

**PALM VALLEY CITY COUNCIL
MINUTES
REGULAR MEETING
April 17, 2018**

The City Council of the City of Palm Valley met in a Regular Meeting on the 17th day of April 2018 at 6:00 p.m. at 1313 N. Stuart Place Road, Palm Valley, Texas. The meeting was attended by the following persons:

Mayor George Rivera

Councilmembers: Debe Wright, John Widger, Julie Martin
Absent: Cynthia Thompson, Paul Powers

City Attorney: Jason Mann
City Secretary: Sylvia R. Trevino

Staff: Chief A. R. Garcia
Rosendo Flores, Waterworks Supervisor

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE** – Led by Mayor Rivera.
- 3. CITIZEN COMMUNICATION**

Lorraine Cutney, 1917 Tangelo Circle, was present to speak against the recently adopted backflow ordinance that allows the City to conduct the annual testing of backflow assemblies. She stated that the City will be charging \$50 for the annual test, pass or fail. Currently, she is only paying \$30 that her plumber charges her. She asked that the City reconsider the ordinance and allow the residents to have the option of hiring their own inspectors.

Nancy Crockett, 5320 Guava Circle, commented she is lucky to live in Palm Valley that has a great law enforcement team. She stated that there is a large influx of new people moving in and the City has ordinances that these people are not aware of such as the leash law, barking dogs, how many dogs you can have, reflective clothing on walkers, etc. Either the city is going to enforce the ordinances or it is not. She asked that the City work harder to enforce the ordinances that the city has adopted.

Edna Butler, 5516 Palm Valley Drive North, also spoke against the backflow ordinance stating that she does not want to pay \$50 when she can pay \$35.00. To her, a \$15 difference means a lot. She stated that those that have not complied should be assessed a fine.

Mayor Rivera, responding to the comments on the backflow ordinance, stated that he wished more people would attend the Council meetings. The discussion on the backflow ordinance was held at the last meeting and the ordinance was adopted as a result of residents who did not want to have to choose from so many plumbers who conduct annual testings. He indicated that the issue would be revisited.

**4. MINUTES OF THE REGULAR MEETING OF MARCH 20, 2018
APPROVED**

Councilman Widger made a motion to approve the minutes as submitted. Councilwoman Martin seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

**7. VARIANCE REQUEST WITHDRAWN BY KAREN GONZALEZ , 725
CARO CIRCLE**

Karen Gonzalez, 725 Caro Circle, withdrew her request for a fence variance. She indicated the fence was installed according to the rules and regulations for fences on the Golf Course.

No action by the Council was necessary.

**6. REQUEST FOR A VARIANCE TO THE FENCE REGULATIONS
REGARDING HEIGHT REQUIREMENTS FOR A FENCE AT 5117 RICO
CIRCLE (PROPERTY OWNER: TOM MASON) APPROVED**

Mr. Tom Mason was represented by Hernan Gonzalez.

Mayor Rivera explained that the fence is not visible to the Golf Course and the street. Both of the adjacent property owners are in agreement with the proposed fence height of 8 ft vs 6 ft. Mr. Gonzalez explained he was only replacing the wood portion of the fence due to deterioration but making it 8 ft.

Some concern was expressed over the wind loads on that fence but there was satisfaction that it would hold up.

Councilwoman Wright made a motion to approve the variance request.

Councilman Widger seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously

5. REQUEST FOR A VARIANCE TO THE FENCE REGULATIONS FOR THE CONSTRUCTION OF A FENCE AT 718 CARO CIRCLE DENIED. (PROPERTY OWNER: ANDREW DAHLIN)

Mr. Dahlin was present to request authorization to place a fence alongside his house which faces the street. The front of his house, which was built about 50 years ago, does not face the front of the street.

Mayor Rivera commented that there is no such fence in any of the streets here in Palm Valley; however, they do have small courtyards. This would be more like a patio and would be more decorative, rather than doing a solid wall. He would be reluctant to recommend approval of the variance. He explained that Mr. Dahlin could go from the corner of house to the side but not to the front that faces the street.

Mr. Dahlin liked the idea of a courtyard and stated that he would go and view the other courtyards that are in the city.

Councilwoman Wright made a motion to deny the variance request.

Councilman Widger seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

8. RESOLUTION DENYING AEP TEXAS INC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS TO INCREASE DISTRIBUTION RATES WITH EACH OF THE CITIES IN THEIR SERVICE AREA TABLED

When asked if the City Attorney had any opposition to the resolution, Mr. Mann replied no.

Councilman Widger commented that whether the City passes the resolution or not does not matter. However, the proposal is an \$800,000 decrease for AEP Central. Palm Valley is part of AEP Central. He asked why the Council would reject a decrease to the customers.

Mayor Rivera stated that AEP would still go through with the decrease whether the Council takes action or not.

To gather clarification of the proposed resolution, Councilwoman Wright made a motion to table the resolution until the next meeting.

Councilwoman Martin seconded the motion.

Mayor Rivera took the votes and the motion carried unanimously by those present.

9. CONSENT AGENDA:

- A. Police Monthly Report – March 2018**
- B. Municipal Court Monthly Report – March 2018**
- C. Check Listing – March 2018**
- D. Financial Reports – March 2018**
- E. Investment Reports – March 2018**
- F. Council/staff liaison reports**

Chief Garcia presented his monthly report. He added that officers have been giving citations for barking dogs after an initial warning. He will be adding a piece to the newsletter on the City's leash law. Also, citations will be issued when driving a golf cart without lights and also for walkers for not having reflective clothing. Chief Garcia stated that the leash law applies to cats as well.

Councilwoman Martin made a motion to approve the Consent Agenda.
Councilman Widger seconded the motion.

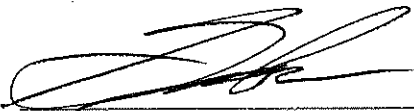
Mayor Rivera took the votes and the motion carried unanimously by those present.

10. PRESENTATION OF APPRECIATION PLAQUE TO JOHN WIDGER.

Mayor Rivera presented a plaque of appreciation to Councilman John Widger. Councilman Widger served as Council member from 2014 to 2018 and as Mayor

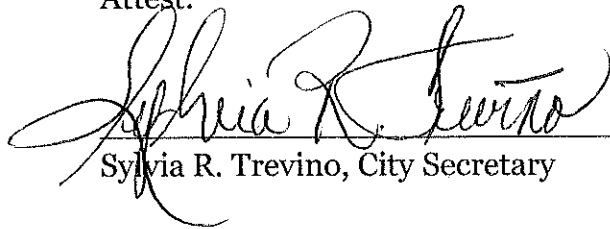
Pro Tem from 2016-2018. This was Councilman Widger's last meeting as he will be moving out of state to be closer to family. Mayor Rivera thanked him for his dedication, loyalty and commitment to the City of Palm Valley.

There being no further business, the meeting adjourned at 6:45 p.m. upon a motion by Councilwoman Wright and a second by Councilman Widger.



George Rivera, Mayor

Attest:



Sylvia R. Trevino, City Secretary