Minutes of Regular Meeting held April 14, 2003

Regular meeting with the following present: Mayor Horace Fincher; Aldermen Mark Bowen, Charles Bushart, Gerry Elias, Erik Dahler; City Secretary Josie Campa; Director of Public Works Alfredo Aguinaga; City Attorney Tom Cate; Police Chief Richard Priest. Alderman Juan Garcia was absent.


APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
Alderman Bushart made the motion that Council approve the minutes of the public hearing and regular meeting held March 10th, and payment of bills, as presented. Seconded by Alderman Bowen. Passed unanimously.

HEAR FROM CITIZENS
Mayor Fincher introduced Atascosa County Judge Diana Bautista to Council and the audience.

CONSIDER RESIGNATION OF ALDERMAN CHARLES BUSHART
Mayor Fincher read the letter of resignation from Alderman Charles Bushart effective April 14th. Mr. Bushart recommended Council appoint Louis Trouart to his position. Alderman Elias made the motion that Council accept the resignation of Charles Bushart. Seconded by Alderman Dahler. Passed unanimously.

Mayor Fincher presented a plaque to Mr. Bushart for his service to the City of Lytle.

CONSIDER APPOINTMENT TO FILL VACANCY ON COUNCIL
Mayor Fincher told Council that they had three (3) options concerning the vacancy on the Council due to Mr. Bushart’s resignation. The options are: 1- leave the council seat open; 2-appoint someone to fill seat for the unexpired term; or 3-have a special election to fill vacancy. After discussion, Alderman Elias made the motion that Council appoint Louis Trouart to fill the vacancy on the Council. Seconded by Alderman Bowen. Passed unanimously.

Tom Cate administered the Oath of Office to Louis Trouart.

CONSIDER AUTHORIZING IMPACT STUDY AND ADOPTION OF IMPACT FEES
Engineer Paul Boedeker talked to Council about impact fees and explained what is needing to be done to adopt impact fees. One of the first things to be done is having an impact study done. Mr. Boedeker said it would cost between five and ten thousand dollars for the study. This study will require a land use study and population projection which Philip Ruiz' company can do. Mr. Ruiz told Council the land use study and population projection will cost eight to ten thousand dollars. After discussion, Alderman Bowen made motion to authorize Paul Boedeker to do an impact study. Seconded by Alderman Elias. Passed unanimously.
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DISCUSSION/ACTION ON THE POSSIBLE SUBMISSION OF A TEXAS DEPARTMENT OF AGRICULTURE-TEXAS CAPITAL FUND PROGRAM APPLICATION

Philip Ruiz told Council that the city can apply for more funds under the Capital Fund program now that the Lytle State Bank Project has been completed. He said that Toyota can be used as an incentive for obtaining this grant and if Council is interested the deadline is July 25th. Mr. Ruiz also said this could be approved for standby until the City gets businesses to come into city. Alderman Elias made the motion that Council hire Mr. Ruiz' firm CDM to be on standby for applying for a grant under the Capital Fund Program.

Seconded by Alderman Trouart. Passed unanimously.

CONSIDER CONCERNS WITH E.M.S. SERVICE

Mayor Fincher told Council that Atascosa County Judge Diana Bautista and Jimmy Day were here from Jourdanton and moved item #24 up on the agenda.

The Mayor told Council that he and Alderman Elias had talked to Judge Bautista and Mr. Day about the problems with the Lytle E.M.S. not being on duty on some weekends. The Judge and Mr. Day told Council that there are plans to expand the E.M.S. service and hire more people. After discussion, there was no action required on this item.

CONSIDER REQUEST FOR VARIANCE ON SIGN HEIGHT FOR BILLBOARD ON BROWN PROPERTY—ROBERT HESHDAR

Robert Heshdar requested a height variance for a billboard on Jack Brown's property for an off premise service sign. Mr. Heshdar told Council he doesn't know what will be advertised on this sign and that the developer of the Brown property is a potential candidate for this sign. Council told Mr. Heshdar they have a hard time approving a sign if they don't know what is going to be advertised on it. Mayor Fincher called for a motion on this request. This item died for lack of a motion.

PRESENT PLANS FOR HURLEY FUNERAL HOME—JACK MORRIS

Mayor Fincher told Council that Jack Morris of Hurley Funeral Home had told him that they will be starting construction on a funeral home in Lytle very soon.

CONSIDER RESIGNATION OF ELDA PEREZ, LOCAL OPERATOR FOR SECTION 8 HOUSING AND CONSIDER APPOINTMENT OF LOCAL OPERATOR FOR SECTION 8 HOUSING

Mayor Fincher told Council that Elda Perez had asked that items #10 and #11 be taken of the agenda and said they will be back on the agenda at a later date.

JACK MCFARLAND—SEWAGE BEING RUN ON TO HIS PROPERTY BY NEIGHBOR

Jack McFarland told Council that this was the seventh time he has talked to the Council about his problem with the neighbor. Mayor Fincher told Mr. McFarland that the problem with the Gomez septic system has been corrected and TCEQ had sent a representative to look at this problem after receiving a complaint. The Mayor told Mr. McFarland and Council that the TCEQ representative had visited the place and said it was in compliance and that they need to pump out the septic tank only two times a year unless we have heavy rains.

Council took a short break and reconvened at 7:50 p.m.

CONSIDER REQUEST FROM TOP GUN TELECOM TO PLACE ANTENNAS ON CITY WATER TOWERS

This item was scratched from the agenda since no one from Top Gun was present.

CONSIDER AWARD OF WRECKER SERVICE CONTRACT

Chief Priest told Council that Richard Tudyk and Joe Garcia would like to alternate on the wrecker service for the next year. Alderman Elias made the motion that Council enter into a wrecker service contract with Richard Tudyk and Joe Garcia. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER PROPOSED PLAN FROM LONG & ASSOCIATES FOR PAYMENT OF DELINQUENT TAXES

City Attorney Tom Cate recommended to Council that they approve the proposed plan from Long & Associates for payment of delinquent taxes. Alderman Bowen made the motion that Council approve the proposed plan from Long & Associates for payment of delinquent taxes. Seconded by Alderman Elias. Passed unanimously.
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CONSIDER ADOPTING OF PROCLAMATION AUTHORIZING APRIL AS FAIR HOUSING MONTH AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO APRIL AS FAIR HOUSING MONTH
Alderman Dahler made the motion that Council adopt the Proclamation for April as Fair Housing Month. Seconded by Alderman Elias. Passed unanimously.

CONSIDER BIDS RECEIVED ON CITY HALL ROOF
City Secretary Josie Campa requested permission for more time to review the bid from Texana Roofing and also check with other companies about why they didn't bid the project. Alderman Bowen made the motion to grant the City Secretary's request. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER BIDS RECEIVED ON OLD POLICE CAR
City Secretary Josie Campa told Council that a bid of $800.00 had been received on the old police car. She told Council that she and Chief Priest had discussed this matter and recommended the city take this car to the Atascosa County Sheriff's auction in May. Alderman Bowen made the motion that Council reject the bid received on the old police car and that it be taken to the Sheriff's auction. Seconded by Alderman Elias. Passed unanimously.

CONSIDER ADDITIONAL STREET LIGHTS
City Secretary Josie Campa told Council she had placed this item back on the agenda because the street light mentioned at the last meeting for N. Prairie Street should have been for Richard Dr. and she had gotten a request from the laundry owner for a light on Railroad Street and a request for a light by the drive thru. Alderman Elias made the motion that Council approve the change in street light for the light from N. Prairie Street to Richard Drive and add the other two lights requested. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER STREETS FOR REPAVING PROJECT
Mayor Fincher told Council of the streets needing to be retopped and discussed prioritizing said streets. It was agreed to list all the streets in the bid specs and then let Council approve the streets to be retopped when bids are received. Alderman Elias made motion that Council go out for bids on the following streets:
1-N. Prairie from Railroad to Hwy 132;
2-Prairie-Florence from Hwy 132 to Magnolia;
3-Blume Drive;
4-Cottage Street from N. Prairie to FM 2790;
5-Houston Street from N. Prairie to end just past Dawson;
6-Wisdom Road from Mason to Lake; and
7- N. Prairie Street from Houston to Laredo.
Seconded by Alderman Bowen. Passed unanimously.

CONSIDER HIRING PUBLIC WORKS' EMPLOYEE TO FILL VACANCY
Director of Public Works Alfredo Aguinaga recommended to Council that they hire Abel Yracheta to fill the vacancy in the Public Works' department. Alderman Bowen made the motion that Council hire Abel Yracheta for the Public Works department at $6.00 per hour. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER INCREASING UTILITY TAPPING FEES
Council discussed this item after Mayor reported what the committee had discussed and told Council that Tom Cate has recommended tapping fees be the same price throughout the city. After lengthy discussion, no action was taken on this item at this time.

CONSIDER HAVING MORE WET HAULING DONE AT SEWER PLANT
Mayor Fincher told Council that the city needs to have more wet hauling done at the sewer plant and that it would cost about $1400.00. Alderman Elias made the motion that Council allow the Mayor to have more wet hauling done. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER PURCHASING SHORING EQUIPMENT
Mayor Fincher told Council he had gotten a price from United Rental for shoring equipment and that each piece costs $525.00 and a set of spreaders cost $600.00 and therefore the total for the five pieces and the spreader would be $3225.00. Alderman Bowen made the motion that Council approve the purchase of this shoring equipment. Seconded by Alderman Dahler. Passed unanimously.
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**CONSIDER RENAMING THE CITY PARK**

City Secretary Josie Campa told Council that this item was back on the agenda as requested by Council at the last meeting. After a short discussion, Alderman Trouart made the motion that Council rename the City Park "John Lott" Municipal Park. Seconded by Alderman Bowen. Passed unanimously.

**CONSIDER ADOPTION OF ORDINANCE AS PER SECTION 2.053 OF THE ELECTION CODE ALLOWING CITY TO DECLARE EACH UNOPPOSED CANDIDATE FOR OFFICE ELECTED**

Alderman Elias made the motion that Council adopt Ordinance No. 276. Seconded by Alderman Trouart. Passed unanimously.

**DIRECTOR OF PUBLIC WORKS' REPORT**

Director of Public Works Alfredo Aguinaga reported on the following items:
1. Clean up for water and sewer project is being done;
2. Fences at Light & Abbe properties will be done;
3. Punch list on project is being done by engineer at the end of the week;
4. Have patched Magnolia Street;
5. Flow test on new line showed seventy pounds of pressure and yielded 1275 gallons per minute;
6. Working at pond #3 and will be starting on pond #2 soon;
7. TCEQ checked sewer plant and there will be a minor write-up on the plant; and
8. Had a water leak at annex building

**POLICE CHIEF'S REPORT**

Chief Priest reviewed his written report with Council and reported on these additional items:
1. Uvaldo Ramirez resigned as a Reserve officer to take full-time job at Devine;
2. Officers have been attending schools;
3. Two computers have been installed in police units;
4. Danny Robison has been on medical leave;
5. Have a problem at FM 2790 and N. Prairie with people turning at wrong place, and TXDOT notified us that Mayor would have to write a letter to have them correct this problem;
6. Two more computers have been purchased on E-Bay for $160.00 each which includes the shipping;
7. With materials added and repairs to these units, it should cost the city $300.00 to $400.00 to have them like new, and
8. Warrant round-up was successful, fifty-five (55) people were brought in and about $5000.00 was collected

**CITY SECRETARY'S REPORT**

City Secretary Josie Campa reviewed her written report item by item, with Council.

**MAYOR'S REPORT**

Mayor Fincher reported on the following items:
1. Mitigation Plan paperwork has been completed;
2. Had two people give price on baseball field fences at the park—one was for $14,000.00—material and labor and the other was $4000.00 for labor only. Since he feels both are high he will continue to get other prices on repairing said fences; and
3. Will get started on measuring streets approved by Council for retopping.

Meeting adjourned at 9:05 p.m.

Mayor

City Secretary