

The La Vernia City Council held a Regular City Council Meeting on August 8, 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 7:19 p.m. Council members present were Marie Gerlich, Randy Leonard, John Richter, and Jennifer Moczygamba. Staff member present were City Secretary-Treasurer Angela Cantu, Public Works Director Jason Mills, Police Chief Bruce Ritchey, and Code Enforcement Officer/Special Projects Coordinator Janet Thelen.

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

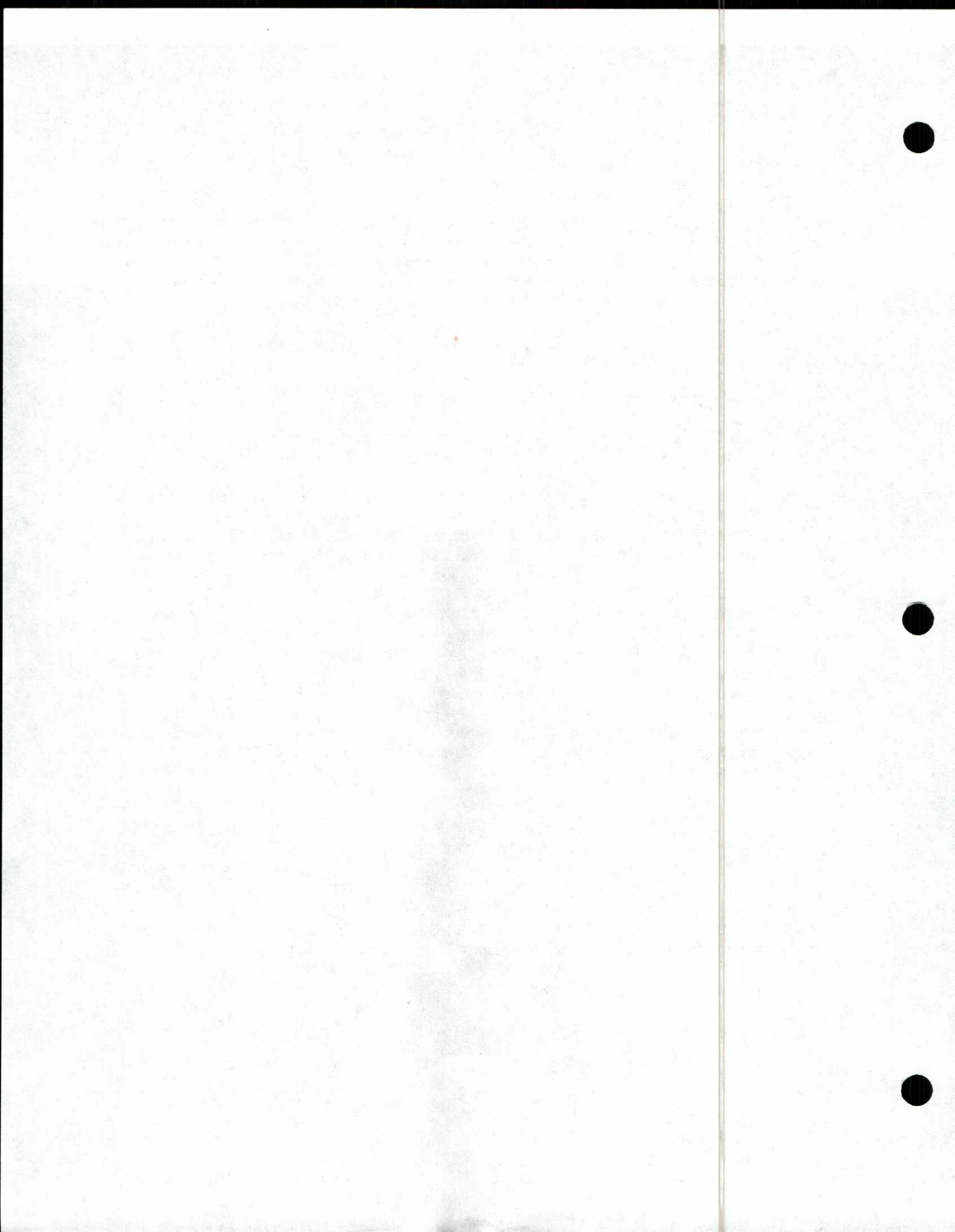
Item No. 3. Citizens to be Heard There were no citizens to be heard.

Item No. 4.A. – C. Consent Agenda Councilwoman Moczygamba made a motion to accept the consent agenda and Councilman Richter seconded. **Motion carried 4 – 0.**

Item No. 5.A. Ordinance Mayor Gregory explained ORDINANCE NO. 080813-01, AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AMENDING ZONING CODE CHAPTER 38 PROVIDING FOR THE CHANGE OF ZONING DISTRICT CLASSIFICATION FROM PRESENT CLASSIFICATION OF GENERAL RESIDENCE DISTRICT (R-2) TO GENERAL COMMERCIAL DISTRICT (C-2) THE SOUTHWEST PORTION OF LOT 1 OF KOEPP CHEVROLET ADDITION, LA VERNIA, TEXAS DESCRIBED BY METES AND BOUNDS IN EXHIBIT A; AND PROVIDING FOR AN EFFECTIVE DATE. Mayor Gregory also stated that this item can be discussed tonight but could not be voted on because a public hearing needs to take place before a vote. Mr. Koeppe stated that he thought the property was classified as C-1 but Code Enforcement Officer Thelen stated it was not. Code Enforcement Officer Thelen stated that she sent out 15 notices and received five responses in favor of the change and one in opposition. Councilman Leonard asked what the corner lot was zoned. Code Enforcement Officer Thelen stated that it is zoned C-2 she also stated that GM may force the dealership to have the body shop on that corner lot so it needs to stay at that zoning classification. Mr. Koeppe stated that he also felt it would be unorthodox to have part of the property zoned C-1 and part of it zoned C-2.

Item No. 5.B. Ordinance Mayor Gregory explained ORDINANCE NO. 080813-02, AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AMENDING ZONING CODE CHAPTER 38 PROVIDING FOR THE CHANGE OF ZONING DISTRICT CLASSIFICATION FROM PRESENT CLASSIFICATION OF GENERAL RESIDENCE DISTRICT (R-2) TO GENERAL COMMERCIAL DISTRICT (C-2) 115 BLUEBONNET ROAD, CITY OF LA VERNIA LOT 403, LA VERNIA, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE. Mayor Gregory also stated that this item can be discussed tonight but could not be voted on because a public hearing needs to take place before a vote. Code Enforcement Officer Thelen stated she sent out ten notices and six were returned in favor of the change.

Item No. 5.C. Ordinance Mayor Gregory explained ORDINANCE NO. 080813-03, AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AMENDING ZONING CODE CHAPTER 38 PROVIDING FOR THE CHANGE OF ZONING DISTRICT CLASSIFICATION FROM PRESENT CLASSIFICATION OF GENERAL RESIDENCE DISTRICT (R-2) TO RETAIL DISTRICT (C-1) 119 BLUEBONNET ROAD, LOT 2 KOEPP CHEVROLET ADDITION, LA



VERNIA, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE. Mayor Gregory also stated that this item can be discussed tonight but could not be voted on because a public hearing needs to take place before a vote. Code Enforcement Officer Thelen stated that she sent out 11 notices and received four responses in favor of the change and one opposed.

Item No. 6.A. Discussion/Action Mayor Gregory stated that Southwest Engineers is still evaluating bids. We are also waiting on clarification on the migratory pattern of the whooping crane so we will have a Special meeting next week to be able to pick a driller.

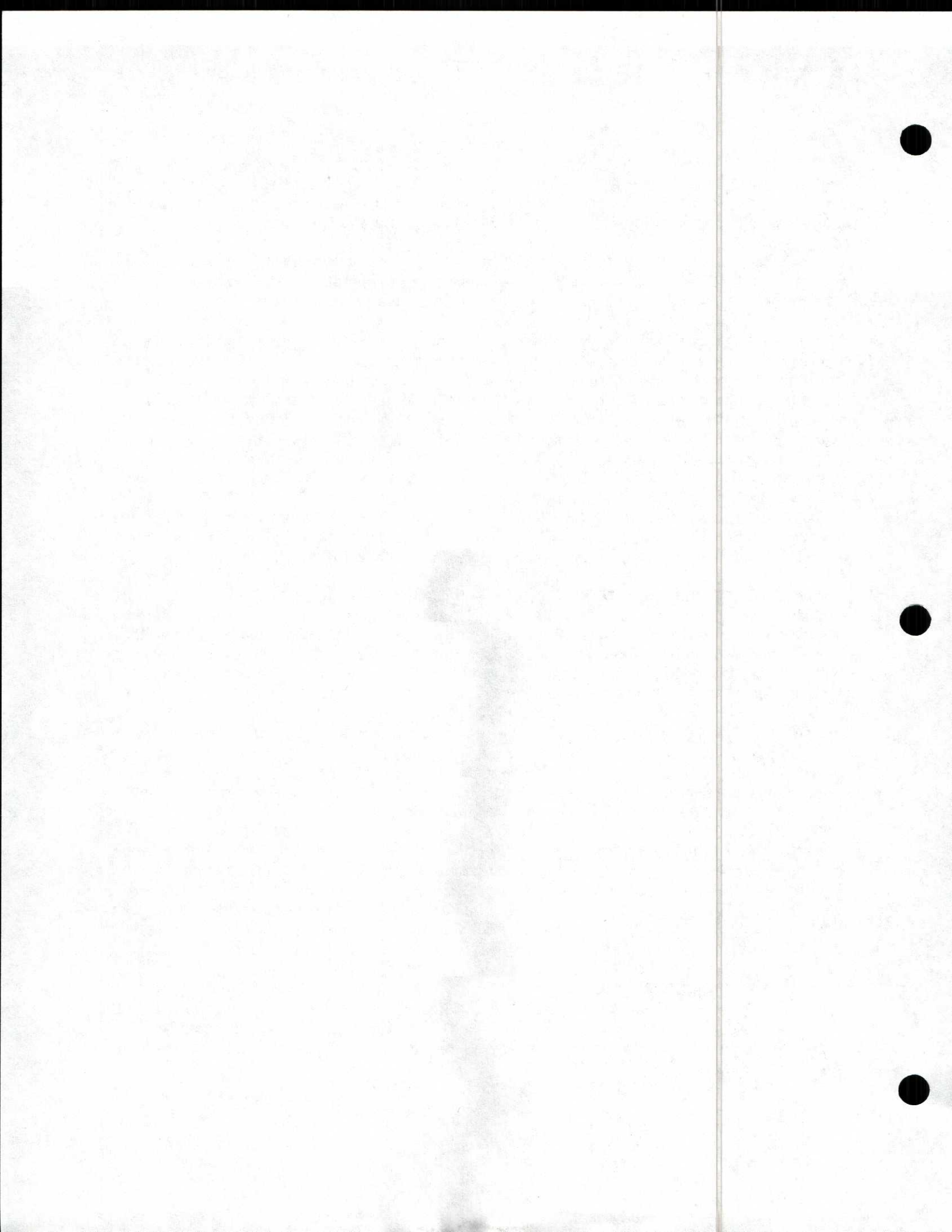
Item No. 6.B. Discussion/Action Mayor Gregory explained that Councilwoman Moczygemba had questions about the options that American Tower has proposed regarding the tower lease so he thought it would be best to clarify. He stated that this is a cap pre-paid lease and basically the extension is for 50 years. Currently we get \$12,000 per year for the next 26 years. The options American Tower is proposing are as follows: 1) a flat payout of \$150,000 and extend lease for 50 years; 2) a payout of \$180,000 over the next five years and extend the lease for 50 years; 3) a payout of \$210,000 for the next 10 years and extend the lease for 50 years; and 4) a payout of \$247,500 over the next 15 years and extend the lease for 50 years. He stated that the worst case would be we say no and keep getting the \$12,000 annually or go with one of the options and if the tenant leaves and the payout has not been completed we would not receive any additional funds. Councilman Leonard stated that he feels that we should keep it the way it is. No action was taken therefore the plan will stay the way that it is.

Item No. 6.C. Discussion/Action City Secretary Cantu stated that this is the same Customer Service Inspection Agreement that the Council has agreed to every year. Councilwoman Moczygemba asked what the fees are and Code Enforcement Officer Thelen stated that they are \$75 and \$90 and an administration fee is included in that. Councilman Leonard made a motion to renew the Customer Service Agreement with Charlie Trowbridge and Councilman Richter seconded. **Motion carried 4 – 0.**

Item No. 6.D. Discussion/Action Mayor Gregory explained that the La Vernia Municipal Development District has an opening on the board. He stated that he would like to suggest having Mr. Gordon Bake fill the position. Councilwoman Moczygemba made a motion to approve the appointment of Gordon Bake to the La Vernia Municipal Development District Board and Councilwoman Gerlich seconded. **Motion carried 4 – 0.**

Item No. 7.A. Staff/Council Updates Police Chief Ritchey explained the monthly report and the difference of the incident and complaints. He also stated that he met with Motorola and they are looking for the best place to put the repeater tower. There was an incident where a vehicle ran into a propane tank behind HEB. The incident showed the need to get together with EMS, LV Volunteer Fire Department, and the Wilson County Sheriff's Office to run quarterly drills to make sure in case of an emergency everyone knows what they are supposed to do.

Item No. 7.B. Staff/Council Updates Public Works Director Mills stated that his department did a lot of work on the park and he hired some part time employees to help out. There were also a lot of water leaks that were fixed. The street repairs should be completed by the end of the week and the paving company will be paving the drive way to the City yard for free.



Item No. 7.C. Staff/Council Updates Code Enforcement Officer Thelen stated that there was an illegal dumping due to an accident. However, no criminal charges were filed and it was cleaned up right away without any damage. She also stated that she sent out a lot of grass notices. La Vernia Crossing is working out a few last minute details and are waiting to get one more tenant before they begin the next building phase.

Item No. 7.D. Staff/Council Updates City Secretary Cantu explained the upcoming events with the addition of additional meetings on August 14th and a possible workshop on September 10th.

Item No. 8. Items Specific to Future Line Items on the Agenda There were no items specific to future line items on the agenda.

Item No. 9. Adjourn With no further business Councilwoman Moczygemba made a motion to adjourn and Councilman Richter seconded. **Motion carried 4 – 0.** The meeting was adjourned at 7:43 p.m.



Robert Gregory, Mayor



Angela Cantu, City Secretary-Treasurer



