



City of La Vernia
CITY COUNCIL MEETING
102 E. Chihuahua St., La Vernia, Texas 78121
October 10, 2024
6:30 PM

MINUTES

1. Call to Order

The meeting was called to order @ 6:31 PM

Mayor Poore, and Council members Recker, Gilbert, Evans, Oates, and Rabel were present.

2. Invocation & Pledge of Allegiance

Pastor Bobby Nixon lead the prayer, and Mayor Poore lead the pledges.

3. Citizens to Be Heard

(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)

There were no Citizens to be heard.

4. Consent Agenda

(All consent agenda items are considered routine by the 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. Meeting Minutes from the 09-19-24 Joint MDD and City Council Meeting
- B. Financials for the month of Sept
Motion made by Recker, seconded by Gilbert to approve as listed, all in favor.

5. Presentations

- A. Presentation regarding the Police Explorers Program
City Administrator Lindsey Wheeler gave a presentation on the Police Explorers program.

There are a total of 8 Police Explorers, 6 gentlemen, and 2 young ladies. They worked National Night Out, which was a great event for them. We are very proud of them.

6. Proclamations

- A. Proclamation for Domestic Violence Prevention Awareness
Mayor Poore read the Proclamation for Domestic Violence Prevention Awareness.

7. Public Hearing

- A. The La Vernia City Council will hold a public hearing to discuss and consider action on Ordinance No. 101024-01, a re-zone application for the property described as **376 DRY HOLLOW RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 163A, ACRES 4.34, requesting to change from the current zoning of R-A Residential Agriculture to C-1 Commercial Retail.**

A.1 Open Public Hearing

A.2 Requestor Presentation

A.3 Staff Presentation

A.4 Receive Public Comments

A.5 Close Public Hearing

A.6 Discuss and consider action on Ordinance No. 101024-01 A re-zone application for the property described as **376 DRY HOLLOW RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 163A, ACRES 4.34** requesting to change from current zoning R-A Residential Agriculture to C-1 Commercial Retail.

A.1 Open Public Hearing
Public hearing was opened @ 6:41 PM

A.2 Requestor Presentation
Keith Johanson gave a presentation on wanting to turn the property into Commercial retail, the proposed property would have 4 commercial buildings with 2 tenants each, either retail or office. He thinks the traffic will be minimal.

A.3 Staff Presentation
City Administrator Lindsey Wheeler read the historical commissions response regarding how this would impact homes applying for historical designations in the area, along with the written responses received from the public notice.

Lindsey and MDD Executive Director Felica Carvajal gave a presentation on the traffic data per Placer AI on Dry Hollow.

A.4 Receive Public Comments

Recker states she is not in favor of this due to traffic concerns.

Guy Morgan spoke in opposition, says there is traffic sometimes, he wants it to stay isolated, is scared for the Citizens who ride their bicycles.

Tiffany Lyssy who lives on Forest Dr. is opposed due to safety concerns and children walking around.

Marjorie Rusch spoke stating she is not in favor, and if it is approved she would like a privacy fence, she is also worried for air quality. She is also in the process of getting her home historically certified, and doesn't want this to effect it.

Connie Terry spoke in favor of the rezone to C1, stating it's the highest and best use of the hay field it is now.

Neighbors in the area are upset stating the request is being called commercial and not giving an actual plan. They would like to know what the impact on the neighborhood would be? Keith states he sees no impact in his mind. Neighbors are also saying they do not want to look at retail and would prefer if homes were there instead, they also show concerns over the flood zone area.

A.5 Close Public Hearing

Public hearing was closed @7:23 PM

A.6 Discuss and consider action on Ordinance No. 101024-01 A re-zone application for the property described as **376 DRY HOLLOW RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 163A, ACRES 4.34** requesting to change from current zoning R-A Residential Agriculture to C-1 Commercial Retail.

Motion made by Oates, seconded by Recker to deny as listed, all opposed.

Gilbert says applicant should be given another opportunity, next time come back with a comprehensive plan.

8. Ordinances

- A. Discuss and consider action on Ordinance No. 101024-02 amending Ch 38 Sec. 38-304 Additional Use Regulations regarding pools
City Administrator Lindsey Wheeler gave a presentation on the proposed 5ft setback.
Motion made by Gilbert, seconded by Recker to approve as listed, all in favor.

9. Resolutions

- A. Discuss and consider action on Resolution No 101024-01 - A RESOLUTION CALLING FOR REDEMPTION OF CERTAIN CURRENTLY OUTSTANDING CITY OBLIGATIONS; DELEGATING TO CERTAIN CITY OFFICIALS AND STAFF THE AUTHORITY TO EXECUTE RELATED DOCUMENTATION; AND OTHER MATTERS IN CONNECTION THEREWITH

- Motion made by Oates, seconded by Recker to approve as listed, all in favor.
- B. Discuss and consider action on Resolution No 101024-02 - Adopting an Energy Conservation Policy
Motion made by Oates, seconded by Recker to approve as listed, all in favor.
- C. Discuss and consider action on Resolution No 101024-03 - Adopting a Social Media Policy
Motion made by Recker, seconded by Oates to approve as listed, all in favor.
- D. Discuss and consider action on Resolution No 101024-04 - A Surplus Asset Disposal Policy
Motion made by Rabel, seconded by Evans to approve as listed, all in favor.

10. Discussion/Action

- A. Discuss and consider action on surplusing a city-owned vehicle- 2012 Chevrolet Tahoe
Motion made by Oates, seconded by Recker to approve as listed, all in favor.
- B. Discuss and consider action on the senior garbage rate program
Finance Administrator Jenny Begole gave a presentation, and stated Jason from Waste Connections says he will provide us with a few more Senior garbage rates as we are currently maxed out.
Motion made by Oates to approve 19.13 or 14.74 to be the new rates which will be open to unlimited Seniors, but they need to provide ID, seconded by Recker, all in favor.
- C. Discussion and possible action on the Alamo Regional Transit Program
Sean Scott from the Alamo Regional Transit Program gave a presentation and stated they wish to have an annual ILA. They will provide data on ridership which can be given monthly.
Motion made by Gilbert, seconded by Rabel to approve \$1,274.00 to fund this program as listed, all in favor.

11. Discussion Only

- A. Update on plans to amend the Permitted use chart
City Administrator Lindsey Wheeler gave a presentation, she would like to mail out and put the notice in the newspaper in November.

12. Executive Session

- A. Pursuant to Local Government Code section §551.074 of the Open Meeting Act. Tex. Gov't Code, the City Council will meet in executive session to deliberate the annual job performance of the City Administrator and Chief of Police.
City Council was in Executive session @ 8:19 PM and out @ 9:16 PM
There was no action in open.

13. Items Specific to Future Line Items on the Agenda

Would like to discuss the Permitted use chart in the next City Council meeting.

14. Adjourn

Motion made by Rabel to adjourn @ 9:20 PM, seconded by Oates, all in favor.

DECORUM REQUIRED

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permit a governmental body to discuss a matter in closed executive session.

The City of La Vernia Council meetings are available to all persons regardless of disability. The facility is wheelchair accessible and parking spaces are available. Request for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named La Vernia City Council is a true and correct copy of said Notice and that I posted true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **OCTOBER 07, 2024 at 5:00 PM** and remained so posted continuously for at least 72 Hours preceding the scheduled time of said meeting.

Madison Farrow, City Secretary