Minutes of Regular Meeting held May 12, 2008

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

Visitors: Craig Bell, Beau Perry, Rudy Ruiz, Atascosa County Judge Diana Bautista, Johnathan Bowen, Gilbert De La Fuente, Sam Parks, Darlene Fincher, Max Jones, Richard Hughes, Julio Inocencio, Pradip Bhakta, Jolene Ares, Jay Dahler, Jesse Blanchard, Bobbie Lassiter, Bobby Roberts, A. Jay Frausto, Susan Bowen, Christopher Bowen.

APPROVE MINUTES AND APPROVE PAYMENT OF BILLS

Alderman Hernandez made the motion that Council approve the minutes of the public hearing and regular meeting held April 14th and payment of the bills, as presented. Seconded by Alderman Stone. Passed unanimously.
Minutes of Regular Meeting held May 12, 2008 (cont.)

HEAR FROM CITIZENS

Gilbert De La Fuente from Congressman Henry Cuellar's office told Council that Congressman Cuellar had spoken to Congress for one minute on May 8th about outgoing Mayor Horace Fincher and his service to the City of Lytle for the past twenty years. He read the statements made by the Congressman and presented Mayor Fincher with a plaque.

Bobby Roberts told Council he is trying to get the metes and bounds of the Bexar County portion of the city, and hasn't been able to get them. City Secretary Josie Campa explained the problem with not finding the Bexar County metes and bounds and said now that John Howard had surveyed the city maybe he could get the metes and bounds and said she would talk to Mr. Howard.

Bobby Roberts told Council that a year ago someone from Ball Road had asked about junk vehicles and was told that when school was out this matter would be looked into. Chief Priest said several people were contacted but some are problems because of titles. It was agreed to address this topic at the next Council meeting.

Sam Parks told Council that it speaks well that Congressman Cuellar spent his one minute to talk about Lytle Mayor Horace Fincher. Mr. Parks also told Council about the train blocking the railroad crossing and said there is a section that says the crossings cannot be blocked for more that ten minutes and read it to Council. He said a terse letter from Council might help this situation. Mayor Fincher told Mr. Parks that he has written to the railroad before and they don’t listen and do what they want.

Julio Inocencio asked Council about the status of Ball Road. Alderman Dahler said they are planning to meet with the property owners.

Mr. Inocencio asked about a work order he turned in for street patching. The City Secretary said she would check on this matter.

CONSIDER BANNING THE USE OF FIREWORKS INSIDE CITY LIMITS

Mayor Fincher asked Council members about their feelings concerning the ban of fireworks in the city. After discussion, Alderman Hernandez made the motion that Council ban fireworks in city with the exception of city sponsored or city approved events and allow sparklers and non-explosive fireworks. Seconded by Alderman Dahler. Discussion. Vote-FOR-Alderman Hernandez and Dahler and AGAINST-Aldermen Bowen, Cortez and Stone. Motion did not carry. Council agreed to look into this again, but the present system is okay for now.

CONSIDER ADOPTION OF ORDINANCE AMENDING CURRENT IMPACT FEES

Rudy Ruiz told Council that the committee has been working to revise the impact fee ordinance and gave a report on land use. Beau Perry explained how the new figures were developed and said the water rights were taken out of the calculation. Mr. Perry recommended Council approve a total of $1,650.00 for the impact fees-$900.00 for water and $750.00 for sewer. Alderman Stone made the motion that Council amend the impact fee ordinance to allow for the above mentioned impact fees. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER ADOPTION OF ORDINANCE REQUIRING EDWARDS WATER RIGHTS BEING PROVIDED FOR EACH NEW METER BEING INSTALLED

City Attorney Tom Cate presented the ordinance calling for new water customers to bring water rights with them. Mr. Cate had proposed one-half acre foot of water per living unit. Mr. Cate told Council he had added a paragraph that allows for Council to grant waivers. Council discussed whether to ask for ¼ acre foot or 1/3 acre foot. Alderman Bowman made the motion that Council adopt this ordinance but call for 1/3 of an acre foot of water instead of one half acre foot. Seconded by Alderman. Dahler. Passed unanimously.

CONSIDER REQUEST FROM ATASCOSA COUNTY TO USE WATER TOWER ON FM 2790 FOR INSTALLING TWO ANTENNAS

Atascosa County Judge Blanca Bautista explained Chuck Garris' request to Council for use of city's water tower for antennas for better communication with Lytle emergency agencies. After discussion, Alderman Hernandez made the motion that Council approve this request. Seconded by Alderman Cortez. Passed unanimously.
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CONSIDER PROPOSAL FROM PRADIP BHAKTA FOR NEW MOTEL IN LYTLE
Jolene Ares spoke on Peter Bhakta's behalf and said Mr. Bhakta has a contract on the Priest property for the Motel 6. She asked if gas was available to said property. Mayor Fincher told her that gas was not available at this time, but if Mr. Bhakta is interested in obtaining a grant for getting gas to the property there are monies available for this depending on number of employees. Mayor Fincher said water and sewer are available. Mayor Fincher told Ms. Ares that all the costs involved are at the developer's expense. Rudy Ruiz said the next cycles for these grants are in June and then August. No action was taken on this item.

CONSIDER APPROVAL OF PRELIMINARY PLAT FOR PHASE 2 OF LAKE SHORE ESTATES—TONY RENDON
City Attorney Tom Cate recommended Council reject the proposed plat and instruct the engineer to look at said plat to see if it is up to the city's code.
Alderman Dahler made the motion that Council reject the plat from Mr. Rendon and send it to the engineer for review. Seconded by Alderman Hernandez. Passed unanimously.

CONSIDER COMPENSATION FOR MILEAGE FOR CITY'S APPRAISAL DISTRICT REPRESENTATIVE
After discussion, Alderman Bowen made the motion that Council approve the request from Margaret Littleton to pay for her mileage to the Appraisal District office for CAD meetings and this expense be shared with Lytle I.S.D. Seconded by Alderman Stone. Passed unanimously.

Council took a short break at 7:45 p.m. and reconvened at 7:55 p.m.

CONSIDER APPOINTMENT TO LIBRARY BOARD
City Secretary Josie Campa told Council that the Library Board has recommended Jeanie Sanders be appointed to fill the vacancy on the board. Alderman Hernandez made the motion that Council appoint Jeanie Sanders to the Library Board. Seconded by Alderman Stone. Passed unanimously.

CONSIDER REVERSE CALLING SYSTEM FOR CITY
Police Chief Richard Priest told Council that the committee had met and viewed the reverse calling system that is presently being used by the school for emergencies. The Chief said the price for this system is approximately $3,250.00 a year or $270.00 per month. Council discussed the benefits of this system.
After a lengthy discussion, Alderman Stone made the motion that the Council approve the reverse calling system as proposed. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER PROPOSAL FOR DOZING CITY PROPERTY LOCATED ON FM 3175
City Secretary Josie Campa told Council that MV Dozer had submitted a proposal for dozing the city property located on FM 3175 for $7,500.00. She told Council she was concerned because the proposal has that he will use the city maintainer. After discussion, Alderman Bowen made the motion that Council request proposals for work to be done at this property. Seconded by Alderman Stone. Passed unanimously.

CONSIDER PROPOSAL FOR BRUSH PICK-UP AND REMOVAL TO ALLEVIATE CURRENT PROBLEM
City Secretary Josie Campa told Council about the problems with brush pick-up, and said she had obtained prices from two contractors that do brush chipping to try and alleviate the problem. She said the first price was from Suarez Tree Services for $200.00 per hour for a dump truck and two people and $800.00 a day for dump truck, brush chipper and three people. The second price was from Action Tree Service for $7,500.00 but they would not separate the brush from the bulky waste. She said if Public Works could separate the brush and bulky waste then Action Tree would do this for $7,500.00. Council discussed other options for resolving this problem then Alderman Bowen made the motion that Council accept the price from Action Tree Service and add $2,000.00 if they will separate the brush and bulky waste, contingent upon Waste Management not agree to doing it for less. Seconded by Alderman Hernandez. Passed unanimously.

CONSIDER APPROVAL OF LOCATION AGREEMENT WITH NASHVILLE STAR PRODUCTIONS
After discussion, Alderman Dahler made the motion that Council approve the agreement with Nashville Star Productions. Seconded by Alderman Hernandez. Passed unanimously.
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CONSIDER ADOPTION OF RESOLUTION TO CPS ENERGY FOR ELECTRICAL INFRASTRUCTURE PROJECT

Mayor Fincher explained the city's CPS escrow account and recommended that the city have the wooden poles replaced with this money. Alderman Hernandez made the motion that Council accept the resolution with CPS but the paragraph saying the city will be paid by the City be taken out. Council discussed the city's escrow account and agreed they would like to know more. Alderman Hernandez withdrew his motion. Council agreed to have the CPS representative come to the next meeting to explain this account and projects that can be done with the money.

CONSIDER AGREEMENT WITH FEMA TO WORK WITH CITY TO UPDATE FLOOD MAPS FOR LYTLE

City Secretary Josie Campa told Council that FEMA is needing an agreement for working with the city to revise the city's flood plain maps. Alderman Bowen made the motion that Council approve the proposed agreement with FEMA. Seconded by Alderman Stone. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF LAURA SANCHEZ

City Secretary Josie Campa told Council that Laura Sanchez had completed her probationary period satisfactorily and recommended she be hired as a regular employee and be given a $1.00 per hour raise and benefits. Alderman Bowen made the motion that Council hire Laura Sanchez as a regular employee and she be given a $1.00 an hour increase in salary and benefits. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF WILLIAM DIXON

Director of Public Works James McGrath told Council that Bill Dixon will complete his six months probation later in the month and recommended he be hired as a regular employee and be given a 50 cents per hour salary increase and benefits. Alderman Stone made the motion that Council hire Bill Dixon as a regular employee and be given a 50 cents per hour raise and full benefits. Seconded by Alderman Dahler. Passed unanimously.

ADMINISTER OATH OF OFFICE TO Duly ELECTED OFFICIALS AND PRESENT CERTIFICATES OF ELECTION

Tom Cate administered the Oath of office to duly-elected Aldermen Rudy Hernandez and Jerry Stone and to duly-elected Mayor Mark Bowen. Mayor Horace Fincher presented each with a Certificate of election.

APPOINT MAYOR PRO-TEM

Alderman Erik Dahler made the motion that Council appoint Jerry Stone as Mayor Pro-tem. Seconded by Alderman Hernandez. Passed unanimously.

PUBLIC WORKS' REPORT

Director of Public Works James McGrath reported to Council on the following:

1-108 work orders completed;
2-five small water leaks fixed;
3-two sewer stoppages taken care of;
4-three gas leaks fixed;
5-two new water meters installed;
6-new booster station nearly ready;
7-will need to fill new tank addition by filling and testing;
8-company should be back the first part of June to finish project;
9-had a problem with the well that was brought on by the construction on the tank;
10-sewer facility inspection will be done on May 16th;
11-two applicants hired last month have not been heard from;
12-sewer plant gear was fixed and company said design was poor; and
13-crew will be working Frenchie Burke Festival.

Alderman Hernandez asked Mr. McGrath about the status of the valve on N. Prairie Street. Mr. McGrath told Council he still wants to check to try to find valve. Council agreed the new valve was approved last month and this work needs to be done and that he not look for the other valve anymore.
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POLICE CHIEF'S REPORT
Police Chief Richard Priest reviewed his written report with Council.

The Chief reported on the following items:

1-Click It or Ticket campaign starts May 19th;
2-officers will be working at the Frenchie Burke Festival on May 17th;
3-he will be attending Police Chief School later in month; and
4-officers are taking vacations.

Mayor Fincher told Chief Priest it was a pleasure working with him and that he appreciated all Chief had done to turn the Lytle P.D. into one of the finest in this area.

CITY SECRETARY'S REPORT
City Secretary Josie Campa added the following items to her written report:

1-no bids were received on the Somerset Street property (Alderman Bowen suggested auctioning the property and that this item be on next agenda.); and
2-sales tax allocation down $3,000.00 from last year's May allocation.

Mayor Fincher thanked the City Secretary for her work during his term as Mayor.

MAYOR'S REPORT
Mayor-elect Mark Bowen presented Mayor Fincher with a plaque for his work and dedication to the city over the past twenty years.

Mayor Fincher told Council and everyone in attendance that he had done the job of Mayor for the people and hoped that the people were happy with his work. He thanked Council for their work on the Council during his term and said he knew he was leaving the city in good hands.

Meeting adjourned at 9:08 p.m.

[Signatures]
Mayor
City Secretary