

 The logo for the City of Venus features a stylized 'V' in blue and yellow, with a yellow star above it. To the right of the 'V' is the text 'CITY OF VENUS' in blue.	<p style="text-align: center;">VENUS CITY COUNCIL REGULAR MEETING CITY OF VENUS COUNCIL CHAMBERS 103 WEST 3RD • VENUS, TEXAS 76084</p> <p style="text-align: center;">MONDAY, MARCH 14, 2016 7:00 PM</p> <p style="text-align: center;">OFFICIAL MINUTES</p>
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CALL TO ORDER

A regular session of the City Council of the City of Venus was called to the order Monday, March 14, 2016 at 7:07PM.

The Invocation was given by Mayor Burgess.
The Pledge of Allegiance to the United States Flag was recited.
Roll Call was performed with a quorum present, to wit:

Mayor James Burgess
Mayor Pro - Tem Wes Dady – Absent
Councilmember Jeannie Prazak
Councilmember Robert Wood
Councilmember Jeanie Toland-Scott
Councilmember Geronimo Hernandez

ANNOUNCEMENTS OR PRESENTATIONS BY THE MAYOR.

Mayor Burgess stated recommended meeting decorum and procedures to follow.

CITIZENS PUBLIC COMMENT PERIOD:

Bob Winkelman of 110 Franklin Court, Venus, Texas 76084 spoke regarding his concerns with the liquor store contingent upon being built in front of Patriot Estates on US Highway 67.

Ronald Erbst of 400 Fieldstone Lane, Venus, Texas 76084 signed speaker's roster but elected not speak.

Stacy Wells of 105 Vista Ridge Drive, Venus, Texas 76084 spoke in regards to the repealing of the sex offender ordinance.

CONSENT AGENDA

ITEM 1. Approval of the minutes from the March 14, 2016 Public Hearing and City Council Meeting.

ITEM 2. Ratify the payment of bills for the month of March 2016.

Councilmember Prazak made a motion that was seconded by Councilmember Scott to approve the Consent Agenda. A vote was cast with 4 in favor, and 0 against. Motion Passed.

PRESENTATION

Swearing In ceremony of City Secretary.

Mayor Burgess performed duties to issue the Statement of Appointed Officer and give Oath of Office to the new City Secretary, Kathy Glynn.

ITEMS FOR INDIVIDUAL CONSIDERATION

ITEM 3. Discuss and consider approval of lot size variance request for five lots on Pine Street between W. 3rd and W. 4th Streets by Robert Hill.

Mr. Hill requests to build five (5) 1,250 square foot homes on lots measuring 60' x 140' as opposed the City ordinance establishing 80' x 100' lot sizes. Mr. Hill stated his plan still meets the minimum requirements on square footage.

Councilmember Prazak made a motion that was seconded by Councilmember Hernandez to approve the lot size variance request for five lots, on Pine Street between W. 3rd and W. 4th Streets by Robert Hill. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 4. Discuss and consider approval of Final Plat for Robert Hill for the five lots located on Pine Street between W. 3rd and W. 4th Streets.

Councilmember Hernandez made a motion that was seconded by Councilmember Scott to approve the Final Plat for Robert Hill for the five lots located on Pine Street between W. 3rd and W. 4th Streets. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 5. Discuss and consider approval of Final Plat and ETJ property located at Gentry Acres, Lot 1, Block 1, 0.8799 acres for Steven Crews with United Built Homes.

Councilmember Prazak made a motion that was seconded by Councilmember Hernandez to approve the Final Plat and ETJ property located at Gentry Acres, Lot 1, Block 1, 0.8799 acres for Steven Crews with United Built Homes stipulating one home per one lot. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 6. Discuss and consider approval of a fee waiver for the rental of the City Civic Center requested for Venus ISD Pre-Kindergarten and Kindergarten Registration Day on Tuesday, May 17, 2016 from 7am-7pm by Deanne Nettik.

Ms. Nettik was not in attendance. Council discussed the current City fees and potential lost revenue. Fees can be waved as long a security deposit is put down, in the event of any damages.

Councilmember Hernandez made a motion that was seconded by Councilmember Scott, to approve the fee waiver for the rental of the City Civic Center as request for Venus ISD for their Pre-Kindergarten and Kindergarten Registration Day scheduled for Tuesday, May 17, 2016 from 7am-7pm by Deanne Nettik with the stipulation that the Security Deposit of \$350 be presented to the Permit Clerk at City Hall. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 7. Discuss and consider approval of share cost expenditure request by Fire Chief Allen for a new fire truck.

Fire Chief Allen stated their current fire truck is 12 years old and may be sold for \$30,000. The truck considered for purchase is a 2017 model which costs \$ with financing. The shared cost to the City of Venus is \$13,661.00 for an annual payment. The Fire Department would be able to respond to medical rescue and fire simultaneously.

Councilmember Hernandez made a motion, seconded by Councilmember Wood, to approve the share cost expenditure request by Fire Chief Allen for a new fire truck. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 8. Discuss and consider approval of Resolution 02-2016, a resolution authorizing an agreement between the City of Venus and the Texas Department of Transportation for the construction of a gateway monument sign on State Highway 67.

City Administrator April Stoll presented the background information on the grant awarded for this project, the City logo developed, and the project construction and beautification plans. Council expressed concern for warranty terms.

Councilmember Prazak made a motion, seconded by Councilmember Scott, to approve Resolution 02-2016, a resolution authorizing an agreement between the City of Venus and the Texas Department of Transportation for the construction of a gateway monument sign on State Highway 67. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 9. Discuss and direct staff on whether to move forward in negotiations for a contract with Mountain Peak Special Utility District for Mountain Peak to allow sewer billing for approximately 300 customers as presented by Public Works Director Cesar Roca.

Council requested a negotiation rate between 5-10% allowance with Mountain Peak for the contract. Council discussed projected conflict with possible mobile home park and increased demand and customer base. Public Works Director Cesar Roca stated currently approximately 313 accounts for sewer not water presents billing and services issues. Proposal to Mountain Peak would streamline the process for 'turn-on/turn-off' and surcharges.

Councilmember Hernandez made a motion that was seconded by Councilmember Prazak to approve moving forward in negotiations for a contract with Mountain Peak Special Utility District for Mountain Peak to allow sewer billing for approximately 300 customers as presented by Public Works Director Cesar Roca. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 10. Discuss and consider approval of Ordinance 424-2016 an ordinance of the city council of the City of Venus, Texas ordering the amendment of Chapter 16 Offenses and Miscellaneous Provisions, Article I. In General, of the City of Venus Code of Ordinances to add Section 16-4 Public Urination and Defecation to prohibit persons from urinating and/or defecating in public within city limits, confirming Texas Open Meetings Act compliance, providing a severability clause, providing a repealer clause, providing a publication clause, providing an effective date, and providing a certification of adoption.

Chief Boese stated the ordinance would help to monitor cleanliness and appropriate behavior. Non-compliance would be a Class C offense.

Councilmember Prazak made a motion that was seconded by Councilmember Wood to approve Ordinance 424-2016 an ordinance of the city council of the City of Venus, Texas ordering the amendment of Chapter 16 Offenses and Miscellaneous Provisions, Article I. In General, of the City of Venus Code of Ordinances to add Section 16-4 Public Urination and Defecation to prohibit persons from urinating and/or defecating in public within city limits, confirming Texas Open Meetings Act compliance, providing a severability clause, providing a repealer clause, providing a publication clause, providing an effective date, and providing a certification of adoption. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 11. Discussion and possible action on whether to accept or reject landowner Steve H. Hardee, BSAG Properties LTD's, request for five tracts of land to become a part of Venus' extraterritorial jurisdiction, namely; tracts identified by Johnson County CAD numbers 126.0261.00040, 126.0261.00041, 126.0261.00042, 126.0261.00043, and 126.0261.00039, and if accepted, discussion and possible action

adopting Ordinance 425-2016 to specifically and officially memorialize the acceptance.

Council discussed intent to enlarge ETJ to reduce neighboring cities from annexing the borders of the city of Venus.

Councilmember Wood made a motion that was seconded by Councilmember Scott to approve landowner Steve H. Hardee, BSAG Properties LTD's, request for five tracts of land to become a part of Venus' extraterritorial jurisdiction, namely; tracts identified by Johnson County CAD numbers 126.0261.00040, 126.0261.00041, 126.0261.00042, 126.0261.00043, and 126.0261.00039, and adopt Ordinance 425-2016 to specifically and officially memorialize the acceptance. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 12. Discussion and possible action on whether to accept or reject landowners Curley L. Campbell's and Reba J. Campbell's request for one tract of land to become a part of Venus' extraterritorial jurisdiction, namely; a tract identified by Johnson County CAD number 126.4454.06080, and if accepted, discussion and possible action adopting Ordinance 426-2016 to specifically and officially memorialize the acceptance.

Councilmember Prazak made a motion that was seconded by Councilmember Wood to approve landowners Curley L. Campbell's and Reba J. Campbell's request for one tract of land to become a part of Venus' extraterritorial jurisdiction, namely; a tract identified by Johnson County CAD number 126.4454.06080, and adopting Ordinance 426-2016 to specifically and officially memorialize the acceptance. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 13. Discussion and possible action on whether to accept or reject landowners Gerell Leonard's and Staci Leonard's request for one tract of land to become a part of Venus' extraterritorial jurisdiction, namely; a tract identified by Johnson County CAD number 126.4454.06090, and if accepted, discussion and possible action adopting Ordinance 427-2016 to specifically and officially memorialize the acceptance.

Councilmember Scott made a motion that was seconded by Councilmember Wood to approve landowners Gerell Leonard and Staci Leonard's request for one tract of land to become a part of Venus' extraterritorial jurisdiction, namely; a tract identified by Johnson County CAD number 126.4454.06090, and adopting Ordinance 427-2016 to specifically and officially memorialize the acceptance. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 14. Discussion and possible action on whether to accept or reject landowner Robert Ledford's request for one tract of land to become a part of Venus'

extraterritorial jurisdiction, namely; a tract identified by Johnson County CAD number 126.1115.00071, and if accepted, discussion and possible action adopting Ordinance 428-2016 to specifically and officially memorialize the acceptance.

Councilmember Prazak made a motion that was seconded by Councilmember Wood to approve landowner Robert Ledford's request for one tract of land to become a part of Venus' extraterritorial jurisdiction, namely; a tract identified by Johnson County CAD number 126.1115.00071, and adopting Ordinance 428-2016 to specifically and officially memorialize the acceptance. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 15. Discuss and consider approval of Ordinance 429-2016, an ordinance of the city council of the City of Venus, Johnson and Ellis Counties, Texas repealing Ordinance 322-2006, the City of Venus sex offender residency restriction ordinance, confirming Texas Open Meetings Act compliance, providing a severability clause, providing a repealer clause, providing a publication clause, providing an effective date, and providing a certification of adoption.

Item 15 was tabled for discussion in Executive Session.

ITEM 16. Discuss and possible action regarding future implementation of construction project approval process procedures.

City Administrator April Stoll stated current process for construction project approval procedures and made suggestion for streamlining process. Council discussed current construction projects approval process and recommendation.

Councilmember Hernandez made a motion that was seconded by Councilmember Prazak to approve the future implementation of construction project approval process procedures allowing City Administrator to review for approval all non-commercial construction/building projects that are not being replatted; and commercial construction/building projects will continue to come before Council. A vote was cast with 4 in favor, and 0 against. Motion Passed.

ITEM 17. Presentation of monthly department reports:

- Police Department - Chief Boese
- Public Works and Water/Sewer - Public Works Director Cesar Roca
- Administration - City Administrator April Stoll

{Council recessed into Executive Session at 9:20 PM}

EXECUTIVE SESSION:

The City Council reserves the right to meet in a closed session on any of the following items should the need arise and if applicable, pursuant to authorization by TEXAS GOVERNMENT CODE, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

- **Texas Government Code § 551.071 – Deliberations regarding threatened litigation concerning Ordinance No. 322-2006, relating to sex offender residency restrictions within the City of Venus and discussion regarding contemplated litigation regarding Keith Gallegos and his wife.**

{Council reconvened into Open Session at 10:28 PM}

Reconvene into regular session and consider action, if any, on items discussed in executive session.

Councilmember Hernandez made a motion that was seconded by Councilmember Prazak to approve Ordinance 429-2016, an ordinance of the city council of the City of Venus, Johnson and Ellis Counties, Texas repealing Ordinance 322-2006, the City of Venus sex offender residency restriction ordinance, confirming Texas Open Meetings Act compliance, providing a severability clause, providing a repealer clause, providing a publication clause, providing an effective date, and providing a certification of adoption. A vote was cast with 2 in favor, and 1 against (Councilmember Wood); and 1 abstained (Councilmember Scott.) Motion Passed.

ADJOURNMENT

Council Adjourned at 10:31 PM.

APPROVED:



 Mayor James Burgess 4-21-16

ATTEST:



 City Secretary, Kathy Glynn