Minutes of Regular Meeting held January 13, 2003

Regular meeting with the following present: Mayor Horace Fincher; Aldermen Mark Bowen, Gerry Elias, Charles Bushart, Juan Garcia, Erik Dahler; City Secretary Josie Campa, Director of Public Works Alfredo Aguinaga, City Attorney Tom Cate; Police Chief Richard Priest.


APPROVE MINUTES & APPROVE PAYMENT OF BILLS
City Secretary Josie Campa added the bill from Tom Cate in the amount of $787.50 for legal fees. Alderman Elias made the motion that Council approve the minutes of the public hearing and regular meeting held November 11, and payment of the bills, as presented. Seconded by Alderman Garcia. Passed unanimously.

HEAR FROM CITIZENS
Bobby Roberts asked about getting work done on Ball Road.

Christi Vaughn complimented the decorations for the Veterans’ Memorial Park, and said the lights need to be put on the flags again. Mrs. Vaughn told Council that Adams Street is also needing work done on it.

Alderman Garcia thanked the city employees for the decorations put up for the holiday season.

CONSIDER RECOMMENDATION FROM MOBILE HOME COMMISSION ON REQUEST FROM CHARLES M. BROWN
This item was scratched.

CONSIDER REQUEST FROM ANNA DIXON FOR VARIANCE ON BACKYARD REQUIREMENTS
Anna Dixon explained to Council about the need for a back yard variance for her daughter’s mobile home placement. Alderman Bowen made the motion that Council grant the backyard variance for Kristine Dixon. Seconded by Alderman Bushart. Passed unanimously.

CONSIDER REQUEST FROM BOB ROBERTS, JR. TO DISANNEX PROPERTY ON BALL ROAD
Bobby Roberts told Council that Ball Road is not a city street, just a utility easement and said he would like to get something for his taxes or have the property disannexed from the city. Mayor Fincher told Mr. Roberts to get all the facts together and to get with Tom Cate about this matter. No action was taken.
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JACK MCFARLAND—SEWAGE BEING RUN ON HIS PROPERTY BY NEIGHBORS

Jack McFarland told Council this is the third time he has requested something be done about the sewage that is being run onto his property. Mayor Fincher told Mr. McFarland and the Council that the city had a man come out to look at this problem and that once we receive his report the city will get with the property owners to try to resolve this situation.

CONSIDER REQUEST FROM RICHARD HUGHES FOR 2 A.M. LICENSE FOR BABY HUEY'S

Richard Hughes asked Council to consider allowing him to get a 2 A.M. license for Baby Huey's. Mayor Fincher told Council and Mr. Hughes that he had talked to the Police Chief and City Secretary about this request and that the rest of the bars in the area close at midnight and that granting this request would be a burden on the police department and strongly advised against granting this request. Mr. Hughes told Council there are four to six bars open until 2 A.M. in Medina County. Police Chief Richard Priest said if Council grants this request, it will set the hour for all the city. He also said the Atascosa County Sheriff asked Commissioners Court to remove the 2 A.M. license in Atascosa County since additional policing was required. After discussion, Alderman Garcia made the motion that Council grant the request from Richard Hughes for a 2 A.M. license. Mayor Fincher called for a second to the motion three times. Motion died for lack of a second.

CONSIDER REQUEST FROM JAMES YOUNG FOR VARIANCE (S) ON SETBACK REQUIREMENTS FOR APARTMENTS

Jim Young showed Council a sketch of placement of the apartment complex and asked for a variance of the backyard requirements. After discussion, Alderman Elias made the motion that Council grant this variance to Mr. Young. Seconded by Alderman Bushart. Passed unanimously.

CONSIDER APPROVAL OF REPLAT OF PROPERTY FOR APARTMENT COMPLEX

City Secretary Josie Campa told Council that the properties still do not belong to Mr. Young, so approval would have to be contingent upon purchase of the land and the engineer's approval. Alderman Bushart made the motion that Council approve the replat of the property for the apartment complex contingent upon the engineer's approval and purchase of the land. Seconded by Alderman Dahler. VOTE: FOR—Alderman Bushart, Dahler, Bowen and Elias. Alderman Garcia abstained. Motion carried.

CONSIDER APPROVAL OF INTER-JURISDICTIONAL MUTUAL AID AGREEMENT WITH ATASCOSA COUNTY

City Attorney Tom Cate told Council he had reviewed this document and recommended it be approved. Alderman Bowen made the motion that Council approve the Inter-Jurisdictional Mutual Aid Agreement with Atascosa County. Seconded by Alderman Elias. Passed unanimously.

CONSIDER REQUEST FROM TOP GUN TELECOM TO PLACE ANTENNAS ON CITY WATER TOWER(S)

Alderman Dahler told Council he feels the city should get a fixed rent fee of around $200.00 per month instead of a percentage and that he can probably get more details. After discussion, this item was tabled until the city hears from Top Gun Telecom.

CONSIDER PROPOSAL FROM COMET NEON ADVERTISING COMPANY ON LETTERING FOR COMMUNITY CENTER SIGN

Mayor Fincher told Council that the city's share on the proposal from Comet Neon Advertising Company is $1875.00 and recommended the proposal be approved. Alderman Elias made the motion that Council approve the proposal from Comet Neon Advertising Company on the lettering for the Community Center sign. Seconded by Alderman Bowen. Passed unanimously.

Council took a short break at 7:35 p.m. and reconvened at 7:50 p.m.
CONSIDER ADOPTING RESOLUTION TO SUPPORT REINSTATING THE EXEMPTION FOR COMMUNITIES LESS THAN 5000 TO ALLOW PLUMBING WORK TO BE PERFORMED BY AN UNLICENSED PLUMBER
Alderman Dahler made the motion that Council adopt the resolution to support reinstating the exemption for communities less than 5000 to allow plumbing work to be performed by an unlicensed plumber. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER ADOPTING RESOLUTION AUTHORIZING INTERVENTION IN CPL’S FUEL RECONCILIATION CASE
City Attorney Tom Cate told Council that CP & L is trying to get more money and recommended Council adopt this resolution. Alderman Bowen made the motion that Council adopt the resolution authorizing the intervention in CPL’s fuel reconciliation case. Seconded by Alderman Elias. Passed unanimously.

CONSIDER AMENDMENT TO COMMUNITY CENTER USER POLICY TO INCLUDE PARAGRAPH CONCERNING MAJOR DISASTERS
Council discussed the proposed amendment to the Community Center User policies. Council agreed the policy should read “The City of Lytle reserves the right to void a contract with a user, should the overriding needs of the community require the city to set up a shelter at the community center. If this should happen, the city would refund all fees paid by the user.” Alderman Elias made the motion that Council adopt the above mentioned amendment. Seconded by Alderman Bowen. Discussion. Passed unanimously.

CONSIDER POLICY FOR WATER CUSTOMERS TO FIX WATER LEAKS OR HAVE WATER DISCONNECTED
After discussion, Council agreed that leave out the words “quite large” in the proposed policy for water customers with water leaks. Alderman Elias made the motion to approve the proposed policy as amended. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER REPAIRS TO CITY HALL ROOF
Mayor Fincher recommended Council go out for bids on reroofing the City Hall roof. Alderman Elias made the motion that Council advertise for bids for the City Hall roof. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER DECREASING GAS RATES FOR WINTER MONTHS
Alderman Elias made the motion that Council remove the gas surcharge for the next couple of months. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER APPOINTMENT TO MOBILE HOME COMMISSION
City Secretary Josie Campa told Council that Ajay Frausto has agreed to serve on the Mobile Home Commission. Alderman Garcia made the motion that Council appoint Ajay Frausto to the Mobile Home Commission. Seconded by Alderman Bushart. Passed unanimously.

CONSIDER APPOINTMENT TO ZONING COMMISSION
City Secretary Josie Campa told Council that Ann Patrie had volunteered to serve on Zoning Commission. Alderman Elias made the motion that Council appoint Ann Patrie to the Zoning Commission. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER APPOINTMENT OF MEMBERS TO THE ATASCOSA COUNTY ECONOMIC DEVELOPMENT CORPORATION’S BOARD OF DIRECTORS
City Secretary Josie Campa told Council that the terms of Cornelius Ripps and Margaret Trouart on the ACEDC Board have expired. Alderman Bowen made the motion that Council reappoint Cornelius Ripps and Margaret Trouart to the ACEDC Board. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF JOHNNY STEVENS
Director of Public Works Alfredo Aguinaga recommended to Council that Johnny Stevens be hired as a regular employee and be given a $1.00 per hour salary increase and full benefits. Alderman Bushart made the motion that Council hire Johnny Stevens as a regular employee and he be given a dollar an hour increase and full benefits. Seconded by Alderman Bowen. Passed unanimously.
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CONSIDER DISPOSITION OF POLICE VEHICLE
Council discussed the disposition of the old police vehicle. After discussion, Alderman Garcia made the motion that Council check with the Medina County Sheriff’s Office to see if they are interested in the police vehicle and if not, advertise for sealed bids. Seconded by Alderman Bushart. Passed unanimously.

CONSIDER RENEWAL OF DELINQUENT TAX COLLECTION CONTRACT
Alderman Elias made the motion that Council renew the contract for delinquent tax collection with Tom Cate. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER ANNUAL CITIZENSHIP AWARD
Council voted by secret ballot for the Annual Citizenship Award. Mayor Fincher read the ballots and said that Darlene Fincher received two votes, Jeanie Habarka—one vote, Virginia Medina—one vote, and George Harris—one vote. After review of ballots—The results were:
- Darlene Fincher—2 votes,
- Jeanie Harbarka—2 votes,
- Virginia Medina—1 vote.
Therefore, this year’s winners of the citizenship award are Darlene Fincher and Jeanie Harbarks.

DIRECTOR OF PUBLIC WORK'S REPORT
Director of Public Works Alfredo Aguinaga reported on the following items:
1. gave update of work done by Ramos on water and sewer project; and
2. crews have repaired water and gas main breaks and sewer stoppages.

Alderman Bowen asked what had happened on frontage road and was told a wet bore had been done and it caused a cave in.

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

The Police Chief told Council, December wasn’t too bad. He said he had five officers work on New Year’s Eve.

The Chief reported that the new car is up and running and said he has talked to people about the new system being used for car computers and they say they want to go back to older system. Therefore, he has bought one on E-Bay for $76.00 and all together with shipping costs and materials $400.00 has been invested. He said if it works okay, he will try to get other computers on E-Bay.

Chief Priest said his police officers appreciate Council and their support.

Alderman Dahler asked Chief about the situation with Crown Victorias. Chief Priest said he would read more about this item.

CITY SECRETARY'S REPORT
City Secretary Josie Campa didn’t add anything more to her written report.

MAYOR'S REPORT
Mayor Fincher reported on the following items:
1. wants to take each Councilman to sewer plant to see what is going on;
2. complaints received about driveways being messed up by construction, driveways will get fixed;
3. Ramos is doing an outstanding job has hit rock and is asking for compensation;
4. Blackwoods will be performing on February 15th and free tickets are available...

Meeting adjourned at 8:46 p.m.

Mayor

Jnic Campa
City Secretary