

The La Vernia City Council held a Regular City Council Meeting on November 14, 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 Chief Bruce Ritchey. City Attorney Jameene Banks was also in attendance.

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 Mr. Jr Koepf made comments regarding the revitalization plan from UTSA.

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

Item No. 5.A. Presentation/Resolution Mr. Ralph Gerhardt, Doug Jones, & Peter Juhasz, made a presentation regarding Agenda 21.

Item No. 5.B. Presentation/Resolution Councilwoman Moczygamba asked if Attorney Zech had reviewed the Resolution and City Secretary Cantu stated that yes he had however he did not feel that he knew enough about the subject to give the Council an insight on the subject. Mayor Gregory stated that before the Council makes a decision he feels that additional research needs to take place. Mr. Gerhardt asked if council needed any further information he would be happy to help. He also strongly recommended googling the Agenda 21. Mayor Gregory suggested that Council have a workshop to discuss this and will let Mr. Gerhardt know if we need them in attendance.

Item No. 6.A. Presentation Shirley Stanush from the Greater La Vernia Park Foundation introduced the Wilson County Patriots who will be cleaning up the gazebo and butterfly garden. Ms. JoAnn Juhasz explained what they had done so far and how they plan to maintain the upkeep. Mayor Gregory wanted express his appreciation for the help and thanks for the volunteerism.

Item No. 7.A. Ordinance Mayor Gregory got everyone up to speed on the progress of the zoning ordinance. Councilwoman Moczygamba asked if it was necessary to have a public hearing. Attorney Banks suggested that the ordinance go back to the Planning and Zoning Commission to develop the last of the language necessary to finalize. Then a workshop can be held to make sure everyone is comfortable with the final ordinance. The public hearing can be held the same time the ordinance is passed.

Item No. 7.B. Ordinance Mayor Gregory explained that this Ordinance is regarding the seismic testing within the city limits. He stated that Attorney Zech had suggested tweaking our current right-of-way ordinance. Mayor Gregory has spoken with the parties involved who stated they are not in that big of a hurry to conduct any testing. He also stated that the testing process

had been explained to him and it makes him nervous. He feels that the City needs to ensure that our infrastructure is protected. Councilwoman Moczygamba stated that she has reviewed Municodes to search for similar ordinances but did not find any good strong language that stated if you break it you fix. Attorney Banks stated that she has never personally represented a city in this type of action before, however, the firm does represent Copperas Cove and they have done something similar in the past. She also stated that tweaking the current right-of-way ordinance is good start. When it comes to permitting, she suggests getting a consultant who has more knowledge of the technical aspects and language. Councilwoman Moczygamba stated that TXDOT did not seem that worried about the process and Attorney Banks stated that she feels that there are not a lot of regulations because the type of testing that is involved is not necessarily harmful to street or infrastructure below. Mayor Gregory stated that is what he was told at first, but then found out that this is a different process. Councilwoman Moczygamba said that when STEER was here they showed us pictures on their vibrosis truck. Mayor Gregory stated we may need to call a special meeting to move on language regarding this matter.

Item No. 8.A. Discussion/Action Mayor Gregory stated that there have been two change orders. The first was due to the whole in the casing being larger than expected therefore it took more concrete to fill. The cost of the change order was \$1,900. The second was when they did testing for the test hole and they found the sands are finer than silt and they needed to change the size of the casing. The cost of this change order was \$5,300. There are crews working around the clock tonight and so far they are still under budget. The next process is to jet out the well and things are moving along very well. Councilwoman Moczygamba asked about the timeline. Mayor Gregory stated that they should be done with the well in two weeks. The next process is the surface part. We should be discussing the filtration bids over the next couple of weeks. And by the best estimates we should have drinkable water by next March.

Item No. 8.B. Discussion/Action Mayor Gregory asked for suggestions for an appointee to the FELPS Board of Trustees. Councilwoman Moczygamba suggested Ms. Elaine Schnitz. Mayor Gregory stated that he will give her a call and find out if she would be interested in serving. He stated that we have until our December council meeting to make a decision.

Item No. 8.C. Discussion/Action Mayor Gregory stated that we have a sample job description but we are looking for an essential function which could be either an employee or an outsourced position. He stated that he spoke with Bureau Veritas who does a variety of types of inspections. Councilwoman Moczygamba asked who this person would report to. Councilwoman Gerlich feels that the job description needs to be streamlined and she will be happy to work on this with the Mayor. Councilman Leonard asked if the Council can see an offer from Bureau Veritas. Mayor Gregory stated that he sent the first offer we received from Bureau Veritas to Attorney Zech for review. Councilman Leonard asked if we need to go out for bids and Attorney Banks stated that we do not because they are professional services. Councilman Leonard stated that the costs should be passed on to the builder. Mayor Gregory stated that he agrees however we will have to modify our fee schedule. Councilman Leonard stated that we will need to look at our ordinances to see what else we need to change and Mayor Gregory stated that is one of the things that Bureau Veritas does. Councilwoman Gerlich asked if we can put this on a workshop to discuss and Councilman Leonard asked if someone from Bureau Veritas could come and present.

Item No. 9.A. Staff/Council Updates Police Chief Ritchey stated that there has been an increase in drug related calls from crime stoppers. There has been some discussion regarding

closing the gate from the school to the park. The park gates are now up and in use. Councilwoman Moczygemba asked what the times are for the gates and Public Works Director Mills stated that they open them at 7:00 a.m. and Police Chief Ritchey said that the duty officer closes them at 11:00 p.m. Councilman Cormier asked what happened to the cameras that were in the park and Chief Ritchey said that they were not the City's and they have been gone for some time now. Mayor Gregory stated that there will need to be some collaboration from the City, school, park foundation, and the little league to come up with a suitable solution

Item No. 9.B. Staff/Council Updates Public Works Director Mills stated that it has been a rough month. There have been issues at both the Woodcreek and HEB lift stations. He also stated that SARA put on an electrical training class at no cost to the city which he and one of his employees attended.

Item No. 9.C. Staff/Council Updates City Secretary Cantu reviewed the calendar of upcoming events.

Item No. 10. Items Specific to Future Line Items on the Agenda The following items will appear on future agendas:

- 1) workshop to discuss Agenda 21;
- 2) workshop to discuss the Right-Of-Way Ordinance; and
- 3) workshop to discuss Bureau Veritas.

Item No. 9. Adjourn With no further business Councilman Cormier made a motion to adjourn and Councilwoman Gerlich seconded. The meeting was adjourned at 7:51 p.m.



Robert Gregory, Mayor



Angela Cantu, City Secretary-Treasurer

