Minutes of Regular Meeting held February 8, 2010

Regular meeting with the following present: Mayor Mark Bowen; Aldermen Jerry Stone, Rudy Hernandez, Ward Sanders, Kevin Keith, Sam Cortez; City Secretary Josie Campa; Public Works Director James McGrath; Police Chief Richard Priest; City Attorney Tom Cate; Fire Marshal Matt Dear; Library Director Cassandra Cortez.


APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
City Secretary Josie Campa added a bill from OMG Police Express Supplies for $877.00. Alderman Hernandez made the motion that Council approve the minutes of the public hearing and regular meeting held January 11th and payment of the bills, as presented. Seconded by Alderman Stone. Passed unanimously.

HEAR FROM CITIZENS
Julio Inocencio told Council that only partial repairs were done to Ball Road and asked when the rest would be done. Mayor Bowen told Mr. Inocencio that due to the rains only part of the repairs could be done and that the crew will do more work on Ball Road as the weather permits.

PRESENTATION OF ANNUAL DANIEL J. MCGRATH, D.V.M. CITIZENSHIP AWARD
Mayor Bowen presented plaques for the city’s annual citizenship award to Alan Rader, Betty and Ernie Kroeger and Ward Sanders. Hector Barrera, Jr. the other recipient of the citizenship award was not present to receive his plaque. Mayor Bowen thanked the winners for all their work on behalf of the city’s new animal control facility.

DISCUSS AND/OR TAKE APPROPRIATE ACTION CONCERNING 2010 CENSUS-SOFIA MORENO AND ATASCOSA COUNTY JUDGE DIANA BAUTISTA
Atascosa County Judge Diana Bautista addressed Council concerning the upcoming census. She told Council of the importance of having all citizens to fill out census paperwork. The Judge told Council that the city can get funding if we get all our citizens to be counted. Sofia Moreno from the Census Bureau urged Council to help spread the word about the upcoming census.

Mayor Bowen told everyone that he had appointed Wayne Vaughn to oversee Lytle’s census program.

Ms. Moreno told Council that the census kick-off is March 1st and all questionnaires are due by April 1st.

Council discussed ways of getting the word out to the public to try and get everyone to return their paperwork to the Census Bureau.
CONSIDER RENEWAL OF FRANCHISE AGREEMENT WITH CPS ENERGY - LISA PONCE
Lisa Ponce from CPS Energy told Council that the franchise agreement the City has with CPS will be up in a few months and asked them to consider renewing the franchise agreement. She told Council that nothing has changed in the renewal agreement, still 3% of gross receipts and a 20-year term. City Attorney Tom Cate told Ms. Ponce that the trees are being cut way too much and that if another city enters into a contract with CPS that pays more than 3%, Lytle would like the same.

The City Attorney presented paragraphs he would like to see added to the franchise agreement. After discussion, Alderman Hernandez made the motion that the Council renew the franchise agreement with CPS contingent upon CPS working with the City Attorney on the two items he brought up. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER REQUEST FROM HECTOR BARRERA, JR. TO ALLOW HIM TO USE WATER FROM FIRE HYDRANT
Mayor Bowen told Council that a few weeks ago Hector Barrera needed water from a fire hydrant for a project in Lytle he was working on. However, due to the ordinance prohibiting this he was unable to get this water. The Mayor asked Council to consider amending this ordinance to allow contractors to have water from hydrants for construction inside the city limits. The Mayor told Council he expects Best Western will need water from a hydrant for construction purposes. Council had a lengthy discussion on this matter and how this could be regulated. They also discussed having a tiered rate system for this water and not allowing this during a drought. After more discussion, this item was tabled.

CONSIDER BID RECEIVED ON OLD POLICE CAR
City Secretary Josie Campa told Council that Mr. Favor had bid $855.00 for the old police car. Alderman Hernandez made the motion that Council approve this bid. Seconded by Alderman Sanders. Passed unanimously.

CONSIDER SPAY/NEUTER COST SHARE PROGRAM FOR ADOPTED ANIMALS USING DONATED FUNDS
Police Chief Richard Priest talked to Council about a cost/share program for spaying and neutering using the money donated by Lytle State Bank. He told Council that at the present time people adopting animals from the city's new facility are not required to have these animals spayed or neutered since they feel the adoption would not occur if this was required. The Chief told Council the committee was proposing the city pay $20.00 for a cat and $30.00 for a dog to be either spayed or neutered on the special prices the Lytle Vet has given the city. The Chief told Council this could be done as long as funds are available. Council then discussed several items on this proposal with Chief. After lengthy discussion, Alderman Stone made the motion that Council approve the Chief's proposal as outlined and that the other things brought up be discussed at another meeting. Discussion on need for spay/neuter program. Alderman Keith seconded Alderman Stone's motion. Alderman Hernandez questioned the motion and suggested
CONSIDER SPAY/NEUTER COST SHARE PROGRAM FOR ADOPTED ANIMALS USING DONATED FUNDS (CONT.)
a time period be placed on this proposal. After more discussion Alderman Stone amended his motion to include a 60 day time period and using only the $500.00 donated by Lytle State Bank and any other monies donated will be held for later program. Seconded by Alderman Keith. Passed unanimously.

CONSIDER ORDINANCE ADOPTING ZONING CHANGE FOR EMERY PROPERTY
Alderman Sanders made the motion that Council adopt the ordinance for the zoning change on the Emery property. Seconded by Alderman Hernandez. Passed unanimously.

Council took a short break at 8:05 p.m. and reconvened at 8:20 p.m.

CONSIDER ORDINANCE AMENDING CODE OF ORDINANCE CONCERNING FOOD HANDLERS
City Attorney Tom Cate presented an ordinance amending the city’s present ordinance to include Chapter 438 of the Health and Safety Code concerning food service. Council had a lengthy discussion on the need for this amendment to the City Code and how it will be enforced. Alderman Hernandez made the motion that Council adopt this ordinance. Seconded by Alderman Cortez. Discussion. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF JACOB GROTHUES
Director of Public Works James McGrath told Council that Jacob Grouthes had completed his 6-months probation and recommended he be hired as a regular employee and be given a $1.00 per hour salary increase. Alderman Cortez made the motion that Council hire Jacob Grouthes as a regular employee and he be given a salary increase of $1.00 per hour and full benefits. Seconded by Alderman Stone. Passed unanimously.

CONSIDER RECOMMENDATION FROM LIBRARY ADVISORY BOARD TO PURCHASE BIBLIONIX SYSTEM FOR LIBRARY AT COST OF $2,400.00
Library Director Cassandra Cortez told Council about the current system being used at the library no longer being supported and explained the new system approved by the advisory board. Alderman Sanders made the motion that Council approve the recommendation from the Library Board to purchase the Biblionix system for $2,400.00. Seconded by Alderman Hernandez. Passed unanimously.

CONSIDER HIRING SOUTHWEST SECURITIES TO FILE CONTINUING DISCLOSURE DOCUMENTS AS PER SECURITIES EXCHANGE COMMISSION
Alderman Keith made the motion that Council hire Southwest Securities to file the “continuing disclosure” documents. Seconded by Alderman Cortez. Passed unanimously.
CONSIDER HIRING EMPLOYEE TO FILL VACANCY IN OFFICE
City Secretary Josie Campa recommended to Council that they hire Angela Perdue to fill the vacancy in the office. Alderman Hernandez made the motion that Council hire Angela Perdue at $8.00 per hour to fill the vacancy in the office. Seconded by Alderman Sanders. Passed unanimously.

PRESENTATION OF 2009 RACIAL PROFILING REPORT
Police Chief Richard Priest presented the 2009 Racial Profiling Report to Council. He then reviewed this report.

He told Council this will have to be sent to Austin next year.

LIBRARY DIRECTOR’S REPORT
Library Director Cassandra Cortez reviewed her written report with Council.

DIRECTOR OF PUBLIC WORKS’ REPORT
Public Works Director James McGrath reported the following:

1 - 170 work orders completed since last meeting;
2 - 2 new water meters were installed;
3 - 1 main line leak fixed;
4 - 2 small leaks fixed;
5 - 5 customer line leaks fixed;
6 - 4 water meters replaced;
7 - water samples from EAA were good;
8 - 1 sewer stoppage unclogged;
9 - checked man holes;
10 - 1 sewer leak fixed; and
11 - CPS overseeing gas department now and our crew assisted with info on system.

POLICE CHIEF’S REPORT
Police Chief Richard Priest reviewed his written report with Council.

CITY SECRETARY’S REPORT
The City Secretary reviewed her written report with Council.

MAYOR’S REPORT
Mayor Bowen complimented Alderman Stone for his due diligence on getting the siren system in working order.

The Mayor told Council there was about 200 people at the grand opening for the Animal Control facility.
Minutes of Regular Meeting held February 8, 2010-page 5

MAYOR'S REPORT (CONT.)
Mayor Bowen told Council that the Subway owner is ecstatic about Lytle’s support over the past month.

The Mayor told Council he had attended the Trail Riders function at Harris Western Center and that Fred Morales of Morales Feed Lot has bought three acres and the store from George Harris.

Mayor Bowen told his committee for a sports complex is nearly ready and they will be working on developing a master plan first.

The Mayor told Council that Best Western had called and said they want to talk to Council about utilities they need for the motel. He said we would call a special meeting for this when they are ready to meet with Council.

Meeting adjourned at 9:40 p.m.