Minutes of Regular Meeting held February 10, 2003

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


APPROVE MINUTES AND APPROVE PAYMENT OF BILLS

City Secretary Josie Campa added two bills, one from Tom Cate-$300.00 for January legal fees and the second from building inspector Troy Martin for $945.00. Alderman Gerry Elias made the motion that Council approve the minutes of regular meeting held January 13th and payment of the bills, as presented. Seconded by Alderman Bushart. Passed unanimously.

HEAR FROM CITIZENS

Julio Inocencio told Council he was presenting signatures from 99% of the landowners on Ball Road saying they agree with the city limits established by the city with the 1971 annexation. Mr. Inocencio told Council this was done in response to Mr. Roberts request the previous month.

Bobby Roberts told Council he was just trying to get service for his tax dollars and trying to get something done about the dirt road.

Mayor Fincher told Council that the City Attorney had sent Mr. Roberts the info requested at the last meeting. Mayor Fincher told Mr. Roberts and Mr. Inocencio that he would like to meet with the Ball Road people to discuss the road.

Mayor Fincher read the thank you notes from the Rodeo Ambassadors and the Grothues family.

PRESENTATION OF CITIZENSHIP AWARD

City Secretary Josie Campa told Council that Jeanie Habarka was unable to attend as she is in Dallas due to becoming a grandmother for the first time.

Mayor Fincher presented the Daniel J. McGrath Citizenship Award to Darlene Fincher.

CONSIDER AUDIT REPORT FOR 2001-2002 FISCAL YEAR

Wayne Beyer, auditor for Beyer & Company presented the audit for the 2001-2002 fiscal year and gave an unqualified opinion, which is the highest opinion that can be given. Mr. Beyer reviewed the audit report with Council and said the city was in excellent financial condition. Mr. Beyer told Council there were no write ups or recommendations and no problems with internal control.

Alderman Bushart made the motion that Council accept the audit report, as presented, and approve the bill from Beyer & Company. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER HIRING AUDITING FIRM FOR 2002-2003 FISCAL YEAR


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 Program requested Council renew the license agreement for use of the ball fields at the City Park with Lytle Youth Program. Alderman Elias made the motion that Council grant this request and the license agreement with the Lytle Youth Program be renewed. Seconded by Alderman Dahler. Passed unanimously.
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JACK MCFARLAND-SEWAGE RUNNING ON PROPERTY AT 15823 PINE STREET

Jack McFarland complained once again to Council about sewage being run on his property. Mayor Fincher told Mr. McFarland that he had visited with the people concerning the problem and that they were given sixty (60) days to correct this problem. The Mayor told Mr. McFarland that the people have already had their septic tank pumped. Mr. McFarland told the Mayor and Council that he is not happy with this and tired of no action. Mayor Fincher told Mr. McFarland if the people don’t comply, then the city will have to go another course. No action was needed by Council.

CONSIDER ORDINANCE AUTHORIZING ABANDONMENT OF CITY PROPERTY AT COTTAGE STREET AND FM 2790 N. AND CONSIDER ORDINANCE AUTHORIZING ABANDONMENT OF CITY PROPERTY TO JIM YOUNG A.K.A. SOCIO'S LIMITED PARTNERSHIP

Maria Luisa Holmgreen told Council that Mr. Young is not happy because the city does not possess all the rights to the property on Cottage Street, the school does, and is less happy about the active gas line on the property. Mrs. Holmgreen told Council it’s not fair for Mr. Young to pay for moving this gas line and that the city should absorb this cost. City Secretary Josie Campa responded to Mrs. Holmgreen’s statement by saying that Mr. Young had researched the property in question and that the city didn’t even know this land belonged to them and that Council had voted that Mr. Young would be responsible for all costs incurred with the sale of this land. Mrs. Holmgreen reiterated her request that the city absorb the cost and said it would be less costly than litigation. After lengthy discussion, Alderman Dahler made the motion that Council not pass the ordinance since Mr. Young is refusing to pay for moving the gas line. Seconded by Alderman Bushart. Discussion. Motion passed unanimously.

CONSIDER SUBLEASING WATER RIGHTS TO NATALIA

After discussion, Alderman Dahler made the motion that Council sublease one hundred (100) acre feet of water to Natalia for $99.00 per acre foot. Seconded by Alderman Bushart. Discussion. Passed unanimously.

CONSIDER REQUEST FROM MAJESTIC SHOWS CIRCUS TO USE CITY’S 25 ACRES ON FM 2790 N.

Alderman Bowen made the motion that Council allow Majestic Shows Circus to use the city’s twenty-five acres on FM 2790 N. Seconded by Alderman Elias. Passed unanimously.

Council took a short break at 7:45 p.m. and reconvened at 8:00 p.m.

CONSIDER ALLOWING WET HAULING TO BE DONE, IF NECESSARY

Mayor Fincher and Greg Presley briefed the Council on the new sewer plant facility and said that since the rains have not let up, the drying beds are all full and therefore, the city may need to have some wet hauling done. Mr. Presley told Council the wet hauling will cost about four and one-half cents (4 ½ c) per gallon and if the city has one digester done, it would cost approximately $1290.00. After discussion, Alderman Dahler made the motion that Council allow wet hauling to be done, if necessary. Seconded by Alderman Bushart. Passed unanimously.

CONSIDER POLICY CHANGE THAT WILL ALLOW NON-PAID OFFICERS TO WORK SECURITY AT COMMUNITY CENTER

Chief Priest explained to Council that the statute has changed that will allow reserve officers to work security at the community and asked that the city’s policy be changed to allow non-paid officers to work security at the community center. Council discussed the wording for this policy change. After discussion Alderman Dahler made the motion that Council approve this policy change and that the last sentence of the current policy be changed to read, ‘non paid officers may not use their commission to work off duty jobs such as security at non-city owned facilities and/or at non-city sponsored events.’ Seconded by Alderman Bushart. Passed unanimously.

CONSIDER ORDINANCE TO AMEND PRESENT ORDINANCES CONCERNING LOT SIZE

After discussion, Alderman Dahler made the motion that Council adopt Ordinance No. 274. Seconded by Alderman Elias. Discussion. Passed unanimously.
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CONSIDER HIRING PUBLIC WORKS EMPLOYEE
Director of Public Works Alfredo Aguinaga told Council he had interviewed four applicants and recommended Council hire Jose Guerra for the vacancy in the Public Works department. Alderman Elias made the motion that Council hire Jose Guerra as per the Director's recommendation. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER HIRING OFFICE EMPLOYEE
City Secretary Josie Campa recommended to Council that Sarah Trevino be hired to fill the vacancy in the office. Alderman Bushart made the motion that Council hire Sarah Trevino as per the City Secretary recommendation. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER MAINTENANCE CONTRACT WITH RIVER CITY OFFICE MACHINES FOR OFFICE EQUIPMENT
Alderman Elias made the motion that Council approve the maintenance contract with River City Office Machines. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER CALLING FOR ELECTION
Alderman Elias made the motion that Council call for an election to elect three (3) Aldermen for Districts 1, 2, and 3. Seconded by Alderman Bushart. Passed unanimously.

CONSIDER PURCHASING DUMP TRUCK
Mayor Fincher recommended Council purchase the dump truck viewed by Council members during the break for $3500.00. After discussion, Alderman Elias made the motion that Council purchase the dump truck for $3500.00. Seconded by Alderman Bushart. Passed unanimously.

CONSIDER PURCHASING SHORING EQUIPMENT
Mayor Fincher told Council that the city needs to purchase shoring material. After discussion, it was agreed to have this item on the next agenda and in the mean while Henry Soto will get prices.

DIRECTOR OF PUBLIC WORKS' REPORT
Director of Public Works Alfredo Aguinaga reported on the following items:
1- progress of Ramos & Associates on water and sewer lines—approximately 89-92% complete;
2- CPS is putting up poles around town, new poles to replace older poles and additional poles for added load.

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

The Chief reported that three of the police cars required recall work and that two have already had this work done.

Chief Priest told Council that a warrant round-up will be held Saturday, March 22nd.

The Chief told Council that Adrian Rincon will be the new non-paid officer and this will bring the department to full staff.

The Chief also said officers will be attending schools between now and May and that he will try to get officers certified to instruct and qualify the other officers.

CITY SECRETARY'S REPORT
City Secretary Josie Campa reported on the following items:
1- current taxes collected in January totaled $26,211.86;
2- delinquent taxes collected in January has brought fiscal year total to $2,534.80, 50.7% of the budget
3- motel tax collected in January for quarter ending December was $4,429.95;
4- sales taxes collected in January was $28,221.60, and about $20,000.00 ahead for fiscal year;
5- City advertising for bids on City Hall roof;
6- community center sign should be ready within a couple of weeks;
7- will advertise for sealed bids on old car if Medina County doesn’t want it;
8- city attorney has provided information on disannexation to Bobby Roberts;
9- Railroad Commission has approved City correction plan and schedule;
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CITY SECRETARY’S REPORT (cont.)
10- interest income for 2002 was $44,759.83;
11- rabies vaccination clinic is set for April 5th;
12- requested Council members check their districts for needed streets lights as this item will be on next agenda; and
13- requested Council members check streets in their districts for repaving project.

MAYOR’S REPORT
Mayor Fincher reported on the following items:
1- Florence Street has been messed up by construction project and will need to be redone;
2- Mitigation Disaster Program will be held at County Jail on February 27th, and Aldermen Bowen and Elias will be working on this item with the Mayor, Chief and Public Works Director;
3- Toyota will be about ten miles away and will have a great impact on our city and therefore a committee of the City Secretary, Aldermen Bowen and Dahler and the Mayor will be looking a long range needs for the city;
4- construction is causing an inconvenience, however, it will be worth it;
5- will be building all-weather road at sewer plant as soon as weather lets up and city has already brought some of the materials;
6- berms at old sewer ponds will take a K-5 dozer to get through them; this will probably cost about $6900.00 per month;
7- there is no time frame for filling in old ponds, but we don’t want to create lakes and problems, so will be asking Council about this within the next few months.

Meeting adjourned at 9:02 p.m.

[Signatures]
Mayor
City Secretary