Minutes of Regular Meeting held January 14, 2008

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

Visitors: Mr. and Mrs. Lionel Salinas, Jonathan Bowen, Daniel Kesher, Sam Parks, Bobbie Lassiter, Henry and Tammy Soto, Pat Mosher, Rolando Rios, Fred Soto, Julio and Cristina Inocencio, American Ambulance representatives.

APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
City Secretary Josie Campa asked Council which way they want her to pay the Edwards Aquifer fees since they don’t offer a discount. Council agreed to pay monthly. Alderman Dahler made the motion that Council approve the minutes from the regular meeting and public hearing held November 12th, the special meeting held December 10th and payment of the bills, as presented. Seconded by Alderman Hernandez. Passed unanimously.

HEAR FROM CITIZENS
Alderman Jerry Stone commended the Lytle Volunteer Fire Department for their performance during the fires of New Year’s Eve. Mayor Fincher agreed that the fire department did a fantastic job.

DISCUSSION AND/OR APPROPRIATE ACTION TO ENGAGE ROLAND L. RIOS AND ASSOCIATES TO CONDUCT CENSUS REDISTRICTING SERVICES FOR THE CITY OF LYTLE SINGLE MEMBER DISTRICTS
Rolando Rios told Council that they are already starting work on redistricting for 2010 Census and proposed doing Lytle’s for $15,000.00 to be paid in 2008, 2009 and 2010. After discussion, Alderman Dahler made the motion that Council retain Mr. Rios and his firm to do the city’s redistricting for the 2010 Census for the price of $15,000.00. Seconded by Alderman Stone. Passed unanimously.
Minutes of Regular Meeting held January 14, 2008 (cont.)

CONSIDER REQUEST FROM LAWRENCE P. (PAT) MOSHER FOR VARIANCE ON ORDINANCE NO. 119
Pat Mosher asked Council for a variance of Ordinance No. 119, and allow him to come back for rezoning of the Brown's property before six months. Alderman Dahler asked if the Council could act on item #14, too, since it deals with the same ordinance. City Attorney Tom Cate advised Council against repealing said ordinance. After more discussion, Alderman Dahler made the motion that Council grant the variance requested by Mr. Mosher. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER REQUEST FROM LIONEL SALINAS FOR ALLOWING THE BUILDING OF A NEW HOME ON PROPERTY WHILE MOBILE HOME IS STILL ON SAID PROPERTY
Lionel Salinas asked Council to grant a variance to allow him to build a house on the lot where he now has a mobile home. After discussion, Alderman Stone made the motion that Council grant Mr. Salinas the variance he requested. Seconded by Alderman Bowen. Discussion. Council agreed this variance would be for six months and if this is exceeded Mr. Salinas is to come back to Council. Motion passed unanimously.

CONSIDER CONDITION OF BALL ROAD AND STATUS OF FIRE HYDRANT-JULIO INOCENCIO
Julio Inocencio told Council he needed answers on two items. First, he asked about whether the fire hydrant on Ball Road was repaired and was told it had been fixed. And then Mr. Inocencio asked about road work at the end of Ball Road and if the city would take care of it. Mayor Fincher told Mr. Inocencio that the road is not the city's responsibility since it is not the city's right-of-way. City Attorney Tom Cate explained that at the present time the city is having Ball Road surveyed and we should know something very soon. Henry and Fred Soto complained about what Bobby Roberts is doing to Ball Road. They were told that at this time, the city does not have a say in this matter.

CONSIDER REQUEST FROM AMERICANA AMBULANCE FOR INCREASE IN MONTHLY FEE IN NEW CONTRACT
City Secretary Josie Campa told Council that Americana did not sign the contract with the city, as it is wanting $2,000.00 more a year. After a lengthy discussion, Alderman Hernandez made the motion that Council give Americana Ambulance the additional $2,000.00 for one year and then the contract be reevaluated. Seconded by Alderman Stone. Discussion. Passed unanimously.

CONSIDER INCREASE OF GARBAGE RATES BY WASTE MANAGEMENT AND PASSING THROUGH THIS INCREASE TO GARBAGE CUSTOMERS
City Secretary Josie Campa told Council that Waste Management is increasing their prices on February 1st, and recommended the price increase be passed through to the customers. She explained the price increases were anywhere from $ .48 for residential to $9.50 for the largest dumpster per month. She recommended the current price for residential garbage service be raised from 11.65 per month to $12.15 per month, and rest of the prices be raised as per the proposed Waste Management increase. Alderman Stone made the motion that Council increase the garbage rates as discussed to $12.15 for residential and the other rate increase be passed through to the customers as proposed by Waste Management. Seconded by Alderman Cortez. Discussion. Passed unanimously.

CONSIDER BANNING USE OF FIREWORKS IN CITY LIMITS
Alderman Hernandez made the motion that Council ban the use of fireworks in the city. Seconded by Alderman Dahler. Council discussed having a safe zone and the difficulty of enforcing this ordinance. After more discussion, Alderman Dahler asked if Alderman Hernandez would consider amending his motion. Alderman Hernandez then withdrew his motion. Alderman Hernandez then moved the Council hold public hearings to consider banning fireworks in the city. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER ADOPTING ORDINANCE ENTITLING CITY TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT
City Attorney Tom Cate explained the ordinance for taxation of tangible personal property in transit. Mayor Fincher recommended that the Council adopt this taxation. Alderman Bowen made the motion that Council consider the adoption of the ordinance for the taxation of tangible personal property in transit. Seconded by Alderman Stone. Passed unanimously.

CONSIDER HIRING PUBLIC WORKS' EMPLOYEE (S)
Director of Public Works James McGrath told Council that he had received eight (8) applications; and had called six for interview. He recommended to Council that Jose Gutierrez and Pablo Solis be hired if they pass their background checks. Alderman Hernandez made the motion that Council hire Jose Gutierrez and Pablo Solis at $8.00 per hour after satisfactory completion of all tests. Seconded by Alderman Cortez. Passed unanimously.
CONSIDER REPORT FROM WATER COMMITTEE AND/OR TAKE ACTION ON COMMITTEE'S FINDING AND/OR PROPOSAL
Mayor Fincher announced that the water committee has been searching for water for the last four months. He told Council that the committee has checked with someone about the possibility of drilling a Carrizo waterwell and that his proposal to do a study will be on the February agenda. Mayor Fincher told Council that the committee has no recommendation at this time. Mayor Fincher asked Council to remove him from the water committee since nothing is going to happen in the next six months and he won’t be in office anyone when this matter gets discussed and acted on.

CONSIDER REPEALING ORDINANCE NO. 119
Mayor Fincher asked Council to consider repealing Ordinance No. 119 since he feels this ordinance deters growth. Council discussed Ordinance No. 119. City Attorney Tom Cate advised Council to not repeal this ordinance and said variances could be granted, if requested. Mayor Fincher called for a motion three times. This item died for lack of a motion.

CONSIDER RENEWAL OF DELINQUENT TAX COLLECTION CONTRACT
City Secretary Josie Campa told Council that it was time to renew the delinquent tax collection contract. She said the only difference in this year’s contract was the taxpayer will pay a 20% attorney’s fee instead of 15%. Alderman Bowen made the motion that Council renew this contract, as presented. Seconded by Alderman Hernandez. Passed unanimously.

CONSIDER STREET LIGHTING SURVEY
Alderman Stone told Council he has already done a survey on street lights that are not working and agreed to do a survey on lights that are needed. Alderman Hernandez made the motion that Council have Alderman Stone conduct a survey for adding more street lights. Seconded by Alderman Cortez. Passed unanimously.

DIRECTOR OF PUBLIC WORKS’ REPORT
Director of Public Works James McGrath reported on work orders completed in past couple of months since the last council meeting.

Mr. McGrath told Council he had received 20 CEUs for sewer in December, and that the crew had put out Christmas decorations for the hayride and was about 80% through with taking down the decorations.

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

The Chief told Council that he will start trying to rebuild his reserve squad.

Chief Priest told Council that the department should have one of the new trucks by the end of the month and the second a week later.

CITY SECRETARY’S REPORT
City Secretary Josie Campa reported to Council that the auction had been held Saturday and that nearly $2,300.00 was made with the police car bringing in $1,125.00.

MAYOR'S REPORT
Mayor Fincher told Council that the Blackwoods would be in concert February 9th and asked how many tickets each Councilmen needed.

The Mayor told Council that TX DOT has given the city fifteen loads of base for the sewer plant.

The Mayor told Council he doesn’t know the exact date the water tank project will start, but it will be soon.

The Mayor told Council that he has asked TX DOT for stop light surveys for the N. Prairie Street/Main Street intersection and the 4-way stop areas by H.E.B.

Meeting adjourned at 8:17 p.m.