Minutes of Regular Meeting held June 13, 2005

Regular meeting with the following present: Mayor Horace Fincher; Aldermen Erik Dahler, Mark Bowen, Gerry Elias, Ruble Farmer, Jr., Sam Cortez; City Secretary Josie Campa; City Attorney Tom Cate; Police Chief Richard Priest.


The regular meeting opened at 6:35 p.m.

APPROVE MINUTES AND APPROVE PAYMENT OF BILLS
City Secretary Josie Campa added a bill from Tudyk’s Garage totaling $724.19 for repairs to police unit #3. Alderman Elias made the motion that Council approve the minutes of regular meeting held May 9th and the special meetings held May 16th and May 19th and payment of the bills, as presented. Seconded by Alderman Farmer. Passed unanimously.

HEAR FROM CITIZENS
Bobby Roberts told Council that the city and school boundaries do not go together and that even though he lives in the Lytlc City limits, he is in the Southwest school district. He said he would approach Council again to try to get a letter to the Southwest School Board to get the school district boundaries changed.

CONSIDER REPORT AND RECOMMENDATIONS FROM FINANCIAL CONSULTANT PHIL SAGEBIEL
Phil Sagebiel told Council he is a CPA and an auditor for cities in the area prior to becoming a consultant for cities. Mr. Sagebiel reviewed his findings with the Council and suggested Council look at a "reserve" policy. Mr. Sagebiel talked to Council about a water meter change out program since new meters are more accurate and could pave the city water lossage. The consultant suggested Council take a look at utility rates and gave them the formula used for determining rates. Mr. Sagebiel told Council that they need to get with the engineer to determine the city’s needs and that he feels the $8,500.00 fee for the audit is very reasonable. He told Council that his services could be provided on an as needed basis and that he could develop a chart for Council that is more user friendly than the audit report. After discussion, Mayor Fincher appointed a committee to study the city’s utility rates.

The Council members named to said committee were Erik Dahler and Gerry Elias. They will work with the Mayor on studying the utility rates. No other action was taken on this item.

CONSIDER AWARDING BIDS ON N. BENTON STREET DRAINAGE PROJECT
Engineer Paul Boedeker explained the bids received on the North Benton Street drainage project, and told Council that the project was bid is two (2) parts.

Bids received were as follows:

1-Shannon-Mark, Inc.-
   1st part - $ 70,162.00
   2nd part - $ 39,237.00
   Total bid - $109,399.00 ; and

2-Myers Construction, Inc.-
   1st part - $ 84,492.00
   2nd part - $ 62,508.00
   Total bid - $147,000.00
CONSIDER AWARDING BIDS ON N. BENTON STREET DRAINAGE PROJECT (CONT.)

Mr. Boedeker told Council the low bidder was Shannon-Mark, Inc. with a bid of $109,399.00 and that Lorenzo Devora would be doing the work. Council discussed the bids received and what is budgeted for this project. Mayor Fincher recommended Council use the street paving money to pay for the difference, since last year we used the budget drainage monies for additional street paving. After discussion Alderman Elias made the motion that Council accept the bids received by Shannon-Mark, Inc. and use the budgeted paving monies and $20,000.00 from reserve to pay for this project. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER RECOMMENDATION FROM MOBILE HOME COMMISSION ON REQUEST BY THOMAS AND DONNA WEATHERFORD

Alderman Elias made the motion that Council accept the recommendation of the Mobile Home Commission on the placement request by Thomas and Donna Weatherford. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER BROADBAND WIRELESS INTERNET TO COMMUNITY AND SURROUNDING AREA-KURT A. MULLEN

City Secretary Josie Campa told Council that Mr. Mullen had scratched his name from the agenda. Alderman Erik Dahler introduced Tex Kennedy and Keven Kniepper and told Council that he had invited them to attend the meeting due to this item being on the agenda. He reminded Council that they had talked about hiring Mr. Kennedy to manage any requests the city receives from companies wanting to use city's water towers to provide broadband services to city and surrounding area. Council agreed to have the contract with BKT Corporation (Tex Kennedy's company name) on the next regular meeting agenda.

CONSIDER RESOLUTION FOR ATASCOSA COUNTY SESQUICENTENNIAL CELEBRATION IN 2006-TEXAS MOORE

Texas Moore introduced herself to Council and explained the resolution she is wanting Council to adopt inviting President Bush to Atascosa County's 150th anniversary celebration. After more discussion, Alderman Farmer made the motion that Council adopt this resolution. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER PRELIMINARY PLAT APPROVAL FOR LAKE SHORE ESTATES-DELANE BRUCE

Tony Rendon presented a preliminary plat of Lake Shore Estates to Council. Mayor Fincher recommended to Council that they approve this plat contingent upon the city engineer's approval. After discussion Alderman Bowen made the motion that Council approve the preliminary plat for Lake Shore Estates contingent upon the city engineer's approval. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER TRASH PICKUP-SAMMY DOWDEN

Sam Dowden asked Council why garbage contract can't pickup all his trash, and said he didn't want to be billed for this service since it is not provided properly. City Secretary Josie Campa told Council and Mr. Dowden that Waste Management has said they would pick up all his trash, and has done so when Mr. Dowden has complained. The City Secretary told Mr. Dowden to contact the office if his garbage is not picked up and that they will get Waste Management back to pick it up. No action taken on this item.

CONSIDER ASSISTING LYTLE VOLUNTEER FIRE DEPARTMENT WITH FUNDING TO SEND PERSONNEL TO AN E.M.S. CLASS AT PALO ALTO-RON SCOTT

Mayor Fincher complimented Ron Scott for the notes he took during the disaster exercise held on June 12th. Ron Scott told Council that the fire department is needing to get volunteers trained for becoming certified EMTS to meet certain guidelines. He presented a letter signed by the department's Fire Chief and Vice-President requesting the city's assistance with funding for this E.M.S. training and said he was trying to find more money for training and had gotten some monies from Bexar County already. Mayor Fincher told Mr. Scott that he had called the President of the city's fire department, John McGinnis, and was told the Fire Department was not required to have EMTS; but that Bexar County requires a "First Responder". The Mayor added that the city is paying American for E.M.S. service. Mr. Scott told Council that Mr. McGinnis had reviewed the letter and asked changes to be made but was not able to sign the corrected letter letter since he left on a trip out of state. Mr. Scott said that since the President was able to sign this letter, the Vice President and Fire Chief signed it. The Mayor told Council he had talked with Mr. McGinnis and that he didn't agree with the additional EMTS. The Mayor told Mr. Scott and Council that the city has spent a lot of additional money.
CONSIDER ASSISTING LYTLE VOLUNTEER FIRE DEPARTMENT WITH FUNDING TO SEND PERSONNEL TO AN E.M.S. CLASS AT PALO ALTO- RON SCOTT (CONT.)

on the fire department this past year. Mr. Scott again told Council the minimum requirement for certified EMS personnel and that they are looking at the potential growth of this area. Alderman Dahler told Mr. Scott to check with the hospital district for funding since there are monies available every year.

CONSIDER ASSISTING LYTLE VOLUNTEER FIRE DEPARTMENT WITH FUNDING TO SEND PERSONNEL TO AN E.M.S. CLASS AT PALO ALTO- RON SCOTT (CONT.)

Mayor Fincher told Council he would like to hear from the Fire Department President before allowing city to pay any money for the said training.

CONSIDER SEPTIC WATER RUNNING ON MY PROPERTY FROM NEIGHBOR'S PROPERTY—JACK MCFARLAND

Tom Cate told Council that he had been looking into Mr. McFarland's problem with his neighbors. He said there was no water running onto Mr. McFarland's property when he checked. Mr. Cate told Council that the Gomez were having their septic tank pumped every quarter, and having the gray water running away from Mr. McFarland's property. Mr. Cate said that when we get heavy rains water from the septic system can go over on Mr. McFarland's property.

Alderman Bowen told Council he had also looked into Mr. McFarland's complaint since he is the Alderman for that district. Mr. Bowen told Council that the Gomez residence had a water leak for a while and since it has been fixed the water consumption has been reduced by 50%. He said this may have caused the problem and that the Gomez are trying to work with the city to correct this problem. Alderman Bowen asked Mr. McFarland if he would consider selling some land to his neighbor for a larger septic system. Mr. McFarland refused to this option. City Attorney Tom Cate said the city needs to try to resolve this problem and possibly add to its sewer system. After more discussion, Mayor Fincher recommending a committee work with the city's engineer to try to resolve this problem suggested Alderman Mark Bowen and Sam Cortez serve on this committee. Alderman Dahler made the motion that Council have a committee consisting of Aldermen Mark Bowen and Sam Cortez work with the city's engineer to try to resolve this problem by conducting a feasibility study not to exceed $3,000.00. Seconded by Alderman Elias. Passed unanimously.

Council took a break at 8:20 p.m. and reconvened at 8:35 p.m.

CONSIDER ADOPTING NOISE ORDINANCE

City Attorney Tom Cate presented two sample noise ordinances for Council to study. Mayor Fincher asked Council members to go over these ordinances for another meeting. No action was taken on this item.

CONSIDER ADOPTING ORDINANCE ADOPTING THE “IMPACT FEES” CHAPTER OF THE CITY’S CODE

City Attorney Tom Cate told Council that the effective date for the impact fees is one year after they were passed by Council. City Engineer Paul Boedeker said a correction needs to be made to Schedule 1. City Attorney Tom Cate said a final draft of the land use study and copies of the minutes pertaining to this Ordinance must be attached to this Ordinance. Alderman Elias made the motion that Council adopt Ordinance No. 294 and that a final draft of the land use study and minutes be attached to said Ordinance. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER ORDINANCE ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM

Alderman Elias made the motion that Council adopt Ordinance No. 295. Seconded by Alderman Cortez. Passed unanimously. Mayor Fincher told Council that this Ordinance requires a second reading which will be done at the July Council meeting.

CONSIDER STREETS FOR REPAVING PROJECT

This item was scratched from the agenda, due to the funds for this project being used for the drainage project.
Minutes of Regular Meeting held June 13, 2005 (cont.)

CONSIDER ADDITIONAL STREET LIGHTS
Mayor Fincher recommended Council approve the addition of two street lights on the access road near Harris Western Center. Alderman Farmer made the motion that Council approve the installation of the two (2) street lights on the IH 35 access road as specified by the Mayor. Seconded by Alderman Elias. Passed unanimously.

CONSIDER HIRING PUBLIC WORKS EMPLOYEE (S) TO FILL VACANCIES
Alderman Elias made the motion that Council hire the two persons interviewed by Henry Soto and Mayor Fincher contingent upon receiving satisfactory criminal histories and driving records and satisfactory completion of physicals and drug screens. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER APPOINTMENT OF DEPARTMENT LIAISONS
Council discussed the department liaisons for the next year. The following Council members agreed to serve as liaisons for the following departments:
- Mark Bowen—Police Department
- Sam Cortez—Park and Street Departments
- Gerry Elias—E.M.S. and Fire Department
- Erik Dahler—Sewer Department
- Ruble Farmer, Jr.—Gas and Water Departments
- Mayor Fincher—Administration

Alderman Bowen made this motion that Council accept the department liaison as specified. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER PRINTING DELINQUENT TAX ROLL IN CITY’S OFFICIAL NEWSPAPER
Alderman Dahler made the motion that Council have the city’s delinquent tax roll printed in the city’s official newspaper. Seconded by Alderman Elias. Passed unanimously.

POLICE CHIEF’S REPORT
Police Chief Richard Priest reviewed his written report with Council.

Police Chief Priest told Council the seized funds from a narcotics arrest would be used on a video camera system for one of the patrol units.

CITY SECRETARY’S REPORT
City Secretary Josie Campa added the following items to her Secretary’s report:
1-TML lawyers have responded to EEOC charges.
2-Sales Tax allocation for June is $35,032.71 which is about $2,500.00 more than last June’s allocation due to the sales tax refund $19,200.00.

MAYOR’S REPORT
Mayor Fincher reported on the following items:
1-Pig Stand/FM 2790 East sewer project has been completed;
2-TCEQ inspected wastewater facility and records in May and found sludge reports needed to be completed for last year and reports were done, after their evaluation was completed;
3-TCEQ had a July 1st deadline for the booster pump project, will work at getting city an extension til February, 2006, since grant funds won’t be made available until after July 1st;
4-working on a quiet zone with the railroad since all of the city’s railroad crossing now have crossing arms in place;
5-city holding annual July 4th fireworks’ display; and
6-had a disaster simulated on Sunday, June 12th and had city crews, police, fire department and EMS participate, everything went very well.

Meeting adjourned at 9:32 p.m.

[Signatures]
Mayor
City Secretary