Minutes of Regular Meeting held May 9, 2011

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


Mayor Bowen opened the meeting at 6:33 p.m.

The Mayor introduced the Code Compliance Officer, Mark Medbury, to Council and people in the audience.

APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
City Secretary Josie Campa told Council she had received a bill from West Texas Gas late that afternoon that totals $5,857.61. Alderman Stone made the motion that Council approve the minutes of the regular meeting held April 11th and the special meeting held April 18th and payment of the bills, as presented. Seconded by Alderman Cortez. Passed unanimously.

HEAR FROM CITIZENS
Ernie Kroeger asked Council what is being done about dilapidated buildings. Code Compliance Officer Mark Medbury told Mr. Kroeger and the Council that three (3) people have been sent letters about their dilapidated buildings.

Police Chief Richard Priest presented Reserve Officer Mark Montgomery with a plaque for ten years of service. Mayor Bowen told Council that Officer Montgomery is an asset to the department since he is qualified to do the training.

City Secretary Josie Campa presented Assistant City Secretary Virginia Medina with a certificate of achievement for ten years of service to the City of Lytle.

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS AND PRESENTATION OF CERTIFICATES OF ELECTION
City Attorney Tom Cate administered the Oath of Office to newly-elected Aldermen Ward Sanders, Sam Cortez and Kevin Keith.

Mayor Bowen presented Certificates of Election to each of the newly-elected Aldermen and thanked them for their service.
CONSIDER REDUCTION OF IMPACT AND WATER ACQUISITION FEES IN
CONSIDERATION OF WORK BY LYTLE LODGING, LLC TO OBTAIN TCF GRANT
FOR NATURAL GAS EXPANSION—LYTLE LODGING, LLC
Niraj Desai from Lytle Lodging asked Council to consider lowering and deferring the impact and
acquisition fees for the Best Western in view of their work in obtaining a Texas Capital Fund
grant for the city's gas line on the south side of IH 35. Mr. Desai told Council Lytle Lodging
would continue to work on meeting the grant requirements by hiring necessary employees and
filing reports. Mr. Desai told Council that originally he had asked for these fees to be waived,
but now he is just asking for the impact and acquisition fees to be lowered and deferred. Mr.
Desai told Council that these fees had been calculated at about $65,000.00 and requested they be
lowered to $19,500.00. He also asked that the impact fees be deferred to January, 2012 and the
acquisition fees til January of 2013. Mr. Desai said they will pay the tapping fees as required by
the city. Mr. Desai told Council that his business could be started and earning before these other
fees would become due and therefore, make it easier for them to pay these fees. Mr. Desai told
Council that his rationale for this request is because they are bringing alot to the city’s table. He
also said with the $300,000.00 grant, as well as adding taxable value to the city, and therefore,
adding alot of additional property tax that he estimates motel tax will bring the city well over
$50,000.00 a year. And lastly, by having gas on that side of IH 35, the properties will attract
businesses and improve economic development in Lytle. After a lengthy discussion, Alderman
Stone made the motion that Council grant Lytle Lodging's request as per Mr. Desai’s proposal.
Seconded by Alderman Cortez. Discussion. City Attorney Tom Cate suggested Council set up a
policy for the future. Motion was passed unanimously.

CONSIDER REQUESTS FROM LYTLE VFW FOR THINGS NEEDED FOR
UPCOMING FREEDOM WALK SEPTEMBER 10TH & 11TH—LARRY SANDERS
Larry Sanders and Carlos Vela from the Lytle VFW told Council that the 6th Annual Freedom
Walk is scheduled for September. Mr. Sanders told Council that this year the event will be two
(2) days, starting Saturday morning, with the walk and then having booths at the park during the
day and a concert that night featuring Gabe Garcia, and then having an interfaith service Sunday
morning. Mr. Sanders asked Council for the city’s support for this 2-day event. He said the
event at the park would be similar to the Frenchie Burke Festival with booths and vendors.
Council discussed monetary support for this event. After a lengthy discussion, Alderman Farmer
made the motion that Council give the VFW $3,500.00 for this event. Seconded by Alderman
Cortez. Passed unanimously.

CONSIDER RECOMMENDATION FROM ZONING COMMISSION FOR ZONING
CHANGES
City Secretary Josie Campa told Council that the Zoning Commission had met and told them of
their recommendations for rezoning areas in the city. Lorraine Vaughan told Council that several
years ago the Commission had recommended FM 2790 North be rezoned commercial and the
property owners in that area petitioned Council to leave it the way it was. She asked Council to
again leave the zoning in that part of the city residential and not change it to commercial the way
some of the Zoning Commission members had suggested. After discussion, Alderman Sanders
CONSIDER RECOMMENDATION FROM ZONING COMMISSION FOR ZONING CHANGES (CONT.)
made the motion that Council accept the Zoning Commission’s recommendations with the exception of FM 2790 North. Seconded by Alderman Keith. Passed unanimously.

CONSIDER SALE OF EFFLUENT WATER
Craig Bell, TRC engineer talked to Council about selling effluent water. Mr. Bell told Council that this is a very hot topic right now due to the fracking being done in this area. Mr. Bell said that the city would probably need to contact TCEQ about this matter and then once approved have Tom Cate draw up an agreement. Mayor Bowen told Council this could be a decent revenue generator for the city if done. After discussion, Alderman Stone made the motion that Council proceed with a letter to TCEQ once Craig Bell checks on this. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER H.E.B.’S REQUEST FOR RELEASING EASEMENT FROM GEORGE PYRON, SR.
City Secretary Josie Campa told Council that H.E.B. is asking the city to release a utility easement from George Pyron, so that they can put an entrance to their new store off of Hwy 132. City Attorney Tom Cate told Council to proceed with caution on this request. After discussion, Council agreed to take no action on this request and have H.E.B. make a presentation to Council at the next regular meeting concerning their request.

CONSIDER APPROVAL OF MASTER PLAN FOR SPORTS COMPLEX
Mayor Bowen asked Council for approval of the “Sport Complex” master plan. He said once this is done the city can proceed with trying to find monies for each task in the master plan. After a lengthy discussion, Alderman Sanders made the motion that Council approve the said master plan. Seconded by Alderman Keith. Passed unanimously.

Council took a short break at 7:45 p.m., and reconvened at 7:59 p.m.

CONSIDER PROPOSALS ON DEMOLITION OF STRUCTURES ON NORTH SOMERSET ST.
City Secretary Josie Campa told Council that the city had received one bid from South Texas A to Z Construction for $5,900.00. Alderman Stone made the motion that Council accept the bid from South Texas A to Z Construction continent upon the City Attorney’s approval on the 50% down part of the proposal. Seconded by Alderman Sanders. Passed unanimously.

CONSIDER GRAFFITI ORDINANCE-RICHARD PRIEST
Chief Priest presented copies of the new graffiti ordinance, due to new State law. Council discussed this item at length, then Alderman Farmer made the motion that Council go forward with this ordinance by having the City Attorney draw up a basic ordinance for graffiti for the next regular meeting. Seconded by Alderman Cortez. Passed unanimously.
CONSIDER EXPLORING CREATION OF AN EMPLOYEE SICK LEAVE POOL - RICHARD PRIEST
Police Chief Richard Priest gave Council an example of an employee that has very little sick leave and a wife that is very ill. He requested a policy be adopted to allow employees to give leave days to another employee in cases such as mentioned above and asked for permission to look into this matter. After discussion, Alderman Keith made the motion that Council allow the Chief to look into this item. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER STREET LIGHTING FOR NORVELL STREET
After discussion, Alderman Keith made the motion that Council approve two (2) non decorative lights be installed on Norvell Street. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER RENOVATING AREA AT LIBRARY WITH MONIES DONATED BY LYTLE WOMAN'S CLUB
City Secretary Josie Campa told Council that the grant that the library had applied for was not approved. She asked Council’s permission to use the $10,000.00 the Woman’s Club had donated for the purpose of doing the remodeling job at the library. Alderman Stone made the motion that Council approve this request. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER ADOPTING ORDINANCE AMENDING PRESENT FOOD HANDLERS’ ORDINANCE
Alderman Stone made the motion that Council adopt the ordinance amending the food handler’s ordinance. Seconded by Alderman Keith. Passed unanimously.

CONSIDER ACTION (S) FOR GETTING RID OF UNUSED CITY VEHICLES, EQUIPMENT, FURNITURE, ETC.
City Secretary Josie Campa told Council that the city departments have alot of unwanted, unused and inoperable items that include old vehicles and equipment in the Public Works department. She asked Council how they want to get rid of these items. After discussion, Alderman Keith made the motion that each department manager get the unused items ready for a sale or auction by September. Seconded by Alderman Stone. Passed unanimously.

CONSIDER REDISTRIBUTING DUE TO CENSUS FIGURES
City Secretary Josie Campa told Council about the letter from Rolando Rios concerning the need for redistricting due to the Census figures. She said Mr. Rios can draw up the boundaries for the districts but is requesting a letter from the city authorizing him to do so. Alderman Sanders made the motion that Council authorize Mr. Rios to draw up the boundary lines for the new districts. Seconded by Alderman Keith. Passed unanimously.
CONSIDER LANDSCAPING ORDINANCE
City Secretary Josie Campa told Council that Craig Bell had sent a landscaping ordinance for Council’s review, and said this ordinance does not meet Lytle’s needs. After discussion, Alderman Keith made the motion, that Council get the Code Compliance Officer to look at this ordinance and make recommendations to Council. Seconded by Alderman Farmer. Passed unanimously.

UPDATE ON CITY’S PLANS AND GOALS
City Secretary Josie Campa told Council that work was done on three (3) of the goals discussed last month: landscaping ordinance and zoning changes were on this agenda and she has talked to people about technology for city hall and networking existing programs. Alderman Sanders told Council he feels a workshop is needed for working on goals. Council agreed that they would hold a special meeting on June 20th for evaluations of department heads and a workshop on July 18th to discuss goals.

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

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

1 - 221 work orders completed last month;
2 - 1 new water meter was installed;
3 - 2 water leaks were fixed;
4 - 1 angle stop replaced on water meter;
5 - 2 service lines were replaced;
6 - 4 inch water meter installed;
7 - H.E.B. water line installed (approximately 1800 feet of water line with 6 fire hydrants);
8 - water samples taken on this line and they were good so line was approved;
9 - TxDOT permit obtained for connecting H.E.B.;
10 - tower and tanks were inspected in April;
11 - gas system surveyed April 13th;
12 - TCEQ will be conducting inspection of water system on June 9th; and
13 - crew will be working the Frenchie Burke Music Festival.

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

CITY SECRETARY’S REPORT
City Secretary Josie Campa reviewed her written report with Council.
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MAYOR'S REPORT
Mayor Mark Bowen reported on the following:

1 - H.E.B. building is ahead of schedule;
2 - Niraj Desai is saying Best Western will be ready in July;
3 - Dr. Hack and his father are building a strip mall on property in front of community center; and
4 - people are looking at land on IH 35.

Alderman Sam Cortez thanked the Mayor, and other city officials for their help with the Coal Mine entrance when it was blocked by the railroad people.

Alderman Keith asked that streets be placed on the next agenda.

Meeting adjourned at 9:00 p.m.