

The La Vernia City Council held a Regular City Council Meeting on December 13, 2012 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 D. Bradford Beck, Randy Leonard, Bobby Richter, Eloi Cormier and John Richter. Staff member present were City Secretary-Treasurer Angela Cantu, Municipal Development District Director Jennifer Kolbe, and Police Chief Bruce Ritchey. City Attorney Charles Zech was also present.

Item No. 2. Pledge of Allegiance and Invocation The Pledge of Allegiance was recited and an invocation was given by Mayor Gregory.

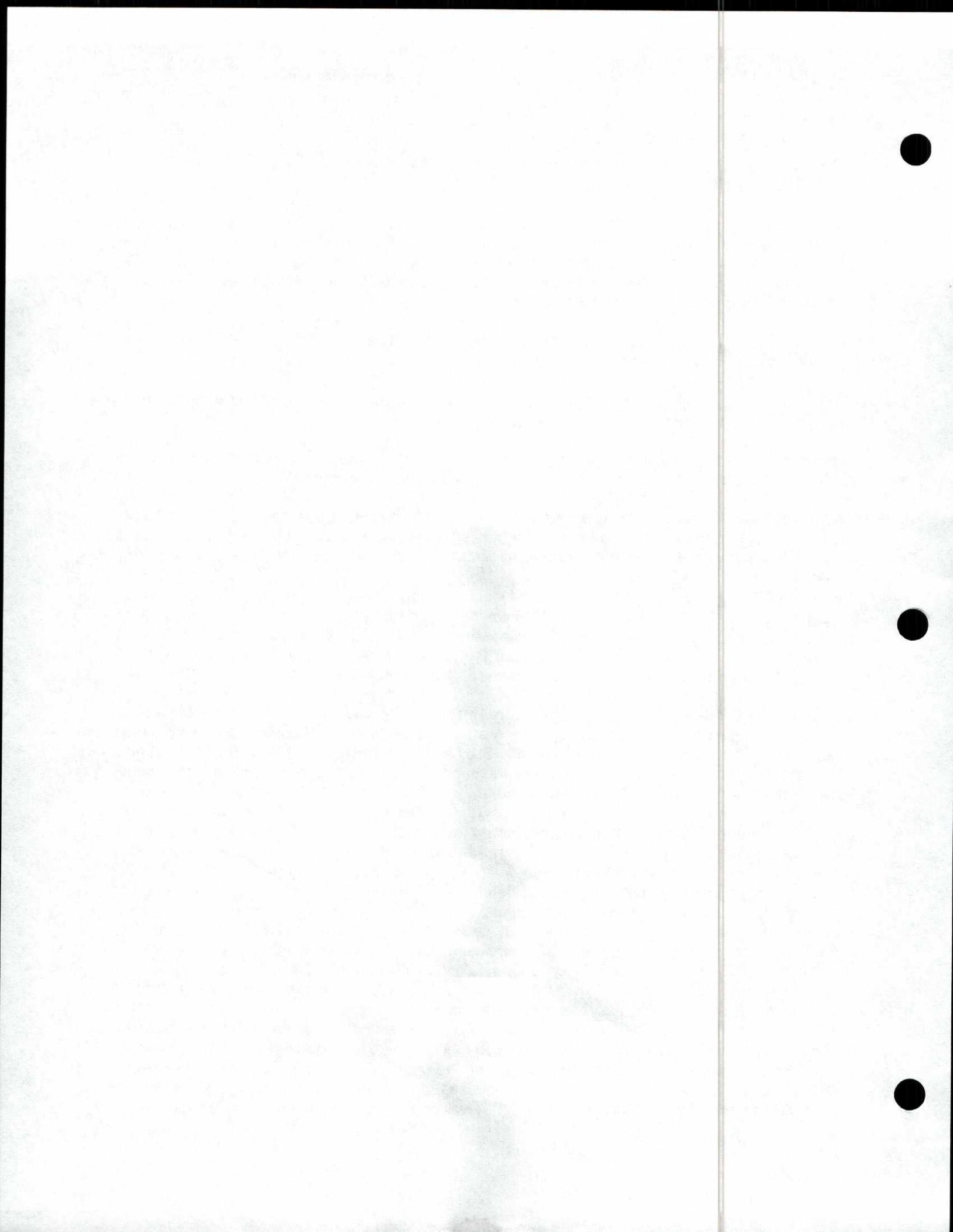
Item No. 3. Citizens to be Heard Mr. Keith Johanson came to speak to the council regarding the La Vernia Church of Christ issues with the drainage.

Item No. 4.A. – C. Consent Agenda Councilman Beck made a motion to approve the consent agenda and Councilman B. Richter seconded. **Motion carried 5 – 0.**

Item No. 7.A. Discussion/Action MDD Director Kolbe came to present the updated MDD by-laws. City Attorney Zech stated that legally the bylaws are fine. Councilman B. Richter made a motion to approve the MDD bylaws and Councilman Cormier seconded. **Motion carried 5 – 0.**

Item No. 7.B. Discussion/Action MDD Director Kolbe presented the MDD annual report. Councilman Beck added that without Director Kolbe, the board would not have been able to achieve half of the items they have achieved to this point. Mayor Gregory also thanked Director Kolbe for all of her hard work. Councilman B. Richter made a motion to approve the MDD annual report and Councilman Cormier seconded. **Motion carried 5 – 0.**

Item No. 5.A. Presentation and Discussion/Action Royce Gray from IESI explained that recycling would be picked up every other week. Councilman J. Richter asked who would replace the can if they get destroyed and Mr. Gray stated that IESI will. Mayor Gregory asked if this program is implemented, should we have an ordinance to prohibit people from going through the recycling bins. Mr. Gray stated that the Police Department would need something if that becomes a problem. Councilman Leonard asked if we looked into the cost of a single recycling center and Mayor Gregory stated that the problem with a single recycling center is that we would have to have someone "man" them and we don't have the staff for that. Mr. Gray stated that IESI is working with County on doing a couple of those but, La Vernia is the only City in the County that could do this type of residential recycling service. Councilman Leonard asked how much an additional recycling tote would cost if the citizens were interested in having another one. Mr. Gray stated that IESI would supply one recycling bin for \$3.00 per month and a regular trash bin for \$1.00 per month. If a citizen would like an additional bin it would cost an additional \$6.00 per month. Mayor Gregory asked if the program is contingent on the whole city participating and Mr. Gray stated that it is. Councilman Cormier asked if the customers will have to segregate the recyclables and Mr. Gray said they will not. He also stated that the bins will have what can go in them embossed on the bin itself and it can all go in together including glass. Councilman B. Richter asked about commercial customers and Mr. Gray stated that for now this will just be for residential customers but commercial recycling dumpsters are coming. City Secretary Cantu asked about small businesses that currently have can service and do not have dumpsters and Mr. Gray stated that they will receive a recycling bin and a trash bin as



well. Councilman Leonard asked what if some of the customers do not want to use the bins provided. Mr. Gray stated that the customers are welcome to still take bags if they want but will still pay for the service. He also stated that Council can exempt customers if they would like.

Item No. 5.B. Presentation and Discussion/Action Councilman Leonard made a motion to add cart service and recycling to our contract and Councilman J. Richter seconded. Councilman B. Richter asked what would need to be done if someone refuses the services and does not want to pay for them. Mayor Gregory stated that we will have to table this item until next month so that an amendment to the contract and an ordinance can be prepared. Councilman J. Richter stated that he feels that we should go ahead with the trash bins but is not sure about recycling. City Attorney Zech stated that the franchise agreement needs to be amended and an ordinance that requires the services need to be prepared. He stated that Council can give direction to staff to put these together and have final approval next month. **Motion carried 4 – 1** with Councilman B. Richter against.

Item No. 6.A. & .6.B Discussion/Action in Executive Session Pursuant to Government Code §551.072, Council entered into executive session at 7:06 p.m. to discuss and deliberate the purchase of a buffer easement from the Wisemans and the City's well projects including the possible purchase of water rights. Council returned from executive session at 7:37 p.m.

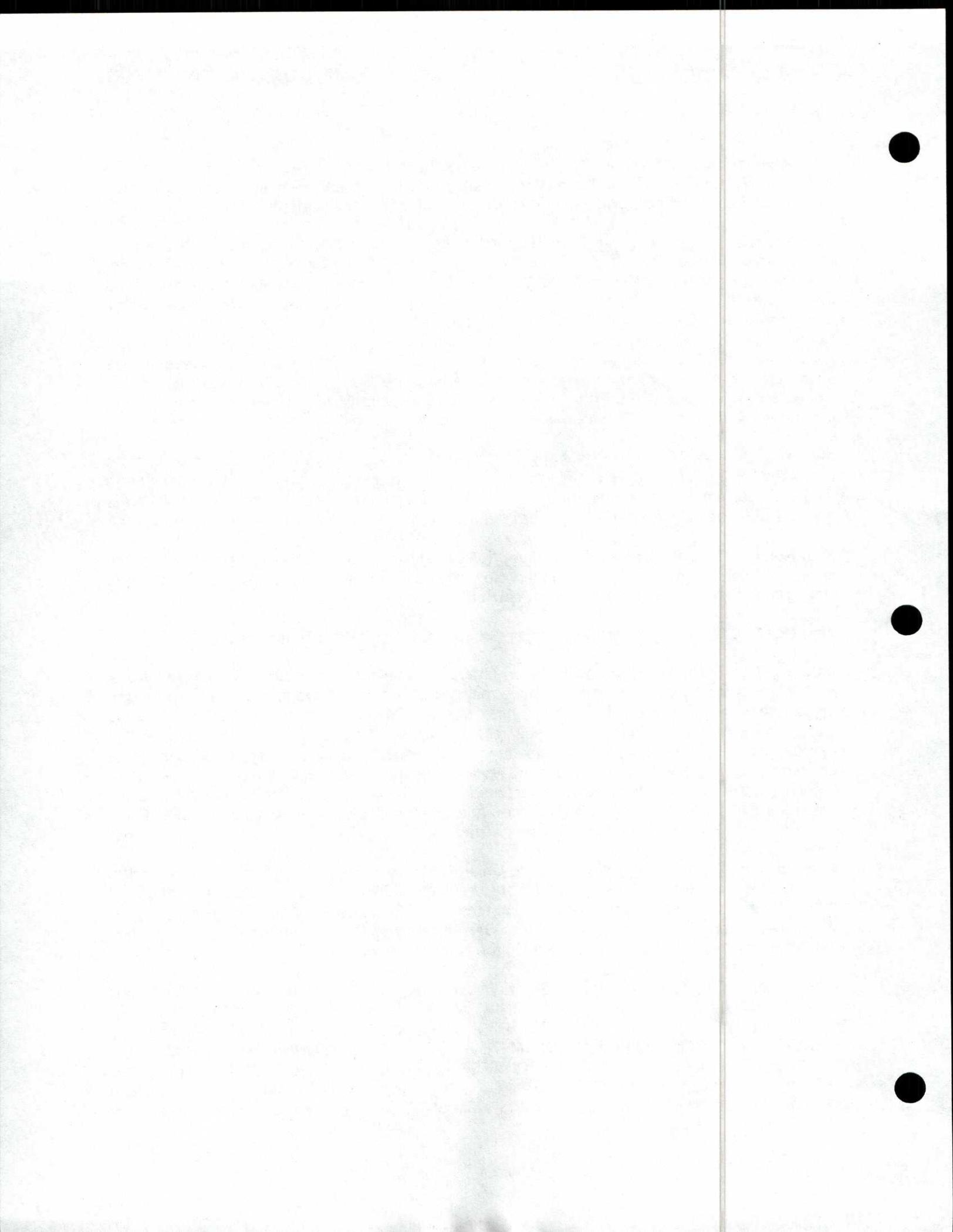
Item No. 6.C. Discussion/Action in Executive Session Upon returning from executive session, Councilman Beck made a motion to proceed as discussed in executive session and Councilman Leonard seconded. **Motion carried 5 – 0.**

Item No. 7.C. Discussion/Action Mayor Gregory removed this item from the agenda.

Item No. 7.D. Discussion/Action Mayor Gregory explained that Canyon Regional Water Authority has increased their prices and we may need to do the same in order to keep up with the changes. He explained that CRWA increased \$0.125 per 1,000 gallons for 0 – 500,000 gallons. There are additional increases for 500,001 to 700,000 gallons and over 700,001 gallons however we have never purchased that much water. Councilman Beck asked if CRWA could do this according to their contract and Mayor Gregory stated that they can. Councilman B. Richter stated that there are still other increases to come when CRWA changes over to using the Wells Ranch water. Councilman Beck made a motion to increase water rates by 5% and Councilman B. Richter seconded. **Motion carried 5 – 0.**

Item No. 7.E. Discussion/Action Police Chief Ritchey explained that he was able to get \$20 per sign therefore we are looking at \$2,500 to replace all the signs and put block numbers on them. Councilman Beck stated that he did not feel that this is a police matter and that the Public Works Department should be handling this. Chief Ritchey stated that the Public Works Director did help him however he just wanted to give the Council an update.

Item No. 8.A. Ordinances Mayor Gregory explained ORDINANCE NO. 121312-01 AN ORDINANCE OF THE CITY OF LA VERNIA, WILSON COUNTY, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES AUTHORIZING AND SETTING A FEE FOR PAYMENT BY CREDIT CARD OR ELECTRONIC MEANS; AND PROVIDING FOR DEPOSIT OF PROCESSING FEES AND SERVICE CHARGES IN THE CITY'S GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE. City Secretary Cantu explained that when this item was discussed last month the Council agreed to a flat \$5.00 charge for any payment with a credit



card. However after speaking with TML Legal Department the most that can be charged is 5% of the total fees and this ordinance reflects the proper fees. Councilman Beck made a motion to approve Ordinance No. 121312-01 and Councilman B. Richter seconded. **Motion carried 5 d u0.**

Item No. 9.A. Staff/Council Updates Chief Ritchey explained the highlights of the month including his recent attendance of the floodplain administrator's class, the success of the Wilson County clean up that was held at the high school, the success of a 911 class at Cubs Country, and the installation of the crime stoppers sign across from the high school.

Item No. 9.B. Staff/Council Updates Public Works Director Jason Mills was not able to attend the meeting so Mayor Gregory explained that the water department is in need of a way to signal when issues occur. He also stated that the valves will start getting replaced so everyone should be prepared to receive calls about water being shut off.

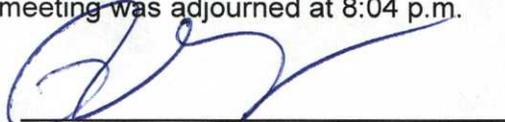
Item No. 9.C. Staff/Council Updates Code Enforcement Officer/Special Projects Coordinator Janet Thelen was not able to attend the meeting however she attended the floodplain administrator's class as well. Mayor Gregory stated that attended Planning and Zoning Commission meeting and they are starting to look at masonry and are in a planning mode. Councilman Beck asked why Code Enforcement Officer Thelen attended the floodplain administrator's class and Chief Ritchey stated that because she issues permits the information that was given is very important for her to have.

Item No. 9.D. Staff/Council Updates City Secretary Cantu had no updates for the Council.

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

- 1) Councilman Leonard would like to see the appointment of a floodplain administrator.
- 2) Councilman Leonard would also like to review the information that CEC submitted regarding Rick Myrick's proposed changes to the subdivision ordinance.

Item No. 11. Adjourn With no further business Councilman Beck made a motion to adjourn and Councilman Cormier seconded. The meeting was adjourned at 8:04 p.m.



Robert Gregory, Mayor



Angela Cantu, City Secretary-Treasurer



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