Minutes of Regular meeting held January 8, 2007

Regular meeting with the following present: Mayor Horace Fincher; Aldermen Jerry Stone, Gerry Elias, Mark Bowen, Erik Dahler, Sam Cotter; City Secretary Josie Campa; Police Chief Richard Priest; Director of Public Works James McGrath; City Attorney Tom Cate.

Visitors: Paul Boedeker, Rudy Ruiz, Philip Ruiz, Richard Crain, Wayne Vaughan, Margaret Trouart, Jo Ann Null, Cary Rhodes, William Alonzo, Matt Dear, Beverly McCune, Mark McLiney, Jay Dahler, Shawna Lewis, Brian Cunningham, Bruce Reed.

APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
Alderman Elias made the motion that Council approve the minutes of the regular meeting held November 16th, the public hearing held December 7th and the special meeting held December 28th and payment of the bills, as presented. Seconded by Alderman Bowen. Passed unanimously.

HEAR FROM CITIZENS
Bruce Reed with Community National Bank told Council that they have bought five acres in Lytle and will be opening a branch office. He said they will be getting part of the property rezoned. He told Council they will probably do what they have done in Castroville and also have a title company in with their branch office.

Richard Crain ask Council to look into doing something about the birds. Council agreed to look into the cannons that are used by San Antonio to clear up this problem.

Beverly McCune asked Council why her items from the previous meeting were not on the agenda. The City Secretary told Ms. McCune that the city attorney is getting a sample ordinance first and then the item would be back on the agenda. City Attorney Tom Cate told Council and Ms. McCune that he would get the ordinance for the February meeting.

CONSIDER REQUIRING DEVELOPERS OR NEW INDUSTRY TO SUPPLY WATER RIGHTS FOR THEIR DEVELOPMENT OR INDUSTRY
Paul Boedeker, Philip and Rudy Ruiz gave Council their thoughts about requiring developers to supply the water for their developments or industry, all three thought that since water acquisition is one of the water components used for calculating the impact fee that ordinance should be amended. Council agreed to set up a workshop on the impact fee on January 22nd. No action was taken.

CONSIDER ISSUANCE OF NEW CERTIFICATES OF OBLIGATION AND REFINDBING OF EXISTING CERTIFICATES-MARK McLINEY
Mark McLiney from Southwest Securities complimented Council and city staff for good financial management. Mr. McLiney told Council he had reviewed numbers for the city issuing new certificates of obligation, and said he doesn’t see a problem with this, since the city is doing so well financially. He reviewed the steps that would have to be taken to get certification of obligation and said the city could have the money in the bank pretty quick after taking these steps. Mr. McLiney also told Council he had looked at the existing certificates to check advance refunding and due to the payoff not being large enough he said it would be better to not pursue this at this time. The Mayor and Council agreed it was nice to know this option is available, if necessary; and would keep it in mind should the city decide to purchase more water rights.

CONSIDER REQUEST FOR VARIANCE ON SETBACK REQUIREMENTS-CARY RHODES
Cary Rhodes, property owner on Lytle-Somerset Street told Council he is in the process of starting to build a home on his property and request a variance of about five (5) feet on the front yard set back requirement. Mr. Rhodes showed Council a sketch of his property and the proposed house. Alderman Bowen made the motion that Council grant Mr. Rhodes request for a variance of five (5) feet on front yard requirement. Seconded by Alderman Stone. Passed unanimously.
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CONSIDER EXTENDING "NO PARKING" ZONE ON IH 35 SOUTH ACCESS ROAD TO FM 3175

City Secretary Josie Campa told Council that George Harris had requested the right-of-way in front of his businesses on the access road be made "No Parking" zone like the right-of-way in front of McDonald’s and Bill Miller’s. Chief Priest told Council a cable or physical barrier is needed to help keep vehicles from being parked in these zones. After discussion, Alderman Elias made the motion that Council have the "No Parking" zone on the IH 35 access road extended from Harris Western Center to FM 3175. Seconded by Alderman Stone. Passed unanimously.

CONSIDER REQUEST FOR INFORMATION REGARDING STATUS OF LYTLE MUSEUM AND MUSEUM BOARD AND CONSIDER APPOINTMENT OF MEMBERS TO MUSEUM BOARD

Margaret Trouart told Council the museum and board had been on hold while waiting to hear about the grant and she said now that the grant has been turned down they would like to get back to work and try to get something done with the house and property the city has. Mayor Fincher told Mrs. Trouart the board needs to go back and decide what to do for a museum and come back to Council.

The Mayor asked Mrs. Trouart to talk to current members that are serving a one-year term to see if they want to continue serving. This item will be on the February agenda.

CONSIDER FIRE DEPARTMENT'S LADDER TRUCK

Matt Dear, Vice President of the Lytle Volunteer Fire Department, told Council that the ladder on the fire truck is not cracked, but that the engine is not working. Mr. Dear told Council of different options available for fixing the fire truck. The best option will cost the department $15,200.00 to repair the truck. After discussion, Alderman Stone made to motion that the city give the fire department $15,000.00 for the engine repair. Seconded by Alderman Elias. Alderman Dahler questioned where the money will come from in the budget. The City Secretary told Council that reserve funds could be transferred to meet this expenditure. Motion was passed unanimously.

CONSIDER APPOINTING MUNICIPAL COURT CLERK

City Secretary Josie Campa told Council that Dana Caldwell had attended a 32-hour clerk course in December, and recommended she be appointed Municipal Court Clerk on a trial basis and be given a $1.00 per hour increase in salary. Alderman Dahler made the motion that Council appoint Dana Caldwell as Court Clerk as recommended by the City Secretary. Seconded by Alderman Stone. Passed unanimously.

Council took a short break at 7:42 p.m. and reconvened at 7:52 p.m.

CONSIDER RESIGNATION FROM MUNICIPAL COURT JUDGE (S)

Mayor Fincher asked Council to read his resignation as Municipal Court Judge, then asked for a motion. Alderman Bowen made the motion that Council accept Horace Fincher’s resignation. Seconded by Alderman Cortez. VOTE- For motion: Aldermen Bowen, Cortez, Dahler and Stone. Alderman Elias abstained motion carried.


CONSIDER APPOINTMENT OF MUNICIPAL COURT JUDGE (S) - CLOSED SESSION PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE

Mayor Fincher announced at 7:55 p.m. that Council would go into closed session as allowed by Section 551.074 of the Government Code. The meeting was reopened at 8:22 p.m. Mayor Fincher announced that Council had discussed the matter thoroughly.

Alderman Bowen made the motion that Council advertise for proposals on the Municipal Court Judge’s position, and assign a committee consisting of the Mayor, Alderman Stone and himself and the Police Chief and City Secretary on her appointee interview the people submitting the proposals. Seconded by Alderman Dahler. VOTE-FOR motion: Aldermen Bowen, Dahler, Cortez and Stone. Alderman Elias abstained. Motion carried. Alderman Dahler commented that applicants may try to lobby for this appointment and that committee members, not talk to them and tell them to go through the interview process. Council agreed.
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CONSIDER STREET LIGHT SURVEY
Mayor Fincher told Council Alderman Stone had volunteered to conduct a street light survey. Alderman Elias made the motion that Council appoint Alderman Stone to do the street light survey. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER RENewAL OF DELINQUENT TAX COLLECTION CONTRACT
Alderman Bowen made the motion that Council renew the delinquent tax contract with Tom Cate. Seconded by Alderman Stone. Passed unanimously.

CONSIDER ANNUAL CITIZENSHIP AWARD
Mayor Fincher told Council that he had discussed the annual citizenship award with the City Secretary and that they both agreed to nominate Ruble Farmer for this award. The Mayor asked Council if they had any nominees for this award. Council didn’t and agreed Mr. Farmer was an excellent choice. Alderman Elias made the motion that Council award the 2006 Daniel J. McGrath D.V.M. Citizenship Award to Ruble Farmer. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER CALLING FOR ELECTION
Alderman Elias made the motion that Council order an election to be held May 12, 2007 for the purpose of electing three Aldermen for Districts 1,2, and 3. Seconded by Alderman Stone. Passed unanimously.

PUBLIC WORKS' DIRECTOR'S REPORT
Director of Public Works James McGrath reported on the following:
1-350 work orders completed since last regular Council meeting;
2-have started a gas meter change out program;
3-have had three water main breaks and, broken sewer line to fix;
4-install 3 new water meters and moved one meter;
5-finished putting up Christmas decorations and assisted with the hayride;
6-TCEQ conducted water and sewer system inspections on December 6th; and
7-took 20 hour courses in November and December, took "CN water exam in December and "C" sewer exam last Friday; and received word that he passed the water test.

POLICE CHIEF'S REPORT
Police Chief Richard Priest reviewed his written report with Council. He told Council that the November report was put in their boxes in December.

The Chief told Council he had received five (5) applications for the vacant position and he hopes to be ready by February for hiring a new officer.

The Chief told Council he has been on leave since his wife had emergency surgery and his daughter has been ill.

CITY SECRETARY'S REPORT
City Secretary Josie Campa reviewed her written report with Council.

MAYOR'S REPORT
Mayor Fincher reported to Council on the following items:
1-grease traps are a problem and the city attorney will be sending a letter as per the code to business owners to give them six months to get grease traps fixed or replaced;
2-six foot fence at park has been completed;
3-T-ball field was going to be turned around but since the privacy fence was put up the problem has been solved;
4-will be making a presentation at AACOG on January 9th on the city's grant application and it will be difficult because he will be the first presenter;
5-told Council about experience with a woman who came to his door a week before Christmas wanting to check the water, and said he called the police and
6-City had a good year in 2006, his personally wasn’t as good.

Meeting was adjourned at 8:47 p.m.

Mayor

City Secretary