Minutes of Regular Meeting held August 8, 2005

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

Visitors: Robert Dose, Oralia Gutierrez, Diana Martinez, Jose Rangel, Lupe Castro, Olga and Richard Sharer, Maria Barany, Antonio Rendon, Jay Dahler, Kurt Castner, Gabriel Mejia.

APPROVE MINUTES AND APPROVE PAYMENT OF BILLS

Alderman Elias made the motion that Council approve the minutes of the July 11th regular meeting, the workshop held July 18th and the special meeting held August 1st, and payment of the bills, as presented. Seconded by Alderman Bowen. Passed unanimously.

HEAR FROM CITIZENS

Lupe Castro asked Council who had allowed Constable Chance Priest use the city's radar gun. Mayor Fincher told Mr. Castro he would check into this matter. Police Chief Richard Priest told Council and Mr. Castro he had allowed the Constable to use the department's radar gun and that it is not uncommon for law enforcement agencies to borrow equipment from each other. City attorney Tom Cate told Council that they could talk about this matter, but no action could be taken since it was not on the agenda.

DOUGLAS TILLEY-CUTTING DRAINAGE DITCH ON PROPERTY; CUTTING TREES ON PROPERTY;

This item was scratched from the agenda since Mr. Tilley was not present.

ORALIA GUTIERREZ-CONSIDER ALLOWING HOUSE TO STAY ON PROPERTY WHILE NEW HOUSE IS BUILT

Oralia Gutierrez told Council that they would like to build a new home on her property on Somerset Street, and then tear down the existing house. She asked Council for permission to keep the old house on the property while the new house is being built. Council asked how long it would be to have the house built and to tear down the old house. After discussion, Alderman Elias made the motion that Council allow Mrs. Gutierrez nine months to build the new home and tear down the old house. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER ADOPTING NOISE ORDINANCE

After discussion, Alderman Bowen made the motion that Council adopt Ordinance No. 296. Seconded by Alderman Elias. Passed unanimously.

CONSIDER REQUEST FOR VARIANCE FROM SUBDIVISION ORDINANCE BY RENDON HOMES TO ALLOW CONSTRUCTION OF MODEL HOMES PRIOR TO FINAL PLAT APPROVAL ON LAKE SHORE ESTATES

Mayor Fincher told Council that Mr. Rendon's preliminary plat for Lake Shore Estates has been approved and that Mr. Rendon is asking for a variance of the subdivision ordinance to allow him to build three (3) model homes, while the streets and utility lines are being constructed. Mayor Fincher recommended Council grant this variance to Mr. Rendon. Alderman Elias made the motion that Council grant Antonio Rendon the variance he requested to allow him to build three model homes before the streets and utility lines are completed in Lake Shore Estates. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER ADOPTING ORDINANCE CREATING AREA MUSEUM

Mayor Fincher told Council that he recommends seven members be appointed to the museum board. Council discussed the number of board members, requirements for being on the board, and the kind of control the board should have. After a lengthy discussion Council agreed to have a ten member board with each Councilman picking two members. These members will serve two-year staggered terms after the initial board is selected with five members serving two years and five members serving a one-year term. Council also discussed the board making reports to Council and matters being subject to City Councils final approval. The Council also added that board members could be removed by the Council. Alderman Dahler made the motion that Council approve the museum ordinance subject to the changes addressed by Council. Seconded by Alderman Bowen. Discussion. Alderman Dahler amended the motion to include that board action is subject to City Council’s or its delegated agents’ approval. Seconded by Alderman Bowen. Passed unanimously.
Minutes of Regular Meeting held August 8, 2005 (cont.)

CONSIDER PARTICIPATION IN LYTLE HOMECOMING PARADE
Alderman Bowen made the motion that Council participate in this year's Homecoming Parade. Seconded by Alderman Elias. Passed unanimously.

CONSIDER STUDY COMPLETED BY ENGINEER ON SEWER LINE FOR ADAMS STREET
Mayor Fincher explained the engineer's study on sewer for Adams Street. The City Secretary told Council that the property owners on Adams Street that would be served by the extension of sewer are opposed to being connected to city sewer because of the costs. Alderman Bowen told Council he heard the same thing from these people. Council discussed coming up with another solution to remedy the alleged problem. Mayor Fincher told Council he would look into other options for solving this matter. No action was taken on this item.

CONSIDER CONTRACT WITH TEXAS INFRASTRUCTURE FOR BOOSTER PUMP STATION PROJECT
Council discussed the proposed contract with Texas Infrastructure for the booster pump station project. City Attorney Tom Cate told Council he recommended changes to paragraph 5, on page 8, paragraph 7 and 10 on page 9. Council discussed specifying the engineer to be used for project. City Attorney Tom Cate told Council he could come up with language to specify Paul Boedecker as the engineer for this project. Mayor Fincher recommended Council approve the contract contingent on these changes being made. Alderman Dahler made the motion that Council enter into the contract with Texas Infrastructure with changes described by the City Attorney and Council. Seconded by Alderman Bowen. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF JEFF TILLMAN
Mayor Fincher told Council that Jeff Tillman's probationary period has been completed, but not satisfactorily. The Mayor told Council about Mr. Tillman's job performance and recommended Council extend his probation to another ninety (90) days. Council discussed this matter and agreed that Mr. Tillman could be terminated within the ninety (90) days, if his job performance doesn't improve. Alderman Dahler made the motion that Council go with the Mayor's recommendations to extend Jeff Tillman's probation ninety (90) days, but also give the Mayor the authority to terminate Mr. Tillman's employment within this time frame, if his job performance doesn't improve. Seconded by Alderman Elias. Passed unanimously.

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

The Chief reported that he is using some part-time help between now and September due to vacations being taken.

Chief Priest reported that the school was broken into, and it was probably kids that broke in. He said security lights were broken out or burned out and the had talked to the Superintendent about these problems.

CITY SECRETARY'S REPORT
City Secretary Josie Campa told Council she didn't have anything to add to her written report, but reminded Council of the upcoming budget workshops.

MAYOR'S REPORT
Mayor Fincher reported on the following items:

1-manhole on Somerset Street is being replaced for drainage project;
2-Kids' Day at the Park is Saturday;
3-Mr. Gidley has agreed in principal to sell more water rights to the city in 2006 and will talk with his family and then get back in thirty days;
4-packer roller was bought for $4,400.00, with a 30-day warranty;
5-State is making improvements at IH 35 and FM 3175 and road way will be extended 5 feet on each side and bridge extended 10 feet on each side, therefore water, gas and sewer lines will have to be moved. Also, boring will have to be done to move the gas lines; and
6-the house on Somerset Street bought for the museum has bees within the walls and an exterminator will be out to take care of this problem.

Meeting adjourned at 8:00 p.m.

Mayor

City Secretary