

Minutes
Regular Meeting
November 19, 2019

On this 19th day of November, 2019, 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 at their regular meeting lace 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 Cory Thompson
Alderman Steve A. Lopez
Alderwoman Jennifer Schott
Alderwoman Debbie Randall

Absent being Alderman David Valdez and Alderman David Espinosa; thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; Tom Cate, City Attorney; Ismael Carrillo, Director of Public Works; and Ruben Chapa, Golf Course Supervisor.

Others present: Marly Davis, Devine News; Ana Escoto, Guadalupe Hernandez, Doug Trott, Eva Thompson, R.D. Montgomery, Cynthia Chalaire, Angela Pichardo, William Cole, Christy Williamson, and Porfirio DeLeon of Devine, Texas.

Mayor Thompson, presiding, called the meeting to order.

Mayor Thompson delivered the Invocation and Alderman Steve A. Lopez led the Pledge of Allegiance.

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

No one signed up to speak under this item.

The second order of business was Recognition.

There was no recognition at this time.

The third order of business was to discuss and consider Approval of Minutes: Regular Council Meeting Minutes, September 17, 2019; Special Council Meeting Minutes, September 21, 2019; Special Council Meeting Minutes, October 8, 2019; and Regular Council Meeting Minutes, October 15, 2019.

Council reviewed minutes.

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Motion by Alderwoman Schott, seconded by Alderman Lopez to approve the minutes for Regular Council Meeting, September 17, 2019; Special Council Meeting, September 21, 2019; Special Council Meeting, October 8, 2019; and Regular Council Meeting, October 15, 2019.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

The fourth order of business was a Presentation by FCCLA members Lupita Hernandez and Ana Escoto on their Adoption and Fostering Project.

Council heard from Lupita Hernandez and Ana Escoto on their project called Hearts Looking for Love. They spoke to Council on the process of the adoption and fostering care program, and how they are reaching out to spread awareness. They informed Council that they are currently building a Facebook page.

Council asked many questions, and thanked the FCCLA members for their involvement and for a very informative presentation.

The fifth order of business was to discuss and consider recommendation from District 4 Councilwoman Jennifer Schott on appointing the replacement of Lauren Moore for the Parks & Recreation Advisory Board.

Alderwoman Schott advised that she still does not have anyone to recommend. Mayor Thompson and Alderwoman Randall offered to help out by posting this on Facebook.

No action was taken.

The sixth order of business was to administer the Oaths of Office.

No action was taken.

The seventh order of business was to discuss and consider Adopting a Resolution of the City of Devine, Texas, authorizing approval of the Building Contractor Award for the HOME Program through the Texas Department of Housing and Community Affairs.

Interim City Administrator/City Secretary Dora V. Rodriguez told Council that they already approved for Randy Malouf to build the two homes, so this agenda item is just to approve the resolution. Mayor Thompson read the resolution aloud.

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Motion by Alderman Lopez, seconded by Alderwoman Randall to adopt Resolution 11-19, a Resolution of the City of Devine, Texas, authorizing approval of the Building Contractor Award for the HOME Program through the Texas Department of Housing and Community Affairs.

Resolution attached as Exhibit A.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

The eighth order of business was to discuss and consider drainage issues by Denny Montgomery at 406 Monticello.

Mayor Thompson held discussion on drainage issues, and reviewed a map and pictures.

Council heard from Denny Montgomery, owner of property at 406 Monticello Circle.

Council held lengthy discussion on a retaining wall.

Motion by Alderwoman Schott, seconded by Alderwoman Randall to not do a retaining wall at this moment but to go ahead and move forward in contacting our grant writer, Judy Langford about any available grants, and contacting City Engineer Raul Garcia and checking out his maps, and providing Council an update on what Judy Langford has to say.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

Discussion was held after the motion. Mr. Montgomery inquired if Public Works could at least go in with a backhoe and scrape up all the mud and debris that has built up, which just rolls right into his place, while we're in the process of finding out all this other information. According to Director of Public Works, yes, they can do this.

The ninth order of business was to discuss and consider request from Vernon Hall for a berm to stop flooding of property at 400 Mockingbird Lane.

Mayor Thompson stated that this is all the same issue.

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Mr. Vernon Hall held lengthy discussion with Council. Mayor Thompson asked Director of Public Works Ismael Carrillo if the Public Works guys could also go in and clean up the whole section of debris by Mr. Hall's property while we are in the process of working to see if there are grants available.

Motion by Alderman Lopez, seconded by Alderwoman Schott to go ahead and move forward in contacting our grant writer, Judy Langford about any available grants, and contacting City Engineer Raul Garcia and checking out his maps, and providing Council an update on what Judy Langford has to say.

Ayes	--	Three
Nays	--	None
Absent	--	Two -- Alderman Valdez Alderman Espinosa

Motion carried.

The tenth order of business was to discuss and consider the Renewal of the Appointment of Ms. Stacey Cross to the Medina County 9-1-1 Emergency Communications District, Board of Directors.

Council held discussion.

Motion by Alderman Lopez, seconded by Alderwoman Schott to approve the Renewal of the Appointment of Ms. Stacey Cross to the Medina County 9-1-1 Emergency Communications District, Board of Directors

Ayes	--	Three
Nays	--	None
Absent	--	Two -- Alderman Valdez Alderman Espinosa

Motion carried.

The eleventh order of business was to discuss and consider the election of the Board of Directors for the Medina County Appraisal District using the Official Ballot and Resolution of the Medina County Appraisal District.

Council held discussion.

Motion by Alderwoman Randall, seconded by Alderwoman Schott to give all 75 votes to Mamie Navarro for the election of the Board of Directors for the Medina County Appraisal District using the Official Ballot and Resolution of the Medina County Appraisal District.

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Official Ballot and Resolution attached as Exhibit B.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

The twelfth order of business was to discuss and consider requests from Porfirio Deleon:

- A. Weeds along curbside
- B. Animal Control incident
- C. Oil Field Trailer incident – Police Dept.
- D. District 1 Representation

Mayor Thompson briefed Council on everything as they reviewed all of Mr. Deleon's information, and held discussion.

Council heard from Mr. Deleon as he addressed his concerns and complaints.

Council held lengthy discussion on coming up with solutions to his complaints. Mr. Deleon was advised to complete a formal complaint, or turn in something in writing, to the police department, with his signature, so that a further investigation can be done.

No action was taken.

The thirteenth order of business was to discuss and consider request from Councilman Steve A. Lopez for the City to set up a meeting with TxDOT for installation of sidewalks to and from Walmart and all businesses on Highway 173.

Council held discussion.

Motion from Alderwoman Schott, seconded by Alderman Lopez to approve for the City to set up a meeting with TxDOT for installation of sidewalks to and from Walmart and all businesses on Highway 173.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

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The fourteenth order of business was to discuss and consider Approving Minutes of the Planning & Zoning Commission Meeting held on October 21, 2019.

City Attorney Tom Cate explained that at the Planning & Zoning Meeting, they had discussed that instead of amending the Zoning Ordinance, we could instead create a new zone and call it Zone A-1. It would still have the same regulations and restrictions as Zone A but it would have shorter setbacks and smaller lot sizes. Then we can place that zone on large undeveloped properties so that when contractors and developers want to come in and develop it, they don't have to ask for variances for smaller lot sizes.

Council held discussion. Mayor Thompson stated that we will discuss this at a later date regarding Zone A-1; tonight we will just approve the minutes.

Motion by Alderwoman Randall, seconded by Alderman Lopez to approve the Minutes of the Planning & Zoning Commission Meeting held on October 21, 2019.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

The fifteenth order of business was to discuss and consider Approving Minutes of the Parks & Recreation Advisory Board Meeting held on November 13, 2019.

Minutes were not ready for Council's approval.

No action was taken.

The sixteenth order of business was to discuss and consider cancelling the December Regular Meeting and having a Special Council Meeting, if needed.

Motion by Alderman Lopez, seconded by Alderwoman Schott to cancel the December Regular Meeting and having a Special Council Meeting, if needed.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

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The seventeenth order of business was to discuss Appointment of City Administrator. CLOSED SESSION pursuant to Section 551.074 (a) (1), to deliberate the appointment of a public officer or employee, Texas Government Code.

At 8:30 p.m., Mayor Thompson announced to the public that the Council would go into a Closed Session.

At 8:41 p.m., Closed Session was opened to the public.

No action was taken in Closed Session.

Motion by Alderwoman Schott, seconded by Alderwoman Randall to authorize Interim City Administrator/City Secretary Dora V. Rodriguez to contact the potential candidates for the City Administrator position and to set up dates for the interviews.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

The eighteenth order of business was Informational Items.

The following items were discussed:

- Update on Edwards Well #1 – Director of Public Works Ismael Carrillo gave Council an update on the Edward’s Well in regards to the pump motor going out. He briefed Council on different scenarios and prices. Council decided to meet later tonight for an Emergency Meeting since this is considered an emergency to the Community, and allowed Interim City Administrator/City Secretary Dora V. Rodriguez an hour to post the agenda.
- Request from Cynthia Chalaire, 351 Malone – She requested to see pictures taken by the Code Compliance Officer. She also wanted to know if the city employees have a fraternization policy and, if so, she requested a copy of that. Interim City Administrator/City Secretary Dora V. Rodriguez told her to get with her in the morning.

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

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Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderman Espinosa

Motion carried.

Mayor

City Secretary