Minutes of Regular Meeting held March 10, 2008

Regular meeting with the following present: Mayor Horace Fincher; Aldermen Jerry Stone, Mark Bowen, 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
City Secretary Josie Campa added the bill from Falcon Ink for $1,000.00 for detailing new police trucks. Alderman Stone made the motion that Council approve the minutes of the regular meeting held February 11, 2008 and the special meeting held February 25th, and payment of the bills, as presented. Seconded by Alderman Hernandez. Passed unanimously.

HEAR FROM CITIZENS
Alderman Mark Bowen commented that everyone working on the 18-inch water main break had done a good job and expressed his appreciation to the citizens for their patience

CONSIDER RECOMMENDATION FROM MOBILE HOME COMMISSION ON REQUEST FROM GARY AND CAROL KONCHAN
Maria Barany told Council she is not happy with placement of the Konchan’s mobile home being approved by the Commission and asked for documentation showing approval by Council. After discussion, Alderman Bowen made the motion that Council approve the recommendation from the Mobile Home Commission on the request from Gary and Carol Konchan. Seconded by Alderman Stone. Passed unanimously.

CONSIDER RECOMMENDATION FROM ZONING COMMISSION ON REQUEST FROM CASCADE COMPANIES, LLC
City Secretary Josie Campa explained the Zoning Commission recommendation. Mayor Fincher told Council he feels the Commission had acted accordingly with Council’s idea of controlled growth and he agrees with their recommendation. Pat Mosher gave Council a sketch of Cascade Companies zoning request and asked for 400 feet of frontage to be rezoned to B-3. After discussion, Alderman Bowen made the motion that Council accept the Zoning Commission’s recommendation to rezone R-1 section to B-2, not B-3 and give a blanket variance for motels to be at least six (6) stories high in this B-2 zone. Seconded by Alderman Stone. Discussion. Passed unanimously.

CONSIDER AUDIT REPORT FOR 2006-2007 FISCAL YEAR
Wayne Beyer reviewed the audit report for fiscal year 2006-2007 with Council. Mr. Beyer gave a good, clear unqualified opinion for this audit, which is the best opinion that can be given. Mr. Beyer commended the city for the good positive profits and said utility funds were in excellent shape. Mr. Beyer told Council that a motion is needed to close out three (3) of the funds on page 52 of audit report. After more discussion, Alderman Hernandez made the motion that Council approve the audit report and the auditor be paid for his report and that the funds on page 52 be closed out as recommended by the auditor. Seconded by Alderman Stone. Passed unanimously.
Minutes of Regular Meeting held March 10, 2008 (cont.)

CONSIDER HIRING AUDITING FIRM FOR 2007-2008 FISCAL YEAR

Alderman Bowen made the motion that Council hire Wayne Beyer to do the audit for the 2007-2008 fiscal year for $8,750.00. Seconded by Alderman Stone. Passed unanimously.


Mark McLiney of Southwest Securities talked to Council about the possibility of restructuring present certificates of obligation to save the city some interest due to interest rates going down. Mr. McLiney told Council that at the present time the city could save approximately $50,000.00, but he wouldn't recommend doing this unless it reaches $70,000.00 or more, because certificates can't be restructured twice. After more discussion, Alderman Dahler made the motion that no action be taken on these two items. Seconded by Alderman Stone. Passed unanimously.

Mr. McLiney told Council he would continue to monitor the city's indebtedness, and keep Council abreast of the situation.

Alderman Dahler requested that the "payoff of the 1994 Certificates of Obligation" be placed on the March 24th agenda.

ATASCOSA COUNTY JUDGE DIANA BAUTISTA-TASK FORCE ON ASSISTED LIVING PRESENTATION AND CHRISTMAS ALONG THE CORRIDOR "PONY EXPRESS" PROGRAM PRESENTATION

Atascosa County Judge Diana Bautista gave Council brochures on "Assisted Living Facilities". She asked Council to be aware of this program just in case someone feels investigating needs to be done because people are not being properly cared for.

Judge Bautista explained the "Christmas Along The Corridor" Program to Council and said AACOG is not sponsoring this program this year and cities are being asked to fund this program. She said Lytle was the first city being asked to help fund this program. Mayor Fincher told the judge the city was not aware of this program. The judge said she wasn't aware that Lytle wasn't involved in this program.

CONSIDER MUNICIPAL COURT EDUCATION-MUNICIPAL COURT JUDGE GERRY ELIAS

Municipal Court Judge Gerry Elias told Council that he feels more clerks need to attend court education courses and asked for permission to have this done. The City Secretary explained there is a shortage of office personnel at this time. After more discussion, no action was taken on this item.

Council took a short break at 7:40 p.m. and reconvened at 7:53 p.m.

CONSIDER RECOMMENDATION FROM BKT CORPORATION CONCERNING PROPOSAL FROM S & P FOR USE OF CITY WATER TOWERS

City Secretary Josie Campa gave Council members a letter sent from BKT Corporation concerning a request from S & P Communications. S & P representatives were not present at the meeting and Council agreed not to barter for rental fees.

CONSIDER BALL ROAD SITUATION

Council discussed the Ball Road situation and Mayor Fincher told Council that the property owners on Ball Road need to dedicate this easement to the City for road maintenance. Mayor Fincher told Council he would like a committee to work with the people of Ball Road. Aldermen Erik Dahler and Sam Cortez will serve on this committee and meet with the property owners on Ball Road about this matter. This item is to be placed on the April agenda.
Minutes of Regular Meeting held March 10, 2008 (cont.)

CONSIDER EXTENSION OF CITY WATER MAIN ON BENTON CITY ROAD AT OWNER'S EXPENSE
City Secretary Josie Campa told Council that a property owner on Benton City Road just outside the city is requesting water from Lytle. She said that this property is the city's CCN, but because it is out of the city, the present policy doesn't allow for extension of the water main to said property. She asked Council if they want to uphold this policy, and whether they would consider decertifying this area, so that Benton City Water can service this property owner. Alderman Dahler said these people could ask to be annexed. Council agreed to discuss this matter at the special meeting on March 24th. No action taken.

CONSIDER PROBLEM WITH BRUSH DUE TO WASTE MANAGEMENT'S ENFORCEMENT OF SECTIONS OF GARBAGE CONTRACT
City Secretary Josie Campa told Council that Waste Management has changed its policy concerning brush pick-up and is now enforcing their contract concerning brush. She said this policy change is causing a lot of complaints from garbage customers since it is inconvenient for them to cut and bundle their brush.

John McGinnis addressed Council on this matter as representative for the Seniority Group. He said older folks do not have the income or ability to do this.

The City Secretary told Council she had talked to Waste Management to see if they would work with city on this matter and they are not willing to change the new policy. She asked if Council would consider asking Waste Management to discuss this with Council or if maybe the city needs to consider another brush and bulky waste pick-up. Council agreed to invite Waste Management to attend the April meeting to discuss this matter and instructed the secretary to check with other companies and get prices for this type of service.

CONSIDER PROPOSAL FOR CLEARING SEWER PLANT PROPERTY OF OVERGROWN WEEDS
Mayor Fincher and the City Secretary asked Council to consider getting the Fire Department to hold a controlled burn at the city's sewer plant property to get rid or overgrown weeds. They said the Public Works' employees could disk the property to make it safer to burn. Atascosa County Judge Diana Bautista, told Council that Commissioner's Court does not want any burning done in the county due to dry, hazardous conditions. Council discussed getting someone to disk property and then spraying to keep weeds from coming up like before. Mayor Fincher told Council he would look into getting someone to disk property.

CONSIDER REVERSE CALLING SYSTEM FOR CITY EMERGENCIES
Police Chief Richard Priest gave Council some preliminary information on a Reverse Calling System for the city emergencies. The Chief told Council that the school's system cost is $2.50 per household and seems to work really well. Council asked Chief several questions about this system and agreed to get someone to make a presentation to Council.

CONSIDER INSTALLATION OF WATER VALVES ON N. PRAIRIE STREET AND DISCUSSION AND/OR ACTION CONCERNING 18" WATER MAIN ON N. PRAIRIE STREET BETWEEN LAKE STREET AND LAREDO STREET (CLOSED MEETING PURSUANT TO SECTION 551.071 (2) OF THE TEXAS GOVERNMENT CODE BECAUSE THIS AGENDA ITEM INVOLVES A MATTER IN WHICH THE DUTY OF THE CITY ATTORNEY TO THE LYTLE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.)
Mayor Fincher announced at 8:49 p.m. that Council would go into close session as allowed by Section 551.07 (2) of the Texas Government Code.

The meeting was reopened at 9:25 p.m.

Mayor Fincher announced that no action was taken in the closed session.

Alderman Bowen made the motion that Council take no action on these items. Seconded by Alderman Hernandez. Passed unanimously.

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

CITY SECRETARY’S REPORT
City Secretary Josie Campa added the following to her written report: warrant round-up brought in $17,300.00 and a special meeting will be held on March 24th.
Minutes of Regular Meeting held March 10, 2008 (cont.)

MAYOR'S REPORT
Mayor Fincher reported to Council that no one had filed for office for the upcoming election. The City Secretary said people can still file as a write-in, and the deadline for this is March 17th.

Meeting adjourned at 9:35 p.m.