Minutes of Regular Meeting held January 13, 2020

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


CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Mayor Bowen opened the regular meeting at 6:37 p.m. and led everyone in the pledge to the flag.

VISITORS'/CITIZENS' COMMENTS
David Emery introduced himself to Council and announced that since December 19th he has been the Republican Party Chairman for Atascosa County.

PRESENTATION OF CHECKS TO WINNERS OF CHRISTMAS DECORATING CONTESTS
Mayor Bowen and Mayor Pro-tem Ruben Gonzalez presented checks to the winners of the Christmas Decorating Contest. They were as follows:

Non-Profit Category
Lytle Chamber of Commerce - 2nd place; and
Lytle VFW Post #12041 - 1st place.

Business Category
Saddle Bum Trucking - 3rd place;
Tots to Teens Pediatric Dentistry - 2nd place; and
St. Andrews' Catholic Church - 1st place.

Residential Category
Blanca Duron - 3rd place;
William Northern - 2nd place; and
Leonard & Cheryl Vaughan - 1st place.

Mayor Bowen also read the people receiving "Honorable Mention" in the residential category. Amounts of the checks presented were: $500.00 for 1st place; $250.00 for 2nd place; and $100.00 for 3rd place.

Mayor Bowen complimented Alderwoman Reyna on the holiday festival and said the hayride was the largest ever and the city staff did a great job.
Minutes of Regular Meeting held January 13, 2020-page 2

APPROVAL OF MINUTES AND APPROVAL OF PAYMENT OF BILLS
Alderman Gonzalez questioned the pay for employees for putting up Christmas decorations. He also questioned the money spent for Tourism Promotion. City Secretary Josie Campa told Council that most of the expense was for buying Christmas decorations after discounted and for the hayride. Alderman Gonzalez also asked about how city employees were being paid for decorating and voiced his concern. The City Attorney said he would check on how this should be done for the future. Alderman Gonzalez made the motion that Council approve the minutes of the November 12th public hearing and regular meeting and payment of the bills as presented. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM SOUTHWEST ISD FOR JOINT ELECTION ON MAY 2, 2020 WITH THE CITY OF LYTLE
Brandon Crisp from Southwest School District requested permission to hold an election at City Hall on May 2, 2020, as in prior years. Alderman Stone made the motion that Council approve this request. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM LOREN THURMANN FOR AN ORDINANCE TO ALLOW LYTLE P.D. TO TICKET THOSE PARKING IN HANDICAP SLOTS WITHOUT TAG OR PLACARDS (DV TAGS, AS WELL) IN H.E.B. PARKING LOTS AND CONSIDER AND ACT UPON REQUEST FROM LARRY CONTRERAS FOR AN ORDINANCE TO ALLOW LYTLE P.D. TO TICKET SEMIS PARKED ILLEGALLY AT H.E.B.
Loren Thurmann told Council he would speak for both of the mentioned items. Mr. Thurmann told Council he would like for Lytle police officers to ticket people at H.E.B. that park in a handicap parking space with no placard. He said he read that cities can adopt an ordinance for officers to ticket people for parking in handicap spaces without a placard.

Mr. Thurmann also asked Council to have officers to ticket semis that are parking at H.E.B. without permission. Mayor Bowen asked Chief Priest to address these requests. Chief Richard Priest told Council the Police Department always address calls from H.E.B. on handicap parking violations, but sometimes vehicles are gone when they get to H.E.B. He also said that the police officers have to prove who the driver is and this is a problem. The Chief said that for semis parking on properties without permission, cities with a population of 30,000 or more, an agreement can be entered into with the police and business owner. The Chief then deferred to the City Attorney. City Attorney Tom Cate told Council that they can approve the handicap parking request, however, officers will have to prove who the drivers are of the cars parked illegally. The City Attorney told Council that semis parking at H.E.B. is considered criminal trespassing and H.E.B. will have to do this. Mr. Thurmann told Council he disagrees and that he doesn’t feel it will require that much time from the police department. After more discussion, no action was taken on these items.
CONSIDER AND ACT UPON RECOMMENDATION FROM THE MOBILE HOME COMMISSION ON REQUEST FROM AMY BENTON
Alderman Cortez made the motion that Council approve the recommendation from the Mobile Home Commission on Amy Benton’s request. Seconded by Alderman Stone.Passed unanimously.

CONSIDER AND ACT UPON RECOMMENDATION FROM ZONING COMMISSION ON REQUEST FOR REZONING FROM MARTIN CALK, MARSHALL WITTER, JOE GERLICH AND CITY ATTORNEY
Alderman Stone made the motion that Council accept the recommendation from the Zoning Commission. Seconded by Alderman Cortez. Discussion on notifying all property owners was held. Motion was then passed unanimously.

CONSIDER AND ACT UPON ADOPTION OF ORDINANCE FOR RENEWAL OF CONTRACT WITH WASTE MANAGEMENT
Christopher Cox from Waste Management presented the revised contract for solid waste service. He told Council some revisions were made as per the discussion with the City Attorney and City Secretary. He then discussed what service would entail if Council approves the contract. Alderman Gonzalez addressed bottom of Page 5 and top of Page 6 and asked if it would be possible to have carts picked up twice a week for a few months so residents can get an idea of how much trash they have and whether they will need an additional cart. Mr. Cox said that Waste Management would pick up extra for an adjustment period and would also educate people. Mr. Cox said an additional cart would cost $5.00. Mr. Cox told Council of the things that would be addressed when educating the public during the education period. Aldermanwoman Reyna asked about recycling being included in this contract and Mr. Cox said it was included and a 20-yard roll-off would be placed at a specified location. He said this would have to be monitored by the city to try to keep from having contamination. Alderman Cortez asked about bulky waste and Mr. Cox said it was included in the contract and that Waste Management would work to educate public on this service. Mr. Cox told Council that when the contract is approved, a date would be set for carts and in the meantime the public would be educated. Aldermanwoman Reyna recommended that renewal of contract not be automatic as on Page 5 of contract, but be in writing instead. City Attorney Tom Cate told Mr. Cox that the revenue will be allocated, but not from taxes as customers will pay fees for this revenue and said language needs to be added about recycling. Alderman Gonzalez told Mr. Cox that “phase in” needs to be in the contract. Alderman Gonzalez asked about pick-up service when there is a holiday. Mr. Cox said this pick-up would be on the next business day. Alderman Reyna asked about education for recycling, and Mr. Cox said they will have educational material and videos available and that recycling schedules will be determined at a later date. Alderman Gonzalez made the motion that the contract with Waste Management be approved with suggested changes. Seconded by Alderman Cortez. Passed unanimously.
CONSIDER AND ACT UPON USAGE OF WATER TOWERS FOR MICROSOFT'S BROADBAND GRANT-BOB COHEN
Bob Cohen, CEO of Comm-Zoom gave a power point presentation on his company’s history. He also talked to Council about fixed wireless capability for 2020. Mr. Cohen told Council about the news concerning Microsoft’s Broadband grant for Medina and Atascosa counties. He said Microsoft gave $150,000.00 to Medina County to boost efforts to develop, design and operate Comm-Zoom’s broadband service. He said in order to do this, they will need to use Lytle’s water towers, and that it would be advantageous to citizens of Lytle, as it would strengthen service, as well as making it possible for internet service in unserved and underdeveloped areas. Mayor Bowen told Council that Lytle needs better internet service and would like Lytle to partner with Comm-Zoom. Mr. Cohen told Council that Microsoft is interested in empowering area with good internet service and that looking around sees that both Lytle’s towers are tall and not obstructed. Alderman Gonzalez told Council that some areas in Lytle, Devine and Natalia that cannot get good internet service. Mr. Cohen then asked Council’s support to continue to work with Mayor and Alderman Gonzalez on this project and use city’s towers. Alderman Stone then made the motion that Council approve Mr. Cohen’s request for Mayor Bowen and Alderman Gonzalez to work with Comm-Zoom on this project. Seconded by Alderman Gonzalez. Passed unanimously.

CONSIDER AND ACT UPON PROPOSAL FROM TRC FOR PLAT REVIEW AND ENGINEERING FEES FOR COMMUNITY NATIONAL BANK PROJECT
Council reviewed TRC’s proposal for plat review and engineering fees for Community National Bank project. Alderman Gonzalez made the motion that Council approve TRC’s proposal for $4,000.00 to review the plat for CNB’s project. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON PROPOSAL FROM TRC FOR SADDLE RIDGE ESTATES SUBDIVISION FINAL PLAT RESUBMITTAL REVIEW, PLAT REVIEW AND ENGINEERING SERVICES
City Secretary Josie Campa told Council this item was scratched due to engineers not having plats and plans from new Saddle Ridge owner yet.

Council took a short break at 8:30 p.m. and reconvened at 8:47 p.m.

CONSIDER AND ACT UPON PROPOSAL FROM AMADO ZAMORA FOR REPAIRS TO PARKER DRAINAGE PROBLEM ON WISDOM ROAD
Mayor Bowen reminded Council about Roy Parker’s drainage problem since city had Wisdom Road retopped. The Mayor told Council that he had Amado Zamora get with Mr. Parker to try and solve the problem. Mr. Zamora explained the project he had designed to correct the problem and said it would cost $19,760.00. Mr. Zamora told Council that he recommended the city cleaning out culverts periodically since it is the City’s right-of-way to keep things draining properly. City Secretary Josie Campa told Council that TRC had asked for almost twice the amount Mr. Zamora had proposed for just engineering fees, which meant the project cost would be a lot more than Mr. Zamora’s design. Mayor Bowen told Council that small cities have a real challenge with projects like this due to small budgets and this problem needed to be addressed, so he decided to have Mr. Parker talk with Mr. Zamora to try and resolve this matter. Alderman Gonzalez asked who would
CONSIDER AND ACT UPON PROPOSAL FROM AMADO ZAMORA FOR REPAIRS TO PARKER DRAINAGE PROBLEM ON WISDOM ROAD (CONT.)
clean out the grates and drains. Mr. Parker agreed to periodically clean out these grates and drains. Alderman Gonzalez asked for understanding on who’s responsibility it would be to clean these grates and drains. Mr. Parker said he would do it periodically. Alderwoman Reyna asked if this work would affect other properties and Mayor Bowen said it might affect his but this isn’t a problem. The City Secretary reminded Council that this project was not in the budget and if Council approves it, an amendment would have to be made to the budget. Alderman Cortez made the motion that the proposal from Amado Zamora for $19,760.00 be approved and the budget be amended accordingly. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON BIDS RECEIVED FOR MAINTENANCE OF CITY PROPERTIES AND DISCUSSION ON ADDITIONAL PROPERTIES TO BE MAINTAINED
City Secretary Josie Campa told Council that only one contractor had bid on the city’s properties being maintained, and said the bids on the properties were all the same as last year except for the bid on John Lott Park, which is $50.00 more than last year’s price. Alderman Stone made the motion that the bids from Ripp's Landscaping totaling $2,050.00 per month for all of the properties be approved. Seconded by Alderman Cortez. Passed unanimously. City Secretary Josie Campa told Council that she had included two items as an alternate bid, the request by Alderman Gonzalez on Railroad Street and the city’s acreage where the new well is situated. She said Mr. Ripp's had not bid these as he feels they need to be done on a case by case basis since these might be more work the first time this work is done and may even require some dozing. The City Secretary told Council she may have a solution for the right-of-ways on Railroad Street since a man has requested putting his own water line on Railroad Street and him having equipment needed for this type of work. She told Council this item would be on the February agenda.

CONSIDER AND ACT UPON ADOPTING RESOLUTION TO ORDER A SPECIAL LOCAL OPTION ELECTION FOR MAY 2, 2020 FOR THE PURPOSE OF SUBMITTING THE ISSUE OF LEGALIZING THE LEGAL SALE OF MIX BEVERAGES IN RESTAURANTS TO BE QUALIFIED LYTLE VOTERS
City Attorney Tom Cate told Council that the resolution for the local option election has already been approved by the Secretary of the State’s office. Alderman Cortez made the motion that Council adopt the resolution ordering a special local option election. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON CALLING FOR AN ELECTION (CONSIDERAR LLAMAR PARA UNA ELECCION)
City Secretary Josie Campa told Council that this year’s election will not only include voting on the local option, but also will be for the purpose of electing Aldermen for Districts 4 and 5 and a Mayor. Alderman Stone made the motion that Council order the election, as mentioned above. Seconded by Alderman Gonzalez. Passed unanimously.
CONSIDER AND ACT UPON ADOPTING ORDINANCE FOR AMENDING ORDINANCES FOR THE LIBRARY BOARD
Alderman Reyna told Council this item was a continuation from last month’s meeting and that she had talked to the Library Director and her staff. Council discussed who would be appointed to the library committee, and what this group would be called. Alderwoman Reyna asked about ordinances calling for soliciting funds and said a lot of foundations don’t want to give monies to cities since they can raise taxes, to support the library, but they will give monies to a group. Council discussed when the group would meet and Alderwoman Reyna said they would meet after hours, and that the group would determine times and dates of meetings. She also said that a guide book for an advisory board could be used. Council discussed what to do if this doesn’t work out and the Library Director said maybe a Friends of the Library group could be started. After more discussion, Alderman Stone made the motion that Council adopt an ordinance amending the current ordinances with the proposed changes to the ordinances presented at the November meeting. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON ADOPTING APPOINTMENTS TO THE LIBRARY BOARD
Council discussed appointments to the library committee consisting of eight (8) people: the Library Director, a high school student, a Council member and five (5) other people, one nominated by each Council member. Alderwoman Reyna nominated Robin Cantu; Alderman Cortez nominated Mary Cortez and Alderman Gonzalez nominated Ruben Gonzalez, Ill. Alderman Gonzalez made the motion that Council appoint the people nominated to the library committee. Seconded by Alderman Stone. Passed unanimously. Council members then drew numbers to see how long their appointed members would serve, one or two years. Term lengths drawn by Council members were as follows:

Alderman Stone - 2 year term;
Alderman Reyna - 1 year term;
Alderman Cortez - 2 year term;
Alderman Gonzalez - 1 year term; and
Alderman Farmer - 2 year term.

CONSIDER AND ACT UPON REQUEST FOR DESK TO BE DONATED TO SAFER PATH
Library Director Cassandra Cortez told Council that Safer Path was not interested in the extra furniture and that this item was scratched.

CONSIDER AND ACT UPON POSSIBLE SALE OF PILGRIM LAKE (CLOSED SESSION)
Mayor Bowen announced that Council would go into closed session as allowed by Chapter 551.072, Subchapter D of the Government Code at 9:52 p.m. The meeting was reopened at 10:10 p.m. Mayor Bowen told everyone that no action had been taken during the closed session. Alderman Stone made the motion that Council allow the City Attorney to negotiate the possible sale of Pilgrim Lake. Seconded by Alderwoman Reyna. Passed unanimously.
CONSIDER AND ACT UPON RENEWAL OF DELINQUENT TAX COLLECTION CONTRACT
Alderman Stone made the motion that Council renew the delinquent tax collection contract with Thomas P. Cate. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON ESTABLISHMENT OF NEW DEVELOPMENT ADVISORY COMMITTEE
Alderman Gonzalez told Council that he feels a committee needs to be formed to be able to inform people with projects for Lytle of what will be required. He reviewed the handout he prepared with Council, and said this committee should consist of department heads, from City Hall, Public Works along with the Fire Marshal, Fire Chief, Code Compliance Officer, Mayor and Council member where the development is planned for. He said this committee would allow the city to address any concerns that are part of the developer’s plans, as well as informing the developers of what is expected from them. City Attorney Tom Cate suggested the engineer be included in the pre-opp meeting. Alderman Stone made the motion that Council approve the set up of this committee. Seconded by Alderman Cortez. Passed unanimously.

UPDATES ON WEBSITE AND DEPARTMENT HEAD EVALUATIONS
Alderman Gonzalez gave Council an update on the city’s website, and said there are two meetings to make up with Civic Plus, but the target date for the revised website is April or May of 2020. Alderman Gonzalez told Council that the committee hasn’t gotten copies of other evaluations yet but will move on to get the evaluations for the department heads. He said the committee will be getting input from the department heads next month.

CONSIDER AND ACT UPON AWARDING 2019 DANIEL J. MCGRATH, D.V.M. CITIZENSHIP AWARD
Mayor Bowen had the City Secretary explain what they had discussed for the Citizenship Award. City Secretary told Council that Mayor Bowen asked her to review the 2019 minutes to see if someone needed to be recognized for this award. She said there were a few people that had done things in 2019 that this award could be given to, but that she and Mayor Bowen had agreed that Sam Cortez had done a lot of work in getting scoreboards for the park ballfields and Lytle State Bank had helped him with a generous donation for this project. Alderman Stone made the motion that Council award the annual citizenship award to Sam Cortez and Lytle State Bank. Seconded by Alderman Gonzalez. Passed unanimously. Mayor Bowen told Council he felt this award was well-deserved by both recipients.

CODE COMPLIANCE OFFICER’S REPORT
Code Compliance Officer Scott Traeger told Council that the main subject for his report was the property at the edge of the city limits where they plan to build a bus touring facility. He said the survey done by Howard Surveying of the flood plain in the area shows about the same elevations as the city’s flood plain map and that it shows Mr. Medina-Lopez will have to have an engineered foundation and build it up to where it is above flood level. He said Mr. Medina-Lopez already has an engineer that will do the plans for the foundation and has gotten his own elevation certificate that agrees with Mr. Howard’s study. Mr. Traeger also told Council that Mr. Zavala’s property
Minutes of Regular Meeting held January 13, 2020-page 8

CODE COMPLIANCE OFFICER’S REPORT (CONT.)
located next to Mr. Medina-Lopez has the front part that is not located in the flood plain and is above flood level in that area. Mr. Daniez Lizalde, the engineer on this project told Council that they will follow all of the rules because they have to in order to get flood insurance.

The Code Compliance Officer told Council that both property owners have done everything the city has asked them for and he wanted to let Council know this before allowing them to proceed with their projects.

ANIMAL CONTROL DIRECTOR’S REPORT
Santiago Morantez gave his Animal Control Director’s report with a power point presentation.

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

PUBLIC WORKS DIRECTOR’S REPORT
A power point presentation was given by James McGrath as his monthly report.

Mr. McGrath also added that he had attended a TxDot meeting where he was told the city might have to relocate utility lines on the IH 35 access road when the department widens the access roads.

The Public Works’ Director also informed Council on the water leak under Hwy 132 and said Cruz Construction would be starting work soon. He then answered questions concerning this project.

POLICE CHIEF’S REPORT
Police Chief Richard Priest gave the Chief’s monthly report with a power-point presentation.

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

MAYOR’S REPORT
Due to the lateness, Mayor Bowen did not give a Mayor’s Report and adjourned the meeting at 11:38 p.m.