Minutes of Regular Meeting held on February 13, 2006

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


APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
Alderman Elias made the motion that Council approve the minutes of the regular meeting held January 10th and the special meeting held February 6th, and payment of bills as presented. Seconded by Alderman Farmer. Passed unanimously.
PRESENTATION OF ANNUAL DANIEL J. MCGRATH, D.V.M. CITIZENSHIP AWARD

Mayor Fincher presented the Daniel J. McGrath, D.V.M. Citizenship Award to Jesse Camarillo, John McGinnis and Wayland Simmons. The Mayor commended these men for work they have done over the past year and a half to get the Lytle Volunteer Fire Department back in good financial condition.

CONSIDER AUDIT REPORT FOR 2004-2005 FISCAL YEAR

Wayne Beyer presented the 2004-2005 audit report and reviewed some of the highlights of this report. Mr. Beyer gave an unqualified opinion for the city and said the city's fund balances are excellent. Mr. Beyer did not have a management letter for the city, and told Council he does at least forty audits a year of cities and counties and Lytle always ranks in the top two of well run cities. Alderman Elias made the motion that Council accept the audit report as presented. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER HIRING AUDITING FIRM FOR 2005-2006 FISCAL YEAR

Alderman Bowen made the motion that Council hire Beyer and Company to conduct the 2005-2006 audit at a price of $8,500.00. 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 Program requested the use of the ballfields at the park for this year. Mr. Davila told Council who the officers for the baseball program are for this year and told some things about their program. After discussion, Alderman Bowen made the motion that Council renew the contract with the Lytle Youth Program for this year's baseball program. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER FINAL APPROVAL OF LAKE SHORE ESTATES PLAT

Mayor Fincher read the letter from the city's engineer Paul Boedeker concerning the plat for Lake Shore Estates. Council discussed the items to be corrected and final approval for this plat. After discussion, Alderman Bowen made the motion that Council give final approval on the Lake Shore Estates plat, and that the items be completed by March 1st and have the Mayor sign the plat for recording and allow Mr. Rendon to start selling lots. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER ANNEXATION OF LAKE SHORE ESTATES

Mr. Cate recommended Council accept the petition for voluntary annexation from Mr. Rendon. Alderman Dahler made the motion that Council accept the petition for voluntary annexation from Mr. Rendon for Lake Shore Estates and allow the City Attorney to draw up the necessary paperwork. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER ACQUIRING MORE WATER RIGHTS FROM GIDLEY FARMS

Mayor Fincher told Council that Mr. Gidley is asking $2,000.00 per acre foot of water in the future instead of $1,750.00 like last year. City Attorney Tom Cate told Council he feels the city should advertise to see if a better price can be obtained. After discussion Alderman Bowen made the motion that the city advertise for two weeks in the local papers and newspapers in Hondo and Uvalde. Seconded by Alderman Elias. Passed unanimously.

CONSIDER CALLING FOR ELECTION

Alderman Dahler made the motion that Council order an Election for May 13, 2006, to elect a Mayor and two Aldermen. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER ADOPTING RESOLUTION THAT THE CITY WILL PROVIDE AT LEAST ONE (1) ACCESSIBLE VOTING SYSTEM AT ITS POLLING PLACE

City Attorney told Council the proposed resolution needs to be an ordinance. Alderman Elias made the motion that Council adopt an ordinance saying the city will provide at least (1) accessible voting system at its polling place. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AGREEMENT WITH ATASCOSA COUNTY TO LEASE ACCESSIBLE VOTING SYSTEMS FOR UPCOMING ELECTION

The City Secretary told Council that the County had not sent a proposal yet. Alderman Dahler made the motion that this item be tabled. Seconded by Alderman Elias. Passed unanimously.
Minutes of Regular Meeting held on February 13, 2006 (cont.)

CONSIDER APPOINTMENT OF MEMBER TO MUSEUM BOARD REPLACING MEMBER UNABLE TO SERVE AND APPROVING TERMS FOR EXISTING BOARD MEMBERS
Alderman Bowen made the motion that Council appoint A.Jay Frausto to replace Rick Smith on the museum board. Seconded by Alderman Elias. Passed unanimously.

CONSIDER APPOINTMENT OF MEMBER TO MUSEUM BOARD REPLACING MEMBER UNABLE TO SERVE AND APPROVING TERMS FOR EXISTING BOARD MEMBERS (CONT.)
The City Secretary told Council that the Museum Board members had agreed what terms to serve and they were as follows:

- 2 year terms: Margaret Trouart, JoAnn Null, Guadalupe Castro, Beverly McCune and Bob Roberts, Jr.
- 1 year term: Rose Lynn, Jesse Camarillo, Juan and Nora Garcia and A.Jay Frausto.

Alderman Cortez made the motion that the Council approve these terms. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER ADOPTING RESOLUTION ENDORSING PARTICIPATION IN THE PARTNERSHIP FOR REGIONAL WATER DEVELOPMENT
After discussion, Alderman Elias made the motion that Council adopt the resolution endorsing participation in the Partnership for Regional Water Development. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER REINSTATING ENTERPRISE ZONE AND TAX ABATEMENTS
Mayor Fincher asked Council to consider bringing back the enterprise zone and tax abatement program. He told the Council the city could obtain grants for economic development if we had an enterprise zone, and that the stipulations could be set requiring a certain number of jobs and value of improvements.

City Attorney Tom Cate told Council that the framework is already done and can be brought back to the Council for modification. After further discussion, Alderman Bowen made the motion that Council reinstate the enterprise zone and tax abatements and have the public hearings scheduled as soon as possible. Seconded by Alderman Dahler. Passed unanimously.

Council took a short break and then reconvened. Alderman Elias left the meeting during the break as he was feeling ill.

CONSIDER STOP SIGN LOCATED AT INTERSECTION OF N. SOMERSET STREET AND LAREDO STREET
Council discussed the problems the city has had with the Stop sign at the intersection of Somerset Street and Laredo Street, and talked about options for correcting these problems. After a lengthy discussion, Alderman Bowen made the motion that Council let the Director of Public Works and Police Chief look into installing a spring-loaded stop sign at the said location. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER ADOPTING ORDINANCE APPROVING WARNING SIGNS FOR SKATE FACILITY AT CITY PARK
Alderman Dahler made the motion that Council adopt Ordinance No. 303. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF DIRECTOR OF PUBLIC WORKS' JAMES MCGRATH
Mayor Fincher told Council that James McGrath has nearly completed six months of employment with the city and commended him for the work he has done, and for getting "D" licenses in water and gas. The Mayor recommended Mr. McGrath be given a salary increase. Alderman Bowen said he would like for Mr. McGrath to get benefits like other employees get after six months. Mayor Fincher recommended to Council that Mr. McGrath be placed on regular employee status and be given all benefits and a raise, but he must get "C" licenses in water and sewer in the next year. Alderman Bowen made the motion that Council give James McGrath a salary increase of $100.00 per month and full benefits, and be taken off probation and Council have Mr. McGrath "C" licenses in water and sewer after being with city a year and a half. Seconded by Alderman Farmer. Passed unanimously.

PRESENTATION OF 2005 RACIAL PROFILING REPORT—POLICE CHIEF RICHARD PRIEST
Police Chief Richard Priest presented the Racial Profiling Report for 2005 to Council and reviewed this report with them. The Chief told Council he had not received any complaints during that time period.
DIRECTOR OR PUBLIC WORKS’ REPORT
Director of Public Works James McGrath reported on the following items:

1- Mercer Construction will be cutting the hatch in the storage tank to meet TCEQ requirements on Tuesday night;
2- crew will be putting water into elevated tank for meeting water demand while Mercer is completing the project addressed above;
3- four Public Works employees attended a gas training seminar held by the Texas Gas Association at the Community Center;
4- the crew has fixed two water main breaks over the past month, along with one sewer stoppage;
5- work on pond #1 at the sewer plant is 50% completed;
6- crew took down all the Christmas decorations during last month;
7- three men hired at last meeting for Public Works never showed up;
8- the four men in his department have really stepped it up over past few months because of the shortage of personnel; and
9- he doesn’t feel the project on Tuesday night and Wednesday morning should pose a problem, if people conserve water.

POLICE CHIEF’S REPORT
Police Chief Richard Priest presented his monthly report to Council and reviewed the report with Council.

The Chief told Council he is working with TxDOT to try to get larger signs for FM 2790 North.

CITY SECRETARY’S REPORT
City Secretary Josie Campa told Council that the tax auction took place on February 7th, but the property the city was interested in was not auctioned off because the taxes were paid prior to auction time. The other property on Adams Street was auctioned off and city should be receiving delinquent taxes due on said property.

The City Secretary told Council that the city had co-sponsored a gas seminar at the center and would probably do so again to try and get more training for the Public Works’ crew.

The City Secretary asked Council members if they had any questions on her written report.

MAYOR’S REPORT
Mayor Fincher reported on the following items:

1- siren on FM 2790 North has broken and will have to be replaced. This will be done with the money that is budgeted;
2- city workers that are members of the fire department used to make fire calls when on city time, but Council stopped this practice and thinks Council should allow the Director to use his discretion to allow workers to fight fires if they are in town; and
3- will be making presentation on Wednesday for Project Green, but isn’t at liberty to disclose information at this time.

Meeting adjourned at 8:40 p.m.

[Signatures]
Mayor
City Secretary