Minutes of Regular Meeting held March 9, 2009

Regular meeting with the following present: Mayor Mark Bowen; Aldermen Jerry Stone, Ward Sanders, Rudy Hernandez, Erik Dahler, Sam Cortez; City Secretary Josie Campa; Police Chief Richard Priest; City Attorney Tom Cate.


APPROVE MINUTES AND APPROVE PAYMENT OF BILLS

Alderman Hernandez made the motion that Council approve the minutes of the February 9th regular meeting and payment of the bills, as presented. Seconded by Alderman Stone. Passed unanimously.

HEAR FROM CITIZENS

Kelly Haney told Council she would like to see Council adopt an ordinance for the removal of graffiti after a place has been tagged.

Mrs. Haney also told Council that she is a member of ACTUFF (Atascosa County Taxpayers United For Fairness). She said this organization's mission is to see that there is fairness in tax values throughout the county.

Jose Montes talked to Council about his problem with sewer backups. He complained about the city's sewer line being bad and that city employees don't respond when he calls the pager about his problem. Mr. Montes told Council he has requested written reports from the people who looked at the sewer line for the city. Mayor Bowen told Council he is aware of Mr. Montes' problem and that the city is trying to find the problem. The City Secretary told Council that she will send the written reports from All-Pro and Mr. Zamora to Mr. Montes as soon as she receives them. Mayor Bowen told Mr. Montes and Council members that he will have the City Secretary review this problem some more.

CONSIDER AUDIT REPORT FOR 2007-2008 FISCAL YEAR

Wayne Beyer presented the audit report for fiscal year 2007-2008. Mr. Beyer told Council that the city received an unqualified opinion, which is the highest that can be given. Mr. Beyer reviewed figures from the audit report with Council and said that the general fund, library fund and the utility funds all have good positive numbers and are excellent compared with other entities. Mr. Beyer presented his management letter that addressed a few items that need correcting. The City Secretary told Council that three of the items have already been corrected and one of the items would be addressed later on the agenda. Ms. Campa told Council that the only item in need of attention is the law requiring a CPA to make adjustments, and that she is looking into this matter. Alderman Dahler made the motion that Council accept the audit report and approve payment for this service. Seconded by Alderman Hernandez. Passed unanimously.

CONSIDER NOISE ORDINANCE-OLGA AND RICHARD SHARER

Olga Sharer told Council she was wanting to see if there was an update on amending the noise ordinance. Mayor Bowen told the Sharers and Council members that he had walked in the neighborhood where the band has been playing and had talked to the City Attorney about this matter. He said the City Attorney is taking a look at the noise ordinance again to see how it can be fine tuned. The Mayor and members of the Council told Mrs. Sharer that they are working at upgrading the ordinance. No action was taken.

CONSIDER REQUEST FROM TONY RENDON FOR VARIANCES ON STREET SIZE AND RADIUS OF CUL-DE-SAC IN LAKE SHORE ESTATES-PHASE 2

Tony Rendon told Council that the streets in Unit #1 of Lake Shore Estates are 24 ft. wide and he would like to keep the streets in Unit #2 the same widths. Mr. Rendon gave Council members a handout that listed reasons for having 24 ft. wide streets. Charles Rothe showed Council a map showing the exits to the existing subdivision that will be used by the proposed subdivision. He said this adds seventeen (17) more lots to the present subdivision. Mr. Rothe told Council of the drainage study done on the proposed subdivision, and showed them pictures of the present subdivision. Mr. Rothe told Council they are asking for a variance on the widths of the streets in Unit #2 mainly to keep it uniform with Unit #1.
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CONSIDER REQUEST FROM TONY RENDON FOR VARIANCES ON STREET SIZE AND RADIUS OF CUL-DE-SAC IN LAKE SHORE ESTATES-PHASE 2 (cont.)

Mr. Rendon also asked for a variance on the cul-de-sac width in Unit #2 of approximately six (6) feet. Police Chief Richard Priest told Council that this cul-de-sac was larger than the cul-de-sacs in Unit #1. The Chief said that since the streets are not curbed, the width of the cul-de-sac did not pose a problem for emergency vehicles. After more discussion, Alderman Sanders made the motion that Council grant the variances requested by Mr. Rendon. Seconded by Alderman Cortez. Discussion. Alderman Dahler asked that the sheet presented to Council be attached to the minutes. Motion passed unanimously.

CONSIDER REPORT FROM CHRISTMAS DECORATIONS COMMITTEE

Pam Fintel Chairperson and members Kelly Haney, Jolinda Harris-Richards and Christi Vaughn of the Christmas Decorating Committee spoke to Council about what is being done in preparation for the holiday decorations. The committee requested the hayride be moved back to the Saturday after Thanksgiving. Council agreed. Mrs. Fintel told Council that two fundraisers have been approved. The first fundraiser is having crafters and vendors at the park for the city's annual Easter egg hunt and the second is a "cellphone drive" for any old cell phones people may have laying around. She said there will be five (5) drop off boxes around town. Committee members asked Council for things they would like to see done as part of this project. Alderman Hernandez suggested decorating corners by stop lights and entrances to city. After more discussion, Mayor Bowen thanked committee members for their efforts.

CONSIDER REQUEST FOR CENSUS BUREAU TO USE COMMUNITY CENTER FOR TRAINING

City Secretary Josie Campa told Council that the Census Bureau is asking to use the Community Center for testing and training people in preparation for next year's census. She told Council that the days they are requesting to use the center, do not conflict with other events. After discussion, Alderman Hernandez made the motion that Council approve the request from the Census Bureau to use the Community Center for testing and training people for the upcoming census. Seconded by Alderman Stone. Passed unanimously.

CONSIDER ADOPTION OF ORDINANCE ESTABLISHING "NO PARKING" ZONE IN FRONT OF LYTLE PRIMARY SCHOOL

Alderman Dahler made the motion that Council adopt Ordinance #327 establishing the 'No Parking' zone at the Primary School. Seconded by Alderman Hernandez. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF MONICA SOTO

City Secretary Josie Campa told Council that Monica Soto had completed her probationary period satisfactorily and recommended she be hired as a regular employee and her salary be increased from $10.00 to $11.00 per hour and be given full benefits. Alderman Stone made the motion that Monica Soto be hired as a regular employee and be given benefits and a salary increase of $1.00 per hour. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER REQUEST FROM CHAMBER OF COMMERCE FOR ADDITION OF A CARNIVAL TO THE FIDDLIN' FRENCHIE BURKE MUSIC FESTIVAL-REAGON CLAMON

Chamber of Commerce President Reagon Clamon talked Council about the chamber board voting to add a carnival to the Frenchie Burke Music Festival. He said this would be something for the kids and then talked about other things that could be added for kids. He said he wasn't sure a carnival could be added for this year's celebration, but the chamber would like permission from the Council to move in this direction. Council discussed liability with the City Attorney. After more discussion, Alderman Hernandez made the motion that Council approve the Chamber of Commerce request with the stipulations that the carnival people sign an indemnification agreement prior to event and that they have liability insurance. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER ADOPTING ANTI-FRAUD POLICY

Tom Cate told Council he had reviewed the anti-fraud policy and recommended it be adopted. Alderman Dahler made the motion that Council adopt this anti-fraud policy. Seconded by Alderman Stone. Passed unanimously.
CONSIDER MAINTENANCE FEES ON ARCHIVES PACKAGE FROM CIVIC PLUS
Alderman Sanders explained the maintenance cost for the archives package for the city's new website. City Secretary Josie Campa gave Council a detailed printout of what the maintenance fees cost includes. After discussion, Alderman Hernandez made the motion that Council approve the $50.00 per month maintenance fee for the website's archives package. Seconded by Alderman Sanders. Passed unanimously.

CONSIDER APPOINTING OF ELECTION JUDGE (S)
City Secretary Josie Campa recommended Council appoint Olga Sharer as Judge and Richard Sharer, Alternate Judge for the upcoming election. Alderman Hernandez made the motion that Olga Sharer be appointed Election Judge and Richard Sharer, Alternate Judge for the May 9th election. Seconded by Alderman Sanders. Passed unanimously.

Council took a short break at 7:55 p.m. and reconvened at 8:06 p.m.

CONSIDER PROPOSAL FROM LONG & ASSOCIATES CONCERNING DELINQUENT TAXES (CLOSED SESSION)
Mayor Bowen announced that Council would go into closed session as allowed by Chapter 551.071, Subchapter D of the Government Code at 8:08 p.m. The meeting was reopened at 8:23 p.m. Mayor Bowen announced that they had discussed this item with the City Attorney, and no action was taken.

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

The Chief introduced members of the Police Civilian Auxiliary in attendance to the Council.

Alderman Hernandez asked about the status of the Emergency Messaging System, and recommended that a test be done to make sure the system works. Chief Priest agreed to test this system on Friday.

Alderman Sanders thanked volunteers on the Police Auxiliary and thanked Chief Priest for his efforts in forming this group.

CITY SECRETARY'S REPORT
City Secretary told Council that Reach Broadband was interested in using the city's water towers for high speed internet service and that she had told them to contact BKT Corporation concerning this matter.

The City Secretary asked Council if they had any questions on the written report she had submitted.

MAYOR'S REPORT
Mayor Bowen thanked Police Chief Richard Priest and Police Officer Matt Dear for their hard work and effort in training for the Fire Marshal position.

Mayor Bowen thanked Alderman Stone for all the work he has done with the siren system and for finding the problems. He said this had saved the city a considerable amount of money.

Alderman Hernandez asked about the siren tones being distributed to the public. City Secretary Josie Campa told Council she would include the siren tones in the next newsletter, and that an ad could be placed in the local newspaper. Council discussed having this information distributed door to door. Mayor Bowen said he will review the tones before this is done.

Mayor Bowen told Council that Auto Zone will be hiring 12-15 people, both part-time and full time and that they will have a grand opening in mid-April.

The Mayor informed Council that CPS is working on the installation of the lights at the park entrance on Live Oak Street.

Mayor Bowen told Council that the Best Western's preliminary plans had been submitted.
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MAYOR’S REPORT (cont.)
The Mayor said he and Alderman Sanders are working on the animal shelter foundation and bids are due by March 20th. The Mayor told Council that an electrician has volunteered to do all the electrical work at the shelter and that there is another man that is wanting to meet to discuss work for the shelter.

The Mayor thanked the people who signed up to run for City Council, and complimented them for stepping up to serve.

Meeting adjourned at 8:49 p.m.

Mark Bowen
Mayor

Josie Compa
City Secretary