

Minutes
Regular Council Meeting
January 19, 2012

On this 19th day of January 2012, at 6:00 p.m., the City Council of the City of Devine convened in a Regular Meeting; the same being opened to the public at the Dr. George S. Woods Community Center, 200 E Hondo Ave, Devine, Texas. Notice of said meeting having been prescribed in Chapter 551, Government Code, and Vernon's Texas Codes Annotated, and the following members being present:

Mayor William L. Herring
Aldерwoman Kathy Wilkins
Aldерwoman Gina Champion
Alderman Steve A. Lopez
Alderman David Valdez

Absent being Alderman Hal Lance, thus, constituting a quorum.

Personnel present: Gary Pelech, City Administrator; Adalberto Bosquez, City Accountant; Ofilia H. Pedroza, Assistant City Secretary and Darrell Rawlings, Code Compliance Officer.

Others present: Sonia Lance, Robby Heising, Andrew Miller, Charles Campsey, Pat Mares, Joseph Salder, Chris Garcia, Cindy Morales, Ernie Morales, Ernie Morales, Jr.; Maribel Aguilar, Ernesto Aguilar, Catalina Monreal, Zachary Monreal, Vanessa Garris, Leo Perez, Heath Poppe and Family, Rick Maxwell, Alex Benavidez, Lydia Benavidez, David Splawn, Samuel Ramirez, Dillon Wofford, Jim & Dolly Perez, Jimmy Perez, Paul Arocha, Moses Rocha, Chris Fabrow, Christie Bean, George Villa, Stella Contreras, Hortencia Zapata, Jose Alfaro, Judith Alfaro, Melanie Alfaro, Esteven Balderrama, II; Colby Carroll, Will Baker, Brandon Whitley, Tobey Tomblin, Jr.; Tobey Tomblin ,III; Patrick Rodriguez, Jessica Rodriguez, Ramon Paredes, Mayra Paredes, Gizelle Paredes and Jackie Richardson all residents of Devine, Texas; Evan Eads, Scott Taylor, Rene Muniz, Gerald Beaty, Chad Quisenberry, Lynn Cozby, Paul Gomez with Devine ISD; Andrew Tolin, Medina Valley Times and Sandy Herrera, Devine News.

Mayor Herring, presiding, declared the meeting opened and welcomed all visitors; Mayor Herring also delivered the Invocation and led the Pledge of Allegiance.

The first order of business was the Visitors/Citizens Forum.

No one signed up to speak on this item.

The second order of business was to discuss and consider adopting a Proclamation recognizing 2011 Warhorses.

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Mayor Herring recognized and congratulated the Warhorse Team on a great season. He also thanked Linda McAnelly and Cindy Morales.

Coach Chad Quisenberry thanked the City, community and parents for their support. He then introduced all coaches and team members.

Mayor Herring read over the proclamation which was followed by a standing ovation for the Warhorse Team.

Proclamation attached as Exhibit A.

Motion by Alderwoman Champion, seconded by Alderwoman Wilkins to adopt the proclamation for the Warhorses.

Ayes	--	All
Nays	--	None
Absent	--	One (Alderman Lance)

Motion carried.

The third order of business was to discuss and consider recommendation of the Planning & Zoning Commission for meeting held on January 9, 2012:

- a. Council-Public Hearing on request made by Stella Contreras for a variance to reduce the minimum area required by Appendix A; Article 11: Class I. Light Industrial District, Section 3. Area Regulation, from 9,000 square feet to 7,200 square feet.

PUBLIC HEARING

Mayor Herring declared the Public Hearing open at 6:35 p.m.

Stella Contreras explained to council that there had been a home at this address in the past, however, it burned down and so now she wanted to move in a mobile home.

Mayor Herring closed the Public Hearing at 6:36 p.m.

- b. Council to take action on request made by Stella Contreras for a variance to reduce the minimum area required by Appendix A; Article 11: Class I. Light Industrial District, Section 3. Area Regulation, from 9,000 square feet to 7,200 square feet.

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Code Compliance Officer, Darrell Rawlings informed the council that the Planning & Zoning Commission had met and recommended that the variance be granted. He mentioned that the property used to be outside the city limits but had since been annexed in.

Motion by Alderman Lopez, seconded by Alderman Valdez to approve recommendation by the Planning & Zoning Commission to grant variance request.

Ayes	--	All
Nays	--	None
Absent	--	One (Alderman Lance)

Motion carried.

The fourth order of business was to discuss and consider recommendation of the Mayor to appoint Rick Maxwell to serve on the Planning & Zoning Commission.

Motion by Alderwoman Wilkins, seconded by Alderman Lopez to approve the recommendation of the Mayor to appoint Rick Maxwell to serve on the Planning & Zoning Commission.

Ayes	--	All
Nays	--	None
Absent	--	One (Alderman Lance)

Motion carried.

The fifth order of business was to discuss and consider adopting a Proclamation for Crime Stoppers Month.

Alderman Lopez mentioned that Crimestoppers was in need of members.

Proclamation attached as Exhibit B.

Motion by Alderman Lopez, seconded by Alderwoman Champion to adopt proclamation.

Ayes	--	All
Nays	--	None
Absent	--	One (Alderman Lance)

Motion carried.

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The sixth order of business was to discuss and consider adopting a resolution establishing Fund Balance Policies as required by GASB 54.

City Administrator, Gary Pelech informed the council that GASB has separated the City's reserves into five (5) categories to make sure that accounting is being done correctly.

Resolution attached as Exhibit C.

Motion by Alderman Valdez, seconded by Alderwoman Wilkins to adopt the resolution establishing Fund Balance Policies required by GASB 54.

Ayes	--	All
Nays	--	None
Absent	--	One (Alderman Lance)

Motion carried.

The seventh order of business was to discuss and consider Approval of Minutes: Regular Council Meeting for November 15, 2011.

Motion by Alderwoman Wilkins, seconded by Alderwoman Champion to approve the minutes for Regular Council Meeting on November 15, 2011.

Ayes	--	All
Nays	--	None
Absent	--	One (Alderman Lance)

Motion carried.

The eighth order of business was to discuss and consider the Project for the Skate Park.

Mayor Herring recommended to Council that the item be postponed for an indefinite period due to Alderman Lance being absent, since he was the one who requested that the item be on the agenda.

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Motion by Alderman Lopez, seconded by Alderwoman Wilkins to table the item for an indefinite period.

Ayes	--	All
Nays	--	None
Absent	--	One (Alderman Lance)

Motion carried.

The ninth order of business was to Review the Quarterly Investment Report.

City Accountant, Adalberto Bosquez, explained that two changes had occurred during the quarter. He mentioned that a Sewer/Water Fund CD was increased and that the City was financially able to obtain a new CD to increase savings. He also mentioned that the City was doing very well compared to other cities in the area.

Council reviewed the Quarterly Report only; no action taken.

The tenth order of business was Informational Items:

- Mayor Herring mentioned that the Edwards Aquifer Authority stated that pumping fees would be going up. The City would still be eligible for rebates on water that the City does not pump, however, the City would not be receiving rebates on any HCP (Habitat Conservation Plan) fees. He stated that the EAA board had 3 options to choose from. He mentioned that once the EAA board formally approves an option, then the City will discuss the matter.
- Mayor Herring stated that Maria Peña has been moved from the Code Compliance Department to the Public Works Department. Cassandra will be cross-trained to help Darrell when needed.
- Mayor Herring informed council that Dora and Cassandra were attending an Election Law Seminar in Irving.
- Mayor Herring said Alderman Hal Lance was in Albany, NY.
- Mayor Herring mentioned TxDot will be lengthening ramp off of IH-35.
- Mayor Herring informed council of situation concerning water issues with buildings at the Middle School. Special Meeting may be needed at a later time to discuss this.
- Alderwoman Wilkins commented that she had seen the Public Works Department with trailers loaded with tree limbs. City Administrator, Gary Pelech, stated that he had given a list of problem areas to Public Works and that they were working on it.
- City Administrator, Gary Pelech informed council that City Engineer, Raul Garcia, is still working on the specs for the new well behind Triple C.

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There being no further business to come before the governing body, motion by Alderwoman Wilkins, seconded by Alderman Lopez, to adjourn the meeting

Mayor

City Secretary