Minutes of Regular Meeting held April 20, 2009

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

Visitors: Wayne and Christi Vaughan; George Weron, Matt Dear, Chuck Bayne, Olga and Richard Sharer, Nancy Burns, Kevin and Michelle Keith, Jose Montes, Harry Rice, Jim Becker, William Alonzo, Bobbie Lassiter, Sam Parks, Reagon Clamon, Pam Fintel, Bobbie Roberts, Jay Dahler, Olga Ramirez, Amy Gomez.

APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
Alderman Stone made the motion that Council approve the minutes of the regular meeting on March 9th and the special meeting held March 23rd and payment of the bills, as presented. Seconded by Alderman Sanders. Passed unanimously.
Hear from Citizens

Jose Montes told Council that he understood last month that he would be on the agenda. Mayor Bowen told Mr. Montes he was not on the agenda but would be placed on the May agenda.

Sam Parks read a prepared statement from his wife Carol, and himself, expressing their appreciation for the Lytle Fire Department and Lytle Police Department for their efforts in containing the fire at their fitness center.

Consider Approval of Plat for Best Western

City Secretary Josie Campa told Council that the city's engineer had written a letter stating that the preliminary plat and storm water review done by KFW Engineers for the 1.76 acre tract to be used for a Best Western conforms with the City's code. After discussion, Alderman Hernandez made the motion that Council approve the preliminary plat and storm water study done by KFW for the Best Western. Seconded by Alderman Stone. Passed unanimously.

Consider Request for Waiver on Water Impact Fees and Acquisition Fees for Property Being Used as Community Garden - Nancy Burns

Nancy Burns addressed the Council concerning the possibility of her vacant lots being used for a community garden and needing a water meter for these lots. Mrs. Burns told Council she can pay the tapping fee but cannot afford the impact fee or water acquisition fee. Olga Sharer told Council that Mrs. Burns' property is very accessible to the Community. Mrs. Burns and Mrs. Sharer told Council they will be back to the Council if the community responds well to the idea of the community garden. Mayor Bowen thanked Mrs. Burns for offering her land for a community garden and told her to come back to Council once more is known. No action taken on this item.

Consider Request From Greater Lytle Chamber of Commerce for $3,500.00 for Fiddlin' Frenchie Burke Music Festival

Reagon Clamon told Council about some of the events being held at the Frenchie Burke Music Festival this year and asked Council to consider giving the Chamber $3,500.00 to sponsor this event. Council members asked several questions about the upcoming festival, and sponsors. Mr. Clamon told Council that approximately $1,500.00 was made last year by the Chamber, and the festival was the Chamber's only fundraiser. After more discussion, Alderman Stone made the motion that Council grant the Chamber's request for a $3,500.00 sponsorship. Seconded by Alderman Sanders. VOTE: Aldermen Stone, Sanders and Cortez voted FOR. Alderman Hernandez voted AGAINST. Motion carried.

Consider Adopting 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 Hernandez made the motion that Council adopt the proclamation authorizing April as Fair Housing Month. Seconded by Alderman Cortez. Passed unanimously.

Consider Adopting Ordinance as per Section 2.053 of the Election Code Allowing City to Declare Each Unopposed Candidate for Office Elected

Alderman Sanders made the motion that Council adopt Ordinance No. 328. Seconded by Alderman Stone. Passed unanimously.

Consider Adopting Resolution Affirming the City's Support and Partnership With the 2010 Census

Alderman Sanders made the motion that Council adopt the resolution affirming the City's support of the 2010 Census. Seconded by Alderman Hernandez. Passed unanimously.

Consider Amendments to City's Noise Ordinance

Mayor Bowen told everyone that the city's attorney is working on a couple of things on the noise ordinance, but right now, they are waiting to see what the legislature does.

City Attorney Tom Cate suggested a workshop be held to discuss the noise ordinance. No action was taken on this item.
CONSIDER IMPROVEMENTS TO CR 6710 DUE TO COMPLAINTS FROM TAXPAYERS IN LAKE SHORE ESTATES

Alderman Sanders told Council that a couple of people have called about CR 6710 needing to be paved. City Secretary Josie Campa told Council that there are several houses in Lake Shore that front on CR 6710, even though the road is out of the city. After more discussion, the Mayor asked the City Secretary to contact the County Commissioner and set up a meeting to discuss this matter. No action was taken on this item.

CONSIDER INCREASING 2008 MAXIMUM ACCESS LINE RATE DUE TO INFLATION

After discussion, Alderman Stone made the motion that the City leave the line rate the same as last year. Seconded by Alderman Sanders. Passed unanimously.

Council took a short break at 7:45 p.m. and reconvened at 7:56 p.m.

CONSIDER ADOPTION OF FIRE CODE

Council discussed adopting the Fire Code with Chief Priest and the City Attorney. Council discussed items that will be covered by this code. After lengthy discussion, Alderman Hernandez made the motion that Council adopt the 2006 International Fire Code, and any future amendments. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER APPOINTMENT OF FIRE MARSHAL (S)

Police Chief Richard Priest told Council that the Fire Code calls for a Fire Marshal and an Assistant Fire Marshal to be appointed by Council. He recommended that Council appoint him Fire Marshal and appoint Matt Dear as Assistant Fire Marshal. Chief Priest said he is not asking for compensation for these positions. After further discussion, Alderman Dahler made the motion that Council appoint Richard Priest as Fire Marshal and Matt Dear as Assistant Fire Marshal as per the Chief's recommendation. Seconded by Alderman Sanders. Passed unanimously.

CONSIDER ADOPTION OF IDENTITY THEFT POLICY

City Attorney Tom Cate presented an ‘identity theft policy’ to Council and said the city is mandated by law to adopt said policy. Alderman Dahler made the motion that Council adopt the ‘identity theft’ policy presented by the City Attorney. Seconded by Alderman Sanders. Passed unanimously.

CONSIDER HIRING EMPLOYEE (S) FOR PUBLIC WORKS DEPARTMENT

Public Works' Director James McGrath recommended to Council that Abel Yracheta be hired to fill one of the vacancies in the Public Works Department. Mr. McGrath told Council that Mr. Yracheta had worked for the city before back in 2002 and 2004, and was fully trained and had even worked 'on call' duty. Mr. McGrath asked Council to waive the background check and lessen the probationary period to three (3) months. Mr. McGrath also asked Council to start Mr. Yracheta at $9.00 per hour since he has experience. Chief Priest suggested Council not waive the background check, but allow Mr. Yracheta to start work until he obtains his background check. Alderman Stone made the motion that Council hire Abel Yracheta at $9.00 per hour after he completes his physical and drug test and his probationary period be three (3) months instead of six (6). Mr. Yracheta can start working prior to the City receiving his background check. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER ADOPTION OF “UNATTENDED CHILDREN POLICY” FOR LIBRARY

City Secretary Josie Campa presented a policy concerning “unattended children” at the library. She told Council the Library Board was recommending this policy be adopted. Council members asked questions concerning the proposed policy that the City Secretary could not answer. After more discussion, Alderman Hernandez made the motion that Council not adopt the proposed policy until the City Secretary can get more information. Seconded by Alderman Stone. Passed unanimously.

CONSIDER CALLING FOR BIDS ON 2001 FORD CROWN VICTORIA

Police Chief Richard Priest told Council that the 2001 police car has over 170,000 miles and he has taken it off line since it won't be beneficial to the city to keep it any longer. The Chief requested that Council authorize him to clean it up and get it ready for sealed bids. After discussion, Alderman Hernandez made the motion that Council put the 2001 police car out for sealed bids within thirty (30) days and take bids for thirty (30) days with the minimum bid set at $1,000.00. Seconded by Alderman Stone. Passed unanimously.
CONSIDER PROPOSED BUDGET AMENDMENTS

City Secretary proposed the following amendments to the 2008-2009 budget:

**General Fund**

**General Operating Dept.**
Attorney's Fees - $5,000.00

**Public Safety Dept.**
Attorney's Fees + $5,000.00

**Public Works Dept.**
Consulting Engineer + $2,500.00
Gasoline & Oil - $2,500.00

**Water Fund**

Revenues
Available From Prior Years + $4,000.00

Expenditures
Consulting Engineer + $2,000.00
Edwards Aquifer Fees + $1,000.00

**Gas Fund**

Expenditures
Consulting Engineer + $1,000.00
Gasoline & Oil - $1,000.00

**Sewer Fund**

Expenditures
Salaries - $5,000.00
Overtime Pay + $2,000.00
Consulting Engineer + $3,000.00

Alderman Hernandez made the motion that Council approve the proposed budget amendments as proposed. Seconded by Alderman Cortez. Passed unanimously.

**PUBLIC WORKS DIRECTOR'S REPORT**

Director of Public Works James McGrath reported the following:

1-209 work orders competed;
2-1 water main leak fixed;
3-5 water service line leaks fixed;
4-2 gas leaks were fixed;
5-3 gas meter regulators changed out;
6-1 gas meter service repaired;
7-2 sewer stoppages unclogged;
8-1 angle stop changed out;
9-TML gas system audit completed;
10-held a practice emergency drill for gas leak;
11-crew worked at Easter Egg Hunt; and
12-now doing work at animal shelter.

**POLICE CHIEF'S REPORT**

Police Chief Richard Priest reviewed his written report with Council.

Chief Priest told Council that the civilian auxiliary group has twenty (20) members and the volunteers are doing a great job.

**CITY SECRETARY'S REPORT**

City Secretary Josie Campa asked Council members if they had any question on her written report.

The City Secretary told Council that early voting for the District 3 race would be starting on April 27th.

The City Secretary told Council that even though there hasn't been much rain, the city has only used about two acre feet more than last year.
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MAYOR'S REPORT
Mayor Bowen told Council that Alderman Sanders has been working on the animal shelter project and that the foundation should be poured in a couple of weeks. He asked Alderman Sanders to report on the shelter. Alderman Sanders told Council that Hector Barrera is doing the work on the shelter foundation, at cost and Alan Roeder is doing the electrical work, free of charge. Alderman Saunders told Council that Mr. McGrath had found a great drain for the shelter.

Mayor Bowen told Council that Auto Zone reports the store is doing very well.

The Mayor told Council that Best Western is going to start building in June.

The Mayor told Council that Alderman Sanders and the City Secretary are working on the city's website.

The Mayor reported that the emergency warning system was used. The City Secretary told Council that all utility customers with phone numbers listed in the current phone book were added to this warning system if they had not filled out a form for notification.

Meeting adjourned at 8:58 p.m.

Mayor

City Secretary