Minutes of Regular Meeting held May 13, 2013

Regular meeting held with the following present: Mayor Mark Bowen; Aldermen Ruble Farmer, Ward Sanders, Jerry Stone, Kevin Keith, Sam Cortez; City Secretary Josie Campa; Director of Public Works James McGrath; Police Chief Richard Priest; Fire Marshal Matt Dear; City Attorney Tom Cate; Code Compliance Officer Skip Traeger; Library Director Cassandra Cortez.


APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
Alderman Farmer made the motion that Council approve the minutes of the regular meeting held April 8th and payment of the bills, as presented. Seconded by Alderman Cortez. Passed unanimously.

HEAR FROM CITIZENS
Jim Becker asked Council about the ESDs #4 and #5 charging taxes to Lake Shore Estates homeowners. City Attorney Tom Cate told Council and Mr. Becker he had sent a letter to ESD’s attorney notifying district to discontinue this practice. Mr. Cate said he was asked by their attorney about money that would have to be paid to ESD by city, and he had told him to find out and get back with him. Mayor Bowen asked Mr. Cate to follow-up on this matter and that this item would be on next month’s agenda.

Atascosa County Judge Diana Bautista told the Mayor and Council that Atascosa County would be celebrating the centennial for the Atascosa County Court House on Saturday, May 18th, and invited them to attend this 100-year celebration.

VFW Post #12041 Commander Larry Sanders told Council that the Lytle Post was named the #1 post in area, #3 in Texas and #6 at the national level. The Commander told Council he would be turning in an audit for the post.

Pablo Cortez presented a plaque to Public Works Director James McGrath as a thank you for the departments assistance with all of his requests for the Coal Mine Church. Mr. Cortez told Council he would be stepping down from the Coal Mine Church committee after 34 years. Mr. Cortez also asked Council to get another exit out of Coal Mine.

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS AND PRESENTATION OF CERTIFICATES OF ELECTION
Tom Cate administered the Oath of Office to newly-elected Aldermen Ward Sanders, Sam Cortez and Kevin Keith. Mayor Bowen presented each with a Certificate of Election.
CONSIDER APPROVAL OF FINAL PLAT FROM DYE ENTERPRISES FOR DOLLAR GENERAL PROPERTIES
Alderman Cortez made the motion that Council approve the final plat for the Dollar General properties as per the engineer’s recommendation. Seconded by Alderman Sanders. Passed unanimously.

CONSIDERATION AND APPROVAL OF A RESOLUTION BY THE BOARD OF ALDERMAN OF THE CITY OF LYTHE, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE
Mark McLiney and Andrew Friedman from Southwest Securities talked to Council about the uses for certificates of obligation monies, and then went over a calendar if the Council adopts the Notice of Intention Resolution tonight. Mr. McLiney told Council that a bond rating would be obtained and this tends to drive down interest rates. After discussion, Alderman Sanders made the motion that Council adopt the resolution authorizing the Notice of Intention To Issue Certificates of Obligation in the amount of $1,500,000 (one and one-half million dollars). Seconded by Alderman Keith. Passed unanimously.

DISCUSSION AND/OR CONSIDERATION ON APPROVAL OF BID (S) ON POLICE FACILITY
Eddie Bogard from TRC reviewed the ten bids received on the police facility. Mr. Bogard told Council that Crownhill was the lowest bidder for $695,000.50 and recommended they be awarded the bid. City Secretary Josie Campa told Council that until they know that residents are okay with the issuance of certificates, Council should not award this bid until July 8th, if they are able to sell the certificates on that date. Mayor Bowen asked how long the bids were good for and Mr. Bogard said they are good for 180 days. No action was taken on this item.

Council took a short break at 7:12 p.m. and reconvened at 7:27 p.m.

CONSIDER EMPLOYMENT STATUS OF CHARLES WAYNE NEWMAN
Public Works Director James McGrath recommended to Council that Wayne Newman’s probation be extended three months. Alderman Stone made the motion that Wayne Newman’s probation be extended for three months as per Mr. McGrath’s recommendation. Seconded by Alderman Cortez. Discussion. Alderman Sanders asked for documentation for the last six months and asked if there was a written evaluation. Mr. McGrath said there was no documentation or a written evaluation. Alderman Keith asked about a written training plan and Mr. McGrath said he does not have one. After more discussion, the vote was as follows: FOR motion: Aldermen Stone, Cortez and Keith; AGAINST motion: Aldermen Sanders and Farmer. Motion carried.
DISCUSSION AND CONSIDERATION ON CLOSING, ABANDONING AND SELLING PORTION OF SOUTH STREET RUNNING THROUGH TROUART PROPERTY ON FM 2790
City Attorney Tom Cate told Council that the city has been asked to close and abandon South Street by Margaret Trouart’s attorney. Mr. Cate told Council there are procedures to be followed when doing this and requested permission to proceed. Alderman Sanders made the motion that Council authorize the City Attorney to proceed with the above mentioned request. Seconded by Alderman Keith. Passed unanimously.

UPDATE ON PLANS AND GOALS
Eddie Bogard discussed the investigating of water well #3 to see if water can be treated. He told Council that if all the steps are followed while doing this investigating the cost could reach $100,000.00. Council agreed to have this item on the June agenda.

Council members then discussed the proposed plans and goals after a lengthy discussion agreed to hold a public town hall meeting on June 24th at 6:30 p.m at the Community Center to discuss plans and goals with residents and taxpayers.

CODE COMPLIANCE OFFICER’S REPORT
Code Compliance Officer Skip Traeger told Council that he has been working on getting people to mow their grass and cut down weeds since the rain. Mr. Traeger said the other thing that has been taking up his time is talking to people about separating their brush from the bulky waste in order to get stuff picked up.

LIBRARY DIRECTOR’S REPORT
Library Director Cassandra Cortez reviewed her written report with Council.

PUBLIC WORKS’ DIRECTOR’S REPORT
Public Works Director James McGrath reported the following to Council:

1 - 178 work orders were completed in April;  
2 - 1 new water meter was installed;  
3 - 1 service leak was repaired;  
4 - 1 angle stop was replaced on water meter;  
5 - 5 service line leaks were found;  
6 - 1 customer leak was found and reported;  
7 - fire hydrant test was done at new elementary;  
8 - 2 sewer clogs during month were unclogged;  
9 - Oak tree at park was trimmed; and  
10 - crew working on getting park ready for Frenchie Burke Festival.

City Secretary Josie Campa told Council that the newly hired employee for Public Works department had refused to give a urine sample for drug test and admitted he would test positive. Therefore, city is readvertising to fill this position.
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POLICE CHIEF’S REPORT
Police Chief Richard Priest reviewed his written report with Council.

Betty Kroeger told Council SNAP would be at the shelter again to conduct more spays and neuters for dogs and cats.

CITY SECRETARY’S REPORT
City Secretary Josie Campa reviewed her written report with Council.

MAYOR’S REPORT
Mayor Bowen reminded Council that the Frenchie Burke Festival would be held on Friday and Saturday.

The Mayor told Council that due to the train derailment, Union Pacific people would meet with City Officials on Friday, May 17th. The Mayor complimented Chief Priest and Lieutenant Matt Dear for their work on notifying people after the derailment occurred.

The Mayor told Council that Alderman Stone had tried out the Command Post the Friday of the storm.

Meeting adjourned at 9:28 p.m.