



**City of La Vernia**  
**SPECIAL CALLED JOINT MEETING OF THE CITY COUNCIL &**  
**PLANNING & ZONING COMMISSION**

City Council Chambers of La Vernia City Hall  
102 E. Chihuahua Street, La Vernia, Texas 78121

March 30, 2017  
5:30 PM

**Minutes**

**1. Call to Order**

- A. City Council – Mayor** Gregory called the meeting to order at 5:30 PM and a quorum was declared.
- B. Planning and Zoning Commission-** Chairman Bake called the meeting to order at 5:30 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** – There were no citizens to be heard.

**4. Public Hearing, Discussion and Action of the Planning & Zoning Commission**

- A. Public Hearing to receive public comments regarding the City's Zoning Regulations regarding the exterior construction and architectural standards located in Chapter 38- 404.**

Public Hearing was opened at 5:32 PM and the public hearing was closed at 5:32 PM.

- B. Discuss and consider recommendation to the City Council regarding the City's Zoning Regulations for the exterior construction and architectural standards located in Chapter 38-404**

Chairman Bake stated that his understanding was the building would require 25% masonry on the front or any side that could be visible from a paved road.

Councilman Schott stated in the subdivisions, which most have deed restrictions, do not have to worry about someone coming in and putting a 10x10 ft. utility building because they are protected so to speak by their deed restrictions. The parts of town that are growing that are the newest are pretty strict because it specifies that they have to be built out of the same material as your home. Mayor Gregory stated that he believes the 25% masonry is a good thing but may need to possibly amend the overlay district. Councilman Doege asked about the overlay district and Mayor Gregory stated when they originally came up with the masonry ordinance nobody wanted Perry Homes or KB Homes within the area. He stated they created the overlay basically trying to take care of the new construction coming in. Mayor Gregory stated that Bear Gardens and Country Gardens are 50-100% masonry with the exception of the auxiliary buildings. The boards discussed 25% masonry on all sides visible from a public street or road to include columns in the calculations and to exclude the doors and windows as a recommendation.

**MOTION:** Commissioner Recker made a recommendation to City Council to adopt an ordinance to read at least 25% of structure covered with masonry on any portion of the walls visible from public road or street to include columns in the calculations however will exclude doors and windows, seconded by Commissioner Robles. **Motion passes: 4-0**

## **5. Public Hearing, Discussion and Action of the City Council**

**A. Public Hearing to receive public comments regarding the Planning and Zoning Commission Recommendation for the City's Zoning Regulations regarding the exterior construction and architectural standards located in Chapter 38-404.**

Public Hearing was opened at 5:58 PM. The Public Hearing closed at 5:58 PM

**B. Discuss and consider action on Ordinance No. 033017-01, to amend La Vernia Code of Ordinances Chapter 38, Zoning Article IV.-Supplemental Regulations, Section 38-404 Exterior Construction Standards**

**MOTION:** Councilwoman Moczygemba makes a motion to accept the recommendation from Planning & Zoning, seconded by Councilman Cormier. **Motion passes: 5-0**

## **6. Discussion Item**

**A. Discussion regarding possible amendments to Section 26 of the La Vernia Code, Sign Ordinance.**

Mayor Gregory asked if anyone had heartburn over O'Reillys Auto Parts and members stated no. Mayor Gregory stated the sizing looks proper. He stated DQ, O'Reillys, and Connally and sees no reason in increasing the square footage to 75 square foot. He believes it's not too big, not too small it looks proportionate. Commissioner Bake asked if it was going to come back through Planning and Zoning and he was advised it would go through Planning and Zoning for recommendation to City Council. Councilman Schott stated the Country Stores sign was extremely bright to include during the night time. He stated when the white is illuminated, it's bright. Mayor Gregory stated the reason we allowed them to continue was to give a visual of the electronic signage. Councilwoman Moczygemba mention he trailer lights flashing at the Country Store and Mayor Gregory stated in our ordinance it does state no flashing lights and they would be spoken to in regards to the flashing trailer lights. Mayor Gregory stated that in some City ordinances they do not allow an Electronic sign within so many feet of a visible neighborhood. He stated we would get language added into the ordinance and bring it to Planning & Zoning for recommendation. City Administrator stated the ordinance will be in the May agenda due to publications in the newspaper. Councilwoman Moczygemba stated on page 21 of the Sign Ordinance draft it states that hours of operation of an electronic sign to include the lighting details. She stated that it states you have to turn it off at a certain time, 10 PM – 6AM and is that something we really want to do to US Hwy 87. Miguel Capre, owner of Sign-A-Rama, came in to provide advice on the sign ordinance. Mayor Gregory stated that we are trying making the signs dim as it gets darker. Mr. Capre stated that during the night time they typically put it at 50% and most cities have that regulation. He stated that Live Oak regulates 70% during the day and 50% in the evening. Mayor Gregory stated he liked the .03+ ambient lighting to incorporate in the language of the ordinance. Mr. Capre stated they all come with brightness capabilities and can be adjusted through programming. Councilwoman Moczygemba asked Mr. Capre a recommendation of time of day that signage needs to go off or the brightness

has to dim or do they use a photocell? Mr. Capre stated that the larger signs have a photo cell that controls the temperature. Chairman Bake stated he was not in favor to shut signage down in the evening because it would make the city look dead. Mayor Gregory stated what is dark at 6 o'clock in December is not the same case in July. He stated that we need to enforce a time for the business owner to dim the light down. Staff recommended calling the Country Store to reduce their lighting to .3 above ambient for the members of Council and Planning and Zoning to view for a visual.

**7. Adjourn the Planning and Zoning Commission** – Commissioner Recker made the motion to adjourn the Planning & Zoning Meeting, seconded by Commissioner Robles. Meeting was adjourned at 6:35 PM

**8. Executive Session of the City Council**

- A. The City Council for the City of La Vernia will to adjourn into Executive Session as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.074 (Personnel Matters), to discuss a matter in closed executive session. The topic of discussion is possible amendment(s) to the contract of the City Administrator.**

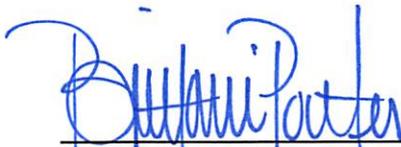
City Council went into Executive Session at 6:40 PM, under §551.074 (Personal Matters) to discuss a matter in closed executive session. The topic of discussion is possible amendment(s) to the contract of the City Administrator.

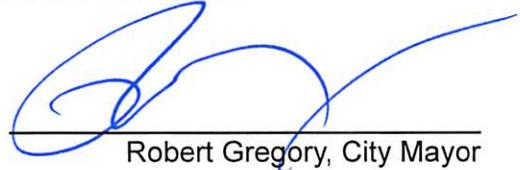
- B. Following discussion in Executive Session, the City Council for the City of La Vernia will reconvene in Open Session as authorized by the Texas Open Meetings Act, to take any action, if necessary, regarding amendment(s) to the contract of the City Administrator.**

City Council reconvened into open session at 7:27 PM.

**MOTION:** Councilwoman Moczygomba made the motion to accept extended the City Administrators contract for an additional 2 years with an increase in salary, seconded by Councilwoman Watson. **Motion passes: 5-0**

**9. Adjourn the City Council** – Councilman Cormier made the motion to adjourn the meeting, seconded by Councilwoman Watson. The meeting was adjourned at 7:06 PM.

  
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Brittani Porter, City Secretary

  
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Robert Gregory, City Mayor

