Minutes of Regular Meeting, May 11, 1998

Regular meeting with the following present: Mayor Horace Fincher; Aldermen Louis Trouart, Mark Bowen, Bennie Evans, Juan Garcia and Gerry Elias; City Secretary Josie Campa; Police Chief Kathy Ray; City Attorney Tom Cate; Director of Public Works Alfredo Aguinaga.

Visitors: B. M. Fitzsimmons, Mercy Guzman, Ruben Guzman, Verlon Caraway, Kathryn Gray, Wanda Yoast, Dorothy Granberg, Don Vanderhider, Darlene Fincher, Stanley Swinney, Julie Dunnavant, Mary Gutierrez, Toni Reyes, Daniel Cate, Matthew Jacobs, Skip Jacobs, Richard Priest.

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS AND PRESENTATION OF CERTIFICATES OF ELECTION

Tom Cate, Notary Public, administered the Oath of Office to newly-elected Aldermen Louis Trouart and Gerry Elias. Mr. Cate then administered the Oath of Office to newly-elected Mayor, Horace Fincher. Each were presented with a Certificate of Election.

APPROVE MINUTES

APPROVE PAYMENT OF BILLS

Alderman Garcia asked for his comment under Hear from Citizens read, "Alderman Juan Garcia told Council and the Mayor that Mayor Pro-tem Gerry Elias had done a great job representing the City at the M.H.M.R. facility's grand opening."
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APPROVE MINUTES
APPROVE PAYMENT OF BILLS (CONT.)

City Secretary Josie Campa told Council that she had received a bill from Tom Cate in the amount of $1,549.28. After discussion, Alderman Garcia made the motion that Council approve the minutes of the public hearing on April 13th and the regular meeting on April 13th and payment of the bills, as amended. Seconded by Alderman Elias. Passed unanimously.

HEAR FROM CITIZENS

Mayor Fincher presented a Certificate of Appreciation to Boy Scouts Troop #369 members Matthew Jacobs and Daniel Cate for the work performed by the troop in delivering flyers around the City.

Wanda Yoast told Council she had been elected as representative for the senior citizens and asked questions about the scheduled move of the Nutrition Center. Mrs. Yoast told Council that the senior citizens would like to remain at the City Hall building, and prefer not to be moved to a church due to some of the activities. Mayor Fincher answered some of the questions asked about the relocating of the Senior Citizens Center.

CONSIDER RECOMMENDATION FROM MOBILE HOME COMMISSION ON REQUEST FROM RUBEN GUZMAN

Alderman Trouart made the motion that Council approve the recommendation of the Mobile Home Commission on Ruben Guzman's request. Seconded by Alderman Elias. Passed unanimously.

APPOINT MAYOR PRO-TEM

Alderman Trouart made the motion that Council appoint Gerry Elias as Mayor Pro-tem. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER BID(S) RECEIVED ON POLICE VEHICLE

City Secretary Josie Campa told Council that the City had not received any bids on the police vehicle as per specifications. She told Council that Southway Ford had given two (2) alternate bids and were as follows:

- $21,543.00 - used - 1998 model - specs similar; and
- $20,491.00 - 1998 Crown Victoria - similar to our specs (will be here in about one (1) week.

After discussion, Alderman Evans made the motion that the City purchase the vehicle with no mileage on it for $20,491.00. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF POLICE OFFICER DAVID GARDNER

Mayor Fincher announced at 7:15 p.m. that Council would go into closed session as allowed in Chapter 551.074, Subchapter D of the Government Code. The meeting was reopened at 7:30 p.m. Mayor Fincher announced that Council had discussed the employment status of David Gardner with Chief Ray. Alderman Elias made the motion that Council extend David Gardner's probation four (4) months, as recommended by Chief Ray. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF SENIOR POLICE OFFICER RICHARD PRIEST

Mayor Fincher announced at 7:31 p.m. that Council would go into closed session as allowed in Chapter 551.074, Subchapter D of the Government Code. The meeting was reopened at 7:36 p.m. Mayor Fincher announced that Council had discussed Senior Patrol Officer Richard Priest with Chief Ray. Alderman Trouart made the motion that Council promote Richard Priest to Corporal (non-paid status), as recommended by Chief Ray. Seconded by Alderman Elias. Passed unanimously.

CONSIDER OFFER OF SETTLEMENT ON ENFORCEMENT ACTION AGAINST CITY BY RAILROAD COMMISSION

City Secretary Josie Campa explained the offer of settlement made by the Railroad Commission for alleged violations concerning the City's gas system. She told Council she has TM&L's gas consultant working on this matter as well as the City's attorney. After discussion, Alderman Elias made the motion that Council wait to see what the negotiation will lead to before deciding this matter. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER TERMS OF PROPOSED INITIAL REGULAR PERMIT FROM EDWARDS AQUIFER AUTHORITY

Mayor Fincher and the City Secretary explained the City's Initial Regular Permit from Edwards Aquifer Authority and explained what the projected City's needs are at this time.
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CONSIDER TERMS OF PROPOSED INITIAL REGULAR PERMIT FROM EMMERTS AQUIFER AUTHORITY (CONT.)

After more discussion, Alderman Elias made the motion that the City protest the initial permit granted by FAA due to need for more water and that Mayor Fincher and City Attorney Tom Catle represent the City in this matter at the hearing. Seconded by Alderman Garcia. Passed unanimously.

Council took a short recess at 7:50 p.m. and reconvened at 8:03 p.m.

CONSIDER LENGTHENING PROBATIONARY PERIOD FOR POLICE OFFICERS

Police Chief Kathy Ray told Council she would like the probationary period for police officers be extended to nine (9) months or one (1) year. After discussion, Alderman Elias made the motion that Council extend a police officer's probationary period to nine (9) months upon Chief Ray's recommendation. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER CONTRACTING WITH MUNICIPAL SERVICES BUREAU TO ASSIST WITH COLLECTION OF CITY WARRANTS

Chief Ray presented information obtained by Senior Patrol Officer Richard Priest for collection of City warrants, and recommended Municipal Services Bureau be hired to collect City warrants. Alderman Evans made the motion that Council hire Municipal Services Bureau to collect City warrants as recommended by Chief Ray. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER PURCHASE OF RADAR EQUIPMENT FOR NEW POLICE VEHICLE

Chief Ray explained the prices obtained on radar equipment for new police vehicle. After discussion, Alderman Elias made the motion to purchase a Trooper radar for $1,590.00. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER PURCHASE OF EQUIPMENT FOR NEW POLICE VEHICLE

Chief Ray explained the prices obtained from Communication Professionals on the radio and light bar for the new vehicle. Alderman Trouart made the motion that the City purchase the necessary equipment for the new police vehicle as listed, by Communication Professionals, for $3,661.97. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER PURCHASING BORING MACHINE

Director of Public Works' Alfredo Aguinaga told Council he had checked on prices for a boring machine and they are too high, therefore, he recommended the City either lease a boring machine when needed, or contract the boring job. Alderman Bowen made the motion that the City not purchase a boring machine at this time and boring jobs be contracted until such time as the City purchases a boring machine. Seconded by Alderman Elias. Passed unanimously.

CONSIDER PURCHASING SIREN FOR EMERGENCY MANAGEMENT

Mayor Fincher told Council it is important that the City have sirens for emergency situations. He told Council that at the present time, the wind direction determines whether siren is heard. He told Council that the City could purchase a single phase 5 HP Projection siren for water tower #2 for a total of $3,000.00 (installation included). After discussion, Alderman Elias made the motion that the City purchase the above mentioned siren and pay for the installation, and the budget be amended to reflect this. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER ADOPTING ORDINANCE AMENDING CITY'S ZONING ORDINANCE TO REFLECT CHANGE OF ZONING FOR PARK PLACE SUBDIVISION

Alderman Elias made the motion that Council adopt Ordinance No. 226, as presented. Seconded by Alderman Trouart. VOTE: Aldermen Elias, Trouart, Bowen and Evans voted, FOR. Alderman Garcia abstained. Motion carried.

CONSIDER ADOPTING ORDINANCE REPEALING BUILDING SECURITY FEE CHARGED ON MISDEMEANOR CHARGES

Alderman Garcia made the motion that Council adopt Ordinance No. 227, as presented. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER PLANS FOR REMODELING OF CITY HALL

Aldermen Evans and Bowen showed plans for remodeling the City Hall building. Mayor Fincher asked Council's permission to get some preliminary estimates on this project. Council agreed to allow Aldermen Bowen, Evans and the Mayor to get more information on this item.
CONSIDER HIRING PUBLIC WORKS' EMPLOYEE

Director of Public Works' Alfredo Aguinaga recommended Council hire Luis Campos to fill the vacancy in the Public Works' Department. Alderman Garcia made the motion that the Council hire Luis Campos to fill the vacancy in the Public Works' department, as recommended by Director of Public Works Alfredo Aguinaga after successfully completing his physical and drug screen. Seconded by Alderman Bowen. Passed unanimously.

DISCUSS AND ACT UPON AGREEING TO CHAIN OF COMMAND FOR CITY OF LYTLE - BENNIE EVANS

Mayor Fincher announced at 8:49 p.m. that Council would go into closed session as allowed in Chapter 551.075, Subchapter D of the Government Code. The meeting was reopened at 9:20 p.m. No action was taken on this item, therefore, the chain of command will remain the same.

CONSIDER APPOINTMENT OF AUTHORIZATION FOR EVACUATING CITY DURING EMERGENCIES WHEN COUNCIL IS NOT AVAILABLE FOR A QUORUM

Mayor explained this item and Alderman Trouart added that this item is covered under federal guidelines and gave copies of this to Council. Therefore, no action was taken on this item.

CONSIDER EMPLOYMENT STATUS OF MUNICIPAL COURT JUDGE

Mayor Fincher announced at 9:30 p.m. that Council would go into closed session as allowed in Chapter 551.074, Subchapter D of the Government Code. The meeting was reopened at 9:50 p.m. Alderman Elias made the motion that Council increase the Judge's salary from $300.00 per month to $600.00 per month retroactive to May 1st and the budget be amended accordingly. Seconded by Alderman Trouart. Passed unanimously.

DIRECTOR OF PUBLIC WORKS' REPORT

Director of Public Works Alfredo Aguinaga reported on the following items:

1 - has obtained prices on pipe for water line improvements on Newton and Houston Streets:
   - Municipal Pipe - $7,857.34
   - Industrial International - 8,796.00
   - U.S. Filter - 8,830.00
   He said these prices include fire hydrants plus $1,200.00 to tie in to the large lines;

2 - Well #3 off line - has contacted engineer about problems;

3 - have been shredding along streets;

4 - cleaning up along Main Street;

5 - close valve at sewer plant to try to get it back in compliance;

6 - employees went to test, but truck broke down;

7 - Lytle-Somerset Street by H.E.B. is being redone by H.E.B.;

8 - fiber optic cables are being installed from City limits to City limits;

9 - park benches being fixed;

10 - net for volleyball court is needed;

11 - one fountain put up at park, two more being done;

12 - letters on center sign will be put up this week; and

13 - old gas services in Coal Mine were pulled.

POLICE CHIEF'S REPORT

Police Chief Kathy Ray told Council that Officer Tim Troxell has resigned effective May 22nd and that applications are being accepted.

The Chief reviewed her written report with Council.

Chief Ray told Council that the Police Department is participating in the Blue Talon Program and that Officer Priest will be in charge of this.

CITY SECRETARY'S REPORT

City Secretary Josie Campa reviewed her written report with Council.

MAYOR'S REPORT

Mayor Fincher reported on the following items:

1 - Emergency Management meeting being held May 19th at 7:00 p.m.;

2 - floor has been put in gazebo;

3 - poles for banners along Main Street are being worked on;
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MAYOR’S REPORT (CONT.)

4 - community service people are picking up trash along Main Street;
5 - fire hydrants will be painted;
6 - congratulated Aldermen Trouart and Elias on their re-election;
7 - two or three restaurants interested in moving to Lytle; and
8 - Dollar General Store should be opening soon.

Meeting was adjourned at 10:17 p.m.

[Signatures]
Mayor
City Secretary