



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

September 14, 2017  
6:30 PM

**MINUTES**

- 1. Call to Order** – Mayor Gregory called the meeting to order at 6:30 PM and declared a quorum. Councilman Mark Doege was absent.
- 2. Invocation, Pledge of Allegiance, and Texas Pledge**- Invocation was given by Councilman Hennette, all in attendance recited the Pledge of Allegiance and the Texas Pledge.
- 3. Citizens to be Heard** – There were no citizens to be heard.
- 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 August 10, 2017 Regular City Council Meeting
  - B. Minutes from the August 24<sup>th</sup> 2017 Special City Council Meeting
  - C. Minutes from the August 24<sup>th</sup> 2014 Joint Budget Workshop
  - D. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of August 2017;
  - E. Check Register and financial report for the month of August 2017

**MOTION: Councilman Cormier made a motion to accept the consent agenda as presented, seconded Councilwoman Recker. Motion passes 4-0.**

- 5. Proclamations**
  - A. Present a proclamation for the 34<sup>th</sup> annual National Night Out on October 3<sup>rd</sup> 2017.**  
Mayor Gregory read the proclamation aloud for all to hear recognizing October 3<sup>rd</sup> as National Night Out.
- 6. Public Hearing**
  - A. Public hearing regarding the 2017-2018 Fiscal Year Budget**  
Opened the public hearing at 6:35 PM and closed the public hearing at 6:36 PM with no comments.
  - B. Public hearing regarding the 2017 Property Tax Rate**  
Opened the public hearing at 6:37 PM and closed the public hearing at 6:38 PM with no comments.
  - C. Public hearing regarding the replat at 203 McCoy St.**  
Opened the public hearing at 6:38 PM.  
Adeline Pierdolla asked the council how many replies we received from those that were mailed. Councilwoman Recker confirmed there were a total of 17 sent out and 5 returned, all being opposed to the replat. Kristen Oates had asked of the 17 sent out were they sent to the homeowners or the renters. City Secretary stated that all

information was pulled, as required by the Local Government Code, from the Wilson County Appraisal District. Councilwoman Recker stated the reason Mrs. Oates was asking is because the last time this was brought to Planning & Zoning the tenants of the home received the letters verses the home owners. Mrs. Peirdolla asked the Council if they have physically looked at the property. Councilman Poore and Councilwoman Recker stated they have seen the property, Councilman Hennette stated he had not. Public hearing was closed at 6:40 PM.

## **7. Discussion/Action**

### **A. Discuss and consider approval regarding the replat of 203 McCoy St., La Vernia, Texas 78121.**

Mayor Gregory stated that this was explained and went through Planning and Zoning and much of this was also discussed during the Westover issue. He stated as long as a petitioner meets every aspect of the City's subdivision ordinance to include setbacks (all requirements). Mayor Gregory stated the petitioner is not stating what they are doing or future development, all they are asking is for a replat. He stated there is not a consideration as to what could come or what may come, we would be speculating and that is not what is before us today. Per the Local Government Code (LGC) and City Code, if they are meeting all aspects of the law then this must be approved.

Councilwoman Recker stated that the Planning & Zoning Commissioners voted against it in the meeting on August 22<sup>nd</sup>. She stated she will not consciously vote yes for this property, she stated she grew up in the neighborhood and the property suffers drainage issues near Adeline and the privacy issues for Kristen that live next door. She stated we can't speculate what is going to be built or done with the property but it has already been before the Planning and Zoning Commission it was to build a house, which leads her to believe that is what will happen again. Councilwoman Recker stated I will not vote yes for this. Councilman Poore asked what the property was classified as and staff stated R1- Single Family Residential. Mayor Gregory stated no matter what, all set back requirements all drainage it has to go through engineering, if they have to put a detention pond in the back yard so be it. Our job tonight is to approve the replat. Councilman Hennette stated that there is a half an acre lot on McCoy St. that is platted in a way that can be replatted. Councilman Hennette stated we are trying to split one lot into two not knowing what it will be for. Councilman Poore asked if the survey was completed and in accordance with the current setbacks, City staff stated we would not have accepted the application had it not met the city guidelines. Mayor Gregory stated if City Attorney was sitting here and we did nothing tonight, we open the city up for a law suit because it has met every aspect of the LGC and City Ordinances.

**MOTION:** Councilman Poore makes a motion to approve the plat due to meeting all legal requirements, seconded by Councilman Cormier. Motion passes: 3-1(Dianell Recker voted against)

### **B. Discuss and consider approval of the lease agreement between the City of La Vernia and the La Vernia Historical Association for the property located at 13136 US Hwy 87 West, La Vernia, Texas.**

Mayor Gregory stated that the lease was originally drawn up by City Attorney Charlie Zech and we were all happy with it, Dan Santee, another Attorney part of the firm, added some additional language. Mayor Gregory stated instead of the lease saying one year he would like for the lease to read 5 years. Elaine Stephens stated she would like to thank the City for their generosity and allowing them to have the museum. Regarding the

lease, the changes that we saw are to have two types of insurance, needs to have liability coverage and content coverage. She stated that is fine but would like to explain what they do at this point and what they do during a storm. She stated right now the City has been taking care of the liability, so as far as the contents, when someone brings the contents on a loan, the person leaving the item on loan is aware they do not cover the contents. If they see that there is going to be a storm, she stated it is their policy to disassemble the exhibits and take it to a safer place. She stated they try to be very responsible considering they do not have content insurance. Mrs. Stephens stated they don't mind going to look for the insurance but it may be some time. She stated they are going to have to go to the membership for the approval prior to signing the agreement. Mrs. Richter stated they meet on the first of Tuesday, but with National Night Out approaching they will not have a meeting. Mayor Gregory asked if staff could reach out to TML and see if we could look into adding an addendum to the city's policies to assist with the Historical Association at a lower cost.

**MOTION:** Councilman Poore made a motion to approve the lease agreement with the City of La Vernia and the La Vernia Historical Association, seconded by Councilwoman Recker. **Motion passes: 4-0**

**C. Discuss and consider approval of a contract for updating City Hall.**

Mayor Gregory stated he went to City Administrator and said it was time to spruce this place up with new light fixtures exterior paints and signage. He stated he wanted something more modern and tasteful. Staff has received two bids but still needed to receive one additional quote.

**MOTION:** Councilman Poore made a motion to set the budget at \$20K for updating City Hall, seconded by Councilwoman Recker. **Motion passes 4-0.**

**D. Discuss and consider appointment of a Public Works Director.**

City Council went into Executive Session at 7:03 PM, under §551.074 (Personal Matters) to discuss a matter in closed executive session. The topic of discussion is appointment of Public Works Director.

City Council reconvened into open session at 7:15 PM.

**MOTION:** Councilman Poore makes a motion to appoint David Mahula as the Public Works Director, seconded by Councilwoman Recker. **Motion passes: 4-0**

**8. Ordinances**

**A. Discuss and consider approval of an ordinance adopting the 2017-2018 Fiscal Year Budget**

**MOTION:** Councilman Cormier made the motion to approve an ordinance adopting the 2017-2018 Fiscal Year Budget, seconded by Councilwoman Recker. **Motion passes: 4-0**

**B. Discuss and consider approval of an ordinance adopting the 2017 O & M Tax Rate**

Roll call. **Motion passes: 4-0**

**C. Discuss and consider approval of an ordinance adopting the 2017 I & S (Debt Service) Tax Rate**

Roll call. **Motion passes: 4-0**

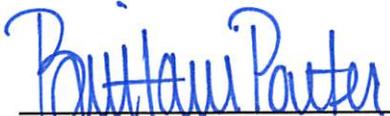
**D. Discuss and consider approval of an ordinance amending the FY 2017 budget amendment.**

City Administrator stated that at the beginning of the year they did a lease agreement on the 3 police vehicles. The budget had been approved, the monies comes from debt services and transfers to general fund that we have already made.

**MOTION:** Councilman Poore made a motion to approve an ordinance amending the FY 2017 budget amendment, seconded by Councilman Cormier. **Motion passes: 4-0.**

**9. Items Specific to Future Line Items on the Agenda**

**10. Adjourn** – Councilman Cormier made a motion to adjourn the meeting, seconded by Councilman Hennette. The meeting was adjourned at 7:20 PM.

  
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Brittani Porter, City Secretary

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Robert Gregory, Mayor

Robert Gregory, Mayor

