

The La Vernia City Council held a Regular City Council Meeting on February 14, 2013 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 6:32 p.m. Council members present were Randy Leonard, Bobby Richter, and John Richter. Councilman Eloi Cormier was absent. Staff member present were City Secretary-Treasurer Angela Cantu, Code Enforcement Officer/Special Projects Coordinator Janet Thelen, Public Works Director Jason Mills, and Police Chief Bruce Ritchey.

Item No. 2. Pledge of Allegiance and Invocation The Pledge of Allegiance was recited and a moment of silence was taken in honor of La Vernia Police Department Reserve Officer Walter Vorauer who passed away on Tuesday, February 12, 2013.

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

Item No. 4.A. – C. Consent Agenda Councilman B. Richter made a correction to the January 10, 2013 Regular City Council Meeting minutes and the January 15, 2013 Joint City Council and Planning & Zoning Commission Workshop. Councilman B. Richter made a motion to approve the consent agenda with the two corrections and Councilman J. Richter seconded. **Motion carried 3 – 0.**

Mayor Gregory skipped to Item 8.F.

Item No. 8.F. Discussion/Action Mayor Gregory suggested to the City Council that Marie Gerlich be appointed to fill the open council seat left vacant by D. Bradford Beck. Councilman Leonard made a motion to approve the appointment of Marie Gerlich to the vacant council seat and Councilman B. Richter seconded. **Motion carried 3 – 0.** Mayor Gregory administered the Statement of Officer for Officers Not Appointed By the Governor and Oath of Office to Marie Gerlich.

Item No. 5.A. Presentation and Discssion/Action Phil Armstrong from Armstrong, Vaughn & Associates, P.C. presented the 2011 – 2012 Fiscal Year Audit.

Item No. 5.B. Presentation and Discussion/Action City Engineer Rick Myrick with CEC discussed a stormwater management review. Mr. Myrick explained that he reviewed the stormwater management plans of three different cities, New Braunfels, Seguin, & Austin. He stated that he would not recommend that the City adopt a plan similar to that of Seguin's approach where all projects are viewed equally and any variation is allowed at the discretion of the planning director. If a plan similar to Austin's is used where there is a specific list of exemptions then the Council will have to decide on what is and is not exempt and what is exempt. Code Enforcement Officer Thelen asked if Council went with this type of plan and a developer wanted to build in the flood plain or flood way FEMA guidelines would still have to be followed and Mr. Myrick stated that was correct. Councilman Leonard asked if hydrology studies would still need to be done. Mr. Myrick stated that would depend on where you build and he also explained under our current Ordinance everyone is required to have a study completed and prove the impact, or lack thereof downstream. Councilman Leonard asked if it would be easy to insert new language into our existing ordinance to account for these changes. Mr. Myrick stated that it should be and he would recommend adopting a plan similar to that of New Braunfels where there are tiers. Depending on which tier a developer would be in would

determine the extent of the requirements. Mayor Gregory suggested that this topic be discussed in a workshop so that council can go through all of the details and try to decide which plan would be best for the City. Mr. Myrick stated that it would be best for the landowners to be aware of their liability for any runoff caused by their development to their neighbors. Councilman Leonard asked if there was a State law outlining this liability and Code Enforcement Officer Thelen stated that there are laws for both preventing and forcing runoff. Councilman Leonard stated then it would not be the City that would be liable but the property owner. This item was tabled to be discussed at a workshop.

Item No. 5.C. Presentation and Discussion/Action Chairwoman of the Planning and Zoning Commission Jennifer Moczygemba explained some of the items the Commission has been working on. She explained that the Commission has been working on the permitted use chart and explained what they are looking at changing from the current charts. She also stated that the Commission is planning a town hall meeting where breakout sessions will include such topics as zoning, permitted uses, recycling, and masonry. Code Enforcement Officer Thelen stated that the town hall meeting will be set up a lot like the one we had for the comprehensive plan. Chairwoman Moczygemba also stated that there would be posting for all of the City's Boards and Commissions so that all City representatives could get involved.

Item No. 6.A. Ordinances City Secretary Cantu explained ORDINANCE NO. 021413-01 AN ORDINANCE CALLING FOR A MUNICIPAL ELECTION ON SATURDAY, MAY 11, 2013 FOR THE CITY OF LA VERNIA, WILSON COUNTY, TEXAS; ESTABLISHING THE PROCEDURE FOR THE GENERAL MUNICIPAL ELECTION FOR THE PURPOSE OF ELECTING THREE (3) ALDERMAN FOR A TWO (2) YEAR TERM; DESIGNATING THE LOCATION OF POLLING PLACE; PROVIDING FOR DESIGNATION OF OFFICERS FOR SUCH ELECTION; SETTING THE RATE OF PAY FOR THE ELECTION CLERKS; PROVIDING FOR THE MAXIMUM NUMBER OF ELECTION CLERKS; AND DESIGNATION OF THE EARLY VOTING BALLOT BOARD. Councilman B. Richter made a motion to approve Ordinance No. 021413-01 and Councilman J. Richter seconded. **Motion carried 4 – 0.**

Item No. 7.A. Resolutions City Secretary Cantu explained RESOLUTION NO. R021413-01 A RESOLUTION OF THE CITY OF LA VERNIA, TEXAS ACCEPTING FOR PUBLIC USE THE STREETS OF MICAH POINT SUBDIVISION; AND PROVIDING FOR AN EFFECTIVE DATE. Public Works Director Mills stated that the road is made up of six inches of base and two inches of asphalt. Code Enforcement Officer/Project Coordinator Thelen stated that the road was not engineered because it was done before it was a requirement. Councilwoman Gerlich asked when the road was created and Code enforcement Officer/Project Coordinator Thelen stated that it was built in 2005 or 2006. Councilman B. Richter made a motion to approve Resolution No. R021413-01 and Councilman Leonard seconded. **Motion carried 4 – 0.**

Item No. 8.A. Discussion/Action Mayor Gregory explained the dates of the Spring Clean-Up. Councilman B. Richter approved the spring clean-up dates as March 16, 2013 through March 24, 2013 and Councilman J. Richter seconded. **Motion carried 4 – 0.**

Item No. 8.B. Discussion/Action Mayor Gregory explained that San Antonio River Authority ran a camera down the _ line to check its status and found that there was no significant damage. Regarding DL Vest, Public Works Director Mills stated that he would like to loop the water line. Councilman Leonard asked if this project would be handled in house or if a subcontractor would be used and what the projected start date is. Public Works Director Mills

stated that this would be done by an outside contractor and he would like to start as soon as school is out for the summer. He also stated that there is no fire hydrant at the park. Mayor Gregory stated that this project was put in the budget for last fiscal year and now some of the money is in a six month CD that will be available when it is time to start this project. Councilman Leonard made a motion to have CEC evaluate the DL Vest project and Councilman B. Richter seconded. **Motion carried 4 – 0.**

Item No. 8.D. Discussion/Action Mayor Gregory explained that Rhonda Watson moved out of the City limits therefore causing her to be required to submit her letter of resignation from the Municipal Development District Board. Councilman B. Richter made a motion to approve Rhonda Watson's resignation from the Municipal Development District Board and Councilman Leonard seconded. **Motion carried 4 – 0.**

Item No. 8.C. Discussion/Action Mayor Gregory explained that he and Councilman Leonard had a conference call with Southwest Engineers to get a cost breakdown. He stated that a couple of letters have been received and the numbers can be plugged in however he suggests having a workshop to discuss this further with Mr. Littlefield from Southwest Engineers. He feels that there are still some gaps that need to be filled and would like to have all questions answered before proceeding. This item was tabled until the workshop scheduled for Monday, February 25th.

Item No. 8.E. Discussion/Action Council went into executive session to conduct the review of the Public Works Director per Government Code §551.074 Personnel Matters at 7:36 p.m. Council returned from executive session at 7:44 p.m. Councilman Leonard made a motion to approve the increase set out in Public Works Director Mills initial hiring plan and Councilman B. Richter seconded. **Motion carried 4 – 0.**

Item No. 9.A. Staff/Council Updates Police Chief Ritchey presented the annual racial profiling report. He also informed Council of the funeral arrangements for Reserve Officer Walter Vorauer.

Item No. 9.B. Staff/Council Updates Public Works Director Mills explained the valve replacement plan. He also stated that once the weather allows River Road, Industrial Street, Bear Gardens, and Silverado streets will be repaired and the funds to do these repairs will come from the street maintenance and repair fund. The department will also be working on cleaning up the park for the upcoming summer events. Councilman Leonard asked about the street signs and Public Works Director Mills stated that they have been.


Item No. 9.C. Staff/Council Updates Code Enforcement Officer/Project Coordinator Thelen stated that a group from the Lutheran Church cleaned up 144 Country Garden after she had received permission from the property owner to do so. She stated she has been working with the P & Z to update the zoning ordinance. Golden Chick has started their preliminary work and the lift station is moving along and should be completed soon.

Item No. 9.D. Staff/Council Updates City Secretary Cantu stated that the main project she is working on is the upcoming may election. She stated that she is also in the processes of getting the accounts payable changed over to Hill Country Software.

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

1. Councilman Leonard would like to see a revision of the subdivision ordinance regarding the size of the parking lot spaces.
2. Councilman Leonard would also like to see something regarding the freeze protection, etc on new development infrastructure.
3. Councilman Leonard stated that he would also like to see the revisions to the personnel policy that were made during the budget cycle.

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


Robert Gregory, Mayor


Angela Cantu, City Secretary-Treasurer

