

The La Vernia City Council held a Regular City Council Meeting on June 13, 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 6:40 p.m. Council members present were Marie Gerlich, Randy Leonard, and John Richter. Councilwoman Jennifer Moczygamba was absent. Staff member present were City Secretary-Treasurer Angela Cantu, Code Enforcement Officer/Special Projects Coordinator Janet Thelen, Public Works Director Jason Mills, and Police Chief Bruce Ritchey.

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 Gerlich made a motion to approve the consent agenda with a few corrections and Councilman Richter seconded. **Motion carried 3 – 0.**

Item No. 5.A. – B. Proclamations Mayor Gregory explained that due to some outside circumstances both proclamations will be moved to a potential meeting that will take place next week.

Item No. 6.A. Presentation and Discussion/Action Brandon Rose of LVWifi explained the background desire to bring fiber optics into the City of La Vernia. Councilman Leonard asked if this would mean the current users of LVWifi would have to upgrade. Mr. Rose stated that they would have to work them off the old system. He stated that the old system will serve as a back-up should a fiber optic line get cut. Councilman Richter asked if the lines would be under ground and Mr. Rose stated that he was not sure at this time however he would like to run the lines on the poles.

Item No. 6.B. Presentation and Discussion/Action Mayor Gregory explained that after reviewing the franchise agreements the City has with GVEC, FELPS, and La Vernia Cable he would recommend that the City begin to prepare a franchise agreement with LVWifi in the amount of 2%. Councilman Leonard asked if the Council would be approving the amount of the franchise fee before it has been drafted. Mayor Gregory stated that he is just asking permission to move forward with an agreement with the rate to be set at 2%. Councilman Leonard made a motion to approve moving forward with a franchise agreement between the City of La Vernia and LVWifi with the franchise fee rate to be set at 2% and Councilwoman Gerlich seconded. **Motion carried 3 – 0.**

Item No. 7.A. Public Hearing and Ordinance A public hearing regarding ORDINANCE NO. 061313-01, AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE PURPOSES OF ALLOWING A DRIVE THRU LANE FOR THE END CAP TENANT ON A SPEC RETAIL OR RESTAURANT TENANT SPACE SPECIFICALLY KNOWN AS 198 S. FM 1346, CITY OF LA VERNIA, LOT 7, BLOCK 1, LA VERNIA CROSSING SUBDIVISION ZONED C-1 RETAIL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE was opened at 6:48 p.m. Jason Feuge with Mdn Architects explained their request to allow a drive thru lane for the end cap tenant on a spec retail or restaurant tenant space. The public hearing was closed at 6:50 p.m.

Item No. 7.B. Public Hearing and Ordinance Mayor Gregory explained Ordinance No. 061313-01 and Code Enforcement Officer Thelen stated that she sent out seven notices regarding granting the SUP. She received five votes in favor of granting the SUP and the other two sent no response. Mayor Gregory stated that the Planning and Zoning has provided their recommendation approving granting the SUP as well. Councilman Leonard made a motion to approve Ordinance No. 061313-01 and Councilman Richter seconded. **Motion carried 3 – 0.**

Item No. 8.A. Ordinance Mayor Gregory read ORDINANCE NO. 061313-02; AN ORDINANCE AMENDING THE ANNUAL BUDGET OF THE CITY OF LA VERNIA, TEXAS FOR THE 2012 – 2013 FISCAL YEAR explaining that this is what was discussed at the May 9th Regular City Council Meeting to help the Greater La Vernia Park Foundation. He stated that he spoke with Dennis Snow regarding the additional money the Foundation would need in order to complete the fence project. Mr. Snow stated that in addition to the \$10,000 that the City has set aside the Foundation would need an additional \$4,960. Councilman Leonard made a motion to approve Ordinance No. 061313-02 and Councilwoman Gerlich seconded. **Motion carried 3 – 0.**

Item No. 9.A. Resolution Mayor Gregory stated that on the advice of the City Attorney this item would be tabled until a future meeting.

Item No. 10.A. Discussion/Action Mayor Gregory explained that the advertisement for bids for Well No. 6 has been placed in the La Vernia News. The bids are scheduled to be opened at City Hall at 1:30 p.m. on Tuesday, July 23rd.

Item No. 10.B. Discussion/Action Mayor Gregory explained that it is time to appoint a Mayor Pro Tem and would recommend that Council appoint Councilman Leonard. Councilwoman Gerlich made a motion to appoint Councilman Leonard as Mayor Pro Tem and Councilman Richter seconded. **Motion carried 3 – 0.**

Item No. 10.C. Discussion/Action Mayor Gregory explained that American Tower has offered another option regarding the lease of the tower at the City Yard. He stated that he has some questions regarding this latest offer and would like to talk to them again before having Council make a decision. This item will be discussed on a future agenda.

Item No. 10.D. Discussion/Action Mayor Gregory explained that since Councilwoman Moczygemba won her bid for City Council she cannot act as a voting member of the Planning and Zoning Commission and the Impact Fee Advisory Committee therefore she will be resigning from both of those boards. Councilman Richter made a motion to accept Councilwoman Jennifer Moczygemba's resignation from the Planning and Zoning Commission and the Impact Fee Advisory Committee and Councilwoman Gerlich seconded. **Motion carried 3 – 0.**

Item No. 10.E. Discussion/Action Mayor Gregory stated that he would like to recommend appointing Martin Poore to fill the vacancy on the Planning and Zoning Commission and the Impact Fee Advisory Committee. Code Enforcement Officer Thelen wanted to let Council know that Mr. Poore attended the P & Z meeting that was held on June 4th. She stated that he will add a different insight to the Commission which is always positive. Councilman Leonard made a motion to approve appointing Martin Poore to the Planning and Zoning

Commission and the Impact Fee Advisory Committee and Councilwoman Gerlich seconded.
Motion carried 3 – 0.

Item No. 11.A. Staff/Council Updates Chief Ritchey informed the Council that Nathan Gershon has been promoted to full time officer from the reserve force. He also stated that the WCSO may have gotten a grant to help with the purchase of a new repeater tower. Sheriff Tackitt has informed the Chief that he will give the City their old repeater tower and we will not have to purchase one next year.

Item No. 11.B. Staff/Council Updates Public Works Director Mills stated that his department has been mowing all month. He also stated that there is an ad in the paper for the open landscape position but no applications have been turned in.

Item No. 11.C. Staff/Council Updates Code Enforcement Officer Thelen stated that the La Vernia Crossing punch list needs to be completed before we can take over the lift station. She also informed Council that the house at 102 San Antonio Street will be demolished and the property owner is requesting that it be re-zoned at the July meeting. Finally, Code Enforcement Officer Thelen highlighted the results from the town-hall surveys.

Item No. 11.D. Staff/Council Updates City Secretary-Treasurer Cantu asked that the Council contact her regarding their summer schedules to plan budget workshops. She also let them know that there is a need for a Special Meeting to be held next week and asked that they let her know of their availability on Tuesday, June 18th.

Item No. 12. Items Specific to Future Line Items on the Agenda There were no items specific to future agendas.

Item No. 13. Adjourn With no further business Councilman MG made a motion to adjourn and Councilman RL seconded. The meeting was adjourned at 7:17 p.m.



Robert Gregory, Mayor



Angela Cantu, City Secretary-Treasurer

