January 13, 2009  
Conference Room – 6:00 PM  
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez ............................................ Mayor
           Elorine Sitka .................................................... Mayor Pro-Tem
           Don E. Bowe ...................................................... Councilmember
           Tim Faulkner ...................................................... Councilmember
           Charles J. Kvinta, Jr. ......................................... City Attorney
           Calvin Cook ...................................................... City Manager
           Gena Jiral .......................................................... Deputy City Clerk

ABSENT:  Margie McMullen ............................................. Councilmember

MAYOR Rodriguez called the City Council meeting to order and Councilmember
Faulkner gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.
Mayor Rodriguez acknowledged and welcomed all visitors.

COUNCILMEMBER Bowe made a motion to adopt the minutes from the meeting of
December 9, 2008 as presented. Second was made by Mayor Pro-Tem Sitka; motion carried
unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance on
second and final reading granting a change in zoning from Commercial (C-2) to Residential (R-
4) on property described as Part of Block 1078 in the Yoakum Townsite Addition (Kenedy St.).
Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER New Business, the following recommendation was received from the Planning
and Zoning Commission: for the approval of a change in zoning from Residential (R-2) to
Residential (R-4) for property located at 308 Moffitt Street requested by the property owner,
George Scott. Information regarding the request was provided for Council’s review and
consideration. The recommended change is in compliance with the Future Land Use Plan.
Mayor Rodriguez opened a public hearing to receive comments on the recommendation from
the Planning and Zoning Commission. The property owner was present to provide information
and answer questions. City Manager Cook informed the Council that the City had not received
any objections to the requested change. There being no comments received from the public,
Mayor Rodriguez closed the public hearing. Councilmember Faulkner made a motion to adopt
an ordinance (recorded as No. 1948) on first reading granting a change in zoning from
Residential (R-2) to Residential (R-4) on property described as Lot 8 of Block 1137 in the
Tucker Addition (308 Moffitt St.). Second was made by Councilmember Bowe. Motion carried
unanimously.

COUNCIL was provided information regarding a request from the DeWitt County Chief
Appraiser to adopt two resolutions concerning issues affecting the District’s ability to accurately
appraise properties. The first resolution calls on the Governor and the Legislative
Representatives to adopt legislation requiring the mandatory disclosure of real property sales
prices to appraisal districts. The second resolution calls on the Governor and the Legislative
Representatives to adopt legislation allowing the release of sales information for public use and
to increase the amount of information supplied to the appraisal districts. Both resolutions are intended to ensure the fair and equitable valuation and taxation of all real property. After review and discussion, Mayor Pro-Tem Sitka made a motion that no action be taken. Second was made by Councilmember Faulkner. Motion carried unanimously.

INFORMATION was provided regarding a request from the Yoakum Housing Authority to adopt a resolution approving a shared jurisdiction agreement by and between the Public Housing Authority of the City of Floresville and the Public Housing Authority of the City of Yoakum. Executive Director of the Yoakum Housing Authority, Sharla Pohl was present to provide Council with information and answer questions. The Attorney for the Public Housing Authority of the City of Floresville is currently making suggested changes to the agreement for presentation to the Council at the February 2009 Council meeting for consideration. After review and discussion, no action was taken.

A request was received from property owners in the Country Estates Subdivision to be included in the extension of a gravity flow sewer line. Council was provided information from City Staff outlining the history of the Subdivision; the service plan which states that the City would provide water and sewer service based on the requirements of the subdivision ordinance and line extension policy; and the developers’ decision to install the pressure system instead of the gravity flow system and lift station since a City provided gravity flow system was not available. Information was also provided indicating the installation of a main near the subdivision to be included in Phase II of the Sewer Replacement Project; however, additional cost for extending the line to the Subdivision was not included. City Staff requested direction from the Council. After discussion, Councilmember Faulkner made a motion to agree to a 50/50 cost participation with the residents of Country Estates Subdivision to include that area in the extension of the gravity flow sewer line contingent upon the residents agreeing to the shared cost. Second was made by Councilmember Bowe. Motion carried unanimously.

POLICE Chief Arthur Rogers presented a request to the Council for an amendment to the 2008-2009 Police Department Budget to accommodate the purchase of eight (8) tasers equipped with cameras, and twenty-four (24) taser cartridges. Equipping officers with tasers provides a tool that is more effective than pepper spray, and allows the officers another step before having to resort to deadly force, as well as reduces the officer’s exposure to injuries. After discussion regarding the use and training for the equipment, Councilmember Bowe made a motion to approve a budget amendment transferring funds from the Arrest Fees Account and the Abandoned Vehicle Fund to purchase the requested equipment in the amount of $10,379. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

STAFF received a letter from the Yoakum Area Chamber of Commerce President Bill Lopez requesting the closure of certain streets and the use of certain City property during the Land of Leather Festival to be held February 22 through 24, 2009. A map indicating the requested street closures and property to be utilized was presented to the Council for review. After review and discussion, Councilmember Faulkner made a motion to approve the closure of certain streets and the use of the City property as presented. Motion was seconded was made by Mayor Pro-Tem Sitka and carried unanimously.

UNDER City Manager’s Report, Mr. Cook provided a report/update on the Sanitary Sewer Project – Phase I. In December, the contractor installed 2,439 linear feet of sewer main, using the semi-trenchless technology and has been making more progress than had been made previously. To-date, 15,311 linear feet (about 49% of the project) have been installed. City Manager Cook informed the Council that he does not anticipate as much progress through the
part of the project strictly because of the narrow locations. Staff has been pleased with the progress using the semi-trenchless technology. The City Manager informed the Council that the City of Yoakum is hosting the Annual Guadalupe Valley Water Association Meeting at the Fire Station on January 15, 2009, and the Yoakum Area Chamber of Commerce Annual Banquet will be held on January 15, 2009 at the Community Center. Comments were received from the audience regarding the paving of the streets where the new sewer lines have been installed. Mr. Cook stated that the streets will not be paved until the lines have been installed and tested over a period of time. The horse and rider topiary will be sent to Houston for repair within the next two weeks. The Police Department will be conducting a second warrant round up and will be placing a notice in the newspaper to give persons an opportunity to contact the Department to make arrangements prior to the officers taking them in to custody. Finally, the Police Department has submitted a Homeland Security Grant Request in the amount of $48,278. Chief Rogers will be in Victoria on January 14, 2009 to present the request to the Golden Crescent Regional Planning Commission.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:45 PM to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:55 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:55 PM.

\[Signature\]
Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

\[Signature\]
Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .............................................. Mayor
         Elorine Sitka ..................................................... Mayor Pro-Tem
         Don E. Bowe ........................................................ Councilmember
         Tim Faulkner ....................................................... Councilmember
         Charles J. Kvinta, Jr. ............................................. City Attorney
         Calvin Cook .......................................................... City Manager
         Theresa A. Bowe ..................................................... City Clerk

ABSENT: Margie McMullen ............................................... Councilmember

MAYOR Rodriguez called the City Council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Mayor Rodriguez acknowledged and welcomed all visitors.

COUNCILMEMBER Bowe made a motion to adopt the minutes from the meeting of January 13, 2009 as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1948) on second and final reading granting a change in zoning from Residential (R-2) to Residential (R-4) on property described as Lot 8 of Block 1137 in the Tucker Addition (308 Moffitt St.). Second was made by Councilmember Bowe. Motion carried unanimously.

SHARLA Pohl with the Yoakum Housing Authority was present to provide information and answer questions regarding an agreement with the City of Floresville Housing Authority. After discussion, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2009-01) approving a shared jurisdiction agreement by and between the Public Housing Authority of the City of Floresville and the Public Housing Authority of the City of Yoakum. Second was made by Councilmember Faulkner. Motion carried unanimously.

UNDER New Business, Randall Rice with McCreary, Veselka, Bragg, & Allen, P.C. was present to provide information and discuss a proposal for collection of delinquent municipal court fines and fees and delinquent accounts receivables. After review and discussion, Councilmember Faulkner made a motion to approve a contract with the Law Firm of McCreary, Veselka, Bragg, and Allen, P.C. for the collection of delinquent municipal court fines and fees and delinquent accounts receivables. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2009-02) to impose an additional fee for collection costs for delinquent court fines and fees pursuant to article 103.0031 of the Texas Code of Criminal Procedure. Second was made by Councilmember Bowe and motion carried unanimously.
A recommendation was received from the Economic Development Corporation Board of Directors to re-affirm the Tax Abatement Program. After discussion, Councilmember Bowe made a motion to adopt a resolution (recorded as No. 2009-03) re-affirming the City of Yoakum’s Guidelines and Criteria for Tax Abatement. Motion was seconded by Councilmember Faulkner and carried unanimously.

DISCUSSION was held regarding a letter received from the Mayor of Sweeny regarding proposed sales tax distribution legislation. Council gave direction to staff to draft a letter for each Councilmember’s signature to be sent to Legislative Representatives in support of legislation that would identify customers making purchases of $500.00 or more, by their zip code, and allow those sales tax proceeds to be distributed to the city in which the customer resides.

POLICE Chief Arthur Rogers was present to provide information regarding a request to sell abandoned and impounded vehicles. After discussion, Councilmember Bowe made a motion to authorize the sale of abandoned and impounded vehicles pursuant to Chapter 683 of the Texas Transportation Code. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

POLICE Chief Rogers provided information regarding an application providing assistance to local law enforcement agencies through the State of Texas for traffic enforcement. After review and consideration, Councilmember Faulkner made a motion to authorize a letter of support for the Yoakum Police Department’s application for a Selective Traffic Enforcement Grant from the Texas Department of Transportation. Second was made by Councilmember Bowe. Motion carried unanimously.

BID tabulations were reviewed and information provided for the purchase of a vehicle for the Police Department. The low bid was received from Philpott Motors of Nederland, Texas in the amount of $21,910. Wendel Motor Company of Yoakum, Texas submitted a bid in the amount of $22,341.75. The Local Government Code allows cities to award a bid that is from a local bidder and within 3% of the low bid to be awarded to the local bidder. After discussion of cost and delivery time, Mayor Pro-Tem Sitka made a motion to award the bid to the local bidder, Wendel Motor Company of Yoakum, Texas in the amount of $22,341.75. Second was made by Councilmember Faulkner. Motion carried with Councilmember Bowe voting nay.

THE Yoakum Area Chamber of Commerce has endorsed the production Yoakum map through Texas Trails Maps of Llano, Texas. Discussion of the project and advertisement space on the publication was discussed. After review, Councilmember Bowe made a motion to purchase advertising space on the map in the amount of $320. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2009-04) establishing the procedures and appointing election officials for the City’s General Election to be held May 9, 2009. Second was made by Councilmember Bowe. Motion carried unanimously.

COUNCILMEMBER Bowe made a motion authorizing the City Manager to enter into a lease agreement with Lavaca County for use of two (2) electronic voting machines to be utilized during Early Voting and on Election Day contingent upon final review and approval by the City Attorney. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.
CITY Manager Cook provided information on suggested changes to the City of Yoakum Personnel Manual. After review, Councilmember Bowe made a motion to adopt the revisions to the City of Yoakum Personnel Manual as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to proclaim the week of March 9th thru March 13th as “Texas Public School Week.” Motion was seconded by Councilmember Bowe and carried unanimously.

UNDER City Manager's Report, Mr. Cook provided a report/update on the Sanitary Sewer Project – Phase 1: to-date, the sewer contractor has installed 17,000 linear feet of sewer line which encompasses 56% of the total project. Information has been received from the engineers regarding Phase II of the Sewer Project. The information is being reviewed by staff and options for re-routing certain existing lines are being considered. The Golf Association has approved the purchase of material for a 3rd fairway which will include the installation of irrigation equipment. Staff will be advertising for bids for the Police Station roof repair project this month to be brought to Council for action in March. Information has been received from the U.S. Census Bureau asking for assistance from the City to ensure an accurate count for our area. The Bureau also wanted to make citizens aware that applications are being received for employment to assist with the 2010 census preparations.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:15 PM to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:40 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:40 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
March 10, 2009  
Conference Room – 6:00 PM  
City Hall  

REGULAR MEETING OF THE CITY COUNCIL  

PRESENT:  
Anita R. Rodriguez .................................................. Mayor  
Elorine Sitka ............................................................... Mayor Pro-Tem  
Don E. Bowe ............................................................... Councilmember  
Margie McMullen ....................................................... Councilmember  
Tim Faulkner ............................................................... Councilmember  
Charles J. Kvinta, Jr. ................................................... City Attorney  
Calvin Cook ............................................................... City Manager  
Theresa A. Bowe ........................................................... City Clerk  

ABSENT:  
None  

MAYOR Rodriguez called the City Council meeting to order and Councilmember Bowe gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Mayor Rodriguez acknowledged and welcomed all visitors.  

MAYOR Pro-Tem Sitka made a motion to adopt the minutes from the meeting of February 10, 2009 as presented. Second was made by Councilmember Bowe; motion carried unanimously.  

UNDER Old Business, Councilmember Bowe made a motion to authorize the City Manager to enter into a revised lease agreement with Lavaca County for election equipment and programming services to allow the City of Yoakum to share the cost of certain programming fees with other entities holding an election within the county. Second was made by Councilmember McMullen. Motion carried unanimously.  

UNDER New Business, the following recommendation was received from the Planning and Zoning Commission: for the approval of a change in zoning from Residential (R-2) to Residential (R-4) for property located at 507 Armstrong, 806 and 808 Mathew Streets requested by the property owner, George Scott. Information regarding the request was provided for Council's review and consideration. The recommended change is in compliance with the Future Land Use Plan. Mayor Rodriguez opened a public hearing to receive comments on the recommendation from the Planning and Zoning Commission. The property owner was present to provide information and answer questions. City Manager Cook informed the Council that the City had not received any objections to the requested change; however, physical addresses indicated on the application may be revised. After questions were addressed, Mayor Rodriguez closed the public hearing.  

Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1949) on first reading granting a change in zoning from Residential (R-2) to Residential (R-4) on property described as Lots 4, 7, and 8 of Block 1146 in the Tucker Addition. Second was made by Councilmember Faulkner. Motion carried unanimously.  

STEVE Van Mannen with Harrison, Waldrop & Uherek, L.L.P. was present to provide the audit report for Fiscal Year ending September 30, 2008 and a letter of assurance from the firm asserting that the information in the audit report is accurate. After review of the document,
Councilmember Faulkner made a motion to approve the audit for Fiscal Year ending September 30, 2008 as presented. Councilmember Bowe seconded the motion. Motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to appoint the auditing firm of Harrison, Waldrop & Uherek, L.L.P. for auditing of City financial records for Fiscal Year ending September 30, 2009 and authorize the City Manager to enter into a Letter of Understanding with the firm. Second was made by Councilmember Faulkner; motion carried unanimously.

INFORMATION was provided concerning the cost for upgrading the software and hardware in the utility and general administration departments. After review and discussion, Mayor Pro-Tem Sitka made a motion to authorize the City Manager to purchase account receivable, records management, and inventory software, hardware, and execute an agreement for services relating to the installation and maintenance of purchased items in an amount not to exceed budgeted funds of $100,000. Motion was seconded by Councilmember Bowe and carried unanimously.

COUNCIL received information on the Texas Department of Agriculture’s GO TEXAN Rural Community Bootstrap Bucks Program. Upon Council approval, the City will apply for the grant on behalf of the Yoakum Area Chamber of Commerce. Funding will assist with advertising for the 81st Annual Tom Tom Festival. After discussion, Councilmember Bowe made a motion to adopt a resolution (recorded as No. 2009-04) authorizing the City Manager to act on behalf of the City on all matters relating to the Program application. Second was made by Councilmember McMullen; motion carried unanimously.

STAFF received a letter from Yoakum resident Bobby Orr requesting permission to extend a sewer service line in the City right-of-way on Lott Street. Council was provided information regarding the request and a proposed License to Trench Agreement to be executed by the property owner should Council approve the request. After review, Councilmember Faulkner made a motion to approve the request from Mr. Orr contingent upon completion of the License to Trench Across City Right-of-Way Agreement. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

THE U.S. Census Bureau requested Council consideration to partner with the Bureau to support and ensure the success of the 2010 Census. The Program requires the Mayor to appoint a Complete Count Committee consisting of three to five members. After discussion, Mayor Pro-Tem Sitka made a motion to authorize the execution of a 2010 Census Partnership Agreement. Second was made by Councilmember Bowe. Motion carried unanimously.

REVIEW of the streets recommended for inclusion in the 2009 Street Improvement Project was held. After discussion, motion was made by Councilmember Bowe to approve the 2009 Street Improvement Project list as presented consisting of 89,592 square yards of city streets, and authorize the City Manager to advertise for seal coat bids. The motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION was made by Councilmember Faulkner to authorize the City Manager to sell a 1993 Ford Ranger formerly used in the Parks Department as City surplus equipment, unclaimed impounded bicycles, and confiscated eight-liners. Second was made by Councilmember Bowe; motion carried unanimously.
MAYOR Pro-Tem Sitka made a motion to proclaim the month of April 2009 as Fair Housing Month. Motion was seconded was made by Councilmember Faulkner and carried unanimously.

UNDER City Manager’s Report, Mr. Cook provided a report/update on the Sanitary Sewer Project – Phase I: this past month, the sewer contractor worked on raising manholes up-to-grade and connecting services in certain areas of the project where the new mains have been installed. Concerning Phase II: City staff is working with the engineers on rerouting and changing the direction of flow in the lines included in Phase II. The rerouting of the lines could avoid deep excavations and lower the cost of construction. The dump truck awarded by Council at the December meeting has been received. Techline Construction completed the pole replacement project to replace five poles and one air switch as approved by Council. The Parks & Recreation Department began the removal of the old Girl Scout Building located at the RV Park and will be cleaning the area over the next few weeks. The City has been notified by TML Risk Pool of new federal regulations requiring public swimming pools to install certain safety equipment on pool drains. Staff is working with an engineer to determine if modifications are necessary at the Public Pool and if so, will check prices and installation costs. The City of Yoakum was recommended for approval at the Regional Level for Homeland Security Funding. Funding will be dispersed between the Fire Department, the Emergency Operations Center, and Police Department. Prices for equipment will be obtained and submitted to the State for final approval.

MAYOR Rodriguez announced a program to be held on March 30th at 6:00 PM at the St. Joseph Catholic Church Family Center entitled “Protecting Yourself Against Predators, Assault, Robbery and Rape.” The program is being sponsored by Xi Chi Theta Sorority and the City of Yoakum. The Yoakum Police Chief, as well as the DeWitt and Lavaca County Sheriffs will be present to provide information and answer questions.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:45 PM to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:10 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:10 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ...................................................... Mayor
          Elorine Sitka ....................................................................... Mayor Pro-Tem
          Don E. Bowe ........................................................................ Councilmember
          Margie McMullen ................................................................. Councilmember
          Tim Faulkner ........................................................................ Councilmember
          Charles J. Kvinta, Jr. ............................................................ City Attorney
          Calvin Cook ........................................................................... City Manager
          Theresa A. Bowe ..................................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Mayor Rodriguez acknowledged and welcomed all visitors.

COUNCILMEMBER Bowe made a motion to adopt the minutes from the meeting of March 10, 2009 as presented. Second was made by Councilmember McMullen; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1949) on second and final reading granting a change in zoning from Residential (R-2) to Residential (R-4) on property described as Lots 4, 7, and 8 of Block 1146 in the Tucker Addition (Location reference: 509 Armstrong, 810 Mathew & 812 Mathew). Second was made by Councilmember Bowe. Motion carried unanimously.

UNDER New Business, the following recommendations were received from the Planning and Zoning Commission: for the approval of a change in zoning from approval of a Change in Zoning from Residential (R-2) to Residential (R-4) at 407 Moffitt Street; approval of a Change in Zoning from Residential (R-2) to Residential (R-4) at 123 Bare St. and 426 Mathew St; and the denial of a Change in Zoning from Residential (R-2) to Residential (R-4) at 208 Tucker St. Information regarding the requests was provided for Council's review and consideration. All requested changes are in compliance with the Future Land Use Plan. Mayor Rodriguez opened a public hearing to receive comments on the recommendation from the Planning and Zoning Commission. Property owners John Galvan, Jr., George E. Scott, and Mr. and Mrs. Wayne Farmer were present to provide information and answer questions. City Manager Cook informed the Council that the City had not received any objections to the requested changes for 407 Moffitt St., 123 Bare St., or 426 Mathew St. Thirteen objections had been received by the Planning and Zoning Commission for the 208 Tucker St. request. The Commission denied the request based upon the receipt of those objections. Mr. Farmer appealed the denial by the Planning and Zoning Commission to the Council. After the appeal was submitted to City staff, seven letters were received from the surrounding property owners and residents withdrawing their initial objections. Comments from the public were received. After discussion was held and questions were addressed, Mayor Rodriguez closed the public hearing.

Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1950) on first reading granting a change in zoning from Residential (R-2) to Residential (R-4) on property described as Lots 3 & ¼ of 2 of Block 1143 in the Tucker Addition as shown on the official tax roll (For location reference: 407 Moffitt St.). Second was made by Councilmember Faulkner. Motion carried unanimously.
MOTION was made by Councilmember Faulkner to adopt an ordinance (recorded as No. 1951) on first reading granting a change in zoning from Residential (R-2) to Residential (R-4) on property described as Lot 21 of Block 1122 in the Guchard Addition as shown on the official tax roll (For location reference: 123 Bare St. and 426 Mathew St.). Motion was seconded by Councilmember Bowe and carried unanimously.

COUNCILMEMBER Bowe made a motion to adopt an ordinance (recorded as No. 1952) on first reading granting a change in zoning from Residential (R-2) to Residential (R-4) on property described as Lot 9 and Part of 8 & 10 of Block 1152 in the Tucker Addition as shown on the official tax roll (For location reference: 208 Tucker St.). Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

A request was received from John Peterson, Pastor House of Refuge in San Antonio, Texas to utilize the Jamison Youth Center for a bible study one night per week. Council discussed the precedence that would be set by allowing the use of the building in this manner. After consideration, Councilmember Faulkner made a motion to deny the request to utilize the Jamison Youth Center for a bible study. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

THE Cuero Chamber of Commerce and Cuero Development Corporation made a request for a letter of support for their application for a Texas Department Parks and Wildlife Program. Discussion was held. Mayor Pro-Tem Sitka made a motion authorizing the Mayor to submit a letter of support to DeWitt County for their application for a Texas Parks and Wildlife Inland Paddling Trail Designation Program. Second was made by Councilmember Faulkner; motion carried unanimously.

STAFF provided a policy limiting the number of pets allowed per recreational vehicle residing in the Hub City RV Park. Complaints and concerns have been received regarding numerous large dogs being allowed to run at-large by patrons of the RV park. The policy will limit the number of pets per recreational vehicle to two (2). After discussion, Councilmember Bowe made a motion to adopt a policy (recorded as Policy No. 64) limiting the number of pets for Hub City RV Park. Motion was seconded by Councilmember McMullen and carried unanimously.

BIDS for the 2009 Street Seal Coat Project were received and opened on April 8, 2009 from four contractors: H & C Construction Co., Inc., J. Carroll Weaver, Inc., F. N. Ploch Construction Co., and Zimmerman Construction Company, Inc. After review of the bid tabulation, Mayor Pro-Tem Sitka made a motion to award the 2009 Street Seal Coat Project to the low bidder, F. N. Ploch Construction Co., of New Braunfels, TX., based on unit prices as submitted in their bid dated April 8, 2009 (Asphalt - $2.00 per gal, Rock - $61.00 per Cubic Yard). Second was made by Councilmember Faulkner and motion carried unanimously.

BIDS for the Police Station Roof Replacement Project were received and opened on April 8, 2009. After review of the three bids received, Mayor Pro-Tem Sitka made a motion to award the bid to Easley Construction Co., of Victoria, Texas for their bid including a 12 year warranty in the amount of $33,165. Motion was seconded by Councilmember Faulkner and carried unanimously.

CITY Manager Cook provided Council with information regarding the State law concerning vehicle impound charges. State law allows for a higher per day impound and storage fee than the City currently charges. Staff requested that the fees be raised to cover yard and vehicle maintenance costs. After discussion, Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 1953) on first reading amending the Manual of Fees and Service Charges specifically Subsection V. Miscellaneous, Item W. Vehicle Impound Charge. Second was made by Councilmember Bowe. Motion carried unanimously.

FIRE Chief Phil Baker was present to provide Council with information regarding a budgeted ambulance. The ambulance had been budgeted contingent upon the receipt of grant funds. Staff
received notification that the City of Yoakum EMS had received a grant from the M. G. and Lilley R. Johnson Foundation in the amount of $50,000 for the refurbishing and mounting of an ambulance module. After review, Mayor Pro-Tem Sitka made a motion to authorize the City Manager to purchase a 2009 Dodge Ram 3500 chassis through HGAC in the amount of $41,500, and the refurbishing and mounting of the module through Frazer Bit of Houston, Texas in an amount not to exceed $34,030. Second was made by Councilmember Bowe and motion carried unanimously.

A motion was made by Councilmember Bowe with a second by Councilmember Faulkner to appoint Jack Turner and Paula Houston for two-year terms as Commissioners and Gerline Ellis for a one-year term a Resident Commissioner to the Yoakum Housing Authority Board of Commissioners. Motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to appoint Mayor Pro-Tem Sitka, Councilmember Bowe, and City Manager Calvin Cook to the City/School Summer Recreation Board. Second was made by Councilmember McMullen and motion carried unanimously.

COUNCIL was presented with an updated Zoning Map for review. After discussion, Councilmember Bowe made a motion to adopt a resolution (recorded as No. 2009-06) adopting a new Official Zoning Map which shall supersede the prior Official Zoning Map. Motion was seconded by Councilmember McMullen and carried unanimously.

UNDER City Manager’s Report, Mr. Cook provided a report/update on the Sanitary Sewer Project – Phase I: the sewer contractor is working in six locations throughout town. Testing will need to be completed on areas that they have worked. Phase II draft plans should be received from the engineers within the next two weeks with incorporated changes. Notification has been received from the River Oaks Plant House that the Horse and Rider topiary has been completed. Staff will be picking up the topiary and re-installation is planned within the next two weeks. Items for the Utility Hardware and Software project have been received. STW is planning to begin that project next week. Staff is currently working with the contractor with the highest score for the Public Works building project and hopes to bring a recommendation to the Council for the May Council meeting.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:55 PM to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:45 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:45 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .............................................. Mayor
Elorine Sitka ............................................................... Mayor Pro-Tem
Don E. Bowe ................................................................. Councilmember
Margie McMullen .......................................................... Councilmember
Tim Faulkner ................................................................. Councilmember
Charles J. Kvinta, Jr ....................................................... City Attorney
Calvin Cook ................................................................. City Manager
Theresa A. Bowe ............................................................. City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Mayor Pro-Tem Sitka gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

Canvass of the May 9, 2009 election returns were canvassed by Mayor Pro-Tem Sitka and Councilmember McMullen. Results were confirmed and Annie Rodriguez and Tim Faulkner were presented with Certificates of Election.

Councilmember Faulkner made a motion to elect Anita R. Rodriguez as Mayor and Elorine Sitka as Mayor Pro-Tem. Second was made by Councilmember Bowe and motion carried unanimously. Direction was given to staff to schedule a special council meeting for Monday, May 18, 2009 at 12:00 noon for the calling of a run-off election for City Council Place #2.

Mayor Rodriguez asked Officers Abel Rosales and John Paul Barrera to stand and be recognized. The officers were recently awarded a Certificate of Appreciation for Outstanding Service on Behalf of Victims of Crime by the Cross Roads Area Victim Service Providers. Mayor Rodriguez commended the gentlemen for their dedication to the citizens of Yoakum and the personal interest they take in assisting victims.

Mayor Rodriguez acknowledged and welcomed all visitors.

MAYOR Pro-Tem Sitka made a motion to adopt the minutes from the meeting of April 14, 2009 as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER Old Business, Councilmember Bowe made a motion to adopt an ordinance (recorded as No. 1950) on second and final reading granting a change in zoning from Residential (R-2) to Residential (R-4) on property described as Lots 3 & ½ of 2 of Block 1143 in the Tucker Addition as shown on the official tax roll (For location reference: 407 Moffitt St.) Second was made by Councilmember Faulkner. Motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1951) on second and final reading granting a change in zoning from Residential (R-2) to Residential (R-4) on property described as Lot 21 of Block 1122 in the Guchard Addition as shown on the official tax roll (For location reference: 123 Bare St. and 426 Mathew St.). Second was made by Councilmember McMullen. Motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1952) on second and final reading granting a change in zoning from Residential (R-2) to Residential (R-4) on
property described as Lot 9 and Part of 8 & 10 of Block 1152 in the Tucker Addition as shown on the official tax roll (For location reference: 208 Tucker St.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION was made by Councilmember Bowe to adopt an ordinance (recorded as No. 1953) on second and final reading amending the Manual of Fees and Service Charges specifically subsection V. Miscellaneous, Item W. Vehicle Impound Charge as amended. Second was made by Councilmember McMullen. Motion carried unanimously.

UNDER New Business, the following recommendation was received from the Planning and Zoning Commission: for the approval of a change in zoning from approval of a Change in Zoning from Residential (R-1) to Residential (R-3) at the corner of "B" Street and West Grand Ave. The requested change is in compliance with the Future Land Use Plan. Mayor Rodriguez opened a public hearing to receive comments on the recommendation from the Planning and Zoning Commission. Property owners were not present. City Manager Cook informed the Council that the City had not received any objections to the requested change. After discussion was held and no comments from the public were voiced, Mayor Rodriguez closed the public hearing.

Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1954) on first reading granting a change in zoning from Residential (R-1) to Residential (R-3) on property described as Lots 1-3 of Block 1 in the Burns Addition as shown on the official tax roll (For location reference: Corner of "B" Street and West Grand Ave.). Second was made by Councilmember Bowe. Motion carried unanimously.

THE Yoakum Area Chamber of Commerce submitted a request to close certain streets for the 81st Annual Tom Tom Festival to be held on June 5 through June 6, 2009. Staff provided a map indicating the parade routes as requested by the Chamber representative. Mayor Pro-Tem Sitka made a motion to approve the request from the Yoakum Area Chamber of Commerce for the closure of certain streets for the 81st Annual Tom Tom Festival as requested. Councilmember Faulkner seconded the motion. Motion carried unanimously.

STAFF provided information regarding proposed revisions to the 2009 Street Improvement Project to increase the square yards and number of streets that will be improved. Due to ongoing construction in some of the original areas, it was necessary to modify the project. Modifications allowed for an increase in the amount of work to be performed. After reviewing the proposed changes, Councilmember Faulkner made a motion, seconded by Councilmember Bowe to approve the changes to the 2009 Street Improvement Project as presented. Motion carried unanimously.

A revised Technology Plan for the Carl & Mary Welhausen Library was submitted to the Council for review and consideration. The Plan was reviewed, revised, and recommended to the Council by the Library Board. After review, Councilmember Bowe made a motion to approve the revised Technology Plan as recommended by the Library Board. Second was made by Councilmember Faulkner and motion carried unanimously.

COUNCIL was provided information regarding a grant application for funding for a regional solid waste program in an amount between $8,500 and $9,000. After review and discussion, Mayor Pro-Tem Sitka made a motion to adopt a Resolution (recorded as No. 2009-07) authorizing the filing of a grant application with the Golden Crescent Regional Planning Commission for a regional solid waste program grant and authorizing the City Manager to act on behalf of the City on all matters relating to the grant application. Second was made by Councilmember Bowe. Motion carried unanimously.

INFORMATION was provided regarding participation in the 2009 GO TEXAN Hardworking Rural Community Award Program. The City of Yoakum received the bi-annual award in 2003, 2005, and 2007 and staff requested authorization to apply for the award for 2009. The funds received from the
2007 award provided a portion of the funding for refurbishing of one of the Chisholm Trail Topiaries. Staff is recommending any funding that may be received in correlation with this award go toward the renovation of the landscaping at the Welhausen Library. After discussion, Councilmember Faulkner made a motion to adopt a Resolution (recorded as No. 2009-08) designating an agent and authorizing the participation in the GO TEXAN Hardworking Rural Community Award Program through the Texas Department of Agriculture. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCILMEMBER Bowe made a motion to appoint Thomas Linn, Jr. and Cynthia Morris to the Parks and Recreation Advisory Committee for two-year terms. Second was made by Councilmember McMullen. Motion carried unanimously.

UNDER City Manager’s Report, Mr. Cook provided a report/update on the Sanitary Sewer Project – Phase I: the sewer contractor continues work in several locations around town. They have experienced some difficulty in certain areas due to the limited working space. Staff has requested that the Contractor not begin new locations until the work on current locations has been completed. City Manager Cook asked for citizens to continue to be patient with this very important and necessary project. Phase II plans have been received and reviewed. At this point, sewer lines are being replaced that were installed in the 1914 through 1928 time period. Discussion was held regarding the placement of the lines along Coke Street. Staff hopes to bid out Phase II in August to begin work in September or October. Work has begun on the replacement of the Police Station roof. Easley Construction began work today and believes that the work can be completed in two weeks. The Utility/General Administration Hardware/Software project is still underway and information was provided. Negotiations were held for the Public Works Facility Project with the contractor with the highest rating. Staff was unable to come to terms with the highest rated contractor, and a meeting with the second highest rated contractor will begin. SBA Towers II, LLC. has elected to extend their agreement for another 5 year term for the lease of the cell tower. Fire/EMS Director Phil Baker received notification that the Yoakum Volunteer Fire Department received a grant for 5 self-contained breathing apparatus systems from the Texas Fire Commission. The City received approval for the Bootstrap Bucks Program to assist with the advertisement for the Tom Tom Festival.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:45 PM to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086), to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code Sec. 551.072), and to deliberate regarding economic development negotiations (V.T.C.A. Gov. Code Sec. 551.087). The meeting re-opened to the public at 7:45 PM. Action resulting from Executive Session, Mayor Pro-Tem Sitka made a motion to advise the City Manager to elect the Average Pricing Option for the LCRA 2010 Wholesale Pricing Program. Motion was seconded by Councilmember Faulkner and carried unanimously.

THERE being no further business, the meeting closed at 7:46 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
May 18, 2009
Conference Room – 12:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ................................................. Mayor
           Eloine Sitka ......................................................... Mayor Pro-Tem
           Margie McMullen .................................................. Councilmember
           Tim Faulkner ......................................................... Councilmember
           Calvin Cook .......................................................... City Manager
           Theresa A. Bowe ..................................................... City Clerk

ABSENT: Don E. Bowe ......................................................... Councilmember
        Charles J. Kvinta, Jr .................................................. City Attorney

MAYOR Rodriguez called the City Council meeting to order and opened the meeting to the public.

DISCUSSION was held and citizen comments were received and addressed regarding the runoff election procedures. After discussion, Mayor Pro-Tem Sitka made a motion to adopt a Resolution (recorded as No. 2009-09) declaring the results of the City’s General Election and establishing the procedures and appointing election officials for a runoff election to be held June 16, 2009 for City Council Place 2.

COUNCILMEMBER Faulkner made a motion authorizing the City Manager to enter into a lease agreement with Lavaca County for use of two (2) electronic voting machines to be utilized during Early Voting and on Election Day. Second was made by Councilmember McMullen. Motion carried unanimously.

CITIZEN comments were received regarding illegal drugs within the city from Mr. Mace Murphee. Mayor Rodriguez indicated that the item was not listed on the agenda and should be discussed with the City Manager at a time to be arranged.

THERE being no further business, the meeting closed at 12:35 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .................................................. Mayor
          Elorine Sitka .......................................................... Mayor Pro-Tem
          Don E. Bowe .............................................................. Councilmember
          Margie McMullen ........................................................ Councilmember
          Tim Faulkner ............................................................. Councilmember
          Charles J. Kvinta, Jr. ..................................................... City Attorney
          Calvin Cook ............................................................... City Manager
          Theresa A. Bowe .......................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Faulkner gave the invocation. The Pledge of Allegiance to the Flag was led by Boy Scout Clayton Wenske and was recited by all attending.

Mayor Rodriguez acknowledged and welcomed all visitors. The Wenske family was recognized, Clayton Wenske is in the process of qualifying for a Communication Badge through the Boy Scouts of America.

MAYOR Pro-Tem Sitka made a motion to adopt the minutes from the meetings of May 12, 2009 and May 18, 2009 as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER Old Business, Councilmember Bowe made a motion to adopt an ordinance (recorded as No. 1954) on second and final reading granting a change in zoning from Residential (R-1) to Residential (R-3) on property described as Lots 1-3 of Block 1 in the Burns Addition as shown on the official tax roll (For location reference: Corner of “B” Street and West Grand Ave.). Second was made by Councilmember McMullen. Motion carried unanimously.

UNDER New Business, the following recommendation was received from the Planning and Zoning Commission: for the approval of a Specific Use Permit for the operation of a religious institution at 308 Front Street requested by Gary Gould. Mayor Rodriguez opened a public hearing to receive comments on the recommendation from the Planning and Zoning Commission. Property owner and applicant were not present. City Manager Cook informed the Council that the City had not received any objections to the requested change and the requested change is in compliance with the Future Land Use Plan. After discussion was held and questions were addressed, Mayor Rodriguez closed the public hearing.

MAYOR Pro-Tem Sitka made a motion to approve an ordinance (recorded as No. 1955) on first reading granting a Specific Use Permit for the operation of a religious institution on property described as Part of Lots 4 & 5 of Block 1006 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference: 308 Front Street) (Property owned by Carol Barre) stipulating that the request be reviewed in one year. Councilmember Faulkner seconded the motion; motion carried unanimously.
THE Public Works Equipment and Personnel Facility terms were negotiated with the 2nd highest rated construction company and a recommendation was made by staff. After review and discussion, Councilmember Faulkner made a motion to authorize the Mayor to execute a contract with McKeel Construction Company, Inc. of Yoakum, Texas in the amount of $159,555. Second was made by Councilmember Bowe and motion carried unanimously.

COUNCIL received information regarding a Governor's Division of Emergency Manager Sub-recipient reimbursable grant to be utilized for communications equipment for the Fire Department, Police Department, and the Emergency Operations Center. After review and discussion, Councilmember Bowe made a motion to authorize the Mayor to execute a Governor's Division of Emergency Manager Sub-recipient grant agreement for communications equipment in the amount of $91,275. Motion was seconded by Councilmember Faulkner and carried unanimously.

APPOINTMENTS to various boards were considered. Councilmember Faulkner moved to appoint the following: 1) Elorine Sitka as Council Representative for a one-year term to the Yoakum Heritage Museum Board; 2) Gary Cooper and Thomas Linn, Jr. for three-year terms to the Planning and Zoning Commission; 3) Charles Pate and Norman Kaiser for three-year terms to the Construction Board of Adjustment and Appeals; 4) Betty Borchers, Bob Putnam, Mark Turk, Karen Jamison, and Malissia Williams for two-year terms to the Library Board; and 5) Darlene Renken, Scott Moehlman, Christine Zimmerman, Mark Jahn, and Michael Machalec for 3-year terms to the Zoning Board of Adjustments and Appeals. Esther Turner had submitted her resignation to the Zoning Board of Adjustments and Appeals and was acknowledged for serving 32 years on that Board. Motion was seconded by Councilmember Bowe and carried unanimously.

UNDER City Manager's Report, Mr. Cook provided a report/update on the Sanitary Sewer Project – Phase I: the sewer contractor continues work in several locations. TV camera surveys are being performed to ensure proper installation. As of May 31st, 19,195 feet of pipe has been installed and approved, an additional 6,500 feet has been installed and is presently being tested to insure compliance with the specifications making a total of 25,695 feet that has been installed. Five thousand five hundred (5,500) feet of pipe remain to be installed on Phase I of the project. The roof replacement project on the Police Station was completed last week. The City received notice from the Golden Crescent Regional Planning Commission that the Regional Solid Waste grant, applied for last month, was awarded in the amount of $8,513 for a small building and equipment for the Solid Waste Transfer Station. Information was provided regarding the budgeted upgrade to the Wastewater Treatment Plant's computerized control and monitoring system. The equipment has been shipped and installation should begin within the next few weeks, we anticipate the project will be completed by mid to late July. The Texas Commission on Environmental Quality has declared the City's Waste Water Treatment Plant discharge permit renewal application administratively complete and has submitted a draft permit for our review. The draft permit adds two additional testing requirements that are not major changes to the permit. The compressor on the air conditioner on the Banquet side of the Community Center had to be replaced. The work was completed prior to the Tom Tom events that were held at the center. The compressor on the AC unit at the Police Station also went out and repairs have been completed. A copy of a drainage study for the Front Street area from Hopkins to W. Grand Ave was provided for Council's review. The City Manager informed the Council that the Police Officer's work stations have been installed and extended an invitation to the Council and public to visit. Questions were addressed from a citizen regarding the sewer project and the number of times a portion of the project has been re-done. City Manager Cook informed Council and the public that staff found that the job was not completed in accordance to
specifications and required the contractor to correct the problem. Staff is satisfied that the section of line in question has been installed correctly.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:40 PM to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to deliberate the employment, evaluation, or duties of the Economic/Community Development Coordinator (V.T.C.A. Gov. Code Sec. 551.074). The meeting re-opened to the public at 7:05 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:05 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
June 23, 2009
Conference Room – 12:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez ................................................. Mayor
          Elorine Sitka .......................................................... Mayor Pro-Tem
          Don E. Bowe ............................................................ Councilmember
          Margie McMullen ....................................................... Councilmember
          Tim Faulkner ............................................................ Councilmember
          Charles J. Kvinta, Jr. ................................................. City Attorney
          Calvin Cook .............................................................. City Manager
          Theresa A. Bowe ......................................................... City Clerk

ABSENT:    None

MAYOR Rodriguez called the meeting to order for the purpose of canvassing the June
16, 2009 Runoff election returns, issuance of the election certificate and administering of the
Oath of Office to the newly elected Councilmember.

THE Mayor asked that Councilmembers McMullen and Sitka canvass the returns.
Finding the returns in order, Mayor Pro-Tem Sitka made a motion to adopt a resolution
(recorded as No. 2009-09) declaring Timothy L. McCoy elected with the following results:  Don
E. Bowe – 140; Tim McCoy - 159. The motion was second by Councilmember Faulkner.
Motion carried.

CERTIFICATE of Election was presented to Councilmember McCoy followed by City
Clerk Bowe administering the Statement of Elected Officer and Oath of Office.

THERE being no further business, the meeting closed at 5:06 PM.

[Signature]
Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ........................................... Mayor
          Elorine Sitka .................................................... Mayor Pro-Tem
          Margie McMullen ................................................. Councilmember
          Tim Faulkner ..................................................... Councilmember
          Timothy L. McCoy ............................................... Councilmember
          Charles J. Kvinta, Jr. ........................................ City Attorney
          Calvin Cook ........................................................ City Manager
          Theresa A. Bowe .................................................. City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Margie McMullen gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

MR. Don Bowe was recognized and presented with a plaque of appreciation by Mayor Rodriguez and Mayor Pro-Tem Sitka for his nine years of service on the Council. Mr. Bowe expressed his gratitude to the Council and community for allowing him to serve.

THE Council entered into a Public Hearing in their designation as the Second Panel of the Building and Standard Commission. Two cases were reviewed: property located at 105 W. May Street owned by Dennis K. Kaiser and Santiago M. Rivera; and, property located at 202 Elk Street owned by Deborah Perez. Both properties had been scheduled for demolition by the Building and Standards Commission and property owners appealed to the Second Panel.

INFORMATION was provided to the Council by Dennis K. Kaiser on the property located at 105 W. May Street. The building was built in 1919 and the owners have been working with the Texas Historical Commission to try to receive an historical marker. Mr. Kaiser presented pictures of the building, and a copy of an engineer’s report dated December 1, 2003.

INFORMATION was provided to the Council by Mrs. Deborah Perez regarding the property located at 202 Elk Street. Mrs. Perez requested additional time to make progress on the structure. She indicated that stolen material and vandalism have caused set-backs to the progress on the building. Adam Findeisen, Code Enforcement Officer was present to answer questions and provide information. Mrs. Perez intends to allow family to live in the home upon completion.

AFTER review and discussion, the Public Hearing was closed.

MAYOR Pro-Tem Sitka made a motion to provided an additional 60 days to the owners of the property located at 105 W. May Street to provide an engineer’s assurance that the building is structurally sound to be presented to the Council at the September 2009 Council Meeting. Second was made by Councilmember Faulkner and motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to allow an additional 90 days to the owners of the property located at 202 Elk Street and provide a progress report to the Council at
the end of 90 days to be reviewed at the October 2009 Council Meeting. Councilmember Faulkner seconded the motion; motion carried unanimously.

ENTERING into the regular Council Meeting, Mayor Rodriguez acknowledged and welcomed visitors.

COUNCILMEMBER Faulkner made a motion to adopt the minutes from the meetings of June 9, 2009 and June 23, 2009 as presented. Second was made by Councilmember McMullen; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt a revised ordinance (recorded as No. 1955) on second and final reading granting a Specific Use Permit for the operation of a religious institution on property described as Part of Lots 4 & 5 of Block 1006 in the Yoakum Townsite Addition as shown on the official tax roll, stipulating that the request be reviewed in one year (For location reference: 308 Front Street) (Property is owned by Carol Barre.). Second was made by Councilmember Faulkner. Motion carried unanimously.

UNDER New Business, Economic/Community Development Coordinator Patrick J. Kennedy was present to provide information and answer questions regarding the proposed YEDC 2009-2010 work plan and budget. After review and discussion, Councilmember Faulkner made a motion to approve the Yoakum Economic Development Corporation Annual Work Plan and Budget for FY 2009-2010 as presented. Second was made by Councilmember McCoy; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to nominate the following individuals to the Golden Crescent Regional Planning Commission for the designated Advisory Committees for two-year terms:

Regional Economic Development Advisory Committee (REDAC)
(DeWitt County) (Lavaca County)
Tim Faulkner Margie McMullen

Regional Environmental Communications Advisory Committee (RECAC)
(DeWitt County) (Lavaca County)
Arthur Rogers Phillip Baker
Yvonne Rodriguez

Regional Environmental Resources Advisory Committee (RERAC)
(DeWitt County)
Jack Maloney
Gerard Novosad

Regional Health & Human Services Advisory Committee (RHHSAC)
(DeWitt County) (Lavaca County)
Zennith Stevens Mary Ann Fikac

Regional Homeland Security Advisory Committee (RHSAC)
(Lavaca County)
Phillip Baker

Regional Public Protection Advisory Committee (RPPC)
(DeWitt County)
Arthur Rogers

Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER McMullen made a motion to appoint Mayor Pro-Tem Sitka and Councilmember Faulkner to the Golden Crescent Regional Planning Commission’s General Assembly. Second was made by Mayor Rodriguez. Motion carried unanimously.

POLICE Chief Arthur Rogers was present to provide information and answer questions regarding an interlocal agreement with the Texas Department of Public Safety which provides blood alcohol testing equipment for the Police Department. After review and discussion, Councilmember Faulkner made a motion to authorize the City Manager to enter into an Interlocal Cooperation Contract with the Texas Department of Public Safety. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:51 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086), to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072) and for the annual evaluation of the City Manager (V.T.C.A. Gov. Code Sec. 551.074). The meeting re-opened to the public at 8:54 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 8:54 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
July 20, 2009
Conference Room – 5:00 PM
City Hall

BUDGET WORKSHOP MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez ..................................................... Mayor
          Elorine Sitka ............................................................. Mayor Pro-Tem
          Margie McMullen ....................................................... Councilmember
          Tim Faulkner ............................................................. Councilmember
          Timothy L. McCoy ....................................................... Councilmember
          Calvin Cook ............................................................. City Manager
          Theresa A. Bowe ......................................................... City Clerk

ABSENT:   Charles J. Kvinta, Jr.................................................. City Attorney

THE budget workshop meeting was called to order by Mayor Rodriguez with City Manager Calvin Cook, Fire/EMS Director Phil Baker, Director of Technical Services Jack Maloney, Finance Director Charlotte Morrow, Police Chief Arthur Rogers, Director of Community Services Derrick Smith, and City Clerk Theresa Bowe in attendance for presentation of the 2009-2010 Fiscal Year Budget.

MAYOR Rodriguez expressed the gratitude of the Council to the City Manager and the Department Heads for the hard work that went into the development of the budget. All revenues and expenditures were reviewed on an individual department basis. City Manager and department heads outlined the increase and decreases in the cost of certain items, needed purchases, and expenditures. Staff was given direction to present proposed budget at the regular August Council Meeting for action.

THERE being no further business, the meeting closed at 7:05 PM.

[Signature]
Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk
August 11, 2009
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ..................................... Mayor
           Elorine Sitka ......................................................... Mayor Pro-Tem
           Margie McMullen .................................................. Councilmember
           Tim Faulkner ....................................................... Councilmember
           Timothy L. McCoy .................................................. Councilmember
           Charles J. Kvinta, Jr. ................................................ City Attorney
           Calvin Cook .......................................................... City Manager
           Theresa A. Bowe ...................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Tim McCoy gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MAYOR Pro-Tem Sitka made a motion to adopt the minutes from the meetings of July 14, 2009 and July 20, 2009 as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER New Business, following recommendation was received from the Planning and Zoning Commission: for the approval of a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lot 1 of Block 1287 in the J.S. Ryan Addition as shown on the official tax roll (For location reference: Corner of Ryan and Lavaca Streets). Mayor Rodriguez opened a public hearing to receive comments on the recommendation from the Planning and Zoning Commission. Property owner Betty Garcia was present to provide information and answer questions. City Manager Cook informed the Council that the City had not received any objections to the request and the requested change is in compliance with the Future Land Use Plan. After discussion, the public hearing was closed.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1956) on first reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lot 1 of Block 1287 in the J.S. Ryan Addition as shown on the official tax roll (For location reference: corner of Ryan and Lavaca Streets). Mayor Pro-Tem Sitka seconded the motion; motion carried unanimously.

THE 2009 certified Tax Role submitted by DeWitt and Lavaca County Tax Assessor/Collectors indicates a taxable value of $189,103,010 for 2009, which is an increase of $2,420,830 from 2008. Mayor Pro-Tem Sitka made the motion to approve the 2009 tax roll as certified and presented by the City's Finance Director at a total taxable value of $189,103,010. Second was made by Councilmember Faulkner. Motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to establish the amount of debt service to be supported by the ad valorem tax at $95,000 and the amount to be supported by utility revenue at $247,260 for Fiscal Year 2009-2010 for the payment of principal, interest and administrative fees and the 2004 General Obligation Bond Issue debt in the amount of $262,260, and the 2006 Texas Water Development Board Certificates of Obligation debt in the
amount of $80,000 for a total debt service of $342,260. The motion was seconded by Councilmember Faulkner. Motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1957) on first reading setting the 2009 City Tax Rate for the City of Yoakum at $.08591 per one hundred dollar valuation, allowing $.03568 for maintenance and operation and $.05023 for debt service. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1958) on first reading adopting the City of Yoakum's 2009-2010 Fiscal Year Budget as presented in the amount of $15,393,100. Second was made by Councilmember McMullen. Motion carried unanimously.

INFORMATION was provided for Council's review regarding the acceptance of payments by credit card. After review and discussion, Mayor Pro-Tem Sitka made a motion to authorize the Director of Finance to accept payment by credit card for fees, fines, court costs, deposits, utility payments, or other charges. Motion was seconded by Councilmember McCoy and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1959) on first reading amending the Manual of Fees and Service Charges, specifically Subsection V. Miscellaneous to set a fee for processing of credit card payments of $3.00 per transaction, and a charge back fee of $25.00. Second was made by Councilmember Faulkner; motion carried unanimously. Staff will review the usage after a one-year period for possible amendment.

MAYOR Pro-Tem Sitka made a motion to nominate Councilmember Tim Faulkner as Council representative to serve as a member of the Golden Crescent Regional Planning Commission's Board of Directors for DeWitt County. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCILMEMBER McCoy made a motion to re-appoint Louis Boening, Arthur G. Hermann, III, Tim Faulkner, and Annie Rodriguez to the Yoakum Economic Development Corporation Board of Directors for a two-year term. Second was made by Councilmember McMullen. Motion carried unanimously.

Under City Manager's Report, the City Manager provided an update on the Sanitary Sewer Project-Phase I. All of the lines have been installed, and testing and inspection of the lines are being performed. The installed lines will not be accepted until the testing and inspection are complete. Numerous manholes and services are still to be installed. Pictures were provided from the installation process. Project is anticipated to be complete in September. Final acceptance and contingencies may be brought back to the Council in September for action. Darnell & Dickson has taken over the project as the primary contractor. Phase II – Engineers reported that the Texas Historical Commission has approved our Phase II Project and found that no historic properties are affected by the project and we may proceed. Tentative approval from the Corp of Engineers has also been received. The Engineers hope to have plans and specifications completed by August 17th and submitted to City Staff for review. The plans will then be submitted to the Water Development Board by September 1st, and we hope to receive approval from the Water Development Board by September 30th, then the City will advertise for bids in early October with a bid opening date in late October. Staff will plan to bring the bids to the Council for the November 10th Council meeting for consideration. The schedule is contingent on acquiring certain easements still being negotiated. The Public Works Building Project: McKee Construction began that project on August 3rd and anticipates being
completed by the middle of September. The Street Improvement Project: City crews have completed the preparatory work. Notice to proceed has been mailed to Ploch Construction of New Braunfels, Texas. A tentative schedule indicates they will begin shortly after September 1st. The Wastewater Treatment Plant SCADA system upgrade was installed last week and is operating well. The Wastewater Discharge Permit final version has been received from TCEQ. Required publishing is being completed. Staff anticipates finalization of the permit renewal by the end of August, 2009. Pictures were provided of the new 16 cubic yard New Way Truck Solid Waste collection truck purchased in July as awarded by Council earlier in the year. Software installation is planned over the next two weeks, and staff plans to go live with the software for Financials on August 18th, Payroll by August 25th, and Utility Billing by August 31st. Chief Arthur Rogers was present to provide an update on the new radios through the Homeland Security Grant. Chief Rogers informed the Council that the handheld radios have arrived; the mobile radios are still on order. Information was also provided on the abilities of the radios and installation details. Replaced radios being removed from the police cars will be transferred to the Public Works/Utility Departments to replace inoperable or deteriorating radios. City Manager Cook provided a brief report on the utility system. Due to the extremely hot, dry period, we are experiencing a record number of water main breaks. The number of breaks and repairs is placing a strain on employees trying to keep up. Based on staff estimates, the City lost about 2.3 million gallons of water due to main breaks. In July, the City pumped 52,043 gallons of water, a record for this decade. The Water System is in good shape. Information was provided on the Electric system. Council was reminded of the Golden Crescent Regional Planning Commission's 42nd Annual General Assembly Meeting scheduled for August 19, 2009, and the Texas Municipal League Annual Conference scheduled for October 21 – 23, 2009 in Fort Worth, Texas.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:40 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086), to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072) and for the annual evaluation of the City Manager (V.T.C.A. Gov. Code Sec. 551.074). The meeting re-opened to the public at 7:40 PM. Action resulting from Executive Session: Councilmember Faulkner made a motion to approve a 5% increase for the City Manager to be effective July 14, 2009. Second was made by Councilmember McCoy. Motion carried unanimously. Mayor and Council extended their confidence and appreciation to Mr. Cook for his dedication and hard work.

THERE being no further business, the meeting closed at 7:42 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .................................................. Mayor
         Elorine Sitka ......................................................... Mayor Pro-Tem
         Margie McMullen ................................................... Councilmember
         Tim Faulkner ......................................................... Councilmember
         Timothy L. McCoy .................................................. Councilmember
         Charles J. Kvinta, Jr ............................................... City Attorney
         Calvin Cook .......................................................... City Manager
         Theresa A. Bowe ..................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

THE Council reviewed the property located at 105 W. May Street in their designation as the Second Panel of the Building and Standard Commission. Pictures were provided indicating the extent of the shifting of the structure from July 28, 2009 to September 3, 2009. Gaps have increased by 1 ¼" during the time frame. City Manager Cook provided information regarding the water leaks referenced by the property owner. The water leaks occurred after the initial contact of the Code Enforcement Officer with the property owners regarding the deterioration of the property. After extensive discussion regarding the damage, on motion by Mayor Pro-Tem Sitka and second by Councilmember Faulkner, Council voted unanimously to proceed with demolition and gave the property owners 30 days to comply.

Council convened into the regular Council meeting. Visitors were acknowledged and welcomed.

MAYOR Pro-Tem Sitka made a motion to adopt the minutes from the meeting of August 11, 2009 as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER Old Business, Councilmember Faulkner made a motion to adopt an ordinance on second and final reading granting a Change In Zoning from Residential (R-3) to Business (B-1) on property described as Lot 1 of Block 1287 in the J.S. Ryan Addition as shown on the official tax roll (for location reference only: corner of Ryan and Lavaca Streets). Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1957) on second and final reading setting the 2009 City Tax Rate for the City of Yoakum at .08591 per $100 valuation, apportioning $0.03568 for the purpose of maintenance and operation, and 0.05023 for the payment of principal and interest on debt. Motion was seconded by Councilmember McCoy and carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the proposed 2009-2010 City Budget. City Manager Cook provided information to the Council regarding the budget. The General Fund Budget as presented is $5,213,720, the Utility Fund
Budget is $10,166,680 and the Airport Budget is $12,700 for a total 2009-2010 Fiscal Year Budget in the amount of $15,393,100. Hearing no citizen comments; the public hearing was closed. Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1958) on second and final reading adopting the 2009-2010 City Budget. Second was made by Councilmember Faulkner; motion carried unanimously.

MOTION by Councilmember Faulkner to adopt an ordinance (recorded as No. 1959) on second and final reading amending the Manual of Fees and Service Charges, specifically Subsection V. Miscellaneous to set a fee for processing of credit card payments and charge back fees. Second was made by Councilmember McCoy; motion carried unanimously.

UNDER New Business, Linda Machacek was present representing the Yoakum Area Chamber of Commerce regarding the proposed extension to the Concessionaire agreement. After review, Councilmember Faulkner made a motion to authorize the Mayor to enter into an extension of the Management and Concessionaire Agreement for the Yoakum Community Center with the Yoakum Area Chamber of Commerce for a three-year period. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

DISCUSSION was held regarding a citizen request for assistance to clean up the old cemetery located on Dunn & Jackson Streets and abuts the City property where the Transfer Station and Wastewater Treatment Plant are located. A request was submitted by Ms. Vanita Cheeves to allow for the disposal of the brush removed from the cemetery free of charge. After discussion, Councilmember Faulkner made a motion to approve the request to allow for the disposal of the brush removed from the cemetery at no charge. Second was made by Councilmember McMullen; motion carried unanimously.

DISCUSSION was held regarding the possible development of a manufactured home ordinance and possible amendments to the Zoning Ordinance. After discussion, the item was tabled for discussion at the October, 2009 Council meeting. A citizen request was made regarding recreational vehicles parked along City streets. Information was provided by City Manager Cook and Police Chief Arthur Rogers.

MAYOR Pro-Tem Sitka made a motion to authorize the Mayor to enter into a revised Interlocal Agreement with the Texas Municipal League Intergovernmental Employee Benefits Pool for the provision of health benefits for City employees. The revision will allow TML the flexibility to expand the pool to other states and increase the pool population and receive more competitive rates from providers. The motion was seconded by Councilmember Faulkner and carried unanimously.

WITH thanks to City staff for their diligence in the collection of overdue accounts, Councilmember Faulkner made a motion to authorize the charge-off of listed ambulance and utility account receivables: ambulance accounts in the amount of $38,878, and utility accounts in the amount of $41,220. Second was made by Councilmember McCoy; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2009-11) nominating Conyetta Gaus-Swaney for the DeWitt County Appraisal District’s Board of Directors. Councilmember Faulkner seconded the motion; motion carried unanimously.

Under City Manager’s Report: Mr. Cook provided information regarding dying trees located between the property lines and streets. Removal of trees located in these areas are the responsibility of the owners of the property adjacent to the trees. Utility crews have been
instructed to assist with those trees jeopardizing utility lines. The Sanitary Sewer Project-Phase I contractor has around 90 service connections left to be made. The sub-contractor assigned to street repair is slightly behind schedule at this time. Completion is estimated for mid- to late-October, and close out in November. City staff is on schedule for Phase II of the project. Plans are to be submitted to the Texas Water Development Board at the end of September, bid opening is scheduled for mid-October for possible consideration by Council in November. The metal for the Public Works facility has been delivered. The contractor is scheduled to begin work on that project later in the week. Council was informed that the Legislature passed the bill regarding the prohibition of the use of cell phones by operators of motor vehicles within school zones. The City will be able to enforce the law once signs have been placed. The Texas Department of Transportation has agreed to install the signs along the State highways. The Yoakum ISD has agreed to share the cost with the City for the signs to be placed on City streets. City Manager Cook informed the Council of a request from a group of parents for assistance with a Homecoming parade on September 21, 2009 beginning at Stanley’s Parking Lot to travel down W. Grand to Highway 77A. The Police Chief has requested approval from TxDOT. The software installation for the Utility and Financial Department has been complete and is up and running. Sample bills were provided for review.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:25 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086), and to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting re-opened to the public at 7:50 PM.

THERE being no further business, the meeting closed at 7:50 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
Anita R. Rodriguez ........................................... Mayor  
Elorine Sitka .................................................... Mayor Pro-Tem  
Margie McMullen ............................................... Councilmember  
Tim Faulkner .................................................... Councilmember  
Timothy L. McCoy ............................................... Councilmember  
Charles J. Kvinta, Jr. ......................................... City Attorney  
Calvin Cook ...................................................... City Manager  
Theresa A. Bowe ................................................ City Clerk

ABSENT:  None

MAYOR Rodriguez called the City Council meeting to order and Mayor Pro-Tem Sitka gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

Council convened into the regular Council meeting. MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:01 PM to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting re-opened to the public at 6:20 PM.

THE Council reviewed the property located at 105 W. May Street in their designation as the Second Panel of the Building and Standards Commission upon written request from the property owners. Mr. Santiago M. Rivera asked to address the Council regarding the demolition orders. He has been in contact with Fred Zinke of Zinke Construction to repair the building. Mr. Dennis Kaiser was also present to provide information and request a stay of demolition. Comments from the audience were received advocating the rehabilitation of the building. After extensive discussion, Mayor Pro-Tem Sitka made a motion to rescind the order of demolition made at the September 8th meeting, and allow a 90 day extension from the date of this meeting to stabilize the building and provide a letter from an engineer that the building is structurally sound.

Council also reviewed the property located at 202 Elk Street in their designation as the Second Panel of the Building and Standards Commission. The property owner was not present to address the Council. Pictures and a summary were provided by staff indicating that no work has been done, and there have been no reports to the Police Department regarding additional vandalism. Discussion was held. After review, Councilmember McCoy made a motion to allow an additional 30 days to bring the property up to standards and instructed staff to contact the property owner for appearance at the next City Council meeting. Second was made by Councilmember McMullen. Motion carried unanimously.

Visitors were acknowledged and welcomed. Students from St. Paul and Victoria College were present as part of a Government Class Project.

MAYOR Pro-Tem Sitka made a motion to adopt the minutes from the meeting of September 8, 2009 as presented. Second was made by Councilmember McMullen; motion carried unanimously.
UNDER New Business, the following recommendation was received from the Planning and Zoning Commission: for the approval of a Specific Use Permit for a recreational vehicle park for the placement of one (1) recreational vehicle at 808 Mathew Street for a one year period from the time of final passage by the City Council. Mayor Rodriguez opened a public hearing to receive comments on the recommendation from the Planning and Zoning Commission. The property owner was unable to attend the meeting. Information was provided by the Code Enforcement Officer regarding the request. City Manager Cook informed the Council that the City had not received any objections to the request. There being no comments received from the audience, the public hearing was closed.

MOTION was made by Councilmember Faulkner to adopt an ordinance (recorded as No. 1960) granting a Specific Use Permit for a recreational vehicle park for the placement of one (1) recreational vehicle for a one (1) year period from the time of final passage on property described as Lot 8 of Block 1146 in the Tucker Addition as shown on the official tax roll (for location reference: 808 Mathew St.) Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

DISCUSSION was held and public comments were received regarding the use of golf carts on City streets. According to a new State law, golf carts will no longer be licensed and no longer allowed on public streets unless specifically allowed by City ordinance. After discussion, receiving information for the Chief of Police, and receiving citizen comments, Council gave staff direction to develop an ordinance allowing golf carts on City streets with certain restrictions (requiring driver's licenses by the operator, certain safety features, etc.) to be presented at the November Council meeting.

STAFF presented information to the Council regarding Zoning Ordinance issues pertaining to Recreational Vehicle parks and manufactured home parks, and a proposed application for the placement of buildings. Since the State does not inspect manufactured home installations, it falls to cities to regulate and inspect the installation process. After discussion, Councilmember McCoy made a motion to give direction to the City Manager to take all proposed ordinance changes to the Planning and Zoning Commission for review, and to make recommendations to the Council. Second was made by Councilmember McMullen; motion carried with Councilmember Faulkner voting against.

COUNCILMEMBER Faulkner made a motion to adopt a resolution (recorded as No. 2009-12) nominating John Fling for the Lavaca County Appraisal District's Board of Directors. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to appointment Marlin Kuenstler to the Yoakum Oak Grove Cemetery Association Board of Directors for a three-year term. Motion was seconded by Councilmember Faulkner and carried unanimously.

Under City Manager's Report, pictures were provided of the flooding that occurred on October 4, 2009. Street and other infrastructure repairs are still being completed. Damage was reviewed that occurred to Kenedy Ditch and a drainage structure on Carroll Dr. Engineers have been consulted to provide recommendations for the repairs needed. Recommendations were also received from the Natural Resource Conservation Service. Assistance may be available through that agency. Staff plans to bid out the repair projects as soon as possible. City staff and the City's engineer are looking at a method to make temporary repairs to the drainage structure on Carroll Drive and developing cost estimates for replacement of the structure. The Brushy Creek Water Treatment Plant was completely inundated with flood water. The plant is back in service as of last Friday. One well and two pumps are active in the plant at this time;
the two booster pumps that were flooded as well as one well are out of service. A Contractor has been called in to pull the pumping equipment out of the well; the well will be inspected to determine that all the screens and casing are in good repair any repair to the well or pumping equipment will be made and then the well will be disinfected and tested. The Wastewater Treatment Plant did not receive any damage. The Sanitary Sewer Project: the contractor has 20 to 25 sewer services and 3 manholes to be installed. The manholes can not be placed until all of the sewer services have been connected to the new line. The street sub-contractor on the project is behind schedule due to waiting on the final connections by the general contractor, and the wet weather conditions. Plans for Phase II of the Sanitary Sewer project have been submitted to the Texas Water Development Board for review. An environmental assessment is required prior to beginning work on the Phase II. Presently we hope to go out for bids in December and bring to the Council for award in January. The Public Works Facility Project was reviewed and pictures were provided. The contractor believes that the project will be completed within two weeks. The old crew shed will need to be removed, and equipment and other items will be moved to the new facility. A letter was received from the Texas State Comptroller on September 22, 2009 notifying the City that we will be eligible for a $35,000 block grant as part of the American Recovery Act. Once Staff has evaluated projects to determine which would be most advantageous for the City, a Notice of Intent will be submitted; when notified of a final grant amount, an application will be completed. At the Yoakum Economic Development Board of Directors meeting held on Monday, October 5th, thirteen (13) applications were reviewed for three (3) new programs through the Strategic Plan. The Board made the decision to fund all thirteen (13) applications and amend their budget to appropriate for the funding. The final version of the Wastewater Treatment Plant permit was received. Two (2) new requirements are included in the new permit. A new Librarian has been hired to replace retired Library Director Susan Burton. Lynn Mixon’s first day will be Monday, October 19, 2009.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:58 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086), and to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting re-opened to the public at 8:19 PM. Action resulting from Executive Session: Mayor Pro-Tem Sitka made a motion to approve the settlement on the Greenwood case as discussed. Motion was seconded by Councilmember Faulkner and carried unanimously.

THERE being no further business, the meeting closed at 8:20 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
November 10, 2009
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:                   MAYOR
Anita R. Rodriguez
Elorine Sitka
Margie McMullen
Tim Faulkner
Timothy L. McCoy
Charles J. Kvinta, Jr.
Calvin Cook
Theresa A. Bowe

Mayor Pro-Tem
Councilmember
Councilmember
Councilmember
City Attorney
City Manager
City Clerk

ABSENT:                None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Faulkner gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

THE Council reviewed the property located at 202 Elk Street in their designation as the Second Panel of the Building and Standards Commission as discussed at the October 13, 2009 Council meeting. Property owner Deborah Perez was present to provide information and answer questions. Discussion was held. After review, Mayor Pro-Tem Sitka made a motion to grant Ms. Perez a 30 day extension to secure the property, and clean and mow the yard to bring the property into compliance with City Ordinance. Councilmember McCoy seconded the motion; motion carried unanimously.

VISITORS were acknowledged and welcomed.

COUNCILMEMBER Faulkner made a motion to adopt the minutes from the meeting of October 13, 2009 as presented. Second was made by Councilmember McMullen; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1960) on second and final reading granting a Specific Use Permit for a recreational vehicle park for the placement of one (1) recreational vehicle for a one (1) year period on property described as Lot 8 of Block 1146 in the Tucker Addition as shown on the official tax roll (for location reference: 808 Mathew St.) Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER New Business, the following recommendation was received from the Planning and Zoning Commission: for the approval of a Change in Zoning from Residential (R-2) to Residential (R-3) on property located at 202 Davidson St. A Public Hearing was opened to receive public comments on the recommendation. Information regarding the request was reviewed and discussed. The property owner and applicants were present to answer questions. City Manager Cook informed the Council that the City had not received any objections to the request and the change was in compliance with the Future Land Use Plan. With no comments being received from the public, the Public Hearing closed.

Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 1961) on first reading granting a change in zoning from Residential (R-2) to Residential (R-3) on
property described as Lots 7-8 of Block 1158 in the JX May Second Addition. Second was made by Councilmember McCoy; motion carried unanimously.

DISCUSSION was held regarding a proposed ordinance allowing the use of golf carts on City streets. After discussion, Council suggested revision of the ordinance so that it reads that occupants of golf carts exempt from safety belt requirements not be required to utilize safety belts on roadways. Motion was made by Councilmember Faulkner to adopt an ordinance (recorded as No. 1962) on first reading with suggested revisions allowing the use of golf carts on City streets with certain regulations. Second was made by Councilmember McCoy; motion carried unanimously.

DISCUSSION was held regarding a possible 2009 Transportation Enhancement Program through the Texas Department of Transportation for potential utilization of funding resources. Council was informed by staff that the Economic Development Corporation Board had decided not to pursue the program at this time. No action was taken by Council.

A motion was made by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2009-13) authorizing the City Manager to submit an application to the Texas State Comptroller of Public Accounts for the Energy Efficiency and Conservation Block Grant Program for funding through the American Recovery and Reinvestment Act (ARRA) of 2009. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCIL reviewed amendments to the prior year’s budget. After review and discussion Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 1963) on first reading amending the 2008-2009 Annual Budget Ordinance No. 1939. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2009-14) casting Yoakum’s 22 votes to elect John Fling to the Lavaca County Appraisal District’s Board of Directors. Second was made by Councilmember Faulkner; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt a resolution (recorded as No. 2009-15) casting Yoakum’s 15 votes to elect Conyetta Gaus-Swaney to the DeWitt County Appraisal District’s Board of Directors. Motion was seconded by Councilmember McCoy and carried unanimously.

THE Yoakum Area Chamber of Commerce submitted a request to close certain streets for the Downtown Tree Lighting Ceremony to be held on December 1, 2009. A sketch was provided indicating the streets to be closed as requested by the Chamber. Councilmember Faulkner made a motion to approve the request from the Yoakum Area Chamber of Commerce for the closure of certain streets for the Downtown Tree Lighting Ceremony from 5:30 PM to 8:00 PM on December 1, 2009 as requested. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

INFORMATION was provided and questions were addressed regarding an ordinance amending Section 18.3 in the Yoakum Code of Ordinances pertaining to charges for moving City wires when buildings are being moved over City streets. Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1964) on first reading amending the Yoakum Code of Ordinances, specifically Chapter 18, Streets and Sidewalks, Section 18-3. Same – Moving city wires. Second was made by Councilmember Faulkner and motion carried unanimously.
COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 1965) on first reading amending Subsection V. Miscellaneous, Item 12) Equipment Charges, i.e. Electric Equipment, in the General Section of the Manual of Fees and Service Charges. Second was made by Councilmember McMullen. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to appoint Suzi Brewer as an Alternate Member to the Building and Standards Commission to fill an un-expired term. Motion was seconded by Councilmember Faulkner and carried unanimously.

Under City Manager’s Report, information was provided regarding bids for the Kenedy Ditch Repair project. Bid tabulations were presented: McKee Construction Company of Yoakum, Texas was the low bidder and was awarded the bid in the amount of $16,415.00. Repairs should begin later this week. Repair to the Carroll Drive drainage structure was discussed. After receiving the City engineer’s estimated cost for total replacement of the structure, City staff will be looking at options to repair the structure. Friedel Drilling Company is presently working on Brushy Creek Water Well 6A. The well casings and screens have been cleaned. A re-circulation disinfection process has been started. After re-installation of the pumping equipment, the well will again be disinfected and water samples will be collected and submitted to the Texas Dept. of Health Lab for analysis. After the water quality has been approved, the well will be placed back in service. The motor was taken to Delta Armature; three bearings were replaced and it is ready for installation once the pumping equipment back in the well. Bids for repair of the security fence surrounding the Brushy Creek Water Plant and Well were received. H&N Fence Construction submitted the low bid in the amount of $1,678.00. Repairs are to begin either late this week or early next week. At this time, the repair at the Water Plant, for this phase of the project is estimated to cost between $30,000 and $35,000. Staff has been unable to pull the motors from the booster pumps due to the wet grounds. We anticipate having to replace all of the bearings on the pumps and motors. On the Sanitary Sewer Project – Phase I: the contractors have completed the installation of all of the mains, made all of the service connections, installed all of the man-holes, and are presently working on clean-up and making minor repairs along the project. The paving contractor is continuing to pave asphalt streets and will begin repair on the concrete streets this week. The contractor anticipates being completed by the end of November. Once the project is completed, staff and engineers will conduct a final inspection and provide the contractor with a punch list of items that may need to be addressed. On Phase II of the Sanitary Sewer Project: plans and specifications have been approved by the Texas Water Development Board. The project includes 34,800 feet of gravity sewer, 6,000 feet of force main, and the construction of a lift station. City is advertising for bids with a bid opening date scheduled for December 2, 2009. Bids will be brought to the Council for consideration at the December 8th Council meeting. The Environmental Assessment clearance has not been received from the State. Clearance is anticipated in January 2010, prior to beginning the project. A bid tabulation for the Brush and Lumber Grinding Project was provided for Council’s review. Bids were opened on October 15th; the low bid was submitted by L&M Woodwaste Recycling, Inc. of Austin, Texas in the amount of $11,000. Work began on October 26th and completed the project on November 4th. The project came in slightly under budget. Council was provided with a copy of a letter sent to the local plumbers making them aware of Senate Bill 1354 passed last session that requires all cities to verify that a contractor has a certificate of insurance on file with the examining board prior to issuing a plumbing permit. The law became effective on September 1, 2009. The Library received notice of an award of a Loan Star Library grant in the amount of $5,508 from the Texas State Library and Archive Commission. The funds will be used for the subscription to the TexShare Database, to purchase books, make equipment repair, and for the Summer Reading Program. The City Clerk received notification of the Five Star Exemplary Award for Local
Registrars from the Texas Bureau of Vital Statistics. Of the 490 Local Registrar's in the State of Texas, the City of Yoakum Local Registrar's office was one of 75 entities honored with this award for meeting all of the requirements to meet or exceed the State's reporting standards for birth and death records. City Manager Cook presented Council with a copy of an email from a local citizen complimenting the City on the services provided to our community and thanked City personnel for a good job. A letter was presented to the Council inviting them of an information sharing meeting to be held on December 16, 2009 by Texas Department of Transportation at the Yoakum District Building. Council was informed that a building permit had been issued on 105 W. May Street to Mr. Freddy Zinke for the repairs to the building. Mr. Zinke contacted City Manager Cook last week to inform him of a set back in plans, but repairs should be completed within the timeframe issued by the Council at the October Council meeting. Representatives from the San Antonio Water System spoke with City staff earlier this week regarding their plan for a feasibility assessment study for developing ocean water desalination along the Texas coast from the Gulf of Mexico and for developing brackish groundwater from the Gulf Coast Aquifer. The study would determine both mid-term (10-25 years) and long term (greater than 25 years) project development. The City of Yoakum may be invited to participate in the project at no cost. The representatives offered to visit with the Council at a time to be determined should the Council so wish. The Council indicated that would be interested in hearing SAWS presentation. Council was informed that the following day, Wednesday, November 11th is Veteran's Day and the City will be closed. Garbage routes for Wednesday and Thursday will be delayed by one day.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:15 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086), to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to deliberate about Real Property (V.T.C.A., Gov. Code, Sec. 551.072). The meeting re-opened to the public at 8:15 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 8:15 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
December 8, 2009
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .................................................. Mayor
Elorine Sitka ................................................................. Mayor Pro-Tem
Margie McMullen ............................................................ Councilmember
Tim Faulkner ................................................................. Councilmember
Timothy L. McCoy ............................................................ Councilmember
Charles J. Kvinta, Jr. ............................................................ City Attorney
Calvin Cook ................................................................. City Manager
Theresa A. Bowe ............................................................. City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember McMullen gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

THE Council reviewed the property located at 202 Elk Street in their designation as the Second Panel of the Building and Standards Commission as discussed at the November 10, 2009 Council meeting. Property owner Deborah Perez was present to provide information and answer questions. Discussion was held and pictures of the property were provided. After review, Councilmember Faulkner made a motion to postpone action regarding this property for 60 days to provide additional time to the property owner to secure and clean the property, and mow the yard to bring the property into compliance with City Ordinance. Councilmember McMullen seconded the motion; motion carried unanimously.

COUNCIL convened into the regular Council meeting. Visitors were acknowledged and welcomed. Rick Bishop, Manager of the Yoakum HEB presented a Christmas cake to the Council. Police Chief Arthur Rogers introduced Officer Adam LeWin as the Police Department's newest member.

COUNCILMEMBER Faulkner made a motion to adopt the minutes from the meeting of November 10, 2009 as presented. Second was made by Councilmember McCoy; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1961) on second and final reading granting a change in zoning from Residential (R-2) to Residential (R-3) on property described as Lots 7-8 of Block 1158 in the JX May Second Addition. Second was made by Councilmember McCoy; motion carried unanimously.

DISCUSSION was held regarding changes made to the proposed golf cart ordinance. After review, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1962) as amended on second and final reading allowing the use of golf carts on City streets with certain restrictions. Second was made by Councilmember McCoy; motion carried unanimously.

REVIEW of the changes to the 2008-2009 Fiscal Year Budget was held. Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1963) as amended on
second and final reading amending the 2008-2009 Annual Budget Ordinance No. 1939. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 1964) on second and final reading amending the Yoakum Code of Ordinances, specifically Chapter 18, Streets and Sidewalks, Section 18-3. Same – Moving city wires. Second was made by Councilmember Faulkner. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1965) on second and final reading amending Subsection V. Miscellaneous, Item 12) Equipment Charges, I. Electric Equipment, in the General Section of the Manual of Fees and Service Charges. Motion was seconded by Councilmember McCoy and carried unanimously.

UNDER New Business, Craig Bell with TRC Solutions of Austin, Texas was present to provide information to the Council regarding the bids on Phase II of the Sanitary Sewer Rehabilitation/Construction Project. After review of the bid tabulation and recommendation letter, motion was made by Councilmember Faulkner to award the bid to the low bidder, Mercer Construction of Edna, Texas in the amount of $ 2,744,866.25. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously. The City Manager also provided information to the Council regarding discussions held with property owners in the Country Estates Subdivision regarding the owners request to install a gravity flow sewer line in Raska Drive. The new gravity sewer would replace the existing pressure system serving the subdivision.

THE following recommendation was received from the Planning and Zoning Commission: for the approval of changes to Zoning Ordinance No. 1500 as amended as it pertains to manufactured homes, recreational vehicles, and recreational vehicle parks. A public hearing was opened and discussion was held. The recommendations were reviewed. Hearing no comments from the public, the public hearing closed.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1966) as recommended, on first reading amending Zoning Ordinance No. 1500 as it pertains to manufactured homes, recreational vehicles, and recreational vehicle parks with a vote of four to one. Second was made by Councilmember McCoy. Motion carried with Councilmember Faulkner voting nay.

COUNCILMEMBER Faulkner made a motion to award the bid for two full size ½ ton pickup trucks for Public Works Departments in the amount of $26,474.40, and one full size ½ ton pickup truck for the Police Department in the amount of $19,147.01 as budgeted to Wendel Motor Company of Yoakum, Texas. Motion was seconded by Councilmember McCoy and carried unanimously.

MOTION was made by Councilmember Faulkner to authorize the City Manager to sell certain City surplus vehicles/equipment as listed by sealed bid. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to proclaim the month of January as School Board Recognition Month. Second was made by Councilmember McCoy. Motion carried unanimously.

UNDER City Manager's Report, Mr. Cook informed the Council that McKee Construction has completed the repairs to the Kenedy Ditch drainage channel that was damaged during the October flooding. Options were discussed regarding the drainage structure on Carroll Drive.
Staff will continue to investigate options to repair or replace the structure prior to making recommendations to the Council for their consideration. Regarding Brushy Creek Water Well #6, the Council was informed that staff authorized Friedel Drilling to lower the pump an additional 60 feet to ensure that the water level would remain at a safe level above the pump during heavy pumping periods. H&N Fence began work on the fence repair around the water plant this week and should be finished next week. Installation of the sanitary sewer lines for Phase I has been completed. The contractor is working on abandoning 40 old manholes and completing the street repairs. Staff anticipates final completion of Phase I in February, 2010. The invoice from the Texas Commission on Environmental Quality for our public water system service fee was received. The City Manager informed the Council that the fee has increased from last year’s fee of $1,806 to the current fee of $5,536.25. The Yoakum Economic Development Corporation Annual Report was provided to the Council for their review. Council was provided a letter from the Chief Appraiser from Lavaca County indicating the newly elected members of the Lavaca County Appraisal District Board of Directors. The holiday schedule was provided for the Council’s information indicating that City Hall and Welhausen Library will be closed on December 24th and 25th, and that the Solid Waste Transfer Station will be opened on Thursday, December 24th and until Noon on Saturday, December 26th for the public’s convenience; the Transfer Station will be closed on Christmas Day. The December 24th and 25th garbage routes will be picked up on Thursday, December 24th.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:15 PM to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec, 551.086), and to deliberate about Real Property (V.T.C.A., Gov. Code, Sec. 551.072). The meeting re-opened to the public at 8:00 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 8:00 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk