



City of La Vernia
REGULAR CITY COUNCIL MEETING
City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

February 9, 2017
6:30 PM

Minutes

Members Present: Mayor Gregory, Mayor Pro-Tem Schott, Councilman Cormier, Councilman Doege, Councilwoman Moczygemba & Councilwoman Watson.

Members Absent: None

1. Call to Order- Mayor Gregory called the meeting to order at 6:30 PM and a quorum was declared.

2. Invocation, Pledge of Allegiance, and Texas Pledge- Invocation was given by Councilwoman Moczygemba. All in attendance cited the Pledge of Allegiance and Texas Pledge.

3. Citizens to be Heard

Mr. Nulig spoke on behalf of the La Vernia Volunteer Ambulance Service that was provided to him during a personal injury. He stated that 3 years ago he called La Vernia EMS and Paul Brunner and Ronnie Rye responded to the call. He has several shards of glass in his eye. The two ambulance attendees contacted Connally Memorial and they told Mr. Rye and Mr. Brunner not to bring him. He stated that was outrageous. He stated that as far as the taxes go, he pays enough in taxes already and believes he could do something a lot better with the taxes he currently pays. He stated he had heard that these guys are not very well educated and they do not have the kind of certifications that we need, but how does an ambulance driver know that someone is having a stroke but a doctor doesn't. He stated that he called 911 and La Vernia EMS saved his eye.

Mr. Jason Miller stated that there are some good things some days are higher and others are lower. If his dad had a heart attack, he would not contact La Vernia EMS he would be contacting me. They are not sure what will be coming on the ambulance that day. We are already be taxed county wide, the double taxation rumor is that ESD 2 & 3 are paying for it and as an employee in that ESD he has had people come up to them and thanked them for their service and knowing that there is an employee at the station. Having a volunteer service where there is not someone there 24/7 that can administer a higher level of care, can greatly increase the chances of not surviving. It's not to say that they have not done good things in the past, it's not to say they are doing things horrible now. It's the fact of having someone to administer higher level of care at all times.

Mr. Paul Brunner stated he came to speak to clear up any misconceptions so that we did not get any misunderstanding about where we were at. He stated in August 2015 a renewal was submitted and previous President resigned & Mr. Brunner took over as President. Department of State Health Services (DSHS) ended up doing an investigation due to a complaint and found some administration structural issues that weren't in place and they were not corrected when Mr. Brunner came into office. Those issued that were pertinent were not a problem anymore. The service never stopped or lagged and continued going on. If there is another egregious offense they will deal with that a lot faster and a lot harder, in which they should he stated.

Last year, three complaints were received that were dismissed as having not a foundation. He stated that an EMS can receive a complaint for a number of things. They were investigated and cleared by DSHS with no further action warranted at that time. He stated they do offer an ambulance service, we have increased the level of service with no additional support. We do have an MICU rate of 75% which we are more than happy to bring to 100%.

4. Consent Agenda

(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)

- A. Minutes from the January 12, 2017 Regular City Council Meeting
- B. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of January 2017;
- C. Check Register and financial report for the month of January 2017

MOTION: Councilman Cormier made a motion to accept the consent agenda as presented, seconded by Councilwoman Watson. Motion passes: 5-0.

5. Presentation

A. Presentation from Armstrong, Vaughn & Associates regarding FY 2016 Audit

Mr. Phil Vaughn presented the FY Audit for 2016. He stated we are in good shape. He stated Yvonne has done a great job the past two years. He stated there were three pages he was touching on.

Mr. Vaughn started with the General Fund, (pg. 43 & 44), total revenues at the top section, beat budget by \$52,000 and were up by \$145 over the year before. He stated now that HEB is paid off, sales tax and property tax are improving and were getting the benefit of that. On the expenditure side, bottom of page 43, we were under budget by \$96,000, those two things combined on the next page increase the general fund by balance \$288K ending with \$1.1 million at the end of last year which is almost one (1) year of our operating costs. He stated the general funds is pretty healthy. On Governmental Funds (pg. 16 & 17) the street maintenance is located in the second column, we didn't spend much last year so it increased to \$500K next to that is MDD and we did \$257K and the total non-major decreased because of the Capital Lease. He stated he thinks those are all positive. The Utility Fund (pg. 59) revenues were almost exactly the same as the year before, the services we provided were almost identical. Expenses were up \$118K, the majority of that higher allocation of was from personnel, he stated there has been some back and forth as to who was public works and water, but there are a couple more people in water even though they are moving from one bucket to another. There is a little bit of higher depreciation of the well down \$29K and that was after paying the bond issue costs from last year, he stated if that was taken out we would have been in the positive by \$64K. Mr. Vaughn stated Yvonne's hope is the utility fund can pay for the new bond without having to use property taxes which he stated it could happen once the new well became operational and save Canyon Regional Water money.

B. Update on La Vernia EMS

Mr. Joe Schmider, State EMS Director and Jaime Vallejo, EMS Manager, EMS Compliance South Group, with the Department of State Health Services (DSHS) came and spoke on behalf of the La Vernia EMS update. Mr. Schmider stated in the fall 2015 they started receiving multiple phone calls and email about issues within the La Vernia EMS. Between the months of

November 2015 May 2016 there were issues found. He stated DSHS made approximately 4 to 5 trips and they felt that the final meeting in October of 2016 they were on the right path and the concerns were being addressed by the leadership that was until the last couple of weeks. Today we stand with a 2 year probation with a fine of \$82,000. Mr. Schmider stated they do not have to pay the fine as long as they stay good and healthy for the next 2 years. He stated if something bad happens within that time frame, DSHS would demand payment. He stated that biggest question he has received is, are they going to shut the ambulance service down, and he stated no. Mr. Schmider said ultimately it lies in the hands of your organization. The state can shut a service down if they can prove that there is a true risk to the community. He stated violations of certain things can go back and forth and they have a time frame to respond. Mr. Schmider said if DSHS was going to shut someone down, he could assure us that the municipality that was going to be affected would know about it and he would ensure that there was an ambulance service taking over at the time of the shutdown.

Mayor Gregory stated that public safety is critical and comes first. He stated he would stay in close contact with DSHS.

Mr. Schmider stated that they expect every ambulance service in the State of Texas to have a mutual aid plan in place.

Mayor Gregory stated that there is a mutual aid agreement between La Vernia and the neighboring community but we as a City do not have a contract with the La Vernia EMS Association that contract is all provided through the County.

6. Discussion/Action

A. Discuss and consider action on the layout of the splash pad.

The proposed placement of the splash pad will be as you walk through the gate to your left of the baseball field and the right of the volleyball courts.

Completion date is going to depend on the contractor's schedule which is probably going to be about 30-45 days.

MOTION: Councilman Schott made a motion to accept the layout of splash pad, seconded by Councilwoman Moczygamba. **Motion passes 5-0.**

B. Discuss and consider action on awarding Vortex as the splash pad contractor.

No discussion/action.

7. Ordinances

A. Discuss and consider on approving an ordinance to call a General Election for the City of La Vernia on May 6th 2017 for the purpose of electing three (3) councilmembers.

MOTION: Councilman Cormier made a motion to approve ordinance as corrected to call a General Election for the City of La Vernia on May 6th 2017 for the purpose of electing three (3) councilmembers, seconded by Councilman Schott. **Motion passes 5-0.**

B. Discuss and consider action on approving an ordinance to call a special election for May 6th 2017 for the purpose of reauthorizing the adoption of a local sales and use tax in the City of La Vernia at the rate of one-fourth of one percent to provide revenue for maintenance and repair of municipal streets.

MOTION: Councilman Moczygemba made a motion to approve a special election for May 6th 2017 for the purpose of reauthorizing the adoption of a local sales and use tax in the City of La Vernia at the rate of one-fourth of one percent to provide revenue for maintenance and repair of municipal streets, seconded by Councilman Cormier. **Motion passes 5-0.**

C. Discuss and consider action on approving an ordinance to extend the West Texas Gas Franchise Agreement for an additional five (5) years.

Mayor Gregory stated that West Texas Gas is a natural gas line that runs in certain areas of the city.

MOTION: Councilman Schott made a motion to approve an ordinance to extend the West Texas Gas Franchise Agreement for an additional five (5) years, seconded by Councilwoman Watson. **Motion passes 5-0.**

D. Discuss and consider action on approving amending an ordinance limiting the display of fireworks to the City Park.

Mayor Gregory stated this was advised he wanted to get additional thoughts and current feedback for this ordinance. For a current public display you must have an approved permit with insurance. He stated he had spoken to Chief Ritchey about pyrotechnics and the licensing. Chief Ritchey stated that he researched and pyro-techs get their fireworks from a commercial business where as when you go to W Fireworks they do not have to have a license. Mayor Gregory stated that his point was when we request insurance, are they aware of the degree of fireworks. Councilwoman Moczygemba asked if we are considering pyro-techs to set the fireworks off, and Mayor Gregory stated that he would like feedback from Council and to also put it on the radar. Mayor Gregory stated that his thought to this ordinance is for a professional display and not to create a park as a safe zone. He stated we will need to do a workshop and look at other cities for further ideas.

MOTION: No action

8. Resolutions

A. Discuss and consider approving a resolution in support of La Vernia PD Technology Project.

MOTION: Councilwoman Moczygemba makes a motion to approve a resolution in support of La Vernia PD Technology Project, seconded by Councilman Schott. **Motion passes: 5-0.**

9. Staff Update

A. Well #7 – Clarence Littlefield provided an update to the well. Additional base is being brought in, electrical work is scheduled, ready to activate power by end of week, need to pull 3 consecutive days of samples for bacteriological testing and TCEQ will take 60 days to review final submissions before allowing the use of the well

B. It's Time Texas Challenge – Currently sitting 3rd and are 292,000 points away from 2nd place. Really need to get the school on board in which Mayor Gregory stated he would speak with Dr. Moreno.

10. Items Specific to Future Line Items on the Agenda

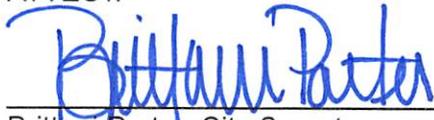
- Veterans Memorial
- Purple Heart City

11. Adjourn- Councilman Schott made a motion to adjourn the meeting, seconded by Councilwoman Watson. The meeting was adjourned at 7:17 PM.



Robert Gregory, Mayor

ATTEST:



Brittani Porter, City Secretary

