

City of Natalia, Texas
Regular City Council Meeting
May 16, 2016 at 7:00 pm
Minutes

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

Call to Order:

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

Citizens to be Heard:

- 2) None.

Public Hearing/Consider Action:

Public Hearing/Consideration on the City of Natalia's intentions to file an application with USDA Rural Development, Rural Utilities Services, for financial assistance for Water and Wastewater Infrastructure and Systems Improvements project, to acquaint all interest parties on economic and environmental impact, service area, and alternatives. Chris Rosenboom, Engineer, of M&S Engineering; discussed the selected projects reasoning, costs, existing conditions, and impact of these projects. No public comments were made.

Committee Reports:

- 3) Ruby Vera, Chairwoman of the Natalia Municipal Development District, reported that on April 30, 2016 the NMDD Board of Directors met to swear in newly appointed directors, and selection of their Officers; being Ruby Vera, Chair; Mark Marcum, Vice-Chair; Susanna Lara, Secretary; and Delia Loza, Treasurer; and also invited members of the Council to attend their next Special Meeting on May 18, 2016 at 6:00pm.

Consent Agenda:

- 4) a. Approval of Minutes: April 18, 2016 Regular Meeting, April 30, 2016 Workshop, May 2, 2016 Workshop
b. Approval of Financial Activity Report: April 2016
c. Approval of Police Department Activity Report: April 2016
d. Approval of Municipal Court Activity Report: April 2016
e. Approval of Code Compliance Activity Report: April 2016
f. Approval of Utility Department Activity Report: April 2016
Motion: Alderman Bluemel made the motion approving the consent agenda, and Alderman Ortiz seconded the motion.
Vote: 4-0; Motion carried unanimously.

Discussion/Consideration of Action Items:

- 5) Discuss/Consider adopting an Ordinance; Amending the Code of Ordinances, Chapter 6, providing prohibitions, regulations, permit application process, inspections and fees, for the installation of mobile homes, manufactured homes, modular homes, travel trailers and recreational vehicles inside city limits.
Discussion: Mayor Pro-Tem Smith asked Alderman Fernandez if he were not in agreeance with the five-year aging requirement; Alderman Fernandez responded that he was but fears that Natalia is making it too hard for persons to move into the City with having too many restrictions. City Administrator Hernandez explained that this ordinance provides for the regulation of installation requirements, not where persons

can move in their manufactured home, that regulation was adopted years ago by the city's zoning ordinance; and explained that though applications may be denied; the applicants would still be allowed to request for city council review and consideration through a special use permit (variance) as they do now. Alderman Bluemel knows that the City can't worry about a single individual, but as a City in a whole, and provided statistics on the city's median household income, per capita income, and the city's highly dense development, stating that 85% of the city's population is considered to be at the poverty level. Alderman Ortiz mentions that he sees so many hesitant to move into the area and build because of all the trailers in the city, and knows of an person who planned to build two new homes, but council just approved five manufactured homes to move into areas that aren't zoned for it, and now they have decided not to; and two of these trailers are just across the street from his house; and though he and his neighbors were against it, they all still got voted in. Alderman Ortiz stated that if Council is going to continue to allow these trailers to come, then stricter rules are needed to be sure they have a better appearance than what has been allowed in the past.

Motion: Alderman Ortiz made the motion adopting the Ordinance, and Alderman Fernandez seconded the motion.

Vote: Motion carried by a 3-1; Alderman Bluemel voted against it.

- 6) **Discuss/Consider recommendations of amendments to the Code of Ordinances Chapter 44, Zoning, creating a district, its intentions, permitted and specific uses, and providing for a noncompliance penalty.**

Discussion: City Administrator Hernandez explained that this amendment would change the district of Mustang Estates, which currently zoned as District R-1, Residential district; and would establish a new district to be applied is District R-3, Residential Estate district, which would restrict for mobile, manufactured and modular homes from being moved in, and would require that all homes be built of concrete slab foundation. This proposed change would not have any effect on those homes currently there or in the building process; only to future structures and use of land. And, if considered to move forward, before adoption, notices to the property owners would have to be given, as well as holding a public hearing on the proposal, and not become effective until 30days after adoption and publication in the newspaper.

Motion: Alderman Fernandez made the motion to the recommendations; and Alderman Ortiz second the motion.

Vote: 4-0; Motion carried unanimously.

- 7) **Discuss/Consider adopting Resolution; declaring surplus property and authorizing the liquidation.**

Discussion: The surplus property would be for a 2009 Tahoe, and would be put to auction along with other surplus items on June 11.

Motion: Alderman Fernandez made the motion adopting the resolution; and Alderman Bluemel seconded.

Vote: 4-0; Motion carried unanimously.

- 8) **Discuss/Consider agenda item request for a building permit extension of home construction by Jimmy Villa at 125 Colt Trail, Lot 20-B, Mustang Estates Subdivision, Natalia Texas 78059.**

Discussion: Arturo Lopez, Attorney of Jimmy Villa, explained the many incidences that have occurred with Mr. Villa in 2011 and in these past years which made it impossible for him to finish construction of his home. Mayor Pro-Tem Smith asked if any these incidences happened between 2014-2015. Mr. Lopez stated that Mr. Villa was in a car accident, but it's the 2011 accident that has left him unable to do the work because of the medical treatments he is getting. Mayor Pro-Tem explained that the City Council granted him a one-year extension July 2014 which has expired, but was given the same story at his last request, and during such time hardly any work to the house was done, not even completion of the exterior which should have been done in 6-months. City Administrator Hernandez explained to Council and Mr. Villa that an inspection on the existing structure was performed, and found mold in both the decking and floors, this would need to be removed and redone; and if council approves the request that Mr. Villa would have to reapply and pay for all amounts due for building permits, plan reviews and inspections. Alderman Bluemel asked Mr. Villa how much longer of an extension is he asking for, and how was he going to

complete the construction if he is still receiving these medical treatments? Mr. Villa explained that he works at MG Building Materials and would be getting a lot of his materials from there, and has workers that will be doing the construction under his supervision which all should be completed in about 8-9 months.

Motion: Alderman Bluemel made the motion granting Jimmy Villa, 125 Colt Trail, Lot 20-B, a one-year construction extension in condition that he renew his permits and remove the existing molding structures; and Alderman Fernandez seconded the motion.

Vote: 4-0; Motion carried unanimously.

Staff Reports:

9) **City Administrator**

- a. Natalia ISD Summer Feeding Program
- b. Update on 2015 WWTP Improvements Project TxCBDG Contract #7215349
- c. Energy Star Sales Tax Holiday, Memorial Weekend May 28-30, 2016
- d. 2015 Hog Wild Seminar by Denton Navarro Rocha Bernal Hyde & Zech Attorneys at Law.

10) **Adjournment.** Alderman Fernandez motioned to adjourn the meeting at 8:15pm, and Alderman Bluemel seconded the motion. Motion carried unanimously.

Passed and Approved this 20th day of June, 2016.

Approval:

Manuel C. Saldana, Mayor

Attest:

Lisa S. Hernandez,
City Administrator/Secretary