

City of Natalia, Texas
Regular City Council Meeting
January 18, 2016 at 7:00 pm
Minutes

Roll Call: Mayor Manuel C. Saldana - Absent Alderman Sam Smith – Present (Presiding)
Alderman Mike Fernandez – Present Alderman Tommy Ortiz - Present
Alderman Sam Bluemel – Present Alderman Ruben Juarez – Present

Call to Order:

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

Citizens to be Heard:

- 2) None.

City Council Comments:

- 3) Alderman Bluemel thanked employees who worked through the holidays.

Public Hearing/Consider Action:

- 4) a. **Public Hearing, and consideration of a Variance Request by John B. Luce, PE, property owner Ben Klassen, to change zoning districts from District C-1 (Commercial) to District MF (High Density Multi-family Residential) to permit the placement of multiunit apartments located on 1.359 acres of Block P, Lots 29 & 30, 21218 FM-471 S., Natalia, Texas 78059.**

Public Comments: None.

Discussions: City Administrator Hernandez advised Council that additional strains on the Ball Field Liftstation with 24 additional units, with an average household of 4-persons, would impact its current operations considering the infrastructure is already stressed; installation of a grinder system on the proposed property was recommended to Klassen and Engineer Luce, in addition to providing upgrades to the liftstation to handle the units sewage without causing added stress to its current capacity; however, without the city having a set of impact fees, the costs for such upgrades would have to be determined and examined by an engineer. Hernandez also questioned Klassen if they have filed for a driveway approach with TxDOT, and mentioned the concerns his neighboring property owner has regarding his proposed location of such driveway, because of the 400ft. distance requirements, Fitzgerald will not have enough frontage for a placement of an approach onto his property, and suggested they work something out, possibly sharing a driveway. Apparently, Hernandez discussions with Property Owner Klassen and Engineer Luce have not been communicated between each other, and knowledge of suggestions was not known by Property Owners. City Administrator Hernandez recommends City Council postpone any consideration until the City established Impact Fees, or have developer pay for direct costs on new development for the upgrades to the liftstation. Alderman Fernandez mentioned that the developer should be responsible for paying an engineer for the impact fee study. With the concerns of the infrastructure, Councilmembers also expressed the size of the apartments, and recommends increasing the apartment's square footage. Mayor Pro-Tem Smith asked Mr. Klassen to arrange a meeting to further discuss solutions to develop this property with his Engineer and the City Administrator.

Motion: Alderman Fernandez made the motion postponing consideration of the variance request to next month's meeting, and Alderman Bluemel seconded the motion.

Vote: 5-0; Motion carried unanimously.

- b. **Public Hearing and Consideration of a Variance Request by Ashley Garza, property owner Joe Garza, to permit the installation of a manufactured home in District R-1 (Low Density Single**

Family Residential) located at Block 151, Lots 1 & 2, being addressed 810 7th Street, Natalia, Texas 78059.

Public Comments: None.

Discussions: City Administrator Hernandez advised City Council of the variance request findings reported to Ms. Garza, with the concerns being the connectivity costs to water and sewer, as no mains run to this property, only service lines. The sewer main is located off 6th Street, and the water main is located off Bartlett Street; the connection of service lines would extend beyond 50' linear feet and property owner would be responsible for such material cost thereafter to the property line. Additionally, the property would have to be surveyed and replatted to meet setback requirements, combining Lot 1 (53'x153') and Lot 2 (50'x153') into one single lot to fit the placement of a modular double-wide home on the property; also Ms. Garza plans to face the home off Bennet Street, and would have to be assigned a new address by Medina County Addressing Coordinator. Hernandez explained that Mr. Joe Garza intends to transfer ownership to his daughter during the replatting process, and will file the survey/transfer with Medina County, but until then a notarized statement permitting Ms. Garza to place a home on the property would be required. Hernandez stated contingent on satisfying the findings, approval of the variance is recommended. Alderman Fernandez asked what the difference is on the home being a modular built home and double-wide. Ms. Garza stated that the walls are structurally stronger and the central air system vents are located on the ceiling rather than on the floor. Mr. Joe Garza, and daughter Ms. Ashley Garza are aware of the findings and the costs, and agree to comply to move forward.

Motion: Alderman Bluemel made the motion approving the variance request for the placement of a double-wide (modular) home at Block 151, Lots 1 & 2, contingent on satisfying the City Administrators recommendations; and Alderman Juarez second the motion.

Vote: 5-0; Motion carried unanimously.

Consent Agenda:

- 5) a. Approval of Minutes: December 14, 2015 Regular Meeting
- b. Approval of Financial Activity Report: December 2015
- c. Approval of Police Department Activity Report: December 2015
- d. Approval of Municipal Court Activity Report: December 2015
- e. Approval of Code Compliance Activity Report: December 2015
- f. Approval of Utility Department Activity Report: December 2015
- g. Approval of the Natalia Police Department Racial Profile Report for the period beginning January 1, 2015 and ending December 31, 2015.

Motion: Alderman Fernandez made the motion approving the consent agenda, and Alderman Juarez seconded the motion.

Vote: 5-0; Motion carried unanimously.

Discussion/Consideration of Action Items:

- 6) **Discussion/Consider amending Ordinance No. 13-0218-2; Adopting changed citations of the Texas Food Establishment Rules as amended and found in the Texas Administrative Code, Title 25, Chapter 228.**

Motion: Alderman Ortiz made the motion to approve the amendment; and Alderman Fernandez seconded the motion.

Vote: 5-0; Motion carried unanimously.

- 7) **Discussion/Consider participating the City of Natalia in Medina County Historical Commissions 1st Annual Happy Birthday Texas Celebration, Hondo Texas, March 5, 2016 (requested by Ruby Vera).**
Discussion: Ruby Vera announced the celebration is set for Saturday, March 5, 2016 from 10am-2pm, in Hondo; and asked for the City to participate by permitting Natalia memorabilia to be brought to the location to represent the City's history; stating that Alderman Tommy Ortiz and herself will be setting up a booth for display at the location, and asks other members of the board and perhaps staff to join in. Mayor

Pro-Tem Smith asked that Ruby Vera or Tommy Ortiz get with the City Administrator on the items they wish to display to make available.

Motion: Alderman Fernandez made the motion approving the City's participation; and Bluemel seconded the motion.

Vote: 5-0; Motion carried unanimously.

8) Discussion/Consider Action on engaging in a Lease Agreement with Natalia Little League to lease the City of Natalia Ball Fields.

Discussion: City Administrator Hernandez explained that currently NLL has only been utilizing one meter for facility use and irrigation, when there are two meters available, and recommends that NLL use both meters with a free usage cap of 15,000 gallons each, to keep the irrigation separate. Public Works Director Smith agreed, that having separate usage types metered would provide closer readings when reporting the actually sewage pumped. Alderman Fernandez suggested that the usage be split between two meters with 10,000 gallon cap for the facility and 20,000 gallon cap for irrigation purposes. Mike Gonzales, League President, asked to keep it the same with using one meter at the 30,000 gallon cap until he can meet with the NLL Board. Additionally, concerns on insurance coverage was discussed; City Administrator Hernandez explained that the NLL would have to carry their own general liability and property insurance during the lease term; however, the amount necessary would be discussed with TML for their recommendation; the amount determined would then have to be provided by NLL. Mayor Pro-Tem Smith questioned if the lease would be renewed for the same months or for annual term? City Administrator Hernandez explained that an annual lease would be preferred; Mayor Pro-Tem Smith explained that he would like the lease terms to be determined based on the results of the NLL Elections. Mike Gonzales stated that the NLL Elections are held annually in August, with the results and appointments being performed in September. Alderman Ortiz asked if the rental rates would be the same as what the City was charging, and if rates for individual rentals and nonprofit organizations would be different? Mike Gonzales explained that the rates will increase from what the City was charging, and will discuss with the Board of having lower rental rates for nonprofit organizations.

Motion: Alderman Bluemel made the motion approving the lease agreement to expire September 30, 2016, with the insurance and water meters to be resolved by the City Administrator. Alderman Juarez seconded the motion.

Vote: 5-0; Motion carried unanimously.

9) Discussion/Consider authorizing the Natalia Little League to install, make improvements, and/or make alterations to the City of Natalia Ball Field facility and/or ball fields.

Discussion: Mike Gonzales, NLL President, presented the City Council with the League's intentions to seek grant funds and financing for installation of ball field lights at the softball field. An estimate of \$75,000 was provided by Musco Sports Lighting, and will meet standard safety requirements. The funding would be possibly financing, depending on the contributions, if any, by the Natalia Municipal Development District. The NLL will be contributing \$20,000, the Little League Softball Program Grant will support \$25,000, and will be asking the NMDDD to support \$20,000 of that cost, which through the year the NLL could raise the remaining balance to cover all costs without having to finance the project through a loan, and discussed the financing loan options. Mr. Gonzales also mentioned future projects such as shading over the bleachers, and possibly the installation of a playground between the fields. Discussions of the safety of the playground location was concerning to many members of the City Council, and the dangers of it being placed between two baseball fields. These projects would also be through the sought of grants and other funding aspects available.

Motion: For the purpose of installing lighting at the softball field, Alderman Fernandez made the motion approving the NLL to make such improvements, with Alderman Ortiz seconding the motion.

Vote: 5-0; Motion carried unanimously.

10) Discussion/Consider rescheduling the date of the February 16, 2016 Regular City Council Meeting (Presidents Day – City Offices Closed).

Discussion: City Administrator Hernandez explained that the regular meeting falls on city observed holiday, and with offices being closed asked if City Council would reschedule the date.

Motion: Alderman Bluemel made a motion moving the meeting to February 22, 2016; and Alderman Fernandez seconded the motion.

Vote: 5-0; Motion carried unanimously.

11) **Discussion/Consider approving the updated Interlocal Agreement between the City of Natalia Police Department and the 38th Judicial District Attorney's Office.**

Discussion: Mayor Pro-Tem Smith explained that the City's original agreement was approved by the City Council with a four-year term, then the contract was resubmitted by the DA's Office for a two-year term which was later approved by amendment by the City Council; but, with the contract's cross-delivery, the DA's Office was in actual agreement, and preferred the four (4) year term as originally approved by the City Council.

Motion: Alderman Fernandez made a motion approving the updated agreement with a four (4) year term; and Alderman Ortiz seconded the motion.

Vote: 5-0; Motion carried unanimously.

Staff Reports:

12) **City Administrator:** i) Reviewed the Election Results of Medina County Appraisal District Directors for 2016-2017; ii) Updated Council on the preliminary audit for FYE September 30, 2015, and the scheduled final audit for February 18 and 19, 2016; iii) Notified Council on the upcoming Bluebonnet Festival Event for Saturday, March 26, 2016 and the donations requested; iv) Briefed Council on the new Rules and Regulation on Concealed and Open Carry of Handguns, and the signage required; v) Attendance of the Texas Ethics Commission - Ethics Training in San Antonio on January 29, 2016; vi) Mentioned TML Region 7 Meeting to be hosted in Helotes, February 11, registration is open for officials to signup if interested.

13) **Adjournment.**

Motion: Alderman Bluemel made the motion to adjourn the meeting at 8:40pm, and Alderman Fernandez seconded the motion. Vote: 5-0; Motion carried unanimously.

Passed and Approved this 29th day of February, 2016.

Approval:

Manuel C. Saldana, Mayor

Attest:

Lisa S. Hernandez,
City Administrator/Secretary