

City of Natalia, Texas
Regular City Council Meeting
October 19, 2015 at 7:00 pm
Minutes

Roll Call: Mayor Ruby Vera - Present Alderman Sam Smith - Present
Alderman Mike Fernandez – Present Alderman Tommy Ortiz - Present
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 Ortiz, and the invocation by Alderman Bluemel.

Citizens to be Heard:

- 2) a. Doug Blevins expressed his concerns regarding the Natalia Independent School District 2015 Tax Bond of \$9.1million, to Vote “No”, as the public was not given enough notice of the issuance of the bond and the public needs more information about it; the bond would increase taxes by 15% which will affect personal incomes; believes the tax increase is unsustainable and better decisions should be brought back by NISD Board regarding a tax increase.

City Council Comments:

- 3) a. Natalia ISD 2015 Bond Program – Mayor Vera mentioned that the NISD Board has planned this program for over one-year, and was just invited with other members of the community to review the Bond’s Master Plan, which is a proposition on the November Ballot, and early voting for the NISD 2015 Tax Bond Election started today, October 19th; NISD scheduled a Community Forum for Wednesday, October 21st at 6:30pm for all interested persons to attend and ask questions. Mayor Vera mentioned the NISD Fall Festival is scheduled for October 28th from 5-7pm at the Jr. High parking lot; and, the Autism Walk is scheduled for November 7th beginning at 3pm to dark. Alderman Bluemel, Fernandez, Smith, and Ortiz announced that the NISD High School Band scored all I’s across the board for the first time ever, congratulated all the members of the band, and those who organized a welcome back parade for their accomplishments. Alderman Fernandez also thanked Chief Rodriguez, and all those who attended and helped out at National Night Out, and that it was a big success, gathering more than last years’ attendees.

Presentations:

- 4) a. After Chief Rodriguez introduction of new police officers, Mayor Vera performed the Oath of Office to two new police officers and one reserve officer for the Natalia Police Department:
Vincent Perez, starts October 22, 2015 as a Full-time Police Officer
Justin Fonseca, starts October 29, 2015 as a Full-time Police Officer
Philip Moore, starts immediately, assigned to the Natalia Police Department’s Reserve Program
- b. Bob Cohen, presented the newly acquired and modified CommZoom Co., and the benefits offered of telephone, cable and high speed internet service available to most of the Natalia area residents.

Consent Agenda:

- 5) a. Approval of Minutes: September 21, 2015 Regular Meeting, and September 29, 2015 Special Meeting
 - b. Approval of the Financial Activity Report: September 2015
 - c. Approval of the Police Department Activity Report: September 2015
 - d. Approval of the Municipal Court Activity Report: September 2015
 - e. Approval of the Utility Department Activity Report: September 2015
- Motion: Alderman Bluemel made the motion approving the consent agenda, and Alderman Fernandez seconded the motion.
Vote: 5-0; Passed by a unanimous vote.

Discussion/Consideration of Action Items:

- 6) **Discussion/Consider Action on Entering into a Service Agreement with Roy Sheetz regarding the charges of sewer services to his property.**

Discussion: Mayor Vera explained that during City Administrator Hernandez and staff's continued review of customer's accounts, a sewer service agreement was discovered which was signed February 2005, the agreement provided a flat rate for sewer on both accounts of Mr. Roy Sheetz. City Administrator Hernandez stated that the agreement gives no explanation for giving the resident a flat rate, nor does it provide for a termination or rate increase clause, so contact was made with Mr. Sheetz whom explained that during the City's 2005 Grant the sewer service lines were extended to his properties which were already serviced by septic systems, and because of his large yard and of his company "Captive Environments" paying for sewer based on consumption was not fair so an agreement was made that should he tie into the lines a flat rate would be established. Alderman Fernandez stated that the average person uses 100 gallons per day and having a household of four would be greater than 5,000 gallons per month, and expressed that all residents should be paying for the services provided as set by the city, no matter the size of the yard, because if that were the case many customers can contest their actual sewer usage and also request for a sewer service agreement. Alderman Bluemel disagrees that Mr. Sheetz should be paying for the entire sewer based on water consumption because his business requires it, as well as irrigating his 4-acres. Alderman Smith and Fernandez suggested that Mr. Sheetz pay for a separate water tap specifically for irrigating purposes, which will then provide the actual consumption of his household.

Motion: Alderman Fernandez motioned not to enter into a new service agreement with Roy Sheetz, and to bring the originated service agreement dated February 23, 2015 to the next regular council meeting for termination; Alderman Juarez second the motion.

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

- 7) **Discussion/Consider Action on Ordinance No.15-1019-1; Renewing the Inter-local Agreement with the District Attorney's Office of the 38th Judicial District in compliance with Texas Code of Criminal Procedure Chapter 59 Civil Forfeitures.**

Motion: Alderman Fernandez made a motion approved Ordinance No. 15-1019-1, renewing the inter-local agreement with the District Attorney's Office of the 38th Judicial District; and Alderman Smith seconded.

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

- 8) **Discussion/Consideration of Re-closing Miller/DelMonte Street. (Request by Laura Gallagher)**

Discussion: Resident Laura Gallagher presented Council a letter signed by residents abutting Miller/DelMonte Street, requesting council to consider the permanent closure of the street. Mayor Vera explained that the street has never been officially open, it was utilized for construction purposes only while the Dollar General was being built allowing for heavy trucks to use the closed street as an access way; and with the repeated use a street was formulated which everyone started to use. The street was then closed off by staff, and then reopened by Council's request. Mrs. Gallagher stated leaving the street open for public use is unsafe, kids are driving ATV's through it, people speed through the street, pedestrians walk through it while drivers speed pass them. Mrs. Gallagher also expressed that residents are open to the idea of opening the street for school related sports activities but not for regular public use. The street is not wide enough for two cars to pass safely, and without damaging personal and/or city property. Alderman Smith suggested a speed limit and stop sign be placed. Mayor Vera and City Administrator Hernandez explained that a traffic study to place a stop sign intersecting with a highway would have to be conducted, as well as widening of the street. City Administrator Hernandez suggested that making the street a one-way rather than a two-way and possibly placing a speed bump would probably work best, and satisfy the use of the street.

Motion: Alderman Fernandez made the motion to table the agenda item until the City Administrator and Chief of Police can make determination and provide safe options of leaving the street open; and Alderman Bluemel second the motion.

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

Reports:

- 9) **City Administrator's Report:** 1) 2013-TxCBDG Close-Out Processed - CDMC met with TDA in Austin to process the close-out of the grant and submit final payment requests on October 13th; 2) 2015-TxCBDG Submission & Selection for Engineer and Project Administrator – Notice requesting proposals and qualification for grant project administrators and project engineer was published, and upon evaluations of submissions, the Council will consider the selection at the November 16th Regular Meeting; 3) 2015-TDA Downtown Revitalization Program Grant Application – the application was submitted, and a return of a preliminary score of 70 was given to the City of Natalia, which is 15-points lower than the marginal standard for such grant; however, the final scoring of grant award will be determined by the end of November or early December 2015; 4) Notice of Intention to Issue Certificate of Obligation for Water Purchase – the notice of intention was published in the newspaper for two consecutive weeks, and dependent on the offers, selection will be considered at the November 16th Regular Meeting; 5) Grounds Maintenance Employment Status – the part-time position has been filled by Noel Mendoza and commenced employment on October 22, 2015.
- 10) **Chief's Report:** 1) National Night Out Update – thanked all those who helped with the event, special thanks to Mr. Mike and Mrs. Brenda Fernandez for the continued years of support and effort, and noted that they had 165 attendees sign-in, plus more for those who did not sign-in; 2) Re-assignment of SRO at NISD – after the resignation of Justin Rogers, SRO, the duties were reassigned to Gerry Rogers who will commence the SRO duties on October 26, 2015.
- 11) **Mayor's Report:** 1) St. John Bosco Car Show & Trunk-or-Treat, October 31, 2015 from 10am-2pm, and First Baptist Church from 6:30-8pm; 2) Veterans' Day Ceremony, November 11, 2015 commencing at 11am at the Veterans Monument; 3) St. John Bosco Fall Festival, November 14, 2015; 4) Haywood Park Drawing, November 14, 2015 at 2pm in front of St. John Bosco Church.

Executive Session:

- 12) The City Council convened into executive session at 8:59pm, pursuant to Texas Government Code, Chapter 551 to discuss the following:
 - a) §551.071; Consultation with Attorney: Summons of Civil Action Suit No. 5:15-cv-00483-DAE, Waymon Morgan v. The City of Natalia, Ruby Vera, and Beth Leonesio, Individually and in their official capacities, United States District Court, Western District of Texas, San Antonio Division.
 - b) §551.074; Personnel Matters: Evaluation of Chief of Police.

Regular Session:

- 13) The City Council reconvened into regular session at 9:37pm, and took the following action:
 - a) No Action.
 - b) Motion: Alderman Bluemel made the motion awarding the Chief of Police a 3% merit increase; and Alderman Juarez seconds the motion. The motion passed by a unanimous vote.
- 14) **Adjournment.**
Motion: Alderman Bluemel made the motion to adjourn the meeting at 9:40pm, and Fernandez seconded the motion. The motion passed by a unanimous vote.

Passed and Approved this 16th day of November, 2015.

Mayor

Attest:

Lisa S. Hernandez,
City Administrator/Secretary