

Minutes
Regular Council Meeting
March 20, 2012

On this the 20th day of March, 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 their regular meeting place; thereof, at City Hall, 303 S Teel Drive, Devine, TX. 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
Alderwoman Gina Champion
Alderman Steve A. Lopez
Alderman David Valdez

Thus, constituting a quorum.

Personnel present: Gary Pelech, City Administrator; Dora V. Rodriguez, City Secretary and Darrell Rawlings, Code Compliance Officer.

Others Present: Glenda & Alexis Velasquez, Sandy Herrera, Sonia Lance and Michael Meek Jr. all from Devine.

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 Recognition.

Mayor Herring recognized Alderman Lopez for being named District Commander of the V.F.W.

Mayor Herring recognized the following individuals for their assistance during the aftermath of the tornado that hit the Devine area on March 19, 2012:

Dora V. Rodriguez, City Secretary
Rob Flores, Chief of Police
Randy Brown, Medina County Sheriff
Medina County Sherriff's Officers
Acadian Ambulance
Community EMS
Game Wardens
Border Patrol
Texas Department of Public Safety
City of Devine Public Works Dept.
Red Cross
Salvation Army
Jerry Beck, County Commissioner
Ed Dougherty, Police Chaplain
Various Volunteers

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

No one signed up under this item.

The third order of business was a Public Hearing for the Closure, abandonment and sale of a portion of Loraine Dr., a Public Street.

PUBLIC HEARING

Mayor Herring declared the Public Hearing opened at 6:05 p.m.

Mayor Herring asked if anyone was opposed to the Closure. No comments were made.

Mayor Herring closed the Public Hearing at 6:06 p.m.

The fourth order of business was to discuss and consider taking action on the Closure, abandonment and sale of a portion of Loraine Dr., a Public Street.

Code Compliance Officer, Darrell Rawlings informed council that all requirements have been met as required by law for the Closure Process.

Alderman Lance inquired as to if anyone from the City would be following up on the fact that the Warranty Deed must be filed within 6 months from its issuance.

City Attorney, Tom Cate stated that Code Compliance Officer Darrell Rawlings would be responsible for that.

Ordinance 03-12 attached as Exhibit A.

Motion by Alderman Lance, seconded by Alderman Valdez to adopt an ordinance closing, vacating and abandoning a portion of Loraine Drive in the City of Devine, Texas; providing for a Public Hearing; authorizing the Mayor to execute a deed without warranty; and directing that the proceeds from the sale of the City's interest in said street be deposited in the street improvement fund of the City.

Ayes -- All
Nays -- None

Motion Carried.

The fifth order of business was to discuss and consider Approval of Minutes: Regular Council Meeting, February 21, 2012.

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Motion by Alderman Lopez, seconded by Alderwoman Champion to approve the minutes for Regular Council Meeting on February 21, 2012.

Ayes -- All
Nays -- None

Motion Carried.

The sixth order of business was to discuss and consider adoption of the revised Flood Damage Prevention Ordinance, with freeboard, for the City's continued participation in the National Flood Insurance Program.

Code Compliance Officer, Darrell Rawlings updated council on the status of the City's participation in the National Flood Insurance Program. He mentioned that the City had a deadline of April 3rd to adopt this ordinance. He stated that currently there are forty-one flood insurance policies in the City and if the ordinance was not adopted timely then the City would be suspended from the program which would cause those policy holders to loose coverage. He also explained what the one-foot freeboard was and how it would affect the citizens.

Ordinance 03-12A attached as Exhibit B.

Motion made by Alderman Lopez, seconded by Alderwoman Wilkins to adopt the revised Flood Damage Prevention Ordinance.

Ayes -- All
Nays -- None

Motion Carried.

The seventh order of business was to discuss and consider agreement between DISD, Medina County and the City to share costs according to each entity's tax base to remove structure at 327 W. Malone.

Mayor Herring explained that the three entities agreed on demolishing the house and sharing the costs, selling the lot and splitting the revenue after the sale.

City Administrator, Gary Pelech stated that Blake Cesar's boss with Alamo 1 was now interested in the property and wanted to take a look the property. He mentioned that if the gentleman did purchase the property he would have to start construction within thirty days from the date of purchase and he would be given a deadline of six months to complete construction. He stated that if more time was needed and substantial work had been done, an extension could be granted. He went on the say that the yard and exterior would have to be maintained as well. He informed the City Council that an agreement would have to be worked out with Gus Brieden since he owns part of the garage and that if no agreement could be made with Mr. Brieden, then the house would have to be demolished.

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Mayor Herring, stated that by selling now, then no demolition costs would be incurred, however, the project would need to be done as soon as possible and not dragged out over a lengthy period of time.

City Administrator, Gary Pelech mentioned that selling the house would be the easiest route since demolition costs might exceed what the property is valued at and that if the house was sold, then the three entities could split the money received.

Motion made by Alderman Lance, seconded by Alderman Lopez to participate in an agreement between DISD and Medina County to share costs according to each entity's tax base to remove the structure at 327 W. Malone contingent on a possible sale of the property.

Ayes -- All
Nays -- None

Motion carried.

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

Alderman Lance commented that he would like to know what was done with the \$5,000 that the City provided for the Project.

Mayor Herring said that he would contact Ed Dougherty to find out more information.

Sandy Herrera with the Devine News mentioned that Fred Morales and Bill Dorfmeister also donated money towards the project.

No action was taken on this item.

The ninth order of business was Informational Items.

Mayor Herring stated that the City was currently working on acquiring a tank for the Edward's Well.

City Attorney, Tom Cate updated Council on the Hester Park Project.

Mayor Herring informed Council that two new homes were going to be built on Bluebonnet Ave.

Mayor Herring stated the Council was going to enter into Executive Session Pursuant to Provisions of the Open Meeting Act, §551.074 of the Texas Government Code – Personnel Matters.

At 6:40 p.m., Mayor Herring announced to the public that the Council would go into a Closed Session. At 6:45 p.m., Closed Session was opened to the public.

No action was taken in Closed Session.

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

Ayes -- All
Nays -- None

Motion carried.

Mayor

City Secretary