

Minutes
Regular Council Meeting
February 16, 2016

On this 16th day of February 2016, 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 their regular meeting place; thereof at City Hall, 303 S. Teel Drive, 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
Alderman Hal Lance
Alderwoman Kathy Wilkins
Alderman Steve A. Lopez
Alderman David Valdez
Alderman David Espinosa

Thus, constituting a quorum.

Personnel present: Joe Ramos, City Administrator; Dora Rodriguez, Assistant City Administrator/ City Secretary; Tom Cate, City Attorney; and Denise Duffy, City Accountant.

Others present: Marly Davis, Devine News; Pastor Mike Crow, Devine Christian Church; Roger C. Gutierrez, Devine Little League; David Pell, Cindi Billebault, Doug Trott, and Charles West of Devine, Texas.

Mayor Herring, presiding, called the meeting to order.

The Invocation was delivered by Pastor Mike Crow, from Devine Christian Church.

Mayor Herring then led the Pledge of Allegiance.

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

Ms. Cindi Billebault, representing the Devine Food Pantry, addressed City Council and gave a report on the history and status of the food pantry. She spoke of much needed monetary funds to catch up with the needs of the community.

The second order of business was Recognition.

- Frank Cortinaz was recognized by Alderman Lopez for his unselfish contributions in cleaning up parts of the City during his daily walks. Mr. Cortinaz was unable to attend the meeting due to health reasons.

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The third order of business was to discuss and consider adopting a Resolution of the City of Devine to post notices at the entrances to buildings owned or leased by the City of Devine prohibiting concealed or openly carried handguns into any area that houses a public meeting of a governmental entity that is subject to the Open Meetings Act and to post the notices advising the public of the prohibition of carrying a handgun in court facilities in buildings that house the municipal court and court offices making license holders aware of the court facilities.

City Administrator Joe Ramos gave Council a legislative update on this law that went into effect on January 1, 2016, and held lengthy discussion with councilmembers on the signs that need to be posted.

Motion by Alderman Espinosa, seconded by Alderman Lopez to adopt a Resolution of the City of Devine to post notices at the entrances to buildings owned or leased by the City of Devine prohibiting concealed or openly carried handguns into any area that houses a public meeting of a governmental entity that is subject to the Open Meetings Act and to post the notices advising the public of the prohibition of carrying a handgun in court facilities in buildings that house the municipal court and court offices making license holders aware of the court facilities.

Resolution 2-16 attached as Exhibit A.

Ayes	--	All
Nays	--	None

Motion carried.

The fourth order of business was to discuss and consider approval of Minutes: Regular Meeting, January 19, 2016 and Special Meeting, January 25, 2016.

Council reviewed the minutes.

Motion by Alderman Lance, seconded by Alderwoman Wilkins to approve the minutes for Regular Meeting, January 19, 2016 and Special Meeting, January 25, 2016.

Ayes	--	All
Nays	--	None

Motion carried.

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The fifth order of business was to discuss and consider request from David L. Pell for permission to move manufactured home to 511 Corley Drive, Devine, Texas; to park it temporarily until the zoning classification is changed and permits are issued.

Council held brief discussion with City Attorney Tom Cate on spot zoning.

Motion by Alderman Valdez, seconded by Alderman Lopez to postpone any discussion and any action on the request from David L. Pell for permission to move a manufactured home to 511 Corley Drive, Devine, Texas and to park it temporarily, until the Planning & Zoning Committee meets.

Ayes	--	All
Nays	--	None

Motion carried.

The sixth order of business was to discuss and consider a Resolution of the City of Devine authorizing the filing of a grant application with the Alamo Area Council of Governments (AACOG) for a Regional Solid Waste Grants Program Grant; authorizing the City Administrator or his designee, to act on behalf of the City of Devine in all matters related to the application; and pledging that if a grant is received, the City of Devine will comply with the grant requirements of the Alamo Area Council of Governments, the Texas Commission on Environmental Quality (TCEQ) and the State of Texas.

City Administrator Joe Ramos explained that every two years AACOG receives grant dollars from TCEQ to clean up the environment, and this money is available to small communities. He is requesting \$5,500.00 from this grant and would like to provide two community events, one in the Spring and one in the Fall, to bring in a vendor that does e-waste recycling to pick up old TV's, computers, etc., and another vendor to do paper shredding. He has already talked to Devine Independent School District about using the high school parking lot for this. Our local match would be \$100.00.

Council held further discussion.

Motion by Alderman Espinosa, seconded by Alderman Lopez to adopt a Resolution of the City of Devine authorizing the filing of a grant application with the Alamo Area Council of Governments (AACOG) for a Regional Solid Waste Grants Program Grant; authorizing the City Administrator or his designee, to act on behalf of the City of Devine in all matters related to the application; and pledging that if a grant is received, the City of Devine will comply with the grant requirements of the

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Alamo Area Council of Governments, the Texas Commission on Environmental Quality (TCEQ) and the State of Texas.

Resolution 2-16A attached as Exhibit B.

Ayes	--	All
Nays	--	None

Motion carried.

The seventh order of business was to discuss and consider a Resolution of the City of Devine, creating a Capitalization Policy for capital assets of the City of Devine, Texas.

City Administrator Joe Ramos explained this was the result of the Audit that was just completed last Friday. He told Council that capitalization is primarily a financial reporting issue, and he held discussion on capital assets and capitalization thresholds.

Motion by Alderwoman Wilkins, seconded by Alderman Lance to adopt a Resolution of the City of Devine, creating a Capitalization Policy for capital assets of the City of Devine, Texas.

Resolution 2-16B attached as Exhibit C.

Ayes	--	All
Nays	--	None

Motion carried.

The eighth order of business was to discuss and consider a Resolution of the City of Devine, repealing certain provisions of Chapter 66 of the City's Code of Ordinances and amending certain sections of Chapter 66 of the City's Code of Ordinances; providing for notice to abate weeds or public nuisances; providing for a lien; providing for a severability clause; and, providing when this ordinance shall become effective.

City Attorney Tom Cate explained to Council that on page 2, this ordinance will allow our Code Compliance Officer to post notice on or near the front door of the building on which the property is located or by posting a notice on a placard attached to a stake into the ground on the property to which the violation relates. He further explained how this will make it easier on the City to provide property owners notice that they need to clean up their lots, and it will be cheaper in the long run since posting publication notices can become very expensive, but we must publicize in the newspaper at least once.

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Council held further lengthy discussion with City Attorney Tom Cate on what the City can do if the property owner will not clean up the property.

Motion by Alderman Espinosa, seconded by Alderman Lopez to approve and adopt a Resolution of the City of Devine, repealing certain provisions of Chapter 66 of the City's Code of Ordinances and amending certain sections of Chapter 66 of the City's Code of Ordinances; providing for notice to abate weeds or public nuisances; providing for a lien; providing for a severability clause; and, providing for this ordinance to become effective upon its passage on February 16, 2016.

Resolution 2-16C attached as Exhibit D.

Ayes	--	All
Nays	--	None

Motion carried.

The ninth order of business was Informational Items.

- Audit – We had a great audit. Mayor Herring thanked everyone who worked on the audit.
- VFW – Alderman Lopez announced they would be having a District 13 Camp.
- Heavies – Grand Opening went well.
- Devine Little League Meeting tomorrow.

There being no further business to come before the governing body, motion made by Alderman Lance to adjourn the meeting.

Ayes	--	All
Nays	--	None

Motion carried.

Mayor

City Secretary