Minutes of Regular meeting held February 12, 2007

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

Visitors Mr. & Mrs. Paul Boedeker, Rudy Ruiz, Margaret Trouart, Virginia Medina, Adrian Stone, Reagon Wagner, William Alonzo, Ruble and Jeanice Farmer, Wayne Heil, Michelle Smith, Beverly McCune, Norma Slaughter, Mr. and Mrs. Hector Barrera, Jay Dahler, Jamie Dahler, Thomas Wooten, Shawna Lewis, Bobby Roberts, Sam Parks, JoAnn Null, Bill Torans.

APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
City Secretary Josie Campa added the bill from Gulf Coast Paper for $270.36. Alderman Elias made the motion that Council approve the minutes of January 8th regular meeting, and the January 22nd special meeting and payment of the bills, as presented. Seconded by Alderman Stone. Passed unanimously.

HEAR FROM CITIZENS
Wayne Heil a resident on Ball Road, told Council that the City has two ordinances that he has questions on. The first is the leash law ordinance and there is a problem with loose dogs on Ball Road, and the city doesn’t pick up dogs. Mayor Fincher told Mr. Heil the City does have an animal control officer and does pick up dogs as long as they are caught in traps. Mr. Heil told Council that the other problem is junk vehicles. Mr. Heil said there are junk vehicles every where in town. Mayor Fincher told Mr. Heil that right now the police department is short staffed and they are the ones that oversee the...
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HEAR FROM CITIZENS (cont.)

junk car ordinance. He said once school is out and the police don’t have to patrol the school zones, the police will work on this ordinance.

Hector Barrera introduce his wife to the Mayor and Council and said he was pleased to donate the television to the senior center and that he is hoping to move to Lytle.

New Atascosa County Commissioner Bill Torans told Council that if the City needs anything, he will be glad to help.

PRESENTATION OF ANNUAL DANIEL J. MCGRATH, D.V.M. CITIZENSHIP AWARD

Mayor Fincher read the credits for which Ruble Farmer was given the annual citizenship awards for 2006. The Mayor then presented a plaque to Mr. Farmer and said Mr. Farmer was a pleasure to work with.

CONSIDER IMPACT FEES FOR STREET IMPROVEMENT-RUDY RUIZ

Rudy Ruiz talked to Council about adding a street impact fee when calculating the new figures for impact fees. Mr. Ruiz said this is the time to consider this matter, and he has seen communities like Lytle get such a large growth spurt that the streets are impacted, and then the burden is on the taxpayers. Mr. Ruiz told Council that a road plan is also needed. Mayor Fincher told Mr. Ruiz that the city doesn’t want to scare developers away and feels this fee would hinder our city. Council members agreed with the Mayor. Mr. Ruiz told Council he felt obligated to bring this to Council’s attention but it is their final decision. Mr. Ruiz asked Council to think about a road plan and Paul Boedeker told Council he agrees with Mr. Ruiz’ view and feels the city should at least look at a main thoroughfare plan.

CONSIDER PROPOSAL FROM LYTLE ISD FOR JOINT ELECTION

Lytle I.S.D. Superintendent Michelle Smith and School Board President Reagan Wagner asked Council to consider the draft submitted by the school for a joint polling place on Election Day between the school and city. Mayor Fincher asked what would happen if the city didn’t hold an election. Mrs. Smith asked permission to still hold school election at the City Hall. After discussion, Alderman Bowen made the motion that Council allow the Mayor and City Secretary to negotiate the terms of the contract between the school and city to have a joint polling place on Election Day. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER REQUEST FROM LYTLE ISD FOR VACCINE STORAGE CONTINGENCY PLAN

Mayor Fincher told Council he had talked to the Superintendent about this item and is amazed that the school doesn’t have a generator. The Mayor told the school representatives that the city has a generator for operating a shelter. The Superintendent said the school has to have a contingency plan if the city doesn’t have a generator for school’s refrigerator, this item is a mute point.

CONSIDER REQUEST FROM LYTLE ISD FOR FLASHING LIGHTS ON SPEED LIMIT SIGNS NEAR THE PRIMARY CAMPUS

Mayor Fincher told the Superintendent that he has been asked about flashing lights before for the school zone and this would mean another electric bill for the city, as well as $3,500.00 per light and this is not financially feasible for the city at this time. Alderman Bowen told the Superintendent that the Police Department will enforce this area stringently.

CONSIDER ORDINANCE BANNING X-RATED VIDEO/BOOK STORES, MASSAGE PARLORS AND OTHER SEXUALLY ORIENTED BUSINESSES IN LYTLE

City Attorney Tom Cate presented Council with copies of a Dallas ordinance concerning sexually oriented businesses. He asked Council to review this ordinance and give their input. Mr. Cate told Council he is already working at modifying the ordinance to meet Lytle’s needs. No action was taken on this item.

CONSIDER ADOPTING RESOLUTION/ORDINANCE REJECTING AEP TEXAS CENTRAL’S PROPOSED RATE INCREASE AND HAVING EXISTING RATES REMAIN IN EFFECT

Alderman Dahler made the motion that Council adopt the ordinance submitted by the steering committee rejecting AEP’s rate increase. Seconded by Alderman Elias. Passed unanimously.
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CONSIDER PROPOSAL FROM THE LYTLE MUSEUM BOARD
Mayor Fincher told Council that the State had turned down the grant application for the museum and that he has been reviewing the Museum Board's proposals. He asked Council to review these proposals very closely for the March meeting. Council discussed same items with members of the Museum Board, and agreed to go and look at the building before the March meeting. Alderman Elias made the motion that this item be placed on the March agenda and Council look at this building. Seconded by Alderman Stone. Passed unanimously.

CONSIDER APPOINTMENT OF MEMBERS TO THE LYTLE MUSEUM BOARD
Alderman Bowen made the motion that Council authorize the Secretary to call the people on the list to find more members for the Museum Board. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER APPOINTING MEMBERS TO ZONING COMMISSION

CONSIDER ADOPTING ORDINANCE LIMITING WATER USE FROM FIRE HYDRANTS
Alderman Bowen made the motion that Council adopt Ordinance No. 310. Seconded by Alderman Stone. VOTE: FOR—Aldermen Bowen, Stone, Cortez and Elias. Alderman Dahler was out of the room at the time of the vote. Motion carried.

CONSIDER ADOPTING ORDINANCE EXTENDING THE "NO PARKING" ZONE ON IH 35 ACCESS ROAD TO FM 3175
Alderman Bowen made the motion that Council adopt Ordinance No. 311. Seconded by Alderman Elias. Discussion. VOTE: FOR—Aldermen Bowen, Elias, Cortez and Stone. Alderman Dahler was not in the room when vote was taken. Motion carried.

CONSIDER "PASS THROUGH" CHARGES TO GARBAGE CUSTOMERS DUE TO WASTE MANAGEMENT'S RATE INCREASE
City Secretary Josie Campa told Council that Waste Management was increasing their rates and recommended the city “pass thru” this increase to its garbage customers. The City Secretary told Council this increase would be about 65 cents plus a 5 cents tax increase per month, for residential customers. She said dumpsters would increase from $2.58 to $13.06 per month depending on size and number of pickups per month. Alderman Elias made the motion that Council pass through the garbage increases billed by Waste Management to its customers. Seconded by Alderman Cortez. VOTE: FOR—Aldermen Elias, Cortez, Bowen and Stone. Alderman Dahler was not in the room when vote was taken. Motion carried.

Council took a short break at 8:09 p.m. and reconvened at 8:22 p.m.

CONSIDER HAVING CCN AND NEW CITY LIMITS SURVEYED FOR MAPPING PURPOSES
City Secretary Josie Campa and City Attorney Tom Cate explained to Council about the city's CCN needing to be surveyed for metes and bounds due to new requirements. Also, city is needing to be surveyed since annexation for mapping purposes. Both, the Secretary and Attorney agreed one survey would take care of both these items and therefore, would cost the city less if done at the same time. Mr. Cate told Council he had gotten an estimate for this survey and it would cost anywhere from $15,000.00 to $20,000.00. After discussion, Alderman Bowen made the motion that Council have this survey done and authorize the Mayor and City Attorney to take care of this provided the cost is under $25,000.00. Seconded by Alderman Elias. Passed unanimously.

CONSIDER HIRING POLICE OFFICER TO FILL VACANCY IN DEPARTMENT
Police Chief Richard Priest recommended to Council that Erik Reed be hired as a police officer for a six month probationary period at $24,000.00 a year after he successfully completes his physical, drug test and psychological tests. Alderman Stone made the motion that Council hire Erik Reed to fill the vacancy in the Police Department as per the Chief's recommendation. Seconded by Alderman Elias. Passed unanimously.

CONSIDER STREET LIGHT SURVEY AND ADDITIONAL STREET LIGHTS
Alderman Stone presented a list of street lights that need to be installed and a list of lights that need to be repaired or replaced. Council reviewed these lists and agreed that the light requested for the entrance to Twin Lakes is out of the city and should not be installed for the city. Council also added a street light on Juarez Street by Valdermar Martinez's residence. After
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**CONSIDER STREET LIGHT SURVEY AND ADDITIONAL STREET LIGHTS**

Discussion, Alderman Elias made the motion that Council approve the installation of the street lights and listed by Mr. Stone and amended by Council. Seconded by Alderman Cortez. Passed unanimously.

**PRESENTATION OF 2006 RACIAL PROFILING REPORT-POLICE CHIEF RICHARD PRIEST**


**DIRECTOR OF PUBLIC WORKS' REPORT**

Director of Public Works James McGrath reported on the following items:

1-280 work orders were completed in past month;
2-2 new water meters were installed;
3-2 water main breaks were fixed;
4-a gas meter change out program has been started;
5-2 sewer stoppages were unclugged;
6-one (1) employee in his department quit;
7-will be interviewing three (3) applicants next week; and
8-will set up appointment to look at sewer machine demonstration.

Alderman Stone made the motion that Council accept this report. Seconded by Alderman Cortez. Passed unanimously.

**POLICE CHIEF'S REPORT**

Police Chief Richard Priest review his written report with Council.

The Chief told Council January was a rough month for him personally due to his wife's illness.

The Police Chief told Council that they are experiencing trouble with one of the police cars engine and may have to replace it.

Mayor Fincher told Council he was proud of the Police Department for their effort during the mysterious powder incident at the Valero Station.

Alderman Stone made the motion that Council approve the Chief's report. Seconded by Alderman Dahler. Passed unanimously.

**CITY SECRETARY'S REPORT**

City Secretary Josie Campa review her written report with Council.

**MAYOR'S REPORT**

Mayor Fincher reported on the following items:

1-city has a problem with the sirens not working due to interference from the electric lines and sirens will have to be transferred to battery to insure they work;
2-will be making a presentation on Thursday at the Senior Citizens' Center;
3-will be interviewing applicants for judge position on Thursday;
4-will have an operation on his right knee on February 21st, and should be out a couple of weeks;
5-ranking on the city's grant application was "10" and this should go up in next round; if city remains in top 14, we will be funded for the improvements to our water storage tanks; and
6-a surprise will be on the agenda after five years of work.

Meeting adjourned at 9:08 p.m.

Mayor

City Secretary