Minutes of Regular Meeting held February 9, 2004

Regular meeting with the following present: Mayor Horace Fincher; Aldermen A.Jay Frausto, Mark Bowen, Gerry Elias, Erik Dahler; City Secretary Josie Campa; Police Chief Richard Priest; City Attorney Tom Cate. Alderman Trouart was absent.


Mayor Fincher open the meeting at 6:32 p.m.

APPROVE MINUTES/ APPROVE PAYMENT OF BILLS
City Secretary Josie Campa told Council that another bill had been received and needed to be approved for payment. She said the bill was from Tom Cate and totaled $1919.32. Alderman Elias made the motion that Council approve the minutes from January 12th regular meeting and payment of the bills as presented. Seconded by Alderman Bowen. Passed unanimously.

PRESENTATION OF CITIZENSHIP AWARD
Mayor Fincher presented the Annual Daniel J. McGrath, D.V.M. Citizenship Award to Ann Van Winkle. Mayor Fincher read a list of Mrs. Van Winkle's credits when presenting said award.

CONSIDER RECOMMENDATION FROM MOBILE HOME COMMISSION ON REQUEST FROM LEE SCHOOLEY
After discussion, Alderman Bowen made the motion that Council accept the recommendation of the Mobile Home Commission on the placement request from Lee Schooley. Seconded by Alderman Frausto. Passed unanimously.

CONSIDER AUDIT REPORT FOR 2002-2003 FISCAL YEAR
Wayne Beyer presented the city's audit report for the 2002-2003 fiscal year. Mr. Beyer told Council that the city received an unqualified opinion, which is the highest rating the city can be given. Mr. Beyer reviewed each of the city's funds with Council and cautioned them on the negative balances in the enterprise funds and recommended rates be increased to help this situation. He also recommended the city continue to save up to a million dollar in the general fund. After more discussion, Alderman Bowen made the motion that Council approve the audit report and payment of the bill from Beyer and Company. Seconded by Alderman Elias. Passed unanimously.

CONSIDER HIRING AUDITING FIRM FOR 2003-2004 FISCAL YEAR
Wayne Beyer told Council the audit would cost $8500.00 due to changes and new regulations. After discussion Alderman Frausto made the motion that Council hire Beyer and Company to perform the city's audit for fiscal year 2003-2004. Seconded by Alderman Elias. Passed unanimously.

CONSIDER REQUEST FROM LYTLE YOUTH PROGRAM TO RENEW LICENSE AGREEMENT FOR USE OF BALL FIELDS AT CITY PARK
Ernest Davila, President of the Lytle Youth Group, submitted a written report on last year's baseball's season and reviewed it thoroughly with Council. Mr. Davila requested the city renew the license agreement with the LYP for this year's baseball season. After lengthy discussion, Alderman Frausto made the motion that Council accept Mr. Davila's report and that the license agreement with the LYP be renewed. Seconded by Alderman Elias. Passed unanimously.

CONSIDER A REQUEST FROM VENTANA DEVELOPMENT FOR COMMITMENTS FROM THE CITY ON UTILITIES
Jack Brown gave Council a history on his property and asked them to consider Ventana's request for commitment on utilities. Mayor Fincher told Mr. Brown that a committee has met with Ventana and tried to work out something, but reservations of utilities is a problem. Steve Brown, engineer for proposed project tired to clarify the definition of "reservation" and read what San Antonio's impact fees are at this time. Allen Ghormley told Council Ventana wants some assurances that water and sewer are going to be available for his development and gave reasons that the development would be a beneficial to the city.
CONSIDER A REQUEST FROM VENTANA DEVELOPMENT FOR COMMITMENTS FROM THE CITY ON UTILITIES (cont.)

Mayor Galindo, attorney for Jack Brown, asked Council to consider to give Ventana a letter of commitment for water and sewer services to his development. City Attorney Tom Cate told Council and Ventana People that State Statute bounds the city to provide utilities in the city’s CCN and doesn’t understand the need for a commitment letter. Mr. Cate asked Mayo Galindo if the city is required by law to give such a letter. Mr. Galindo said the city is not required by law to give a letter of commitment. Council held a lengthy discussion on this topic with those present. After discussion, Alderman Elias made the motion that Council allow the City Attorney and Brown’s attorney to work on a terms for a letter of commitment that will be acceptable by both parties. Seconded by Alderman Bowen. VOTE: FOR-Aldermen Elias, Bowen, and Frausto; AGAINST-Alderman Dahler. Motion carried.

Council took a short break at 8:15 p.m. and reconvened at 8:27 p.m.

CONSIDER REGIONAL MUTUAL AID AGREEMENT

City Attorney Tom Cate told Council he was satisfied with the proposed agreement. Alderman Elias made the motion that Council adopt the regional mutual aid agreement. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER PROPOSAL FROM GAS & SAFETY TRAINING INSTITUTE FOR TRAINING GAS PERSONNEL

After discussion, Alderman Elias made the motion that Council approve the proposal of $7425.00 from Gas & Safety Training Institute for training of gas personnel. Seconded by Alderman Frausto. Passed unanimously.

CONSIDER APPLICATIONS RECEIVED FOR DIRECTOR OF PUBLIC WORKS

Mayor Fincher told Council several applications were received for the Public Works’ director position. He appointed Aldermen Mark Bowen and A.Jay Frausto to serve on the committee with the City Secretary and himself to review the applications and interview applicants and then make a recommendation to the Council. Council agreed this should be done.

PRESENTATION OF 2003 RACIAL PROFILING REPORT-CHIEF PRIEST


CONSIDER CALLING FOR ELECTION

Alderman Frausto made the motion that Council call for an election on Saturday, May 15th for the purpose of electing a Mayor and two Aldermen. Seconded by Alderman Elias. Passed unanimously.

POLICE CHIEF’S REPORT

Chief Priest reviewed his written report with Council.

The Chief told Council he had talked to Tom Cate about several issues and gotten his help.

Chief Priest told Council that right now all the guys in his department are healthy and vehicles are in good shape.

Chief Priest told Council that a body had been found by the Fire Station and the officer had done a good job.

The Chief told Council a driving class would be attended on March 4th.

City Secretary Josie Campa told Council that a Lytle resident had served on a jury trial that involved Lytle Police Department and said that all the people on the jury were impressed with the professionalism of the Lytle officers and also with the equipment the city provides.
Minutes of Regular Meeting held February 9, 2004 (cont.)

CITY SECRETARY'S REPORT
The City Secretary added the following items to her written report:

1-the first meeting of the Capital Improvement Advisory Committee will be held on February 10th, and
2-personnel will be attending a waste water training session in Pleasanton.

MAYOR'S REPORT
Mayor Fincher reported the following to Council:

1-the permit application on the sewer line repair on FM 2790 has been sent to TXDOT;
2-compliments received from Lytle citizens on how good the city yard is looking these days;
3-sewer plant road is being worked on; and
4-will need to place a siren at Coal Mine to have entire town covered and will get more prices for Council on this siren.

Meeting adjourned at 8:56 p.m.

[Signatures]
Mayor
City Secretary