on the January Regular City Council Meeting.

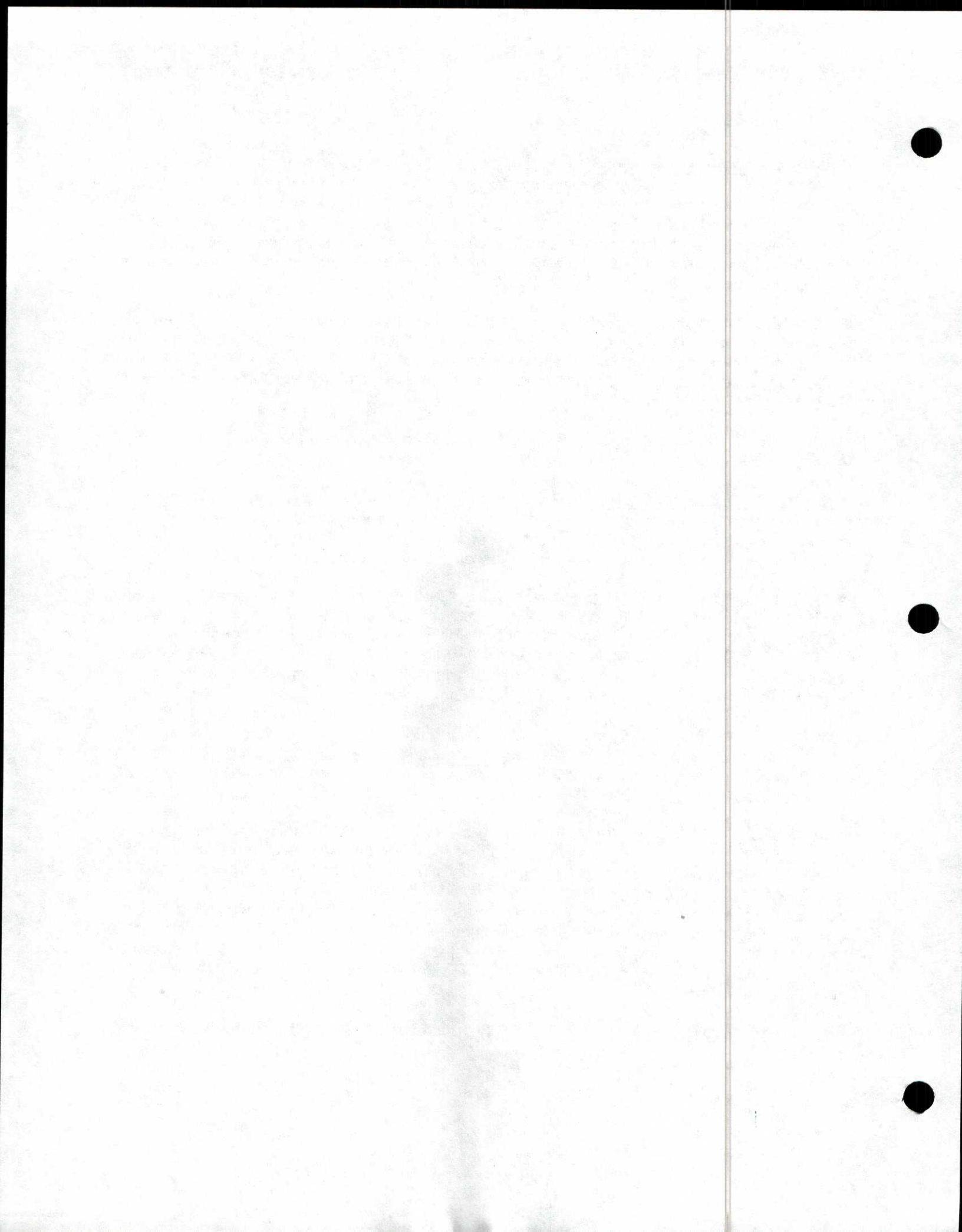
Item No. 7.E. Discussion/Action Mayor Gregory stated that he is still working on language of the terms and conditions for contracting Bureau Veritas to perform building inspections. They have already performed a few inspections on a backup basis and if we go with them as our permanent inspectors they will review our ordinances to make sure that we are up to code.

Item No. 8.A. Staff/Council Updates Mayor Gregory stated that La Vernia Crossing applied for final approval of their signs. There has been a request to re-plat some properties in the Country Gardens subdivision and the property owner was told what he needed to do to get this done. H & H Liquor has asked for seven vehicle queuing. The Church of Christ sign was replaced. Councilwoman Gerlich asked if there is an estimate on when we will be able to pull water from the new well and Mayor Gregory stated not at this time.

Item No. 9.B. Staff/Council Updates Sargent Pitts stated that there have been more accidents on FM 775 and FM 1346. He explained that while he has spoken with TXDot about this intersection installing a light is up to them. Mayor Gregory stated that he has also spoken with Tim Lowak about this subject. There have been two drug arrests.

Item No. 9.C. Staff/Council Updates Public Works Director stated that there was a sewer spill on the first of December where approximately 207,000 gallons of sewer were spilled. He asked that people please not flush wipes, latex gloves, and those kinds of things. TCEQ came out and did not find any violations. He would like to look into investing in a jet truck to help out in times like these. Councilwoman Moczygemba asked how they check for clogs and Public Works Director Mills stated that they check the pressure every day. Councilwoman Gerlich asked if there points to see where a check can be done and Public Works Director Mills stated that unfortunately you may not be able to see and it would be best to have a truck to be able to do annual maintenance.

Item No. 9.D. Staff/Council Updates City Secretary Cantu reviewed the upcoming calendar.



Item No. 10. Items Specific to Future Line Items on the Agenda We will need to have workshops on several different topics. There will also be a town hall meeting in January and recycling may come up in the spring.

Item No. 9. Adjourn With no further business Councilwoman Moczygamba made a motion to adjourn and Council Cormier seconded. The meeting was adjourned at 8:19 p.m.



Robert Gregory, Mayor



Angela Cantu, City Secretary-Treasurer



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