

The La Vernia City Council held a Regular City Council Meeting on August 14, 2014 at 6:31 p.m. at the City Hall, La Vernia, and 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, Harold Schott, Eloi Cormier, and Jennifer Moczygamba. Staff members present were City Secretary-Treasurer Angela Cantu, City Administrator Yvonne Griffin, and Police Chief Bruce Ritchey.

Item No. 2. Pledge of Allegiance and Invocation The Pledge of Allegiance was recited and Councilwoman Gerlich gave the invocation.

Item No. 6.B. Presentation Mayor Gregory presented the Miller family with a plaque for Roger Miller's years of dedicated service to the community.

Item No. 6.A. Presentation Martin Poore, La Vernia Little League, presented the Council with a check in the amount of \$1,050.00 as a donation from the proceeds of a tournament that was held at the La Vernia City Park.

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

Item No. 4. Consent Agenda City Administrator Griffin informed Council of the increase to the amount of ad valorem taxes collected. Councilwoman Moczygamba made a motion to approve the consent agenda and Councilwoman Gerlich seconded. **Motion carried 5 – 0.**

Item No. 5.A.-D. Staff/Council Updates Mayor Gregory gave an update on building permits and sign permits issued.

Police Chief Ritchey listed the number of calls. He also stated that we may want to consider alarm permits because they have made several calls to check alarms. School is getting ready to start soon so they expect the calls to increase. The 2011 Caprice, #721, was involved in an accident while taking someone to jail the Friday night of the BBQ Cook Off.

Mayor Gregory gave the Public Works Department update about the leak that happened earlier in the week. He also informed Council that the San Antonio River Authority (SARA) will be testing a new pump. If it works properly SARA will split the cost of the pump with the City through SARA's community assistance program.

City Secretary Cantu gave reviewed the calendar of upcoming events.

Item No. 7.A. Public Hearings and Ordinance A public hearing regarding the proposed change of zoning classification from present classification of R-2 (General Residence) to C-1 (Retail) for City of La Vernia, Lot #3 & #4, 111 D L Vest, La Vernia, TX 78121 was opened at 6:56 p.m. Glenn Mills explained what they are going to be doing with the property. City Secretary Cantu stated that nine 200 foot notices were sent out and only three came back, all of which were in favor of the change. With no other comments the public hearing close at 6:57 p.m.

Item No. 7.B. Public Hearings and Ordinance Mayor Gregory explained ORDINANCE NO. 081414-01, AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS REZONING CERTAIN

PROPERTY AND AMENDING THE CITY'S OFFICIAL ZONING MAP TO REFLECT THE CHANGE OF ZONING DISTRICT CLASSIFICATION OF PROPERTY LOCATED AT 111 DL VEST, LOT #3 AND #4, LA VERNIA, TEXAS FROM ITS PRESENT CLASSIFICATION OF GENERAL RESIDENCE DISTRICT (R-2) TO RETAIL DISTRICT (C-1) AND PROVIDING FOR AN EFFECTIVE DATE. He also wanted to clarify the parking requirements needed for the property and explained that the Planning & Zoning Commission (P&Z) have already given their recommendation in favor of the change. Councilman Schott made a motion to approve Ordinance No. 081414-01 and Councilman Cormier seconded. Councilwoman Moczygamba stated that she is still concerned about the parking however she feels that this is an exciting addition to our community. She asked the property owner how he would accommodate the additional parking that will be needed. Mr. Glen Mills, property owner, stated that he is going to have more parking available on the back of the lot. **Motion carried 5 – 0.**

Item No. 7.C. Public Hearings and Ordinance A public hearing to receive public comments regarding the proposed change of zoning district classification from present classification of R-2 (General Residence) to C-1 (Retail) for City of La Vernia, Lot #348 (Lot 10, Blk 8), located at 122 Bluebonnet Road, La Vernia, Texas 78121 was opened at 7:02 p.m. Councilwoman asked where the property was located and City Secretary Cantu stated that this is the Herman Sons property on Bluebonnet Road. City Secretary Cantu also stated that eight 200 foot notices were sent out and none were returned. However, she did receive a call from a resident who received a 200 foot notice stating that this change he would not disagree with. With no further comments to be heard the public hearing was closed at 7:03 p.m.

Item No. 7.D. Public Hearings and Ordinance Mayor Gregory explained ORDINANCE NO. 081414-02, AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS REZONING CERTAIN PROPERTY AND AMENDING THE CITY'S OFFICIAL ZONING MAP TO REFLECT THE CHANGE OF ZONING DISTRICT CLASSIFICATION OF PROPERTY LOCATED AT 122 BLUEBONNET ROAD, LOT 348 (LOT 10, BLK 8), LA VERNIA, TEXAS FROM ITS PRESENT CLASSIFICATION OF GENERAL RESIDENCE DISTRICT (R-2) TO RETAIL DISTRICT (C-1) AND PROVIDING FOR AN EFFECTIVE DATE. He stated that this is a City initiated change and the need for the change was recognized since the property is being used as a business to hold classes and other events. Councilwoman Moczygamba asked if they will have to pave the parking lot. Councilman Schott stated that he thought they would be "grandfathered." Councilman Leonard made a motion to approve Ordinance No. 081414-02 and Councilwoman Gerlich seconded. Councilwoman Moczygamba stated that she would hate to approve this change in zoning if it is going to cause them to spend money they weren't expecting to spend. Councilman Leonard stated that he believes they would not be "grandfathered" and that Herman Sons should have some time to pave the parking lot. Councilwoman Gerlich stated that she believes that Herman Sons has a few events that are for profit, but the majority of the events at their facility are done by members therefore not necessary to have a paved parking lot. Councilwoman Moczygamba stated that if the zoning gets changed the parking lot will be required to be paved. Councilman Leonard stated that the whole street is moving to C-1 Retail zoning and feels that it is a proper zoning change for this piece of property. Mayor Gregory stated that the City will work with Herman Sons regarding paving the parking lot. **Motion carried 5 – 0.**

Item No. 8.A. Ordinance Mayor Gregory explained ORDINANCE NO. 081414-03 AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AUTHORIZING THE ERECTION OF A NO LEFT TURN TRAFFIC CONTROL DEVICE PROHIBITING LEFT TURNS FROM THE LA

VERNIA JUNIOR HIGH AND HIGH SCHOOLS ONTO BLUEBONNET ROAD DURING SCHOOL ZONE HOURS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. Councilwoman Gerlich asked if it is the same procedures as last year. Chief Ritchey stated that some of it is the same but there have been some changes and this Ordinance would give the officers the necessary means to enforce the no left turns for the safety of everyone. Councilwoman Gerlich asked if the school is going to be changing their internal procedures and Chief Ritchey stated they are still working together to find the best route for everyone. Councilwoman Moczygemba made a motion to approve Ordinance No. 081414-03 and Councilman Cormier seconded. **Motion carried 5 – 0.**

Item No. 8.B. Ordinance Mayor Gregory explained ORDINANCE NO. 081414-04 AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AUTHORIZING THE ERECTION OF A NO LEFT TURN TRAFFIC CONTROL DEVICE PROHIBITING LEFT TURNS FROM THE LA VERNIA PRIMARY AND INTERMEDIATE SCHOOLS ONTO FM 1346 DURING SCHOOL ZONE HOURS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. Councilwoman Moczygemba asked if you can still turn left off of Alexandria and Chief Ritchey stated that you can. Councilman Cormier made a motion to approve Ordinance No. 081414-04 and Councilwoman Moczygemba seconded. **Motion carried 5 – 0.**

Item No. 8.C. Ordinance Mayor Gregory explained ORDINANCE NO. 081414-05 AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AMENDING ORDINANCE NO. 013014-03 REGULATING THE PRIMA FACIE MAXIMUM SPEED LIMITS DURING SCHOOL ZONE HOURS ON BLUEBONNET STREET; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE. Councilwoman Gerlich asked why there are different speed limits for the two different streets and Chief Ritchey stated that is a question for TXDot. Councilwoman Moczygemba made a motion to approve Ordinance No. 081414-05 and Councilwoman Gerlich seconded. **Motion carried 5 – 0.**

Item No. 8.D. Ordinance Mayor Gregory explained ORDINANCE NO. 081414-06 AN ORDINANCE AMENDING ORDINANCE NO. 031314-02 ESTABLISHING A CITY WIDE SOLID WASTE COLLECTION, TRANSPORTATION AND DISPOSAL PROGRAM; REQUIRING MANDATORY PARTICIPATION IN THE PROGRAM; PROHIBITING THE COLLECTION, CONVEYANCE AND TRANSPORT OF RESIDENTIAL, HOUSEHOLD, COMMERCIAL AND INDUSTRIAL REFUSE AND SOLID WASTES WITHIN THE CITY LIMITS OF LA VERNIA WITHOUT A FRANCHISE AGREEMENT; PROVIDING FOR A PENALTY FOR VIOLATION THEREFORE; AND PROVIDING FOR AN EFFECTIVE DATE. City Administrator Griffin stated that because this was not done properly earlier in the year we will need to give a partial refund to our garbage customers. Councilman Leonard made a motion to approve Ordinance No. 081414-06 and Councilwoman Gerlich seconded. **Motion carried 5 – 0.**

Item No. 8.E. Ordinance Mayor Gregory explained ORDINANCE NO. 081414-07 AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS, AMENDING ORDINANCE NO. 10-1112-02; PROVIDING FOR AN INCREASE IN SOLID WASTE COLLECTION AND DISPOSAL FEES FOR RESIDENTIAL, HOUSEHOLD, COMMERCIAL AND INDUSTRIAL REFUSE BASED ON

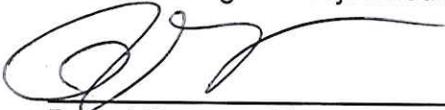
THE NEW CONTRACT WITH PROGRESSIVE WASTESOLUTION OF TX, INC., F/K/A IESI TX CORPORATION); PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATION THEREFORE; AND PROVIDING FOR AN EFFECTIVE DATE stating that this will clean up the contract between the City and Progressive Waste. Councilman Leonard made a motion to approve Ordinance No. 081414-07 and Councilwoman Gerlich seconded. **Motion carried 5 – 0.**

Item No. 9.A. Discussion/Action Mayor Gregory stated that he met with Clarence Littlefield on Thursday and a small change order for manways was submitted. He stated that there had been some question as to lining the backwash pond and the final word from TCEQ is that it will not be necessary. The soil was expected to have more of a clay bed however it is all sand. He also stated that the project is still on target to come on-line on October 1, 2014.

Item No. 10. Items Specific to Future Line Items on the Agenda Mayor Gregory stated that with the addition of the City Administrator to the City staff agenda's will look different in the future.

Councilman Schott asked for an update on the status of surplus water to appear on a future agenda.

Item No. 11. Adjourn With no further business Councilman Cormier made a motion to adjourn and Councilwoman Moczygemba seconded. The meeting was adjourned at 7:26 p.m.



Robert Gregory, Mayor



Angela Cantu, City Secretary-Treasurer

