Minutes of Regular Meeting held January 14, 2002

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


APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
City Secretary Josie Campa added the bill from the City Attorney Tom Cate ($561.00 for December) to the bills to be approved for payment. Alderman Elias made the motion that Council approve the minutes of the regular meeting held November 12, 2001 and the public hearing and special meeting held December 3, 2001 and payment of the bills, as presented. Seconded by Alderman Dahler. Passed unanimously.

HEAR FROM CITIZENS
Mayor Fincher told Council and the audience that the new sewer plant should be running by February 2nd. He also said a couple of change orders have been made.

CONSIDER RECOMMENDATION FROM MOBILE HOME COMMISSION ON REQUEST FROM ELIZA BUSTAMANTE-GARCIA
Alderman Trouart made the motion that Council approve the recommendation from the Mobile Home Commission on the request from Eliza Bustamante-Garcia. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER REQUEST FROM ELIZA BUSTAMANTE-GARCIA FOR VARIANCE ON SIDE YARD REQUIREMENTS
Eliza Bustamante-Garcia asked Council for a variance of the side yard requirements since the new mobile home will not allow for five feet on each side and since she owns the property on both sides. After discussion, Alderman Elias made the motion that Council grant this request. Seconded by Alderman Bowen. Discussion. Passed unanimously.

DISCUSSION ON COAL MINE-ELAINE PERALES
Elaine Perales told Council she was at the meeting because of the emergency exit in Coal Mine and said that since it is not a long-term solution they are still searching for another exit and asked for the City's help. Mayor Fincher told Ms. Perales that Alderman Juan Garcia is still working on this item.

Ms. Perales told Council she would like to meet with EMS and Airlife to analyze Coal Mine situation. She asked about the cost of the emergency exit and cost for repairing cemetery road. Ms. Perales also asked the Mayor if he had talked to the City's grant writer about funding for another exit. Mayor Fincher told Ms. Perales that he has not found out anything from grant writer on this topic.
CONSIDER EMERGENCY EXIT FOR COAL MINE ADDITION
Mayor Fincher told Council that he and Alderman Garcia are working on the emergency exit for Coal Mine and that Joe Estrada has agreed to let the City use his property for an "emergency exit." The Mayor told Council that monies would be needed for base material to fix the cemetery road and a twelve foot gate. Council discussed the need for an easement from Mr. Estrada and for setting up criteria for what constitutes an emergency. Bertha Haass told Council that Coal Mine residents want input on emergency guidelines. Mayor Fincher requested $1,000.00 for this project. Alderman Elias made the motion that Council set aside $1,000.00 for this project contingent upon the approval of the "emergency" criteria. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER ADOPTING OF INTERLOCAL AGREEMENT WITH BEXAR COUNTY AND DESIGNATING HEALTH AUTHORITY FOR EMERGENCY ASSISTANCE
Alderman Dahler told Council he spoke with the Bexar County Attorney about the said Interlocal Agreement to see if it could be broadened to include entire city. After discussion, Alderman Dahler made the motion that Council table this item until more information is obtained. Seconded by Alderman Elias. Passed unanimously.

CONSIDER REDISTRICTING REPORT FROM ROLANDO RIOS
Mayor Fincher told Council that a special meeting would be held on January 28th to discuss the proposed plan for redistricting and gave Council copies of the redistricting proposal.

CONSIDER HIRING SOUTHWEST SECURITIES TO FILE CONTINUING DISCLOSURE DOCUMENTS AS PER SECURITIES & EXCHANGE COMMISSION RULE 15C2-12
Alderman Bowen made the motion that Council hire Southwest Securities to file the City's continuing disclosure documents as required by the Securities and Exchange Commission Rule 15C2-12. Seconded by Alderman Elias. Passed unanimously.

CONSIDER RACIAL PROFILING POLICY AS PER S.B. 1074-CHIEF PRIEST
Police Chief Priest told Council that all police departments have to adopt racial profiling policies and said he had the City Attorney look at the proposed policy. City Attorney Tom Cate told Council that the proposed racial profiling policy is almost verbatim to what the statute requires. Alderman Bowen made the motion that Council adopt the proposed racial profiling policy. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF OFFICER FRANK J. REYES
Police Chief Richard Priest recommended to Council that Corporal Frank Reyes be promoted to Sergeant and be given a $100.00 per month salary increase. Alderman Trouart made the motion that Council appoint Frank Reyes as Sergeant and he be given a $100.00 per month increase in salary as recommended by Chief Priest. Seconded by Alderman Dahler. Passed unanimously. Chief Priest presented Frank Reyes with his Sergeant badge.

CONSIDER EMPLOYMENT STATUS OF OFFICER SANTOS T. RAMIREZ
Police Chief Richard Priest recommended to Council that Santos Ramirez be promoted to Corporal and he be given a $100.00 per month increase in salary. Alderman Bowen made the motion that Council approve the Chief's recommendation and Santos Ramirez be given the title of Corporal and $100.00 per month salary increase. Seconded by Alderman Elias. Passed unanimously. Corporal Ramirez was presented with his badge by Chief Priest.

CONSIDER HIRING EMPLOYEE TO FILL VACANCY IN CITY OFFICE
City Secretary Josie Campa recommended to Council that Melissa Rivera be hired to fill vacancy in office. Alderman Trouart made the motion that Council hire Melissa Rivera as a clerk for $6.00 per hour, upon satisfactory completion of physical and drug screen. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER HIRING EMPLOYEE(S) FOR PUBLIC WORKS' DEPARTMENT
Director of Public Works Alfredo Aguinaga requested permission to readvertise for the vacant positions in the Public Works' department. Alderman Elias made the motion that the City readvertise for the Public Works' positions. Seconded by Alderman Bowen. Passed unanimously.

Council took a short break at 7:16 p.m. and reconvened at 7:32 p.m.

CONSIDER HIRING SOMEONE TO CLEAR SEWER PLANT PROPERTY
Mayor Fincher presented the bid proposal from MTW Services for clearing of sewer plant property. He said the bid price of $6,900.00 will be cut down a bit and that the proposal calls for clearing, roots being plowed and raking. Council questioned whether price would increase if more leveling was required. Mayor Fincher told Council that Mr. Wilson said he would clear property for $6,900.00. Alderman Dahler made the motion that Council accept the proposal from MTW Services for the firm and fixed price of $6,900.00. Seconded by Alderman Elias. Passed unanimously.
Minutes of Regular Meeting held January 14, 2002 (cont.)

**CONSIDER INSTALLATION OF ALL-WEATHER ROAD AT SEWER PLANT**

Mayor Fincher told Council that TNRCC requires an all-weather road for the new sewer plant, and explained the plan for said road and materials needed to complete this project. Mayor Fincher gave Council an estimate of $11,411.60 for the materials and said the city crew would install this road. Mayor Fincher requested Council approve the money for this proposal. Alderman Elias made the motion that Council allow $11,500.00 for an all-weather road at the new sewer plant as proposed by Mayor Fincher. Seconded by Alderman Bowen. Passed unanimously.

**CONSIDER RENEWAL OF DELINQUENT TAX COLLECTION CONTRACT**

Alderman Trouart made the motion that the City renew the delinquent tax collection with Tom Cate. Seconded by Alderman Dahler. Passed unanimously.

**CONSIDER INCREASING WATER RATES DUE TO LEASING OF WATER RIGHTS**

Alderman Trouart made the motion that the City renew the delinquent tax collection with Tom Cate. Seconded by Alderman Dahler. Passed unanimously.

**CONSIDER DECREASING GAS RATES**

City Secretary Josie Campa explained to Council about the present gas surcharge and said the City should be able to recoup monies from last year, even if the surcharge is dropped for a couple of months to give gas customers a break during peak months. She recommended Council do away with the gas surcharge for two months and then reinstate it for the April bill. Alderman Bowen made the motion that Council remove the gas surcharge for the next couple of months as recommended by the City Secretary. Seconded by Alderman Elias. Passed unanimously.

**CONSIDER ADOPTION OF ORDINANCE REQUIRING THE INSTALLATION OF FIRE HYDRANTS BY BUSINESSES AS PER FIRE CODE REQUIREMENTS**

Alderman Elias made the motion that Council adopt the ordinance requiring new businesses to install a fire hydrant as required by the Fire Code. Seconded by Alderman Dahler. Passed unanimously.

**CONSIDER STREETS FOR STREET PAVING PROJECT**

Mayor Fincher asked Council members to turn in their list of streets to be considered for retopping to the City Secretary by this Friday.

**CONSIDER STREET LIGHTS TO BE ADDED**

Mayor Fincher told Council they needed to submit their list of additional street lights by this Friday.

**CONSIDER ELECTRICAL WORK NEEDED IN CITY PARK**

Mayor Fincher told Council that the underground electrical at the city park is needing to be redone. He told Council he had gotten a price of $3,217.00 for Don's Electric to do this work. Alderman Elias made the motion that Council hire Don's Electric to rework the underground electrical work at the city park for the proposed $3,217.00. Seconded by Alderman Bowen. Passed unanimously.

**CONSIDER EQUIPMENT NEEDED FOR NEW SEWER PLANT**

Alderman Elias made the motion that Council purchase a shed for the new equipment and said he thought $1,200.00 would be enough for this purchase. Alderman Elias made the motion that the City purchase a shed to house the new equipment not to exceed the price of $1,200.00. Seconded by Alderman Bowen. Passed unanimously.

**CONSIDER ANNUAL CITIZENSHIP AWARD**

Nominations were accepted for the annual Daniel J. McGrath, D.V.M. Citizenship Award. City Secretary Josie Campa nominated Tom and Linda Cate for their work with the Boy Scouts. Alderman Trouart nominated Mayor Pincher for his work in the City. Council discussed these nominations at length. Alderman Bowen made the motion that Council award the annual citizenship award to all three nominees. Seconded by Alderman Dahler. Passed unanimously.
Minutes of Regular Meeting held January 14, 2002 (cont.)

DIRECTOR OF PUBLIC WORKS' REPORT
Director of Public Works Alfredo Aguinaga reported on the following items:
1. sewer samples good last month;
2. water samples good last month;
3. water leak repaired on Lytle-Somerset Street;
4. representative from contractor are giving training at new sewer plant on operation of the plant equipment;
5. hydraulic testing will be done on new plant next week;
6. city crew has been patching streets, shredding and trimming trees;
7. crew has been taking down Christmas decorations; and
8. water tower #2 lights are working again.

POLICE CHIEF'S REPORT
Chief Priest reviewed his written report with Council. The Chief said the number of calls were down about fifty from last month.

The Chief told Council that the Video cameras have all been installed in the police vehicles.

Chief Priest informed Council that he is monitoring the parking problem at the Primary School.

CITY SECRETARY'S REPORT
City Secretary Josie Campa added the following to her written report:
Council received invitation to Eagle Scout ceremony on Sunday, January 27th at 3:00 p.m. at Community Center.

Mayor Fincher asked City Secretary to check on McDonald's sales tax and raised question about a "carry out" tax.

MAYOR'S REPORT
Mayor Fincher reported on the following items:
1. Christmas decorations are being taken down by city crew and will be redone with rope lights by the tourism committee for next year;
2. new sewer plant will be on line soon and bids will be let for demolishing the old plant by the end of July;
3. City will probably lose points in next grant cycle for project(s) not completed by end of July;
4. IH 35 water and sewer lines easements are being surveyed and will be sent to City's Attorney for completion.

Meeting adjourned at 8:45 p.m.

Mayor

City Secretary