Minutes of Regular Meeting held August 13, 2007

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


APPROVE MINUTES AND APPROVE PAYMENT OF BILLS

Alderman Hernandez made the motion that Council approve the minutes of the July 9th meeting and payment of the bills listed be approved, as presented. Seconded by Alderman Dahler. Passed unanimously.
Hear From Citizens

Atascosa County Judge Diana Bautista told Council that the Atascosa County Commissioner's Court had adopted a resolution concerning the SAWS Water issue at their meeting. The Judge then read this resolution to the Council and the audience.

Consider Flooding Problem on CR 681 by High School

Shawn Keller, Lonnie Ricord and Natrina Spengler addressed the Council concerning flooding occurring on their properties on CR 681. They showed Council pictures of the properties during the last few rains showing how much water came into their properties. After a lengthy discussion, Alderman Dahler made the motion that the city clear out the drainage (creek) area on CR 681 and widen drainage behind Keller property. Seconded by Alderman Cortez. Discussion. Alderman Dahler amended his motion to include the Council authorizing John Howard to survey drainage easement from CR 681 to Railroad. Seconded by Alderman Cortez. Passed unanimously.

Alderman Hernandez made the motion that Council have a letter written to the school about helping the city with this project. Seconded by Alderman Cortez. Passed unanimously.

Lytle VFW Freedom Walk and Fundraisers—Carlos A Vela—Lytle VFW #12041

Mr. Steve Troudt, Commander for the Lytle VFW addressed Council about the post's plans for the "Freedom Walk" on September 11th. Mr. Troudt outlined the plans and asked permission to hold this walk and have a water and beverage booth. Chief Priest told Mr. Troudt he would need a permit from the State Highway Department for this event. Mayor Fincher asked if police would be needed for routing traffic. After more discussion, Alderman Hernandez made the motion that Council grant Mr. Troudt's request to hold the Freedom Walk on September 11th. Seconded by Alderman Dahler. Passed unanimously.

Consider Condition of CR 681—Joe L. and Susanna Estrada

Susanna Estrada asked Council to consider having the city's portion of CR 681 retopped. She expressed the feelings of several of her neighbors on this matter. After a lengthy discussion Council agreed to consider this request later in the meeting. No action was taken on this item.

Consider Requirements of Deed for Proposed Gift of Gidley House

City Attorney Tom Cate told Council he had discussed this item with the City Secretary and that if this is done, the City will have to pay taxes and insurance on a life estate. Council discussed this matter at length and then Alderman Dahler made the motion that Council authorize the City Attorney to negotiate the least problematic avenue to insure this gift to the City. Seconded by Alderman Cortez. Passed unanimously.

Consider Proposed Zoning and Land Uses on 104 Acres on South Side of IH 35 Between FM 2790 and FM 3175—Lawrence P. (Pat) Mosher

Pat Mosher presented sketches of plans the new owner of the 104 acres on the IH 35 access road has for the property. Mayor Fincher told Mr. Mosher that he needs to get with the Zoning Commission on the zoning for this property before he comes to Council. Mr. Mosher told Council his presentation to Council was just for information purposes. No action was needed on this item.

Consider Ordinance Prohibiting Cattle Raising Inside City Limits—Elisa Garcia

Elisa Bustamante-Garcia told Council that due to a problem she is having with a neighbor over the past three years, she would like to see Council put an ordinance in place to restrict cattle raising in the city. Mrs. Bustamante-Garcia started telling Council about the problems she is having with her neighbor and the cows and horses in her area. She was told the Council could not hear this complaint. Several members in the audience expressed their feelings about Mrs. Garcia's complaint, and were told this was not the item on the agenda.

No action was taken on this item.

Council took a short break and reconvened at 8:26 p.m.

Consider Request from Municipal Court Judge to Attend a Legislative Update Seminar

Municipal Court Judge Gerry Elias requested permission to attend the legislative update in Austin and said the total cost to the city would be about $550.00. Alderman Hernandez made the motion that Council grant Judge Elias' request. Seconded by Alderman Dahler. Passed unanimously.
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CONSIDER REQUEST(S) FROM MUNICIPAL COURT JUDGE FOR MUNICIPAL COURT-CLOSED SESSION AS PER SECTION 551.076 OF GOVERNMENT CODE

Judge Elias advised Council that a Warrant Round-up is scheduled for September 22nd, and that court and the police department personnel would be working on this round-up. He asked Council to forward any complaints they get about this to the court. Council discussed the round-up with the Judge and Police Chief. Judge Elias told Council if the round-up is successful, he will hold one every three months.

CONSIDER RENEWAL OF PARKING LOT SPACE LEASE AGREEMENT WITH BRANDIE SIFUENTES

Alderman Hernandez made the motion that Council renew the parking space lease with Brandie Sifuentes. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER RENEWAL OF CONTRACT WITH SIMON PENA FOR GAS SYSTEM CONSULTING SERVICE

Alderman Hernandez made the motion that Council renew the contract with gas consultant Simon Pena. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER PURCHASING WATER RIGHTS FROM GIDLEY FARMS

City Attorney Tom Cate told Council that Mr. Gidley has asked if Council would consider buying 25 acre feet of water since the city isn't sure that it will need to lease any water. After discussion, Alderman Dahler made the motion that Council offer $4,500.00 per acre foot for the 25 acre feet. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER APPOINTING IMPACT FEE ADVISORY COMMITTEE

Mayor Fincher recommended that Richard Crain, Olga Sharer, Lorraine Vaughan, Max Jones, Alex Savicki and the City Secretary, City Attorney and himself be named to the Impact Advisory Committee. After discussion, Alderman Cortez made the motion that Council appoint the above mentioned people to the said committee. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER EMPLOYMENT STATUS OF MORRIS COLLINS, JR.

Director of Public Works James McGrath told Council that Bubba Collins had worked out his problems and asked that Mr. Collins be taken off probation and be given a 50 cents per hour raise and full benefits. Alderman Cortez made the motion that Morris Collins be hired as a regular employee and be given a 50 cents per hour raise and full benefits. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER REQUEST TO SUPPORT PAUL S. BOEDEKER SCHOLARSHIP ENDOWMENT

City Attorney Tom Cate told Council that this support could not be done by the city, but individuals could do this on their own. No action was needed. Council agreed to do this on an individual basis.

CONSIDER STREETS FOR STREET IMPROVEMENTS PROJECT

Council discussed the streets for the improvement project and discussed what would need to be done on CR 681 before retopping it with the Public Works' Director. Mr. McGrath told Council that the water services on CR 681 would need to be sleeved and agreed to get a price for Monday's special meeting. Alderman Cortez made the motion that Council consider this item at the special meeting on Monday. Seconded by Alderman Dahler. Passed unanimously.

PUBLIC WORKS DIRECTOR'S REPORT

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

1-195 work orders completed in past month;
2-1 main break leak fixed by NAPA;
3-7 smaller water leaks fixed;
4-4 new water meters installed;
5-animal control department working hard;
6-working on gas system for Railroad Commission;
7-bearing at sewer plant fixed;
8-sewer machine should arrive in next week or so;
9-preparations for Kids' Day will be taken care of;
10-will be reviewing applications received.
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POLICE CHIEF'S REPORT
Police Chief Richard Priest reviewed his written report with Council.

The Chief reported that Erick Reed had resigned his position and that part-time officers will fill in, as needed for now. He said he may be advertising for this position.

The Police Chief acting as the Rabies Control officer told Council that the kennels and quarantine facility will need to be upgraded to meet state regulations and that this will be put into the budget.

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

1-sales tax for August is about $1,100.00 less than a year ago; and
2-the city received a certificate from TCEQ that states the city had an outstanding water system for 2006.

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

1-Fire Department received its ladder truck;
2-Kids' Day is Saturday, August 25th
3-center repairs are nearly completed; and
4-work at the Public Works' building has been started.

Meeting adjourned at 9:05 p.m.

Mayor

City Secretary