

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

Roll Call: Mayor Manuel C. Saldana - 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 Saldana 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) i. Ruby Vera, Chair – Natalia Municipal Development District, informed the City Council of the MDD's scheduled meeting for June 20, 2016 at 6:30pm, in addition to other topics, award of a bid for the renovations of the building owned by Danny Heyne, 2066 SH 132 N., to office the NMDD will be conducted, and invites the public and council to attend. Vera notified the City Council that she has a meeting with Love's General Manager, Bill Glesson, to discuss other uses and opportunities of the Loves property. Vera also notified Council of Natalia's turn to host the mobile Chik-Fillet truck, which will be placed at the Woodson Property on FM-471. Vera also mentioned that she is working with the School, and is looking for volunteers, for landscaping along 8th & 9th Street.
- ii. Eva Faria, resident, requested that the alley behind her mother's house at 609 5th Street be mowed and cleaned; and questioned when utility bills are due before applying the late fee, stating that in the past she would place her payment in the drop –box after hours on the due date and wouldn't be applied late fees, but did so this time, and a late fee was applied. City Administrator Hernandez explained that about three years ago the City Council adopted a utility policy that instructs that all payments are due on the 15th before the close of business, and payments received thereafter will be applied late fees.

City Council Comments:

- 3) i. Alderman Fernandez addresses the dangers on parking along the corner of FM-471 by the ballfields, and questioned if the City or State can place no parking signs at the corner of FM-471. City Administrator Hernandez explained that in order to enforce no-parking and issue citations, and ordinance would have to be adopted to place these signs and enforce the restriction. Alderman Fernandez and Council agreed to place this item for consideration at the next meeting. City Council would also like for TxDOT to meet with Council at next meeting to address the concerns regarding the access roads to IH-35.

Public Hearing:

- 4) A Public Hearing for consideration of proposed amendments to the City's Zoning Ordinance, its boundaries, restrictions and regulations to property located on 152.449 acres tract of land, situated on the corner post at the point-of-intersection of South R.O.W. line of IH-35 and the West line of CR-6722, known as Mustang Estates Subdivision, Natalia, Texas 78059.
 - i. Jeffrey & Debra Woods, property owners, expressed concerns of regulating construction for only concrete slab foundation. Mr. Woods had no objections with prohibiting manufactured and modular homes, but making all homes be built on concrete foundation would affect his home construction, as he has paid for engineered foundation plans that is constructed by concrete pillar/beams and having a 2' concrete beams framing the underneath of the home structure, mainly because of the type of soil and drainage conditions that exist on the property. Mr. Woods expressed that he is in favor of concrete materials being used, unlike a home being built on telephone poles, but not for the entire foundation.
 - ii. Doug & Cathy Blevins, property owners, also expressed concerns of an existing structure that is currently built on wood beams or railroad ties, and is in favor of the proposed new rules to maintain the integrity of the subdivision; but suggested to Council that if they are considering changing the language of the rules to allow Mr. Woods type of foundation, then to be very specific of the changes.City Council addressed many concerns of the existing and prolonged construction of the home property owners are referencing to (125 Colt Trail), and asked the City Administrator if this particular home fails to

comply with the Council second building permit extension to finish the home, if the property owner then has to abide by the new construction requirements? City Administrator Hernandez believes that that the new restrictions only apply to the future construction, but would ask the City Attorney if it is such the case if the project is considered abandoned.

Consent Agenda:

- 5) a. Approval of Minutes: June 20, 2016 Regular Meeting and July 1, 2016 Special Meeting
 - b. Approval of Financial Activity Report: June 2016
 - c. Approval of Police Department Activity Report: June 2016
 - d. Approval of Municipal Court Activity Report: June 2016
 - e. Approval of Code Compliance Activity Report: June 2016
 - f. Approval of Utility Department Activity Report: June 2016
- Action: Alderman Bluemel made the motion approving the consent agenda, and Alderman Fernandez seconded the motion. Vote: 5-0; Motion carried unanimously.

Discussion/Consideration of Action Items:

- 6) **Discuss/Consider hiring and swearing in Justin Rogers as a Police Officer for the Natalia Police Department.**
Staff Discussion: Chief Rodriguez introduced applicant Justin Rogers, and explained to City Council of his previous employment with the City before his resignation in September 2015. Having Rogers rehired will eliminate the need for training as conducted with newly hired employees.
Action: Alderman Smith made the motion to hire Justin Rogers, and Alderman Fernandez seconded the motion. Mayor Saldana swore in Justin Rogers under the Oath of Office as a Natalia Police Officer.
Council Discussion: Alderman Fernandez asked when the other vacancy will be filled. City Administrator Hernandez explained that the other vacant position will not be filled until funds are available in the budget.
Vote: 5-0; Motion carried unanimously.
- 7) **Discuss/Consider action on the Issuance of Award for TxCBDG Contract No.7215349 for the Wastewater Treatment Plant System Improvements Project.**
Staff Discussion: City Administrator Hernandez mentioned that one bid was received for the project, but came in over budget; the Engineer and Grants Administrator will be reviewing the bid for possible changes to the Bid, to include reviewing of the additives and alternatives of the bid, or possible reduction. However, if the bid changes the construction too much to what was originally issued, this may have to be resubmitted to TDA and republished. Public Works Director Smith mentioned that the bid contractor (B-5 Construction) visited the WWTP and performed a site review to determine assess the actual needs and priorities of this project to possibly reduce the project costs. City Administrator Hernandez explained that the Engineer and Grants Administrator should complete their review within two-weeks and will be ready to present their options at the next council meeting in August.
Action: Alderman Smith made the motion to postpone this item until the next regular; and Alderman Ortiz seconded the motion.
Vote: 5-0; Motion carried unanimously.
- 8) **Discuss/Consider adopting Ordinance; Amending the Code of Ordinance, Chapter 44, Zoning, creating District R-3 (Single Family Residential Estate), its intentions, permitted and specific uses, and providing for a noncompliance penalty.**
Discussion: None. After listening of the public's comments and concerns, council reviewed the restrictions.
Action: Alderman Smith made a motion approving the ordinance with the following change to Section 2. Districts, Subsection 2 – Permitted Uses: “One residential dwelling unit per lot. The minimum construction of the unit shall have a foundation built on cement pillars enforced with rebar, and having at least a one (1) foot concrete perimeter framing the underneath of the dwelling. The regulated designs and construction requirements is to protect the essential suburban character of the district, and to provide adequate privacy and open space than is usually associated with more density developed areas of single family dwellings.” Alderman Bluemel second the motion with the amendments made.
Vote: 5-0; Motion carried unanimously.

9) **Discuss/Consider approving Ordinance; Amending Fiscal Year 2015-2016 General Fund and Utility Fund Budgets.**

Staff Discussion: City Administrator Hernandez explained the decrease in collection of court fines and fees of \$12,350.00, and the removal of \$5,800 of ACI garbage franchise fees decreased the overall revenues by \$-19,316.00; and in order to maintain a balanced budget to account for the settlement agreement and the repayment of loan with SSB, a decrease in Administration expenses of \$-21,441.00 was made, in order to account for the increase of \$72,900.00. This increase in police expenses required that one police officer vacancy not be filled for the remaining of this fiscal year and next year, until funds become available.

Alderman Mike Fernandez believes the vacant police officer position should be filled, and would like Council to discuss this before amending the budget.

Executive Session: Alderman Bluemel made a motion to adjourn into executive session to discuss Personnel Matters; and Alderman Ortiz second the motion. City Council adjourned into executive session at 7:55pm by a unanimous vote to discuss personnel matters affecting the proposed budget amendments.

Reconvene into Regular Session: City Council reconvened into regular session at 8:12pm.

Action: Alderman Smith made the motion approving the Fiscal Year 2015-2016 Budget Amendments, and Alderman Fernandez second the motion.

Vote: 5-0; Motion carried unanimously.

10) **Discuss Fiscal Year 2015-2016 Budget Calendar and Proposed General and Utility Fund Budgets.**

Staff Discussion: City Administrator Hernandez advised council of a correction to the agenda item, the discussion is for Fiscal Year 2016-2017 Budget Calendar and Proposed Budgets. City Administrator Hernandez advised Council that a Budget Workshop is scheduled for 6pm before the Regular Meeting unless another date and time is preferred; none made. The Proposed General Fund Budget is based on preliminary assessment values and predetermined tax rates; but is expected to receive the certified tax assessment values after July 25th, and thereafter tax rate amounts will be calculated and affixed to a revised proposed budget to be filed on August 11th, for review at the August 15 Budget Workshop. Cost of insurance is not available at this time, but most likely a premium increase would be applied as these costs are highly unlikely to decrease.

Staff Reports:

11) **City Administrator:**

- a. Notice of the first day to file an application for a place on the ballot is July 25, 2016 (as July 23rd is a Saturday) and last being August 22, 2016 for (3) three aldermen positions, currently seated by Sam Smith, Mike Fernandez and Tommy Ortiz, for the November 8, 2016 General Election.

12) **Adjournment.** Alderman Smith motioned to adjourn the meeting, and Alderman Juarez seconded the motion. Motion carried unanimously.

Passed and Approved this 15th day of August, 2016.

Approval:

Attest:

Lisa S. Hernandez, City Administrator/Secretary