Minutes of Regular Meeting, April 13, 1998

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

Visitors: Santos Guajardo, Horatio Garcia, Kathleen Calame, Kitty Dubose, Wanda Yoast, Hector Pena, Maria Gutierrez, Julie Dunnivant, Mary Rodriguez.

Mayor Fincher called the meeting to order at 6:34 p.m.

APPROVE MINUTES

Alderman Trouart made the motion that Council approve the minutes of the public hearing and regular meeting March 9th and the bills, as presented. Seconded by Alderman Elias. Passed unanimously.

HEAR FROM CITIZENS

Wanda Yoast told Council that H.E.B. is not advertising in the Devine News and asked Council’s support in trying to get H.E.B. to do so. Kathleen Calame told Council that they (Devine News) had sent a letter to H.E.B. asking them to advertise in their paper and asked for Council’s support. Mayor Fincher and Alderman Trouart agreed to talk to the Store Director.

Alderman Juan Garcia told Council and the Mayor that Mayor Pro-tem Gerry Elias had done a great job of representing the City at the M.H.M.R. facility’s grand opening.

CONSIDER RECOMMENDATION FROM ZONING COMMISSION ON REQUEST FROM HORATIO GARCIA TO REZONE PARK PLACE FROM R-3 TO R-1

Alderman Trouart made the motion that Council approve the Zoning Commission’s recommendation on Horatio Garcia’s request to rezone Park Place back to R-1. Seconded by Alderman Elias. Passed unanimously.

CONSIDER RECOMMENDATION FROM MOBILE HOME COMMISSION ON REQUESTS FROM AURELIO MARTINEZ III AND MARIA GUTIERREZ

Alderman Elias made the motion that Council approve the Mobile Home Commission’s recommendation on the request from Aurelio Martinez III. Seconded by Alderman Evans. Passed unanimously.

Alderman Elias made the motion that Council approve the recommendation from the Mobile Home Commission on the request from Maria Gutierrez. Seconded by Alderman Evans. Passed unanimously.

CONSIDER COMPLAINT FROM JOSE MONTES CONCERNING HECTOR RAMOS’ BUSINESS

No action was taken on this item as Mr. Montes did not attend. City Attorney Tom Cate told Council he would file the lawsuit against Hector Ramos the next day.

CONSIDER GRANTING VARIANCE ON SECTION 20.304(C) OF CITY’S CODE OF ORDINANCE – ALEJANDRO GARCIA, SR.

City Secretary Josie Campa told Council that Alejandro Garcia, Sr. is having a new house built on his lot at the end of Juarez Street and is requesting a variance on Section 20.304(c) of the City’s Code of Ordinance while his house is being built. Alderman Elias made the motion that Council grant this variance for a six month period. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER APPROVAL OF PLAT AND RESTRICTIONS FOR PARK PLACE SUBDIVISION – HORATIO GARCIA

Council was given copies of the proposed restrictions for Park Place and copies of the plat. Mr. Garcia told Council the only change in the plat is a fifty foot easement for a road in the future, should he decide to subdivide more land. After review of the above, Alderman Elias made the motion that Council approve the amended restrictions and plat for Park Place Subdivision. Seconded by Alderman Evans. VOTE: For – Aldermen Elias, Evans and Trouart. Alderman Garcia abstained. Motion carried.

CONSIDER ADOPTION OF PROCLAMATION AUTHORIZING APRIL AS FAIR HOUSING MONTH FOR 1998(PY), AND AUTHORIZING THE MAYOR TO ACT AS THIS CITY’S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO APRIL AS FAIR HOUSING MONTH

Mayor read proclamation aloud. Alderman Garcia made the motion that Council adopt this proclamation. Seconded by Alderman Evans. Passed unanimously.
Minutes of Regular Meeting, April 13, 1998 (cont.)

CONSIDER ADOPTION OF EXCESSIVE FORCE RESOLUTION
Mayor Fincher read "Excessive Force" Resolution aloud. Alderman Garcia made the motion that Council adopt this resolution. Seconded by Alderman Elias. Passed unanimously.

CONSIDER ADOPTION OF ORDINANCE ESTABLISHING A STOP INTERSECTION AT THE INTERSECTION OF LYTLE-SOMERSET STREET AND SOMERSET STREET
After discussion, Alderman Trouart made the motion that Council adopt Ordinance No. 224. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER APPOINTMENT OF MEMBERS TO THE ATASCOSA ECONOMIC DEVELOPMENT CORPORATION
Alderman Garcia made the motion that Council appoint Cornelius Ripp and James Webb to the ACEDC Board of Directors, contingent upon their agreement to serve. Seconded by Alderman Trouart. 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 AND CALLING OFF MAY 2ND ELECTION
Alderman Evans made the motion that Council adopt Ordinance No. 225. Seconded by Alderman Elias. Passed unanimously.

CONSIDER ADOPTING PROCLAMATION PROCLAIMING MAY AS BEAUTIFICATION MONTH
Mayor Fincher told the Council that the Tourism Committee is working on a beautification program and asked for support from the Council. The Mayor then read a proclamation for May as Beautification Month in Lytle. Alderman Elias made the motion that Council adopt this proclamation. Seconded by Alderman Evans. Passed unanimously.

CONSIDER ADOPTING PROCLAMATION FOR NATIONAL LIBRARY WEEK
Mayor Fincher read the proclamation for National Library Week. Alderman Trouart made the motion that Council adopt this proclamation. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER ADOPTING PROCLAMATION DECLARING MAY 1998 AS NATIONAL CABLE TELEVISION FRANCHISE AGREEMENT MONTH
City Attorney Tom Cate told Council he had not talked with Hondo's City Manager about the cable television franchise agreement, but that he didn't feel the City could get a better deal. Alderman Evans made the motion that Council approve the franchise agreement with Falcon Cable TV. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER MEMBERSHIP TO TEXAS RURAL WATER ASSOCIATION
After discussion, Alderman Trouart made the motion that Council not approve the City's membership to the Texas Rural Water Association. Seconded by Alderman Elias. Passed unanimously.

Council took a short break at 7:28 p.m. and reconvened at 7:40 p.m.

CONSIDER PROPOSED BUDGET AMENDMENTS TO 1997-1998 BUDGET
City Secretary Josie Compa reviewed the proposed amendments to the 1997-1998 budget. They were as follows:

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CONSIDER PROPOSED BUDGET AMENDMENTS TO 1997-1998 BUDGET (CONT.)

*Gas Fund*

| Revenues:                          | Sale of Meters & Lines | $700.00 |

*Sewer Fund*

| Disbursements:                     | Consulting Engineer    | $2,500.00 |

Alderman Garcia made the motion that Council approve these amendments, as presented. Seconded by Alderman Trouart. Passed unanimously.

CONSIDER PURCHASING NEW POLICE VEHICLE

After discussion, Alderman Trouart made the motion that Council call for bids on a police vehicle and equipment. Seconded by Alderman Evans. Passed unanimously.

CONSIDER PARTICIPATION IN LOCAL UPDATE OF CENSUS ADDRESSES PROGRAM AND DESIGNATION OF OFFICIAL, LIAISON FOR PROGRAM

After discussion, Alderman Elias made the motion that the City participate in the Census Addresses Program and that the City Secretary serve as the liaison for this program. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER NOT CHARGING MUNICIPAL COURT SECURITY FEES ON MISDEMEANOR CHARGES

City Secretary Josie Campa explained the misunderstanding on the building security fees and asked that the Council not approve charging this fee. Alderman Elias made the motion that Council rescind the Building Security fees on misdemeanor charges. Seconded by Alderman Garcia. Passed unanimously.

CONSIDER HIRING OFFICE EMPLOYEE

City Secretary Josie Campa recommended to Council that Alice G. Perez be hired to fill the new position in the office. Alderman Trouart made the motion that Council hire Alice G. Perez to fill the clerk's position as recommended by the City Secretary. Seconded by Alderman Evans. Passed unanimously.

DIRECTOR OF PUBLIC WORKS' REPORT

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

1. A couple of the guys will test for "D" license in water;
2. Well #3 is on line and is being adjusted to taste better;
3. Gas services in Coal Mine have been changed over to new gas line;
4. Donated playground equipment has been installed at park;
5. Sewer pump has been fixed and aeration system is running again;
6. Need one more employee for department; will look over applications again;
7. Will be doing more drainage work on Somerset St.;
8. Street patching will be done;
9. Animal Control is working better with new man;
10. Farmers Tractor lent City a tractor for testing;
11. Trimming and shredding will be done;
12. Will be cleaning up creek area at sewer plant;
13. Attended gas safety meeting in Devine; and
14. Cathodic protection will be worked on this next Saturday.

POLICE CHIEF'S REPORT

Police Chief Kathy Ray reviewed her written report with Council.

CITY SECRETARY'S REPORT

City Secretary Josie Campa reported that this month's sales tax allocation will total $18,737.08, a 90.18% increase over the April, 1997 total. She said the fiscal year total already totals 73.6% of the budget, and about $29,000.00 more than last year's total.

Ms. Campa also told Council that more current ad valorem taxes had been collected and that she feels certain the budgeted amount will be met this month and then this line item can be amended, too.
Minutes of Regular Meeting, April 13, 1998 (cont.)

MAYOR'S REPORT

Mayor Fincher told Council that a ballpark is being fixed on the City property behind the ground storage tank and that permission was given several years ago.

The Mayor reported that the Tourism Committee will meet again on April 21st and that on July 11th, the Sentimental Journey Orchestra will be in concert at the Lytle Community Center.

Mayor Fincher told Council he has community service workers picking up trash and cleaning Main Street.

The Mayor told Council he is still working on an Emergency Management plan for the City and that he will be asking Council to appoint someone to be in charge of evacuating City in case of an emergency.

Mayor Fincher told Council that the plans for remodeling the City Hall are complete, but need a few revisions before getting price estimates.

The Mayor set a date for the committee to meet and review the impact study drawn up by the City's engineer.

Meeting adjourned at 8:35 p.m.

Mayor  

City Secretary