Minutes of Regular Meeting held October 7, 2019

Regular meeting held with the following present: Mayor Mark Bowen; Aldermen Jerry Stone, Sam Cortez, Laura Reyna, Ruben Gonzalez; City Secretary Josie Campa; Director of Public Works James McGrath; Animal Control Director Santiago Morantez; Fire Marshal Matt Dear; Police Chief Richard Priest; Code Compliance Officer Scott Traeger; City Attorney Tom Cate; Library Director Cassandra Cortez.

Visitors: Mark Lovelace, Miguel Aguilar, Marin Cisneros, Sam Parks, Wayne Herl, Jose Valdez, Danny Robison, Christopher Bowen, Debbie Priest, Kaycee Priest, Grace Priest, Luke Priest, Joy Priest, William Northern, Steven Santana.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Mayor Bowen opened the regular meeting at 6:34 p.m. and led everyone in the pledge to the flag.

VISITORS'/CITIZENS' COMMENTS
William Northern, property owner on Blume Drive told Council that he has the worst internet service and asked if better service can be obtained for the other side of FM 2790 N. Mr. Northern also asked about home mail service and was told to contact the postmaster to try and get this service.

Alderman Ruben Gonzalez updated everyone on the petition being circulated. He said there have been 404 to sign this petition so far.

Police Chief Richard Priest told everyone that Beall’s is closing, but it has been bought out by Gordman’s. He said the store will be closed for about a week and then will reopen as Gordman’s.

Mayor Mark Bowen presented Police Chief Richard Priest with a 20-year service plaque.

APPROVAL OF MINUTES AND APPROVAL OF PAYMENT OF BILLS
City Secretary Josie Campa added a bill for gasoline from Texas Fleet Fuel that totaled $445.61. After questions on bills, Alderman Cortez made the motion that Council approve the minutes of the public hearing and regular meeting held September 9th and payment of the bills, as presented. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM CHAMBER OF COMMERCE FOR TOURISM MONIES TO FUND STREET DANCE AFTER HOMECOMING FOOTBALL GAME
Mark Lovelace, President of the Lytle Chamber of Commerce, told Council that True Value owner J.J. Villarreal had addressed the Chamber about sponsoring a dance after the Homecoming football game. Mr. Lovelace told Council he has some concerns about late night and the BYOB issue, but the Chamber will endorse this event and asked Council to approve funding for this event from tourism dollars. Mayor Bowen asked if the amount needed is the $2,500.00 mentioned at last meeting. Mr. Lovelace told Council that the Chamber would not do this event
CONSIDER AND ACT UPON REQUEST FROM CHAMBER OF COMMERCE FOR TOURISM MONEY TO FUND STREET DANCE AFTER HOMECOMING FOOTBALL GAME (CONT.)
without insurance and that could cost $500.00 to $700.00 for this. He said he would get one more insurance quote. City Attorney Tom Cate told Council that the city has to have accountability for the occupancy tax and said the Chamber should submit invoices to the city for payment. Alderwoman Laura Reyna asked if the generators and portable toilets were part of the $2,500.00 total given at last meeting. She also asked about a noise variance for this event and security. Police Chief Priest told Council that alcohol cannot be consumed after 12:15, so the event should shut down at this time. The Chief also told Council that his department has a very busy week and will not be able to provide security for this event. The Chief also told Council that there should be one security officer for every one hundred (100) in attendance. Alderman Ruben Gonzalez suggested the city also pay for security. Council agreed to have the noise variance request on the special meeting agenda. Alderman Gonzalez made the motion that Council approve the request from the Chamber of Commerce to fund the street dance after the Homecoming football game and have the Chamber of Commerce send the invoices to the city for payment. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON PERMIT FROM B.M.A. WATER DISTRICT FOR WORK BEING DONE IN ITS R-O-W (TRANSMISSION LINE)
City Secretary Josie Campa told Council that B.M.A. is requiring the city to obtain a permit for crossing their canal on FM 2790 N. with the new transmission line. Public Works’ Director James McGrath told Council the city didn’t know that B.M.A. had to be contacted since they are not part of the 8-1-1 program. The City Secretary told Council this permit would cost the city $1,500.00, and then the additional costs for crossing the canal. Alderman Stone made the motion that Council approve the permit for B.M.A. for $1,500.00. Seconded by Alderman Gonzalez. Passed unanimously.

CONSIDER AND ACT UPON OPTIONS FOR CHANGE ORDER FOR THE B.M.A. STRUCTURE UNDERCROSSING NOT IN ORIGINAL TRANSMISSION LINE CONTRACT WITH RAM II
The City Secretary presented two scenarios given by the engineer for crossing the B.M.A. canal. Public Works’ Director James McGrath told Council that the inspector on this project also has a recommendation for crossing said canal that is 100 feet shorter than the engineer has suggested. After more discussion, no action was taken on this item. Council agreed to have this item on the special meeting agenda.

CONSIDER AND ACT UPON REQUEST FROM ANNETTE MARTINEZ FOR A STREET LIGHT TO BE INSTALLED BETWEEN 15516 MAIN STREET AND E.R. CHAPA RESIDENCE
City Secretary Josie Campa told Council that Annette Martinez was not present and then showed Council pictures of the area where Annette Martinez is wanting a street lighting pole placed. After discussion Alderman Stone made the motion that the City Secretary get CPS to take a
CONSIDER AND ACT UPON REQUEST FROM ANNETTE MARTINEZ FOR A STREET LIGHT TO BE INSTALLED BETWEEN 15516 MAIN STREET AND E.R. CHAPA RESIDENCE (CONT.)
look at this area for placement of a street light. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM MIGUEL AGUILAR FOR STREET REPAIRS AND STREET LIGHT
Miguel Aguilar asked Council if a street light could be placed on CR 6841 near the curve by his property. He also said that at one time there were 4 or 5 arrows on that curve to warn people. Mr. Aguilar told Council there are several pot holes on this street, too. City Secretary Josie Campa told Council that this street light would come from CP & L, and that work orders could be written to replace the arrows and fix the pot holes. Alderman Cortez made the motion that Council approve the request for a street light by Mr. Aguilar’s property and the curve on CR 6841 and that work orders be written to replace the arrow signs and fill the pot holes. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM MARIN CISNEROS TO STAY IN HIS RV WHILE PREPARATIONS ARE MADE FOR A MANUFACTURED HOME ON HIS PROPERTY
Marin Cisneros asked City Council for permission to allow him to live in his RV before he can have a double-wide mobile home moved onto his property. He said it could take three to four (3-4) months. After discussion, Alderman Stone made the motion that Council grant permission to Marin Cisneros to live in his RV for up to four months while he is waiting to have his mobile home placed on his property and that Mr. Cisneros come back to Council if it takes longer than four months. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON ORDINANCE GRANTING AEP TEXAS, INC. A NON-EXCLUSIVE FRANCHISE FOR CONSTRUCTING, MAINTAINING AND OPERATING LINES FOR CONDUCTING ELECTRICITY IN THE CITY OF LYTHE
City Secretary Josie Campa told Council she had sent the AEP CP & L franchise agreement to the City Attorney for review. City Attorney Tom Cate told Council that he has problems with this franchise ordinance especially the part that says this contract will stay in effect until 2054. He recommended Council deny this request to renew the franchise with CP & L. Alderman Stone made the motion that Council table this item. Seconded by Alderman Gonzales. Passed unanimously.

CONSIDER AND ACT UPON RENEWING INTERLOCAL COOPERATION CONTRACT FOR THE FAILURE TO APPEAR PROGRAM WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY
City Attorney Tom Cate told Council the Texas Department of Public Safety has sent an interlocal agreement to the city for renewal. He said this agreement is for the “Failure To Appear” Program and explained how the program works to Council. Mr. Cate recommended to
CONSIDER AND ACT UPON RENEWING INTERLOCAL COOPERATION CONTRACT FOR THE FAILURE TO APPEAR PROGRAM WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY(CONT.)
Council that they approve the renewal of this interlocal agreement with the correction of the typo on page 9 of agreement. Alderman Stone made the motion that Council renew the interlocal contract agreement with Texas DPS. Seconded by Alderman Gonzalez. Passed unanimously.

CONSIDER AND ACT UPON RENEWAL OF SERVICE CONTRACT WITH THE LYTLE VOLUNTEER FIRE DEPARTMENT
City Secretary Josie Campa told Council that the Fire Department service contract is the same as last year’s except for the amount being $6,000.00 more per year. Alderman Cortez made the motion that Council renew the contract with the Lytle Fire Department for $78,000.00 per year. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON PURCHASE OF TWO (2) NEW CONVERSION KITS TO UPDATE EXISTING CLA-VALVES ON PUMPS #1 AND #2 AT BOOSTER STATION
Public Works’ Director James McGrath told Council that the CLA-valves at pumps #1 and #2 at the booster station are not working right and asked permission to purchase two new conversion kits to update these CLA-valves for the price of $9,825.88 plus labor totaling $1,400.00. Alderman Gonzalez asked the Director about the 3rd pump and suggested it should also be repaired. Alderman Gonzalez made the motion that Council approve getting three (3) conversion kits for taking care of all of the pumps for the original price of $11,225.88 plus another $5,700.00 for the 3rd kit. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON RECOMMENDATION FROM THE ZONING COMMISSION ON PROHIBITING MOBILE/MANUFACTURED HOMES ON CITY’S MAIN STREET FROM FM 2790 N. EAST TO LYTLE CITY LIMITS AND ADOPTING ORDINANCE
Alderman Gonzalez told Council that they had gotten feed back from the people about mobile homes on Main Street and a recommendation from the Zoning Commission to prohibit mobile homes being placed on the city’s Main Street. He recommended Council proceed with this in the way of an ordinance, City Secretary Josie Campa asked if this ordinance would prohibit the second replacement of a mobile home on just Main Street or all over the city. The City Attorney said the ordinance would only prohibit Main Street mobile homes to be replaced more than once, as State law allows. He said Council could choose to extend area. Alderman Cortez made the motion that Council accept the recommendation from the Zoning Commission to prohibit mobile homes on Main Street and the two existing homes be grandfathered and allowed to be replaced one time. Seconded by Alderwoman Reyna. Passed unanimously. City Attorney Tom Cate said he would get the ordinance written.
CONSIDER AND ACT UPON APPOINTMENT TO MEDINA COUNTY APPRAISAL
DISTRICT BOARD OF DIRECTORS
Alderman Cortez made the motion that Council appoint Roy Sheetz again as the City’s Board
member on the Medina County Appraisal District’s Board of Directors. Seconded by Alderman
Gonzalez. Passed unanimously. Council requested Mr. Sheetz give a report to Council on the
business of the Medina CAD.

Council took a short break at 8:01 p.m. and reconvened at 8:16 p.m.

CONSIDER AND ACT UPON APPOINTMENT TO ATASCOSA COUNTY APPRAISAL
DISTRICT BOARD OF DIRECTORS
Alderman Gonzalez made the motion that Council reappoint Kim Faulk as the city’s
representative on the Atascosa CAD’s Board of Directors. Seconded by Alderman Stone.
Passed unanimously.

CONSIDER AND ACT UPON APPOINTMENTS TO THE LIBRARY ADVISORY
BOARD AND CONSIDER AND ACT UPON APPOINTMENTS TO KEEP LYTLE
BEAUTIFUL COMMISSION
Alderwoman Reyna recommended Council table these items, so that the City Attorney can get
ordinances written for all of the boards and commissions. Alderwoman Reyna told Council that a
new library board would be strictly an advisory board. Council had a lengthy discussion on the
need for this board. Alderwoman Reyna asked the City Attorney to update the ordinance for the
Mobile Home and Zoning Commissions to include a paragraph about unexcused absences from
meetings.

CONSIDER AND ACT UPON ENTERING INTO A CONTRACT/AGREEMENT WITH
LYTLE I.S.D. TO ALLOW STUDENT(S) TO VOLUNTEER AT THE LYTLE PUBLIC
LIBRARY
City Attorney Tom Cate told Council the agreement with Lytle I.S.D. has an indemnification
clause that the city cannot do. After discussion, Alderman Stone made the motion that the City
Attorney re-do the agreement with Lytle I.S.D. Seconded by Alderman Cortez. Passed
unanimously.

CONSIDER AND ACT UPON NUMBER OF PUBLIC MEETINGS TO BE HELD FOR
THE PURPOSE OF AMENDING THE LAND USE ASSUMPTIONS, CAPITAL
IMPROVEMENT PLAN AND IMPOSITION OF IMPACT FEES FOR THESE
IMPROVEMENTS
City Attorney Tom Cate recommended to Council that they hold a workshop concerning impact
fees before taking action on this item. Mayor Bowen told Council that a workshop could be held
after the special meeting on either October 21st or 28th. No action was taken on this item.
CONSIDER AND ACT UPON AMENDING EXCAVATION ORDINANCE CONCERNING OPEN TRENCHES
City Attorney Tom Cate told Council about his concerns for open trenches left by contractors throughout the city. He asked Council to consider having the excavation ordinance amended to address the open trenches issue by having contractors cover up trench with metal plating. Alderman Stone made the motion that Council have the City Attorney draw up an ordinance to amend the existing excavation ordinance to require all trenches to be covered by contractors. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM ALDERWOMAN REYNA TO ATTEND NATIONAL LEAGUE OF CITIES SUMMIT IN NOVEMBER IN SAN ANTONIO
Alderwoman Reyna asked permission from Council to attend the NLC Summit in San Antonio during November. She said the registration fee is $475.00. Alderman Gonzalez made the motion that Council allow Alderwoman Reyna to attend the NLC Summit in November. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON EXCUSING ALDERMAN RUBL E FARMER’S ABSENCES DUE TO ILLNESS
City Attorney Tom Cate told Council that due to illness Alderman Farmer has now been absent from three consecutive Council meetings and needs to be excused by Council. Alderman Gonzalez made the motion that Council excuse Alderman Farmer from these meetings due to illness. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM CHIEF PRIEST FOR TEMPORARY ONE-WAY STREET AND/OR ROAD CLOSURES FOR HALLOWEEN(THURSDAY, OCTOBER 31ST)
Police Chief Richard Priest asked Council for permission to do the same to the streets like last Halloween. Alderman Gonzalez made the motion that Council grant the Chief’s request for this year and in the years to come unless something changes. Seconded by Alderman Cortez. Passed unanimously.

ANIMAL CONTROL DIRECTOR’S REPORT
Animal Control Director Santiago Morantez gave his monthly report with a power point presentation. He also told Council he had gotten a revised proposal from Geocrete. Mayor Bowen said he would place this item on the special meeting agenda.

LIBRARY DIRECTOR’S REPORT
Cassandra Cortez gave her Library Director’s report with a power point presentation.
CODE COMPLIANCE OFFICER’S REPORT
Code Compliance Officer Scott Traeger told Council he is monitoring the construction site by the creek where base material has been brought in and a 12-inch oak tree was uprooted. He said he has talked to the property owner and he has agreed to plant 2 6-inch oak trees to replace the one that was uprooted. He said there is concern on the base brought in and its placement being in the flood zone, and a surveyor needs to look at this before he can proceed with construction plans.
Mr. Traeger also told Council that the property in Coal Mine at the end of San Jose Street has been sold. The Code Compliance Officer also told Council that two trailers were disassembled on First Street and they have been told they have to get a rolloff to dispose of this debris.

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

POLICE CHIEF’S REPORT
Chief Priest gave a power point presentation as his report. The Chief told Council that about 550 hot dogs were served at National Night Out.

The Chief also told Council that Officer Lopez had a car accident and there is about $2,000.00 worth of damage to his car.

CITY SECRETARY’S REPORT
City Secretary Josie Campa gave her monthly report with a power point presentation.
Alderman Reyna asked about reviewing building permit pricing. The City Secretary told Council that since the building permit prices are not determined by the value of the structure, the city does not need to change prices at this time.

MAYOR’S REPORT
Mayor Bowen reminded Council about the Homecoming Game, Dance and Parade and the History Fair at the Library after the parade.

The Mayor told Council that he had talked to the lady about assisting the office staff to get ready for audit. He said he would be talking to her again on Thursday and will have this on the special meeting agenda.

Mayor Bowen told Council he and Alderman Gonzalez had attended a grand opening in Dunlay for the Southwest Railroad that will be great for the area.

Meeting adjourned at 10:29 p.m.