Minutes of Regular Meeting held April 10, 2017

Regular meeting with the following present: Mayor Mark Bowen; Aldermen Ruble Farmer, Sam Cortez, Kevin Keith; City Secretary Josie Campa; Animal Control Director Betty Kroeger; Public Works Director James McGrath; Library Director Cassandra Cortez; City Attorney Tom Cate; Police Captain Frank Reyes; Code Compliance Officer Scott Traeger; Police Reserve Officer Danny Robison. Alderman Sanders and Stone were absent.


CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Mayor Bowen opened the meeting at 6:30 p.m. and led everyone in the pledge to the flag.

VISITORS'/CITIZENS' COMMENTS
Naomi Huron voiced her concerns to Council about the speed of traffic on Main Street and said she feels more law enforcement is needed. Ms. Huron also told Council that the speed needs to be lowered on Main Street. Mayor Bowen told Ms. Huron that TxDot sets the speed on Lytle’s Main Street, not the city. The Mayor told Ms. Huron the city would see what can be done about this problem.

APPROVAL OF MINUTES AND APPROVAL OF PAYMENT OF BILLS
City Secretary Josie Campa added the following bills for payment approval:

- Thomas P. Cate, P.C. - $3,737.75
- WTG Marketing - $6,910.96
- Texas Fleet Fuel - $2,813.03
- Philip Hernandez - $230.00

Alderman Cortez made the motion that Council approve the minutes of the public hearing and regular meeting held March 13th and the special meeting held March 27th and payment of the bills, as presented. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM WEST TEXAS GAS MARKETING TO PURCHASE CITY’S GAS SYSTEM
City Attorney Tom Cate asked Council for a closed session as per Section 551.071 of the Local Government Code. The Council went into closed session at 6:42 p.m. and reconvened at 7:03 p.m.

Mayor Bowen announced that no action was taken on this item.
CONSIDER AND ACT UPON REQUEST FROM CAYETANO DEVELOPMENT, LLC, DEVELOPER OF LAS PALOMAS SUBDIVISION PARTIALLY WITHIN LYTLE’S ETJ FOR A VARIANCE TO ART. III, SEC. 36-95-STREETS AND ART. IV-DIVISION 2-STREETS AND OTHER PUBLIC WAYS OF THE CITY’S CODE TO ALLOW DESIGN AND CONSTRUCTION OF PROPOSED STREETS TO ATASCOSA COUNTY STANDARDS SINCE ATASCOSA COUNTY WILL BE PROVIDING THE MAINTENANCE ON SAID STREETS

Bradley Koether, a representative for Rakowitz Engineering told Council that since half of the Las Palomas Subdivision is in the city’s ETJ they need to know if the city will allow them to go by county street requirements instead of the city’s. He told Council the streets will be dedicated to the County and they will maintain them. City Attorney Tom Cate recommended to Council that the city’s engineer review the plat and streets and make his recommendation to Council. After a lengthy discussion, Alderman Keith made the motion that Council have the engineer look at the streets in this subdivision and tell Council what he thinks should be done. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM RAKOWITZ ENGINEERING FOR APPROVAL OF PRELIMINARY PLAT FOR LAS PALOMAS SUBDIVISION

After discussion, Alderman Cortez made the motion that Council deny the plat for Las Palomas Subdivision until the city’s engineer reviews it. Seconded by Alderman Keith. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FOR ADOPTION OF A RESOLUTION AUTHORIZING BENTON CITY WATER SUPPLY CORPORATION TO PROVIDE RETAIL WATER SERVICE WITHIN DESIGNATED AREA OF LYTLE’S WATER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) AND TO REMOVE THE DESIGNATED AREA FROM LYTLE’S CCN AND ADD IT TO BCWSC’S CCN

City Attorney Tom Cate told Council that the Council has to adopt an ordinance, not a resolution to turn over its CCN area in the new subdivision to Benton City Water Corporation. Alderman Keith made the motion that Council have the City Attorney draw up an ordinance showing the city will relinquish its CCN to Benton City Water Corporation as long as the CCN is transferred and the city does not incur any cost. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER AND ACT UPON APPROVING ELECTION WORKERS RECOMMENDED BY ATASCOSA COUNTY ELECTION ADMINISTRATOR

Alderman Cortez made the motion that Council approve all of the election workers recommended by the Atascosa County Elections Administrator. Seconded by Alderman Farmer. Passed unanimously.
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CONSIDER AND ACT UPON RECOMMENDATIONS FROM TRC ON PRELIMINARY AND FINAL PLATS FOR WILSON-HENDERSON SUBDIVISION
City Attorney Tom Cate and City Secretary Josie Campa told Council that the engineer had reviewed the preliminary and final plats for the Wilson-Henderson Subdivision and had approved it. Alderman Keith made the motion that Council approve these plats as per the city’s engineer’s recommendation. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON RECOMMENDATIONS FROM TRC ON PRELIMINARY PLAT FOR RE-SUBDIVISION OF LOT 143 IN TWIN LAKES RANCH ESTATES
Alderman Cortez made the motion that Council deny the plat for the resubdividing of Lot 143 in Twin Lakes Ranch Estates until the city’s engineer can review it. Seconded by Alderman Keith. Passed unanimously.

CONSIDER AND ACT UPON ADOPTION OF ORDINANCE GRANTING AN EASEMENT TO CPS FOR ELECTRIC AND GAS LINE RIGHT-OF-WAY
Alderman Keith made the motion that Council adopt the ordinance to grant CPS a non-exclusive easement. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER AND ACT UPON ADOPTING PROCLAMATION AUTHORIZING APRIL AS FAIR HOUSING MONTH AND AUTHORIZING THE MAYOR TO ACT AS THE CITY’S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO APRIL AS FAIR HOUSING MONTH
Alderman Cortez made the motion that Council adopt the Proclamation Authorizing April as Fair Housing Month and authorizing the Mayor to act as the city’s executive officer and authorized representative in all matters pertaining to April as Fair Housing Month. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER AND ACT UPON RENEWAL OF COMMUNITY SERVICE RESTITUTION AGREEMENT WITH ATASCOSA COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT
Alderman Keith made the motion that the Council renew its Community Service Restitution Agreement with Atascosa County Community Supervision and Corrections Department. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON APPOINTMENT OF MEMBER TO ZONING COMMISSION TO FILL VACANCY (DAN RIOS)
Alderman Cortez made the motion that Council appoint Dan Rios to fill the vacancy on the Zoning Commission. Seconded by Alderman Farmer. Passed unanimously.

Council took a short break at 7:32 p.m. and reopened at 7:46 p.m.
CONSIDER AND ACT UPON REQUEST FOR PAY INCREASE FOR LORENA GORUM DUE TO HER OBTAINING ANIMAL CONTROL OFFICER CERTIFICATION
Betty Kroege, Animal Control Director told Council that Lorena Gorum had obtained her Basic Animal Control certification and requested she be given a salary increase of $1.00 per hour. City Secretary Josie Campa told Council this increase would require a budget amendment. Alderman Farmer made the motion that Lorena Gorum’s salary be increased from $10.00 to $11.00 per hour. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON REQUEST TO ADVERTISE FOR AN ADDITIONAL PUBLIC WORKS EMPLOYEE
Public Works Director James McGrath asked Council for permission to advertise for a new Public Works employee. Alderman Keith made the motion that the city advertise for a Public Works’ employee. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM AEP TEXAS TO APPROVE OR DENY ITS APPLICATION TO THE PUBLIC UTILITY COMMISSION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS
After discussion Alderman Keith made the motion that Council adopt the resolution denying AEP’s request. Seconded by Alderman Farmer. Passed unanimously.

CONSIDER AND ACT UPON CHANGING THE RULES AND REGULATIONS FOR THE USE OF THE LYTLE COMMUNITY CENTER TO ALLOW A NON-RESIDENT EMPLOYEE OF THE CITY TO RENT THE CENTER
City Attorney Tom Cate told Council that he feels that an employee of the city should be able to rent the community center since we know that they are reliable and asked Council to change the current policy to allow for this. Alderman Farmer made the motion that Council approve the City Attorney’s recommendation for changing said policy effective immediately. Seconded by Alderman Keith. Passed unanimously.

EXECUTIVE SESSION PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY FOR THE PURPOSE OF DRILLING A NEW WATER WELL
Mayor Bowen announced at 7:54 p.m. that Council would go into closed session as allowed by Chapter 551.072, Subchapter D of the Government Code. The meeting was reopened at 8:02 p.m. and Mayor Bowen announced that no action was taken in the closed session. Alderman Keith made the motion that Council authorize the Mayor to enter into an earnest money contract for the land for the new well site. Seconded by Alderman Cortez. Passed unanimously.

UPDATE ON PLANS AND GOALS
Council reviewed the plans and goals with a power point presentation.
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**ANIMAL CONTROL DIRECTOR’S REPORT**
Animal Control Director Betty Kroeger presented her report with a power point presentation.

**LIBRARY DIRECTOR’S REPORT**
Library Director Cassandra Cortez gave a power point presentation for her monthly report.

**CODE COMPLIANCE OFFICER’S REPORT**
Code Compliance Officer Scott Traeger told Council of the items he took care of during the previous month.

**PUBLIC WORKS DIRECTOR’S REPORT**
Public Works Director James McGrath presented his report with a power point presentation.

**POLICE CHIEF’S REPORT**
Police Captain Frank Reyes gave the Police Chief’s report with a power point presentation.

**CITY SECRETARY’S REPORT**
City Secretary Josie Campa gave her monthly report with a power point presentation.

**MAYOR’S REPORT**
Mayor Bowen told Council that O’Reilly’s will be opening at the end of the month.

The Mayor said that the Trash-Off on April 8th had good participation.

Mayor Bowen said he would keep working for a traffic study.

The meeting was adjourned at 8:44 p.m.