

City of Natalia, Texas
Regular City Council Meeting
July 21, 2014 at 7:00 pm
Minutes

Roll Call: Mayor Ruby Vera - Present Alderman Sam Smith - Present
Alderman Mike Fernandez - Present Alderman Tommy Ortiz - Absent
Alderman Sam Bluemel - Present Alderman Ruben Juarez - Present

Call to Order:

- 1) Mayor Vera called the regular city council meeting to order at 7:00 pm followed by the pledge of allegiance led by Alderman Sam Smith, and the invocation led by Alderman Sam Bluemel.

Citizens to be Heard:

- 2) None.

City Council Comments:

- 3) Alderman Fernandez expressed concerns regarding the TxDOT construction project at FM471 and IH35 of the lack of communication on the closures for the exit and entry ramp access roads, and their lack to place proper signs or correct traffic bulletins as necessary. Mayor Vera will be contacting Mr. Reyes and Mr. Ortiz of TxDOT and inform them of this concern.
Mayor Vera also informed Council of a letter received for the appreciation and recognition of Officer Casals and Chief Rodriguez's service call response to an injury that occurred at the Post Office.

Presentations and Recognitions:

- 4) Recognition of Natalia Pony Elite Lady Mustangs academic achievements. This item was postponed to August 18, 2014 regular meeting.
- 5) Swear in Justin Rogers for the position of Police Officer. Officer Rodgers was not present.

Consent Agenda:

- 6) a. June 16, 2014 Regular Meeting Minutes
b. Financial Activity Report
c. Municipal Court Activity Report
d. Police Department Activity Report
e. Code Compliance Activity Report
f. Utility Department Activity Report

Motion: Alderman Sam Smith made the motion approving the consent items. Alderman Bluemel seconds the motion.

Vote: 4-0; Passed by a unanimous vote.

Discussion/Consideration of Action Items:

- 7) Discussion/Consider Action to authorize Community Development Management Co. to intervene with the approval process with TCEQ to expedite the WWTP Step Screen and Filtration Bidding and Construction Process.

Discussion: CDMC was not present to discuss, however City Administrator Hernandez explained the delayed situation is with TCEQ's approval, and such delay could cause the City to lose out on the grant because of deadline requirements; therefore, CDMC is requesting approval to intervene by contacting TxCBDG and TCEQ of the importance of this project in hopes for TCEQ to at least grant a temporary permit or approval to proceed with the bidding and construction process.

Motion: Alderman Fernandez made the motion authorizing CMDC to intervene to expedite the grant processes. Alderman Bluemel seconds the motion.

Vote: 4-0; Passed by a unanimous vote.

- 8) **Discussion/Consider Action of Application and Petition by Elizabeth K. Cargill to vacate a portion of the alley on Block 52 abutting Lots 3, 4, 5 N1/2, 6 N1/2, 9 E1/2, 10, 11 W1/2, 12 W1/2, between Pearson & Miller Street from 8th Street.**

Discussion: Mrs. Cargile addressed Council of her intent to purchase, along with a few abutting property owners, their rights to their portion of the alley way upon closure. Mrs. Cargile advised Council that all abutting property owners have signed the petition, including the heir of Mrs. Betty Bond, acknowledging the petition for closure and the intent to sell. City Administrator Hernandez explained once City Council accepts the petition for closure that an appraisal of the property and certified notice to abutting owners will be submitted. The notice will give abutting property owners a chance to determine whether they wish to purchase their alleyway rights or contest the closure. Once all responses and appraisals have been received, the item will come back to City Council to approve an ordinance to vacate the alley with the intent to sell.

Motion: Alderman Bluemel made the motion accepting the application and petition to vacate a portion of the alley on Block 52 with the intent to sell. Alderman Fernandez seconds the motion.

Vote: 4-0; Passed by a unanimous vote.

- 9) **Discussion/Consider Action of Requests by Jimmy Villa, to install and reside in a travel trailer for the six-months of his new home construction, and to set a storage pod for the maximum one-year period of construction at 125 Colt Trail.**

Discussion: Mr. Villa explained that three years prior he attempted to build his new home on this same lot, and submitted all necessary plans and obtained permits during construction; but, then got into a severe car accident that caused his new home construction project to halt. Mr. Villa stated he is now ready to restart the construction, and understands the permits he previously pulled have expired and will need to acquire new permits. However, during this process he was unaware that he could not live in his travel trailer inside city limits without prior approval, and is requesting City Council to approve the variance to allow him six-months to house inside his travel trailer during construction, and to allow a storage pod to be placed on the same property to safeguard construction materials and equipment for the maximum one-year period. City Administrator Hernandez explained that the city's subdivision ordinance authorizes temporary accessory buildings such as travel trailers to be occupied, upon city council approval, during new home construction up to one year.

Motion: Alderman Fernandez made the motion granting the variance to allow Mr. Jimmy Villa to temporarily place and occupy a travel trailer on a residential lot for six (6) months during new home construction, or upon completion of exterior home framing, whichever comes sooner; and for the placement of a storage pod for up the maximum of one (1) year for during construction, or upon completion of the garage, whichever comes sooner at 125 Colt Trail. Alderman Juarez seconds the motion.

Vote: 4-0; Passed by a unanimous vote.

- 10) Discussion/Consider Action o Variance Request by Stephen Mattathil to extend the length permitted for the installation of a travel trailer at 2379 Hwy 132 N. for the purpose of a security office.

Discussion: Mayor Vera explained that Mr. Mattathil was granted a six month variance to place his travel trailer behind his store location, and it has now expired. Mr. Mattathil requested that his variance be extended for another six months because he is in the process of bringing in a 7/11 Convenient Store that will require remodeling of the current building. He also explained that the travel trailer is there for daylight security to monitor activity of theft and is not being lived in. City Administrator Hernandez explained the initial variance was granted temporarily to allow him ample of time to place a security system in while providing twenty-four hour security in his business, this has happened and the trailer is still there with no signs of construction occurring. Alderman Smith questioned if the travel trailer wasn't being lived in, and is not being monitored overnight, then what was the purpose of it being a security office? Mr. Mattathil responded that theft is occurring during daylight hours while clerks are working behind the counter. Alderman Bluemel questioned how long will it be until the 7/11 Convenient Store plans is finished? Mr. Mattathil responded that it could be as long as two years.

Motion: Alderman Bluemel made the motion granting the variance to allow Mr. Stephen Mattathil to temporarily place a travel trailer on a commercial lot for the remainder of the calendar year, expiring December 31, 2014. Shall another extension be requested, the request must be placed for consideration at the January 2015 Regular City Council Meeting. Alderman Fernandez seconds the motion.

Vote: 3-1; Passed by a majority vote, with Alderman Smith voting against the variance.

- 11) Discussion/Consider Action of Request by St. John Bosco Catholic Church to close Kearny Street between 4th Street and 5th Street, and a portion of 5th Street between Kearny and Cresson Street, during the annual church festival scheduled on August 31, 2014 from 10:00am to 12:00am.

Discussion: Maria Sanchez requests the streets to be closed during the annual festivity to ensure the public's safety of no-thru traffic, and because a lot across from the church will be used for children activities. Alderman Smith stated that closing and barricading streets at 10am will allow the public to park their vehicle in that area before that hour and recommends closures to begin at 8am. Mayor Vera agreed, and also informed staff to have barricades and signage available or to request assistance from Commissioner Beck.

Motion: Alderman Fernandez made the motion granting permission to close the requested streets for August 31, 2014 beginning at 8:00am. Alderman Bluemel seconds the motion.

Vote: 4-0; Passed by a unanimous vote.

[Alderman Tommy Ortiz arrived at 7:55 pm, making it a quorum of five members present.]

- 12) Discussion/Consider Action of Variance Request by Claudia Fernandez Romo to permit for the installation of a travel trailer at 1963 State Hwy 132 N. to house employees working double shift. Mayor Vera explained that the City had previously authorized them to utilize the train car as an office and for housing employees due to misfortune of a sewer backup that caused major damage to their mobile home they used to occupy, and now questions why a travel trailer is being used for this same purpose. Mrs. Romo explained that both the train car and travel

trailer are being used for employees to rest, which separates the males from females when they both are required to stay late and work early. Mrs. Romo stated that having separate housing quarters is only temporary until they can save enough money to remodel the train car that would allow for office space and separate rooms.

Motion: Alderman Juarez made the motion granting the variance to allow Mrs. Claudia Fernandez Romo to temporarily place a travel trailer on a commercial lot for six (6) months, expiring January 21, 2015. Shall another extension be requested, the request must be placed for consideration at the January 2015 Regular City Council Meeting. Alderman Bluemel seconds the motion.

Vote: 4-1; Passed by a majority vote, with Alderman Smith voting against the variance.

- 13) **Discussion/Consider Action of Ordinance No. 14-0721-01; Adopting an ordinance to defray costs of collecting delinquent fines, fees, court costs, and other debts pursuant to Article 103.0031 of the Texas Code of Criminal Procedure.**

Discussion: City Administrator Hernandez explained that upon approval of the Perdue-Brandon-Fielder-Collins Contract agreed to at the June regular meeting, they were requiring that the City adopt an ordinance authorizing for the collections of a 30% to be added to delinquent court fines and fees to be paid by the defendant pursuant to the Code.

Motion: Alderman Fernandez made the motion adopting Ordinance No.14-0721-01 for an effective date of August 1, 2014. Alderman Juarez seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

- 14) **Discussion/Consider Authorizing the Park Committee to proceed with planning for the development project of Haywood Park located at 704 Bennet Street.**

Discussion: Mayor Vera explained that she has received negative comments in objection to the location of the park plans; and before she pursues this project she's requesting a roll call vote from each member of their opinion and vote to proceed. Mayor Vera stated that this property was donated to the City for the use of a park, and if not this area then where? Alderman Smith shared that he believed the location of the property is not the ideal location for a park, and will not be monitored or used as much because of its location. Alderman Ortiz questioned if the Park Committee has plans or an idea available to present to Council of what they are seeking to do? Mayor Vera replied that plans are in place, and bankers are holding for a decision of how we'd like to pursue this, and how much is going to be needed.

Roll Call Vote: Alderman Bluemel - approves and permits location. Alderman Ortiz - approves and permits location, and would like a presentation by the Park Committee to be presented at the next meeting. Alderman Fernandez - approves and permits location. Alderman Juarez - approves and permits location. Alderman Smith - abstains from vote.

Vote: 4-0-1; Passed by a majority vote, with Alderman Smith abstaining.

Reports:

- 15) **City Administrator's Report:** 1) Proposed Budget and Tax Calendar meeting dates and times are confirmed that at least four members of the voting members will be available should we require public hearings. 2) The first day to officially file an application for a place on the ballot began July 19th but since that date landed on a weekend, July 21st is the first day; with August 18th at 5pm being the deadline to submit applications to be filed. Also, City Council will be required to order the election on August 18th due to unestablished voting locations, dates and times.

16) **Mayor's Report:** 1) The talent show tickets for August 9th are being sold for \$5 a person, and suggest attendance to show support. 2) The Bluebonnet Court has entered into the Medina County Fair's Queen's Court contest taking place on August 2nd and also suggests attendance.

17) **Adjournment.**

Motion: Alderman Fernandez made the motion to adjourn at 8:35pm. Alderman Smith seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

Passed and Approved this 18th day of August, 2014.

Ruberta C. Vera, Mayor

Attest:

Lisa S. Hernandez,
City Administrator/Secretary