REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .................. Mayor
John E. Trott, Jr. .................. Mayor Pro-tem
Dennis O. Kutach ................. Councilmember
William J. Natho ................. Councilmember
Carroll E. Carter ................. Councilmember
Mark A. Stubbs .................. City Manager
Dorothy R. Moore ................. City Manager
Charles J. Kvinta, Jr. .......... City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

MINUTES from the meetings of December 13th and 22nd were approved.

VISITORS were welcomed by the Mayor

MR. Calvin Cook, Director of Public Works, gave an overall review of progress on the Capital Improvements Program as follows:

1) Bid for the repair of the Standpipe Water Storage tank located behind H.E.B. Grocery will be awarded as of this date.

2) Bid opening for a new water well on Dunn Street is scheduled for February.

3) Preliminary information and data is being collected to determine method of rehabilitating or replacement of the Central Trunk sewer line. Construction scheduled for July.

4. Supplejack Creek project is under way with construction scheduled to begin in 1990.

5) Street repair to begin in May or June of this year.

A large number of C.I.P. Committee members were present for the review.

THE following ordinances were presented for second and final reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS, PROVIDING FOR ZONING IN THE CITY OF YOAKUM, TEXAS, ESTABLISHING ZONING DISTRICTS, PROVIDING FOR OFFICIAL ZONING MAP, PROVIDING FOR UNDUE HARDSHIPS, DETAILING MINIMUM REQUIREMENTS IN VARIOUS DISTRICTS, REQUIRING THE ISSUANCE OF BUILDING PERMITS IN CONFORMATION WITH ZONING
MOTION by Councilman Carter, seconded by Councilman Kutach, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING CHAPTER 10 OF THE YOAKUM CODE OF ORDINANCES; REGARDING ARTICLE I THEREOF; AND SPECIFICALLY SECTIONS 10-2, CONTAINERS AND 10-9; PLACING REFUSE ON STREETS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY AND PROVIDING FOR AN EFFECTIVE DATE. (recorded in full under No. 1501)

MOTION by Councilman Natho, seconded by Councilman Carter, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING CHAPTER 22 OF THE YOAKUM CODE OF ORDINANCE REGARDING ARTICLE II THEREOF; SEWER DISCHARGE QUANTITY AND QUALITY CONTROL; REPEALING ALL ORDINANCE OR PARTS OF ORDINANCE IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY AND PROVIDING FOR AN EFFECTIVE DATE. (recorded in full under No. 1502)

MOTION by Councilman Carter, seconded by Councilman Natho, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING THE CITY OF YOAKUM MANUAL OF FEES AND SERVICE CHARGES; REGARDING ITEM FIVE (V), L MISCELLANEOUS OF THE GENERAL SECTION, HOTEL/MOTEL OCCUPANCY TAX; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE. (recorded in full under No. 1503)

MOTION by Councilman Carter, seconded by Councilman Kutach, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

ACTION was delayed on an ordinance pertaining to Community Center rental fees.

It was decided that the Board of Governors review the proposed rates and make recommendations to the Council before final approval.

THE following resolution supporting the Golden Crescent Region in establishing a 9-1-1 Emergency Telephone Number was presented:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:
That the City Council provides its wholehearted support to the development of a regional plan for the counties of the golden Crescent Region in accordance with Article 1432f, in establishing an Enhanced 9-1-1 Emergency Telephone Number. This is with the understanding that we will develop our own plan and impose and collect our own fees.

(recorded in full under No. 89-01)

MOTION by Councilman Natho, seconded by Councilman Carter, that the resolution be passed, approved and adopted. MOTION carried unanimously.

A request for improvements in the Burns West Heights Addition was considered.

Mrs. Katherine Caraway is in the process of submitting an application to the Farmers Home Administration in Seguin to fund forty (40) housing units for low to moderate income families. The proposed site is in the Burns West Heights Addition. Application will be submitted under the name of Yoakum Senior Citizen Housing, Ltd.

Mr. Stubbs prepared four (4) options for the Council to consider for improvements:

OPTION 1:  City pays for all improvements.

A. Developer Cost:  $ -0-
B. City Cost:  $ 56,381

OPTION 2:  Developer pays material costs; City constructs improvements.

A. Developer Cost:  $ 35,646
B. City Cost:  $ 20,705

OPTION 3:  Use existing policy. City pays for street improvements and electric extensions depending on availability of funds. Developer pays sewer and water extensions.

A. Developer Cost  $ 13,966
B. City Cost:  $ 42,415

OPTION 4:  Developer pays for all subdivision improvements (streets, water, sewer, electric)

A. Developer Cost  $ 56,381
B. City Cost:  $ -0-

MOTION by Councilman Carter, seconded by Councilman Natho, that the city use OPTION 3 for improvements to the Burns West Heights Addition. MOTION carried unanimously.

Mrs. Caraway said she should know something by June of 1989 on whether or not her application is approved. Then it would be 18 to 24 months before the units are constructed. She also indicated that there is a good possibility that only 32 units will be approved.
THE following bids for repair on the 270,000 gallon Standpipe Water Storage tank located behind H.E.B. Grocery was considered:

<table>
<thead>
<tr>
<th>Company</th>
<th>Proposal 1</th>
<th>Proposal 1, 11,111(steel roof)</th>
<th>Proposal 1, 11,111(aluminum roof)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lupton Painting Shawnee, Ok</td>
<td>$54,467</td>
<td></td>
<td>$58,440</td>
</tr>
<tr>
<td>Blue Ribbon Houston, Tx.</td>
<td>$57,400</td>
<td>No Bid</td>
<td></td>
</tr>
<tr>
<td>Scot Manufacturing Lubbock, Tx.</td>
<td>$54,952</td>
<td></td>
<td>$77,193</td>
</tr>
<tr>
<td>Travis Ind Painters San Antonio, Tx.</td>
<td>$92,204</td>
<td></td>
<td>$80,120</td>
</tr>
<tr>
<td>Pittsburg Tank &amp; Tower Henderson, Ky</td>
<td>$53,368</td>
<td>No Bid</td>
<td></td>
</tr>
</tbody>
</table>

UPON the recommendation of Paul Boedeker of Hunter Associates who tabulated and reviewed the bids, the following motion was made:

MOTION by Councilman Trott, seconded by Councilman Kutach, to accept the low bid of Pittsburg Tank & Tower in the amount of $53,368.00. MOTION carried unanimously.

MR. Stubbs spoke briefly on the LCRA rate case.

LEGISLATIVE update; Mr. Stubbs felt the most important items facing Yoakum in the next legislative session is HB 315, 316 and 317.

HB 315, deals with having the Public Utility Commission regulate city owned electric utilities.

HB 316, will give residence outside city limits additional PUC authority.

HB 317, deals with municipalities having to apply to the PUC for generation facilities and transmission plants.

A legislative briefing and luncheon sponsored by TML will be held in Austin on February 13, 1989.

CITY Managers Report:

1. New landfill requirements might force cities to have an outside company come in and do the sanitation collection.

2. Discussed interring into an agreement with Matusek Engineering for street improvements scheduled in the Capital Improvements Program. Final approval to select an engineer for the job will be made at the next regular meeting.

3. South Texas Utilities Company has failed to pay their franchise fee for almost a year.
4. Local Cable TV Company has changed hands which might be in violation of the existing franchise agreement. This is being looked into.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City Council
City of Yoakum, Texas

ATTEST:

Dorothy R. Moore, City Clerk
January 31, 1989
7:00 P.M.
City Hall
Yoakum, Texas

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:

M. W. Harbus, Jr. ....................Mayor
John E. Trott, Jr. .................Mayor Pro-tem
Dennis O. Kutach ....................Councilmember
William J. Natho ....................Councilmember
Carroll E. Carter ....................Councilmember
Mark A. Stubbs ......................City Manager
Dorothy R. Moore .....................City Clerk
Charles J. Kvinta, Jr. ..............City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

THE meeting was called for the following purpose:

1. Consider report on LCRA Electric Rate Increase.

2. Consider Yoakum Airport operations.

3. Executive Session:
   Potential Litigation Issues related to LCRA Electric Rate proposals.

MR. Stubbs gave a report on the Lower Colorado River Authority's proposal to increase electric rates. The proposal has been filed with the Public Utility Commission and a proposed settlement offered.

Mr. Stubbs has done extensive study on the proposed rates as to how it might effect the cities involved. He feels some of the Co-op's might be pushing for rates that would benefit them and possibly cause cities to bear more than their share of the cost for LCRA to provide electricity.

Mr. Stubbs said he would like to talk to the other cities and perhaps join together in hiring a rate consultant to evaluate the proposed rates.

The Council gave their approval for Mr. Stubbs to continue his efforts to see that the electric rates are fair to all users.

AIRPORT operations were briefly discussed. The current operation is not up to the expectation of the lease agreement.

The consensus of the Council is to keep the airport in operation. Mr. Stubbs will determine the best method to provide service at the airport.

THE Executive Session scheduled was not held.

THERE being no further business the meeting adjourned.

ATTEST:

Dorothy R. Moore, City Clerk

M. W. Harbus, Jr., Mayor
City Council
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .........................Mayor
John E. Trott, Jr. .........................Mayor Pro-tem
Dennis O. Kutach .........................Councilmember
William J. Natho .........................Councilmember
Carroll E. Carter .........................Councilmember
Mark A. Stubbs ..........................City Manager
Dorothy R. Moore .........................City Clerk
Charles J. Kvinta, Jr. .................City Attorney

ABSENT:  None

THE meeting was called to order by Mayor Harbus.

MINUTES from the meetings of January 10 and January 31, 1989 were approved.

VISITORS were welcomed by the Mayor.

GARY Davis, representing Peat Marwick Main & Company, was present to present the Council with their audit report of the city's financial condition for the fiscal year 1987/88 and the interim fiscal period from July 1, 1988 through September 30, 1989.

THE following ordinance was presented for second and final reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING THE CITY OF YOAKUM MANUAL OF FEES AND SERVICE CHARGES; REGARDING ITEM TWO (II) OF THE GENERAL SECTION; COMMUNITY CENTER CHARGES AND FEES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY AND PROVIDING FOR AN EFFECTIVE DATE  

(recorded in full under No. 1504)

MOTION by Councilman Trott, seconded by Councilman Carter, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE Council considered a resolution from the Planning and Zoning Commission and the following ordinance was presented for first and final reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO SHERMAN AND WANDA BARTELS UNDER THE YOAKUM ZONING ORDINANCE  

(recorded in full under No. 1505)

MOTION by Councilman Kutach, seconded by Councilman Natho,
that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE Council considered a resolution from the Planning and Zoning Commission and the following ordinance was presented for consideration:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO WALTER WINTER UNDER THE YOAKUM ZONING ORDINANCE

(recorded in full under No. 1506)

MOTION by Councilman Natho, seconded by Councilman Carter, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE Council considered a resolution from the Planning and Zoning Commission and the following ordinance was presented for consideration:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A CHANGE IN ZONING FROM RESIDENTIAL (R-1) TO RESIDENTIAL (R-3) FOR THE YOAKUM SENIOR CITIZEN HOUSING, LTD. UNDER THE YOAKUM ZONING ORDINANCE

(recorded in full under No. 1507)

MOTION by Councilman Carter, seconded by Councilman Kutach, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE Council considered the following resolutions:

A RESOLUTION ESTABLISHING PROCEDURE FOR A GENERAL ELECTION IN THE CITY OF YOAKUM, TEXAS

WHEREAS, the laws of the State of Texas and the Charter of the City of Yoakum, provide that on May 6, 1989 there shall be elected the following officials for this City:

One (1) Councilmember, Place 1
One (1) Councilmember, Place 2
One (1) Councilmember, Place 3

(recorded in full under No. 89-02)

MOTION by Councilman Trott, seconded by Councilman Natho, that the resolution be passed, approved and adopted. MOTION carried unanimously.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. A runoff election required to be held as a result of a City officers election held on the first Saturday in May shall be held on the 27th day of May, 1989.

(recorded in full under No. 89-03)
MOTION by Councilman Natho, seconded by Councilman Carter, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE following resolution was considered:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City of Yoakum will join the Bastrop group, an organization designed to assist the 12.5 kv only LCRA wholesale customer group of cities in rate design issues; and

That the City of Yoakum will help financially with the intervention costs; and

That the City of Yoakum will support the organization in it's attempts to achieve wholesale power rates which are fair to member cities and all other LCRA wholesale power customers.
( recorded in full under No. 89-04)

MOTION by Councilman Trott, seconded by Councilman Carter, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE Council authorized the City Manager to purchase Bunker Suits for the Volunteer Firemen.

THE Council appointed Hazel Bland as the election judge for the May 6, 1989 City Election and Janie Villa as alternate judge.

THE Council appointed Tom B. Davis to the Yoakum Housing Authority Board to fulfill the unexpired term of Herbert Rice who has resigned.

THE Council appointed the firm of Matusek Engineering for the street improvements scheduled in the Capital Improvements Program.

THE following bids for one 1989 Police Package Automobile for the Police Department were considered:

Cooper Chevrolet $14,828.00
Wendel Motor Co. $15,190.00

MOTION by Councilman Kutach, seconded by Councilman Natho, to accept the low bid of Cooper Chevrolet in the amount of $14,828.00. MOTION carried unanimously.

LCRA update:
Mr. Stubbs with some of the other cities will continue their efforts to see that the rates are equal to all customers.
LEGISLATIVE update:
Mr. Stubbs spoke briefly about the legislative luncheon that he and Councilmembers Trott and Natho attended in Austin on February 13th.

CITY Manager Report:
Discussed the chili cook-off to be sponsored by the Electric Department on February 25th during the "Land of Leather" days. W. Grand Ave. will be closed on the 25th from Irvine Street to Front Street.

THE Mayor declared an executive session to discuss litigation issues related to the LCRA Electric Rate proposals.

THE meeting was again opened to the public.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City Council
City of Yoakum, Texas

ATTEST:

Dorothy R. Moore, City Clerk
March 14, 1989
7:30 P.M.
City Hall
Yoakum, Texas

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .................Mayor
John E. Trott, Jr. .................Mayor Pro-tem
Dennis O. Kutach .................Councilmember
William J. Natho .................Councilmember
Carroll E. Carter .................Councilmember
Mark A. Stubbs ....................City Manager
Dorothy R. Moore ..................City Clerk
Charles J. Kvinta, Jr. ............City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

MINUTES from the meeting of February 14, 1989 were approved.

MR. James Lampley who resides at 101 Pat Cleburne Street, was present to discuss the street light at his residence. He is dissatisfied with the new 150 watt high pressure sodium vapor street light the city recently installed. He said the light has a yellow glow which disturbs him. He asked the light be replaced with the old mercury light. The city no longer installs this type of light fixture.

THE Council considered a resolution from the Planning and Commission and the following ordinance was presented for consideration:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIAL USE PERMIT TO JOSEPH AND LINDA ULCAK UNDER THE YOAKUM ZONING ORDINANCE.

(recorded in full under No. 1508)

MOTION by Councilman Kutach, seconded by Councilman Trott, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE following resolution was considered:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City of Yoakum, Texas fully opposes all legislation allowing the regulation of municipally-owned electric utilities by the Public Utility Commission.

(recorded in full under No. 89-05)

MOTION by Councilman Carter, seconded by Councilman Kutach, that the resolution be passed, approved and adopted. MOTION carried unanimously.
THE following resolution was considered:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the county road in the Patrick Ryan League in the City of Yoakum, Texas, beginning on Hwy 77A North, between the property of John Floyd and James Hrabovsky and ending on the Old Shiner Road between the Godfrey Prokop and J. J. Kutac property, shall be named Harwood Drive.

(recorded in full under No. 89-06)

MOTION by Councilman Trott, seconded by Councilman Natho, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE following bonds were presented for cancellation:

CITY OF YOAKUM, TEXAS CERTIFICATE OF OBLIGATION, Series 1987.

Bonds No. 6, 7 and 8 3 @ $15,000  $45,000.00

MOTION by Councilman Carter, seconded by Councilman Natho, that the bonds be cancelled: MOTION carried unanimously.

LCRA Update:

1. Testimony has started in the LCRA rate case.

2. Yoakum will join the Bastrop group intervention in the rate case.

3. Yoakum has been chosen for a Pilot Program with LCRA in the Load Management and Residential Cycling Program.

LEGISLATIVE Update:

1. Discussed HB 17 which deals with the reimbursement to a political subdivision for the cost incurred by the political subdivision to comply with any state mandate.

CITY Managers Report:

1. Discussed the DeWitt County Commissioners decision to discontinue emergency medical service subsidies to the cities of Yoakum, Cuero, Yorktown/Nordheim area.

2. Discussed a resolution passed by the Yoakum Chamber of Commerce objecting to the drivers license check by the Yoakum Police Department during the Land of Leather days.
THERE being no further business the meeting adjourned.

M. W. Harbus, Jr.  Mayor
City Council
City of Yoakum, Texas

ATTEST:

Dorothy R. Moore, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .................... Mayor
John E. Trott, Jr. .................... Mayor Pro-tem
Dennis O. Kutach ..................... Councilmember
William J. Natho ..................... Councilmember
Carroll E. Carter .................... Councilmember
Mark A. Stubbs ....................... City Manager
Dorothy R. Moore ..................... City Clerk
Charles J. Kvinta, Jr. ............... City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

MINUTES from the meeting of March 14, 1989 were approved.

VISITORS were welcomed by the Mayor.

THE Council considered a resolution from the Planning and Zoning Commission and the following ordinance was presented:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIAL USE PERMIT TO ALEX BENBOW UNDER THE YOAKUM ZONING ORDINANCE.

(recorded in full under No. 1509)

MOTION by Councilman Trott, seconded by Councilman Kutach, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE Council considered a resolution from the Planning and Zoning Commission and the following ordinance was presented:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIAL USE PERMIT TO VIRGINIA DRYER UNDER THE YOAKUM ZONING ORDINANCE.

(recorded in full under No. 1510)

MOTION by Councilman Natho, seconded by Councilman Carter, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE Council considered a request from the "Friends of the Yoakum Library" for approval to renovate the Municipal Power Plant Building into a new library building and apply for a Federal Title II Public Library Grant. The following resolutions were considered:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:
That the old Power Plant building located on Lots 1, 2
and 3, Block 1 (NCB 1001) of the Original Townsite Addition is
hereby approved as the site for a Public Library.
( recorded in full under No. 89-07)

MOTION by Councilman Carter, seconded by Councilman Natho,
that the resolution be passed, approved and adopted. MOTION
carried unanimously.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YOAKUM,
TEXAS, AUTHORIZING THE SUBMISSION OF A FEDERAL TITLE II
PUBLIC LIBRARY GRANT AND AUTHORIZING THE MAYOR TO ACT
AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRES-
SENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S
PARTICIPATION IN THE PROGRAM.
( recorded in full under No. 89-08)

MOTION by Councilman Carter, seconded by Councilman Kutach,
that the resolution be passed, approved and adopted. MOTION
carried unanimously.

THE Council authorized the City Manager to apply for member-
ship in the Electric Reliability Council of Texas (ERCOT)

THE Council authorized the purchase of radio communications
equipment for the Public Works/Utility Department, Police, Fire
and EMS Departments in the amount of $58,188.05 from Motorola
Communications and Electronics.

THE purchase of computer equipment was discussed. No action
was taken.

A request from the "Friends of the Yoakum Library" to approve
a yearly $5.00 membership library fee for anyone residing outside
the city limits was discussed.

MOTION by Councilman Natho, seconded by Councilman Carter,
that anyone residing outside the city limits be allowed to check
out books and utilize library services at the Yoakum Public Library
free of charge subject to the legal opinion of the City Attorney.
MOTION carried unanimously.

MOTION by Councilman Natho, seconded by Councilman Trott,
to hire Joel V. Reitzer, Jr. of Reitzer Cruz Architects, Inc. 
for the renovation of the Power Plant building for a Public
Library. MOTION carried unanimously.

THERE being no further business the meeting adjourned.

ATTEST:

M. W. Harbus, Jr., Mayor
City Council
City of Yoakum, Texas

Dorothy R. Moore, City Clerk
April 24, 1989
7:30 A.M.
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .................Mayor
John E. Trott, Jr. .................Mayor Pro-tem
Dennis O. Kutach ..................Councilmember
William J. Natho ..................Councilmember
Carroll E. Carter ..................Councilmember
Mark A. Stubbs ....................City Manager
Dorothy R. Moore ..................City Clerk
Charles J. Kvinta, Jr. ............City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

THE meeting was called for the purpose of authorizing the purchase of computer equipment for the Administration, Utility, Warehouse and Fire Departments.

Sealed proposals were opened at 10:00 A.M. on Wednesday, April 5, 1989.

Upon the recommendation of the City Manager and City Staff, the following motion was made:

MOTION by Councilman Kutach, seconded by Councilman Trott, to purchase the computer hardware from Computerland in the amount of $27,500.00 and the software from American Fundware, Inc. in the amount of $13,224.75. MOTION carried unanimously.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City Council
City of Yoakum, Texas

ATTEST:
Dorothy R. Moore, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. ....................Mayor
Dennis O. Kutach ...................Councilmember
William J. Natho ....................Councilmember
Carroll E. Carter ...................Councilmember
Mark Jemelka .........................Councilmember Elect
Mark A. Stubbs .......................City Manager
Dorothy R. Moore ....................City Clerk
Charles J. Kvinta, Jr. ..............City Attorney

ABSENT: John E. Trott, Jr. ............Mayor Pro-tem

THE meeting was called to order by Mayor Harbus.

THE Mayor appointed Councilmembers Kutach and Natho and
the City Clerk to canvass the returns of the election held on
May 6, 1989.

COUNCILMAN Natho declared the results of the election
in order and the following resolution was presented:

There came on to be considered the returns of an election
held on the 6th day of May, 1989, for the purpose of electing the
hereinafter named officials, and it appearing from said returns,
duly and legally made, that there were cast at said election 798
valid and legal votes; that each of the candidates in said election
received the following votes:

PLACE NO. 1    PLACE NO. 2    PLACE NO. 3
 M. W. Harbus, Jr. ..652  Carroll E. Carter...445  Mark Jemelka....491
  Patrick C. Matusek..338  John E. Trott, Jr...287

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
YOAKUM, TEXAS:

That said election was called; that notice of said election
was given in accordance with law, and that said election was held
in accordance with law, and that M. W. Harbus, Jr., Carroll E.
Carter and Mark Jemelka were duly elected Councilmembers of said
City at said election and said above named parties are hereby de-
clared duly elected to said respective offices, subject to the
taking of their oaths as provided by the laws of the State of
Texas.  (recorded in full under No. 89-09)

MOTION by Councilman Natho, seconded by Councilman Kutach,
that the resolution be passed, approved and adopted.  MOTION
carried unanimously.
DOROTHY MOORE, City Clerk, administered the Oath of Office to M. W. Harbus, Jr., Carroll E. Carter and Mark Jemelka; and they were declared duly installed.

COUNCILMAN Kutach moved that M. W. Harbus, Jr. be appointed Mayor. The motion was seconded by Councilman Carter and unanimously approved.

COUNCILMAN Kutach moved that William J. Natho be appointed Mayor Pro-Tem. The motion was seconded by Councilman Carter and unanimously approved.

MINUTES of the meetings from April 11 and April 24, 1989 were approved.

VISITORS were welcomed by the Mayor.

BILLY Parks, Chairman of the newly organized Rodeo Club of Yoakum, was present to present the Council with the By-Laws of the Club.

THE Council considered resolutions from the Planning and Zoning Commission and the following ordinances were presented:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIAL USE PERMIT TO DAVID B. BENBOW UNDER THE YOAKUM ZONING ORDINANCE (recorded in full under No. 1511)

MOTION by Councilman Natho, seconded by Councilman Carter, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO JOE AND MARY JANE GARCIA UNDER THE YOAKUM ZONING ORDINANCE (recorded in full under No. 1512)

MOTION by Councilman Kutach, seconded by Councilman Carter, that the ordinance be passed, approved and adopted.

AYES: Mayor Harbus, Councilman Kutach, Carter and Jemelka.

NAYS: None

Councilman Natho abstained.

THE following resolution was presented:

WHEREAS, the City of Yoakum certification as a Team Ready city demonstrates that Yoakum has met certain criteria established by the Lower Colorado's Economic Development Program and these criteria include becoming trained in the basic skills of economic development that are needed to attract and retain industries in our community;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:
That the City Council of the City of Yoakum, Texas endorses and supports the Team Readiness Program and authorizes the city manager and employees to cooperate in this program, and further, the citizens of Yoakum are urged to support this joint venture between our community and LCRA to ensure our certification as a Team Ready city.

MOTION by Councilman Carter, seconded by Councilman Kutach, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE following resolution authorizing the submission of an application to the Criminal Justice Department for a grant for the Police Department was presented:

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF YOAKUM, TEXAS, TO SUBMIT AN APPLICATION TO THE GOVERNOR'S OFFICE, CRIMINAL JUSTICE DIVISION; FOR FUNDING FOR A PROGRAM ENTITLED "INFORMATION SYSTEM". (recorded in full under No. 89-11)

MOTION by Councilman Kutach, seconded by Councilman Natho, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE following resolution supporting Rehabilitation Tax Credit Reform was presented:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City Council hereby recognizes the immense importance of the rehabilitation tax credit to preservation efforts and unanimously supports efforts to retain and improve the effectiveness of the rehabilitation tax credit. (recorded in full under No. 89-12)

MOTION by Councilman Carter, seconded by Councilman Jemelka, that the resolution be passed, approved and adopted. MOTION carried unanimously.

MRS. Brenda Thompson, President of the Friends of the Yoakum Library, was present to request the City Council underwrite the balance of the project total needed to apply for a grant for renovation of the old Power Plant building for a new public library. The application for State Title II Library Grant must be submitted by May 15, 1989.

| Project Budget                      | $286,700.00  |
| Contributions to date               | 143,068.98   |
| State Title II Library Grant        | 100,000.00   |
| Balance needed                      | $ 43,631.02  |

MOTION by Councilman Carter, seconded by Councilman Kutach, that the City underwrite up to $43,631.02 needed to complete the Project Budget. MOTION carried unanimously.
Mrs. Thompson assured the Council that the Friends of the Yoakum Library will continue their efforts to raise funds to lower the amount pledged by the city.

THE Council unanimously approved the first phase of the City's Street Capital Improvement Program as submitted by Calvin Cook, Director of Public Works. Estimated cost $176,745.00. All work to be completed in 1989.

THE Council discussed a request for water service on the west side of Hwy 77-A North, which is outside the city limits. All Councilmembers indicated they have no objections to selling water outside of the city limits. Mr. Stubbs will prepare a cost estimate as to whether to offer service to the area on an individual tap basis or to install a 6 inch line.

THE City received notification that the Texas Historical Commission has agreed to fund part of a historical survey in Yoakum and have allocated $7,000.00 for the survey. This combined with the $6,000.00 budgeted by the City, gives a total of $13,000.00 to conduct the survey.

Two proposals from qualified contractors have been received:

Hardy Heck Moore $11,618.50
Ausland Architects $15,000.00

MOTION by Councilman Carter, seconded by Councilman Natho, to award the contract for a historical survey in Yoakum to Hardy Heck Moore in the amount of $11,618.50. MOTION carried unanimously.

THE following appointments were unanimously approved:

PLANNING & ZONING COMMISSION - 3 year term
Melvin Borchert
Leslie Charleston, Sr.

HOUSING AUTHORITY BOARD - 2 year term
Mrs. Curtis JaMISON
Jack Turner

HOUSING BOARD OF ADJUSTMENTS AND APPEALS - 3 year term
Charles Pate
Bernard Zabransky

LIBRARY BOARD - 2 year term
Mrs. W. W. White, Jr. William O'Hare
Mrs. Joseph Jarmion Mrs. Anna Lee Schubert
Miss Agnes Abernathy Mrs. Martha Boothe
COMMUNITY CENTER BOARD OF GOVERNORS - 2 year term

E. L. Wagener
Norman Kaiser
Ben Malik

AIRPORT ADVISORY BOARD - 2 year term

Larry Rutledge
Leon Donnelly
Gail E. Waites

AIRPORT ZONING BOARD OF ADJUSTMENTS - 2 year term

David H. Watson
Gail E. Waites
Larry Rutledge
George O'Neill
E. L. Wagener

YOAKUM CITY/SCHOOL RECREATION BOARD - Appointed each year

Dennis O. Kutach
Mark Jemelka
Mark A. Stubbs

LEGISLATIVE UPDATE:

Mrs. Shirley Sommer asked support in opposing H.B. 1023 (by Wolens) which will add restrictions to the use of Hotel/Motel tax.

CITY MANAGER'S REPORT:

Discussed an ordinance which would prohibit glass containers in the City Park.

Discussed changing the polling place from the Fire Station to the Community Center building. The Yoakum Independent School District and the Yoakum Hospital District have requested that all three elections be held in the Community Center building.
A resolution will be considered at the next regular meeting.

ITEM 9-c: THE Council delayed action on a resolution supporting Southwestern Bell's "Texas First" program.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City Council
City of Yoakum, Texas

ATTEST:

Dorothy R. Moore, City Clerk
May 25, 1989
6:30 P.M.

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. ...................... Mayor
William J. Natho ...................... Mayor Pro-Tem
Dennis O. Kutach ....................... Councilmember
Carroll E. Carter ...................... Councilmember
Mark A. Stubbs ........................ City Manager
Dorothy R. Moore ...................... City Clerk

ABSENT:
Mark Jemelka ........................ Councilmember
Charles J. Kvinta, Jr. .............. City Attorney

THE purpose of the meeting was to hold a work session along with department heads to discuss each departments goals for fiscal year 1989/90.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City Council
City of Yoakum, Texas

ATTEST:
Dorothy R. Moore, City Clerk
June 27, 1989
6:30 P.M.
City Hall
Yoakum, Texas

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. ............Mayor
William J. Natho ............Mayor Pro-Tem
Dennis O. Kutach ............Councilmember
Carroll E. Carter ............Councilmember
Mark Jemelka ................Councilmember
Mark A. Stubbs ..............City Manager
Dorothy R. Moore ............City Clerk

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

THE meeting was called to order by Mayor Harbus.

THE purpose of the meeting was to hold a joint meeting with the Main Street Resource Team from Austin to hear recommendations for short and long term solutions for the revitalization of Yoakum's downtown.

Present:
Tracy Roman, City of Yoakum Main Street Manager
Anice read, Director of Texas Main Street Project
Killis Almond, Architect from San Antonio, Texas
Vicki Smith, Assistant Manager, Almeda Mall, Houston
Lynda Garrett, Texas Department of Commerce, Tourism Div.
Dem Jimenez, Assistant Architect, Main Street Project.

RECOMMENDATIONS:

1. Increase Hotel/Motel tax.
2. Provide RV parking
3. Entrance signs to the city.
4. Encourage merchants to clean display windows including those in vacant buildings
5. Recommended store hours: 10:00 to 6:00.
6. Change display of merchandise regularly.
7. Window display contest.
8. City maps available at different locations.

THERE being no further business the meeting adjourned.

ATTEST:

M. W. Harbus, Jr., Mayor
city of Yoakum, Texas

Dorothy R. Moore, City Clerk
May 25, 1989
7:30 A.M.
City Hall
Yoakum, Texas

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .................... Mayor
William J. Natho ..................... Mayor Pro-Tem
Dennis O. Kutach .................... Councilmember
Carroll E. Carter .................... Councilmember
Mark Jemelka ........................ Councilmember
Mark A. Stubbs ....................... City Manager
Dorothy R. Moore .................... City Clerk
Charles J. Kvinta, Jr. ............... City Attorney

ABSENT:  None

THE meeting was called to order by Mayor Harbus.

THE purpose of the meeting was to consider the adoption
of resolutions authorizing the Director of Finance to receive
and sell stock donated to the City of Yoakum for library purposes.

THE following resolution was presented:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF YOAKUM, TEXAS:

That the City Council does hereby authorize Charlotte R.
Morrow, Finance Director of the City of Yoakum, to receive and sell
for cash, at the highest price available, any and all stock, common
or otherwise, donated by Gerhardt H. Witte for the benefit of
Yoakum Library Building Fund.  (recorded in full under No. 89-13)

MOTION by Councilman Natho, seconded by Councilman Carter,
that the resolution be passed, approved and adopted.  MOTION
carried unanimously.

THE following resolution was presented:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF YOAKUM, TEXAS:

That the City Council does hereby authorize Charlotte R.
Morrow, Finance Director of the City of Yoakum, to receive and sell
for cash, at the highest price available, any and all stock, common
or otherwise, donated by Raymond O. Witte for the benefit of
Yoakum Library Building Fund.  (recorded in full under No. 89-14)

MOTION by Councilman Natho, seconded by Councilman Jemelka,
that the resolution be passed, approved and adopted.  MOTION
carried unanimously.
THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City Council
City of Yoakum, Texas

ATTEST:
Dorothy R. Moore, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. ..................Mayor
Dennis O. Kutach ..................Councilmember
Carroll E. Carter ..................Councilmember
Mark Jemelka ..................Councilmember
Mark Stubbs ..................City Manager
Dorothy R. Moore ..................City Clerk
Charles J. Kvinta, Jr. ...............City Attorney

ABSENT: William E. Natho ..............Mayor Pro-Tem

THE meeting was called to order by Mayor Harbus.

MINUTES from the meetings of May 9, May 25, a.m. and May 25, p.m., 1989 were approved.

VISITORS were welcomed by the Mayor.

THE following resolution supporting the concept of Southwestern Bell's "Texas First" program was considered:

WHEREAS, The telecommunications package called "Texas First" is designed to stimulate the economy, and to aid economic recovery in Texas; and

WHEREAS, That the City of Yoakum does hereby desire modern telecommunications equipment in the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City of Yoakum does hereby support the "Texas First" concept; and

BE IT FURTHER RESOLVED, The City of Yoakum encourages the Public Utility Commission to review the "Texas First" plan at its earliest possible convenience and render a decision in the best interest of all the citizens of Texas. (recorded in full under No. 89-15)

MOTION by Councilman Carter, seconded by Councilman Kutach, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE following resolution appointing a Representative and Alternate Representative to the Association of Wholesale Customers was considered:

MOTION by Councilman Kutach, seconded by Councilman Carter, to appoint City Manager, Mark A. Stubbs as the regular Representative and M. W. Harbus, Jr. as Alternate Representative; to authorize them to file a copy of this resolution with the Secretary of the Association and to represent the best interests of the City of Yoakum in the
process of maintaining and conducting all business of the Association and to cast its membership vote on all issues;
(recorded in full under No. 89-16)

THE following resolution was considered:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS AMENDING EXHIBIT "A" OF THE WHOLESALE POWER AGREEMENT WITH LOWER COLORADO RIVER AUTHORITY DATED JUNE 25th, 1974 AND AUTHORIZE THE MAYOR OF THE CITY COUNCIL AND THE CITY CLERK TO EXECUTE THE NECESSARY INSTRUMENT TO MAKE SUCH AMENDMENT. (recorded in full under No. 89-17)

MOTION by Councilman Carter, seconded by Councilman Jemelka, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE following resolution moving the polling place for general elections to the Community Center building was considered:

WHEREAS, the City of Yoakum and Yoakum Independent School District, for many years and since its establishment, the Yoakum Hospital District, have used the Yoakum Fire Station Building, a facility owned exclusively by the City of Yoakum located at 203 Nelson Street, the corner of Nelson and Lott Streets, Yoakum, Texas as the polling place for holding the annual election at which its elected officials were chosen;

NOW THEREFORE, BE IT RESOLVED by the governing boards of the City of Yoakum, Yoakum Independent School District and Yoakum Hospital District, by Virtue of the Separate action of each such entity as hereinafter stated:

(i) that the annual general election for officers of the respective named political subdivision as bound by the action of its respective board, be held at the polling place hereby designated as the Yoakum Community Center located at the corner of West and Huck Streets, Yoakum, DeWitt County, Texas;

(viii) that submission to the Department of Justice for preclearance of the change in voting site as to the general election of each such entity, run-off election as necessary, designation of the City Clerk and City Hall as the absentee voting clerk and place for absentee voting and the continued use of the Yoakum Fire Station Building as the polling place for all other elections which may be called by each such entity shall be deemed a joint submission of each such entity;
(recorded in full under No. 89-18)

MOTION by Councilman Carter, seconded by Councilman Kutach, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE Council unanimously approved Law Enforcement training by satellite for a fifteen month trial run.
THE Council approved the following policy to extend water service to property owners on the west side of Hwy 77A north which is outside the city limits:

1. Provide individual water service lines to requesting property owners at a cost of $1,000 for a one inch line (residential) and $2,100 for a two inch line (commercial) and

2. Charge water rates equal to one and one-half times the amount charged to City residents.

The city will also offer a financing plan up to one year at an interest rate similar to what the city receives on idle cash reserves.

THE Council authorized the City Manager to develop an agreement with area cities for a joint study of landfill collection and disposal alternatives.

THE following bids for C.I.P. street project were considered:

E. L. Crisp $158,859.95
H & C Construction $ 98,236.61
Ploch Construction $104,382.10
Brannan Construction $115,708.40
Dean & Keng $127,553.15
Eilers Construction $110,964.55
Carroll Weaver Construction $141,838.90

Upon the recommendation of Calvin Cook, Director of Public Works, the following motion was made:

MOTION by Councilman Kutach, seconded by Councilman Carter, to accept the low bid of H & C construction in the amount of $98,236.61. MOTION carried unanimously.

LCRA update:

Discussed the examiners report on the LCRA rate case. In her report the examiner recommends to the PUC that the amount of increase in the rates be reduced. Also she requested that the PUC approve the same rate design as was in effect two years ago. The PUC will decide on the 22nd of June.

LEGISLATIVE update:

Reviewed bills passed by the 71st Legislature that are city-related.
CITY Managers Report

The Main Street Resource Team from Austin will meet with the Council on June 27th at 6:30 p.m.

THE Mayor declared an executive session to discuss Police Department liability and Management Audit.

THE meeting was again opened to the public.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City of Yoakum

ATTEST:

Dorothy R. Moore, City Clerk
June 27, 1989  
6:30 P.M.  
City Hall  
Yoakum, Texas

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .............. Mayor  
William J. Natho .............. Mayor Pro-Tem  
Dennis O. Kutach .............. Councilmember  
Carroll E. Carter .............. Councilmember  
Mark Jemelka .................. Councilmember  
Mark A. Stubbs .............. City Manager  
Dorothy R. Moore .............. City Clerk

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

THE meeting was called to order by Mayor Harbus.

THE purpose of the meeting was to hold a joint meeting with the Main Street Resource Team from Austin to hear recommendations for short and long term solutions for the revitalization of Yoakum’s downtown.

Present:
Tracy Roman, City of Yoakum Main Street Manager  
Anice read, Director of Texas Main Street Project  
Killis Almond, Architect from San Antonio, Texas  
Vicki Smith, Assistant Manager, Almeda Mall, Houston  
Lynda Garrett, Texas Department of Commerce, Tourism Div.  
Dem Jimenez, Assistant Architect, Main Street Project.

RECOMMENDATIONS:

1. Increase Hotel/Motel tax.  
2. Provide RV parking  
3. Entrance signs to the city.  
4. Encourage merchants to clean display windows including those in vacant buildings  
5. Recommended store hours: 10:00 to 6:00.  
6. Change display of merchandise regularly.  
7. Window display contest.  
8. City maps available at different locations.

THERE being no further business the meeting adjourned.

ATTEST:  

[Signature]
Dorothy R. Moore, City Clerk

[Signature]
M. W. Harbus, Jr., Mayor  
City of Yoakum, Texas
July 11, 1989
7:30 P.M.
City Hall
Yoakum, Texas

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .................. Mayor
William J. Natho .................. Mayor Pro-Tem
Dennis O. Kutach .................. Councilmember
Carroll E. Carter .................. Councilmember
Mark Jemelka ........................ Councilmember
Mark A. Stubbs ........................ City Manager
Dorothy R. Moore .................. City Clerk
Charles J. Kvinta, Sr. ............ City Attorney

ABSENT:  None

THE meeting was called to order by Mayor Harbus.

MINUTES from the meetings of June 13th and June 27th were approved.

VISITORS were welcomed by the Mayor.

Mrs. Shirley Blundell was present to invite the council to Yoakum's 102 birthday party on July 28th at the Yoakum Heritage Museum.

PAUL Boedeker of Hunter Associates was present to report on the TV survey of the Central Trunk Sewer line.

The survey revealed that the sewer line, which is approx. 70 years old, is in very bad condition and will have to be replaced. There is approximately 300 feet of this line under the railroad track which seems to be in good condition and he suggested this portion not be replaced. Mr. Boedeker estimated the cost to replace the line at $429,000.00. Funds for this project were approved by the voters in the July, 1988 bond issue.

Mr. Cook, Public Works Director, reported that construction will start this year.

THE Council considered a resolution from the Planning and Zoning Commission to grant a Specific Use Permit and the following ordinance was presented:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO DONALD J. JANSSEN UNDER THE YOAKUM ZONING ORDINANCE (recorded in full under No. 1513)

MOTION by Councilman Kutach, seconded by Councilman Natho, that the ordinance be passed, approved and adopted. MOTION carried unanimously.
THE following policy to extend water service to customers outside the City limits was unanimously approved:

The City of Yoakum will provide water service to customers outside the City limits with the following conditions:

1. The capital cost for the City of Yoakum to provide such service shall not exceed $1,000 for residential customers, $2,100 for commercial customers. Requests for service that exceed the $1,000 and $2,100 capital cost will be reviewed by the City Council on an individual basis.

2. The property owner or customer requesting the service will pay all capital costs.

3. Each customer must have his own meter and his own private line from the meter to his place of residence/business. Extensions from private lines to other residence/business are prohibited.

4. Any water extensions that will not adversely affect the City's water system capacity will be provided.

5. The customer will purchase a plumbing permit before installing the yard lines and must meet all City plumbing code requirements. All State and Federal regulations the City is required to enforce on its in City limits customers will also be required of its out of City limits customers.

6. Rates for water outside the City limits will be one and one-half times the regular rate in effect for customers inside the City limits. All other service charges will also be one and one-half times the regular rate for customers inside the City limits.

THE council authorized the Golden Crescent Regional Planning Commission to advertise for professional engineering services in connection with the Texas Community Development Program grant for street improvement in the "Wye" neighborhood. State guidelines for scoring will be used to determine the most qualified engineer for the project.

BY a unanimous vote the council approved a contract between the City of Yoakum and the Golden Crescent Regional Planning Commission for administration of the project for street improvement in the "Wye" neighborhood. Texas Community Development Program grant, $150,000; City of Yoakum, $39,000; total project $189,000.

THE following bids for a five (5) yard dump truck for the Street Department were considered: (the city will trade in one 1977 dump truck and one 1978 dump truck).
Wendel Motor Co.  
Yoakum, Tx.       1990 Ford  $32,510.32 net
Gulf Truck & Tractor  
Victoria, Tx.       1990 Intl.  $27,587.00 net
Hoffer Truck co.  
Hallettsville, Tx.       1990 intl.  $29,200.00 net
Victoria Mack Sales  
Victoria, Tx.       1990 Mack  $29,368.00 net
San Antonio Trucks  
San Antonio, Tx.       1990 GMC  $27,739.75 net
San Antonio Truck  
San Antonio, Tx.       Alternate bid 1990 GMC  $27,843.70 net

MOTION by Councilman Carter, seconded by Councilman Natho, to accept the low bid of Gulf Truck & Tractor in the amount of $27,587.00. MOTION carried unanimously.

LCRA update:

1. Discussed the final outcome of the LCRA rate case. The PUC approved the same rate design as now in effect which has resulted in a substantial benefit to cities. This lowers the amount of increase from 11.6% to 6.8%, a 4.8% savings the first year.

2. City's Load Management Pilot Program is on line. The computer has been installed. Everything should be ready to go by next summer.

City Managers Report:

1. Discussed the 1989/90 budget. A workshop was set for August 15th.

THE following resolution was unanimously approved:

WHEREAS, The Supreme Court of the United States recently ruled that the act of burning or otherwise desecrating the Flag of the United States as a means of protest was not an unlawful act but an acceptable method of voicing an opinion guaranteed under the First Amendment of the Constitution of the United States;

NOW THEREFORE BE IT RESOLVED, that the City council of the City of Yoakum, Texas does hereby urge all Americans not to desecrate or humiliate the Flag of the United States of America but, rather, to honor and respect this most sacred symbol of liberty and freedom that so many loyal Americans have paid so dearly for.

(recorded in full under No. 89-19)
THE Mayor declared an executive session to discuss Police Department liability and Management Audit Report.

THE meeting was again opened to the public.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City of Yoakum

ATTEST:

Dorothy R. Moore, City Clerk
August 8, 1989  
City Hall  
7:30 P.M.  
Yoakum, Texas

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
M. W. Harbus, Jr. .........................Mayor  
William J. Natho ..................................Mayor Pro-Tem  
Dennis O. Kutach .................................Councilmember  
Carroll E. Carter ...............................Councilmember  
Mark A. Stubbs .................................City Manager  
Dorothy R. Moore ..............................City Clerk  
Charles J. Kvinta .............................City Attorney

ABSENT:  Mark Jemelka ..........................Councilmember

THE meeting was called to order by Mayor Harbus.

MINUTES from the meeting of July 11, 1989 were approved.

VISITORS were welcomed by the Mayor.

MR. Tony Escobar, Vice President of the Yoakum Retail Merchants  
Association, was present to request the Council consider the following:

1. Pass an ordinance prohibiting bicycles and skateboards on the  
sidewalk downtown.

2. Put the Christmas Tree back in the "square" (corner of Lott  
and W. Grand Streets).

3. Put a pole at the corner of W. Grand and Irvine Streets (by  
the City Drug Store) to be used to hang a banner across W.  
Grand.

THE following resolution was unanimously approved:

Recently the M.G. & Lillie Johnson Foundation, Inc. made a  
generous donation to the City of Yoakum for the purchase of  
a new ambulance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
OF YOAKUM, TEXAS, that the M.G. & Lillie Johnson Foundation  
receive the thanks of the City of Yoakum for their generosity;  
and

Be it further ORDAINED that this Resolution be entered in the  
Resolution Book of the City of Yoakum, Texas and that an  
executed copy be mailed to the M.G. & Lillie Johnson  
Foundation, Inc. (recorded in full under No. 89-20)

THE council tabled action on an amendment to Resolution No. 89-01
which would support the establishment of the 9-1-1 Emergency Telephone number and the implementation of the 9-1-1 fee and surcharge. The council would like a commitment that the program would be on line in two years before approving the fee and surcharge which would start in January of 1990. Mr. Stubbs will contact the telephone company.

A request from the DeWitt County Appraisal District to amend their 1989 budget by adding $20,500 to the budget from surplus funds was unanimously approved.

THE council approved the 1989 tax roll as certified by the DeWitt County Chief Appraiser and verified by Frances M. Moore, Tax Assessor/Collector, for a total value of $99,132,104.00.

THE council approved the necessary work involved to apply for a TCDP grant for 1989. Tom Chilek, Director of Community Services, will be the person responsible for developing and completing the application.

THE council approved plans submitted by Calvin Cook, Director of Public Works/Utilities, for construction of a new garage building and fuel station/storage tanks.

The plans also included remodeling of existing buildings, adding equipment parking sheds and painting existing buildings.

With the pressing need to relocate the city garage, bids for the garage building and fuel storage tanks will be awarded in September or October, 1989.

$175,000.00 for the entire project was approved in the 1988 bond election.

THE council appointed Billy D. Parks to the Zoning Board of Adjustments for the unexpired term of Nyles J. Steinmann. Mr. Steinmann has moved out of the city limits and resigned this position.

THE council reviewed proposals for engineering service relating to the 1988 TCDP street project in the "Wye" neighborhood.

Request for proposals were mailed to 13 engineering firms, only two proposals were received. One from Matushek Engineering, Yoakum, and one from Wycoff Engineering, Inc., Victoria, Texas.

Using the scoring method prescribed by the State, the council determined that Matushek Engineering received the highest ranking score. Matushek Engineering was awarded the contract.

LCRA UPDATE:

1. August 9, 1989 is the first meeting of the A.W.C. Conservation Load Management Committee. Mr. Stubbs has been appointed Chairman of the Committee.

CITY MANAGERS REPORT:

1. Mr. Stubbs has asked Jimmy McCord to do an update on the cities cost of service study as it relates to the
increases by LCRA.

2. Have a request for water service outside the city limits on the east side of Hwy 77-A, north of the airport property.

3. The cities of Cuero, Shiner, Hallettsville and Moulton have declined to participate in a joint landfill study. Mr. Stubbs said he and Mr. Cook have decided to do nothing more until final requirements for a landfill are received.

4. Budget Workshop set for August 16th at 6:30 P.M.

THERE being no further business the meeting adjourned.

[Signature]
M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:

[Signature]
Dorothy R. Moore, City Clerk
August 16, 1989
6:30 P.M.
City Hall
Yoakum, Texas

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:  W. H. Harbus, Jr. .....................Mayor
          William J. Natho ......................Mayor Pro-Tem
          Dennis O. Kutach ......................Councilmember
          Carroll E. Carter ....................Councilmember
          Mark Jemelka ..........................Councilmember
          Mark A. Stubbs .........................City Manager
          Dorothy R. Moore ......................City Clerk
          Charles J. Kvinta, Jr. .................City Attorney

ABSENT:  None

THE meeting was called to order by Mayor Pro-Tem Natho.

THE meeting was called for the following purpose:

1. Consider a resolution to provide support to the establishment of the 9-1-1 Emergency Telephone Number and the implementation of the 9-1-1 fee and surcharge.

2. Consider request for waterline extension outside city limits.

3. Conduct a Budget Workshop for Fiscal Year 1989/90.

At the regular meeting on August 11th, the council tabled action on a resolution to provide support to the establishment of the 9-1-1 Emergency Telephone Number in order to try and get a commitment from the telephone company as to when the program would be on line. The council was hesitant to approve the implementation of a fee of $0.50 per month on each telephone within the city limits without some assurance that the program will be on line within two years.

Mr. Stubbs has contacted Southwestern Bell and is unable to get any type of commitment from them.

The Golden Crescent Regional Planning Commission would like a commitment from the City of Yoakum by September 1, 1989

THE following resolution was considered:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City of Yoakum provides its wholehearted support to the establishment of an enhanced 9-1-1 Emergency Telephone Number and the implementation of the 9-1-1 fee and surcharge.

(recorded in full under No. 89-21)
MOTION by Councilman Natho, seconded by Councilman Kutach, that the resolution be passed, approved and adopted.

AYES: Mayor Harbus, Councilman Natho and Kutach.

NAYS: Councilman Carter and Jemelka.

MOTION carried.

REQUEST for waterline extension outside the city limits was postponed. The person requesting the extension has not given the city a definite answer to install the extension line.

A request for additional funds to the Yoakum Heritage Museum was presented by Dennis Rowan.

The city contributes $6,300 to the museum each fiscal year. The Museum board is asking for $9,800 in fiscal year 1989/90 to help with unexpected repairs to the building.

Mr. Stubbs received a call from the Highway Department, informing him that the state had allocated some grant monies to provide signals at the railroad crossings on Concrete and Hochheim Streets.

The project requires an answer by August 25th. There is a grant matching funds involved in the program. The crossing on Concrete Street will cost the city approximately $5,000. The Hochheim Street will not cost the city anything.

The council was in favor of the project.

The proposed budget for 1989/90 was reviewed. Some changes are proposed by the council.

Another workshop will be held on August 28, 1989.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr. Mayor
City of Yoakum, Texas

ATTEST:

Dorothy R. Moone, City Clerk
August 28, 1989
7:00 P. M.
City Hall
Yoakum, Texas

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .........................Mayor
William J. Natho .........................Mayor Pro-Tem
Dennis O. Kutach ..........................Councilmember
Carroll E. Carter ..........................Councilmember
Mark Jemelka ...............................Councilmember
Mark A. Stubbs .............................City Manager
Dorothy R. Moore ..........................City Clerk
Charles J. Kivina, Jr. ....................City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

THE meeting was called for the following purpose:

1) Adopt a resolution to file an application with the Texas Department of Community Affairs for a Texas Community Development Program Project.

2) Conduct a Budget Workshop for Fiscal Year 1989/90.

TOM Chilek, Director of Community Services, in charge of preparation to apply for a TCDP grant, was present to explain the 1989 Project. The area around Henrietta Street has been selected as the site for a grant. 61% of the people living in that area are low/moderate income families. The project will consist of the construction, curb and gutter of 17 1/2 blocks of streets. Total grant application $237,330.00.

As a means of determining local effort for all TCDP grant applications, matching funds is important. For a match of 20% ($47,466.00), the city would receive 75 points. Mr. Chilek recommended $50,000.00 match.

THE following resolution was unanimously approved.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF COMMERCE FOR THE COMMUNITY DEVELOPMENT FUND: AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM. (recorded in full under No. 89-22)

THE budget for 1989/90 was discussed.
At the August 16th meeting, the council recommended changes in the proposed budget to reduce expenditures.
In a memo to the council on August 25th, Mr. Stubbs made a proposal for the budget with some changes. His proposal did not include any increase in rates or fees. Also, the money earmarked for the Electric Reserve Fund be used for other expenditures along with some other proposals for balancing the budget.

MOTION by Councilman Natho, seconded by Councilman Jemelka, that the 1989/90 budget as recommended by Mr. Stubbs in his memo of August 25th, 1989, be considered for adoption at the next regular meeting. MOTION carried unanimously.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:

Dorothy R. Moore, City Clerk
September 12, 1989
City Hall
7:30 P.M.
Yoakum, Texas

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: M. W. Harbus, Jr., ......................Mayor
William J. Natho................................Mayor Pro-Tem
Dennis O. Kutach.................................Councilmember
Carroll E. Carter.......................Councilmember
Mark Jemelka................................Councilmember
Mark A. Stubbs................................City Manager
Gladys M. Jiral..............................Deputy City Clerk
Charles J. Kvinta, Jr.......................City Attorney

THE meeting was called to order by Mayor Harbus.

MINUTES from the meetings of August 8, 16 and 28, 1989 were approved.

VISITORS were welcomed by the Mayor.

MR. Cleo Cooper was present to offer for sale or lease to the City his property located across from City Hall for use as a garage. He stated if the City is interested, obtain an appraisal and make an offer.

A Public Hearing was held for review and comments on the proposed 1989-1990 City budget. Questions were answered. No changes were made to the budget. The public hearing was closed.

THE following ordinance to amend the Budget Appropriations Ordinance for Fiscal Year 1988-1989 was presented for first reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING ORDINANCE No. 1496, WHICH SETS FORTH AN ITEMIZED ESTIMATE OF THE EXPENSE OF CONDUCTING EACH ADMINISTRATIVE UNIT OF THE MUNICIPAL GOVERNMENT OF SAID CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1988 AND ENDING SEPTEMBER 30, 1989 AND APPROPRIATED MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH ESTIMATE; TO REVISE SAID ESTIMATES AND TO RE-APPROPRIATE SAID FUNDS, AND ADOPTING SAID REVISIONS AND ESTIMATES. (recorded in full as No. 1514)

MOTION by Councilman Carter, seconded by Councilman Kutach, that the ordinance be passed on first reading. Motion carried unanimously.

THE following ordinance to adopt the 1989-1990 City budget was presented for first reading:
AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT, MAINTENANCE, BUILDINGS AND IMPROVEMENTS FOR THE CITY OF YOAKUM, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1989 AND ENDING SEPTEMBER 30, 1990, BOTH DATES INCLUSIVE, AND ADOPTING THE BUDGET FIGURES AND ACCOUNTS AS PART OF SAID APPROPRIATIONS. (recorded in full as No. 1515)

MOTION by Councilman Kutach, seconded by Councilman Jemelka, that the ordinance be passed on first reading. Motion carried unanimously.

THE following ordinance to adopt the 1989 tax rate was presented for first reading:

AN ORDINANCE LEVYING THE TAXES TO BE ASSESSED AND COLLECTED IN THE CITY OF YOAKUM, IN DEWITT AND LAVACA COUNTIES, TEXAS FOR THE YEAR 1989, AND APPORTIONING SAME TO THE DIFFERENT FUNDS. (recorded in full as No. 1516)

MOTION by Councilman Natho, seconded by Councilman Carter, that the ordinance be passed on first reading. Motion carried unanimously.

DELINQUENT utility bills in the amount of $13,127.87 were reviewed.
MOTION by Councilmember Natho, seconded by Councilmember Carter, to charge off of the City books $13,127.87 in delinquent utility bills. Motion carried unanimously.

NON-COLLECTABLE (Medicare/Medicaid-$24,648.91) and Collectable (Unpaid-$15,039.60) Ambulance Bills totaling to $39,688.51 were reviewed. MOTION by Councilmember Carter, seconded by Councilmember Kutach, to charge off of the City books $39,688.51 in delinquent ambulance bills. Motion carried unanimously.

ON motion by Councilmember Natho, seconded by Councilmember Carter, the accounting firm of Peat Marwick main and Company was appointed to audit the City's books for the 1988-89 Fiscal Year. Motion carried unanimously.

MOTION by Councilmember Kutach, seconded by Councilmember Jemelka, to approve dedication of Utility Reserve Funds covering the 1988 Revenue Bonds Reserve requirement. Motion carried unanimously.

JIM MCCORD of McCord Engineering, Inc. was present to discuss and answer any questions the Council might have on the proposed Electric Rate Cost of Service Study. MOTION by Councilman Carter, seconded by Councilman Natho, approving a "Full Cost of Service Study" on the electric rates. Motion carried unanimously.
LCRA UPDATE:

1. Mr. Stubbs reported the Conservation and Load Management Committee is progressing well. Barakat, Howard Chambe:lin Consultant from California is doing a full review of LCRA's Conservation and Load Management Program.

2. A meeting of the 12.5 KV cities was held in Lockhart on September 7 to identify issues for the next LCRA rate case.

CITY MANAGER'S REPORT:

1. Reported on Solid Waste Conference held in Austin. Recommended a cost of compliance study be done on Subtitle I Regulations by Hunter Associates. The Council was in favor of the study.

2. Golden Crescent Regional Planning Commission plans to set up a Solid Waste Task Force for our area. City Manager Stubbs was asked to chair this committee.

3. The Rodeo Club of Yoakum asked permission to house 20 roping steers in the unused pasture north of the rodeo arena. Funds could be raised from this promotion allowing additional improvements to the arena. The Council approved this request and recommended that the rules and procedures be outlined in a Letter of Understanding between the Rodeo Club and the City.

THERE being no further business, the meeting adjourned.

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral, Deputy City Clerk
October 10, 1989
7:30 P. M.
City Hall
Yoakum, Texas

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .......................... Mayor
William J. Natho .......................... Mayor Pro-Tem
Dennis O. Kutach .......................... Councilmember
Carroll E. Carter .......................... Councilmember
Mark Jemelka .............................. Councilmember
Mark A. Stubbs ............................ City Manager
Dorothy R. Moore ......................... City Clerk
Charles J. Kvinta, Jr. ................... City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

MINUTES from the meeting of September 12, 1989 were approved.

VISITORS were welcomed by the Mayor.

Mike Schubert, Chairman of the Tourism Committee, was present to request the council consider increasing the Hotel/Motel tax from 4% to 7%.

Dennis Rowan, President of the Board of Directors, Yoakum Heritage Museum, was also present to request an increase in Hotel/Motel tax.

THE following ordinance was presented for second and final reading:


(RECORDED IN FULL AS NO. 1514)

MOTION by Councilman Natho, seconded by Councilman Carter, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE second and final reading of an ordinance to adopt the 1989/90 City Budget was reviewed.

The budget amount passed on first reading has been amended to include $7,000.00 for an Electric Rate Cost of Service Study approved by the council at the September meeting.

MOTION by Councilman Natho, seconded by Councilman Carter, that the City Budget be amended to include $7,000.00 to provide for an Electric
Rate Cost of Service Study. MOTION carried unanimously.

THE following ordinance to adopt the 1989/90 City Budget as amended was presented:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT, MAINTENANCE, BUILDINGS AND IMPROVEMENTS FOR THE CITY OF YOAKUM, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1989 AND ENDING SEPTEMBER 30, 1990, BOTH DATES INCLUSIVE; AND ADOPTING THE BUDGET FIGURES AND ACCOUNTS AS PART OF SAID APPROPRIATIONS.

(recorded in full under No. 1515)

MOTION by Councilman Carter, seconded by Councilman Natho, to adopt the 1989/90 City Budget as amended. MOTION carried unanimously.

THE following ordinance was presented for second and final reading:

AN ORDINANCE LEVYING THE TAXES TO BE ASSESSED AND COLLECTED IN THE CITY OF YOAKUM, IN DEWITT AND LAVACA COUNTIES, TEXAS FOR THE YEAR 1989, AND APPORTIONING SAME TO THE DIFFERENT FUNDS

(recorded in full under No. 1516)

MOTION Councilman Carter, seconded by Councilman Jemelka, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE Council considered two (2) resolutions from the Planning and Zoning Commission to grant Specific Use Permits and the following ordinances were presented:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO LEOLA P. CLARK UNDER THE YOAKUM ZONING ORDINANCE

(recorded in full under No. 1517)

MOTION by Councilman Kutach, seconded by Councilman Jemelka, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO MRS. WINIFRED HOWARD UNDER THE YOAKUM ZONING ORDINANCE

(recorded in full under No. 1518)

MOTION by Councilman Carter, seconded by Councilman Natho, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE following resolution to nominate a candidate for position on the Board of Directors of DeWitt County Appraisal District was

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:
That the City of Yoakum, Texas in accordance with Section 6.03 of Texas Property Code, as amended, does hereby nominate Elwood Gaus as a candidate for position on the Board of Directors of DeWitt County Appraisal District for the term beginning January 1, 1990. (recorded in full under No. 89-23)

MOTION by Councilman Kutach, seconded by Councilman Carter, that the resolution be passed approved and adopted.

AYES: Mayor Harbus, Councilman Kutach, Carter and Jemelka

NAYS: None
Councilman Natho abstained from voting because of his association with the law office of Gaus and Natho.

THE following resolution was presented:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City Council supports the passage of Proposed Constitutional Amendments numbers 2 through 8 and number 16,18,19,20 and 21; and urges voters to vote for these amendments at the Special Election on November 7, 1989.

MOTION by Councilman Natho, seconded by Councilman Kutach, that the resolution be passed, approved and adopted. MOTION carried unanimously.

THE following resolution was presented:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City Manager is authorized to implement an electric heat pump and water heater rebate program to promote the sale of electric heat pumps and water heaters in Yoakum. The rebate program will consist of the following:

1) **HEAT PUMPS** - 10.0 SEER or greater
   - $100.00 per ton to customer
   - 15.00 per ton to dealer
   - **$115.00** per ton total rebate

2) **ELECTRIC WATER HEATER** - 30 gallons or larger
   - $125.00 per water heater unless replacing an electric water heater then the rebate is $50.00.

MOTION by Councilman Natho, seconded by Councilman Carter, that the resolution be passed, approved and adopted. MOTION carried unanimously.
THE following bonds and coupons were presented for cancellation:


Bond No. 57 & 58 2 @ $128.75 $257.20
" " 90 & 91 2 @ $132.50 265.00
$522.20

Bond Nos. 45 thru 54 10 @ $5,000 $50,000.00

Bond No. 45 thru 54 10 @ $127.50 $1,275.00
" " 55 " 65 11 @ $128.75 1,416.25
" " 66 " 77 12 @ $130.00 1,560.00
" " 78 " 89 12 @ $131.25 1,575.00
" " 90 " 102 13 @ $132.50 1,722.50
$7,548.75

Bond No. 55 thru 65 11 @ $128.75 $1,416.25
" " 66 " 77 12 @ $130.00 1,560.00
" " 78 " 89 12 @ $131.25 1,575.00
" " 90 " 102 13 @ $132.50 1,722.50
$6,273.75

MOTION by Councilman Jemelka, seconded by Councilman Kutach, that the above bonds and coupons be cancelled. MOTION carried unanimously.

THE council authorized the sale of the City Park house. House to be removed from the park.

THE council authorized the advertisement of bids to install gasoline storage facilities.

THE council appointed Mayor Harbus and Wm. Natho, Mayor Pro-Tem, as representatives to the Golden Crescent Regional Planning Commission General Assembly.

The council nominated Mayor Harbus as representative for DeWitt County to the Board of Directors of the Golden Crescent Regional Planning Commission.

THE following bids for a new water main from the new well to the water plant were considered. Bids were received on October 4, 1989 and tabulated by Hunter Associates.

Eilers Const. Co. $55,423.00
Schulenburg, Texas

Dean & Keng Paving Co. $58,517.00
Giddings, Texas

McKinney Const. Co. $58,582.00
Victoria, Texas
Mercer Const. Co.                Edna, Texas $65,521.00
Rhode Const. Co.                Hillsboro, Texas $67,296.00
E. E. Hood & Sons, Inc.         Von Ormy, Texas $68,088.50
ATS Irrigation, Inc.            Brenham, Texas $69,910.80
Davis Plumbing Co.              Cuero, Texas $74,906.50
Pate & Pate Enterprise          Huntsville, Texas $78,805.90
Brannan Paving Co.              Victoria, Texas $93,590.90

Upon the recommendation submitted by Hunter Associates the following motion was made:

MOTION by Councilman Carter, seconded by Councilman Kutach, that the bid be awarded to Eilers Construction Company in the amount of $55,423.00. MOTION carried unanimously.

THE following bids for the new sewer main on Hwy 77-A were considered. Bids were received on October 4, 1989 and tabulated by Hunter Associates.

McKinney Const. Co.              Victoria, Texas $106,602.65
Mercer Const. Co.                Edna, Texas $121,558.45
Pate & Pate Enterprise          Huntsville, Texas $124,896.32
Dean & Keng Paving Co.          Giddings, Texas $131,303.15
E.E. Hood & Sons                Von Ormy, Texas $131,670.85

Upon the recommendation submitted by Hunter Associates the following motion was made:

MOTION by Councilman Kutach, seconded by Councilman Natho, that the bid be awarded to McKinney Construction Co. in the amount of $106,602.65. MOTION carried unanimously.

THE following bids for the construction of a new Pre-Engineered Steel Building to be used for the City Garage and maintenance facility were considered:

Drymalla Construction           Columbus, Texas $45,500.00
Orr & Zinke Contractors         Yoakum, Texas $50,872.00
Kirkland Construction           Victoria, Texas $39,500.00
Upon the recommendation of Calvin Cook, Director of Public Works/Utilities, the following motion was made:

MOTION by Councilman Carter, seconded by Councilman Natho, that the bid be awarded to Kirkland construction in the amount of $45,500.00. MOTION carried unanimously.

LCRA UPDATE:

1. Mr. Stubbs received a verbal agreement from LCRA that the city will have a written plan of action for the Load Management Program by the end of October, 1989.

CITY MANAGERS REPORT:

1. Read an invitation to the Pecan Festival in Seguin.


3. Received a request from the Highway Department to allow them to close Lavaca Street during construction of the new bridge. Council approved the request.

THE Mayor declared an executive session to discuss the Police Management Audit.

THE meeting was again opened to the public.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City of Yoakum

ATTEST:

Dorothy R. Moore, City Clerk
October 31, 1989
7:30 A. M.
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .........................Mayor
William J. Natho ............................Mayor Pro-Tem
Dennis O. Kutach ..........................Councilmember
Carroll E. Carter ..........................Councilmember
Mark Jemelka ..............................Councilmember
Mark A. Stubbs .............................City Manager
Dorothy R. Moore ..........................City Clerk
Charles J. Kvinta, Jr. ....................City Attorney

ABSENT:  None

THE meeting was called to order by Mayor Harbus.

THE purpose of the meeting was to consider the following:

1. Consider a resolution to intervene with the group supporting Southwestern Bell's "Texas First" proposal.

2. To authorize the Mayor to execute an agreement with Lavaca County for Right of Way dedication on the FM 3475 extension project.

A resolution to intervene with the group supporting Southwestern Bell's "Texas First" proposal was unanimously approved by the council with the stipulation there would be no cost to the city.

When the group supporting "Texas First" learned that the City of Yoakum would not participate in the cost to support the proposal, they did not want the City of Yoakum to intervene. The resolution was not accepted.

The Council authorized the Mayor to execute an agreement with Lavaca County for Right of Way dedication on the FM 3475 extension project.

THERE being no further business the meeting adjourned.

[Signature]
M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:

[Signature]
Dorothy R. Moore, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .........................Mayor
William J. Natho ..........................Mayor Pro-Tem
Dennis O. Kutach ..........................Councilmember
Carroll E. Carter ..........................Councilmember
Mark Jemelka ..............................Councilmember
Mark A. Stubbs ..............................City Manager
Dorothy R. Moore ...........................City Clerk

ABSENT: None

THE meeting was called to order by Mayor Harbus.

MINUTES of the meetings of October 10th and October 31st, 1989 were approved.

ITEM 4 (a) - No action. A request for a Specific Use Permit to Vickie Koltermann to locate one mobile home at 409 Walnut Street was denied by the Planning and Zoning Commission.

THE following ordinance was presented for first reading:

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE IN THE EMPLOYMENT OF THE CITY OF YOAKUM; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.

(recorded in full under No. 1519)

MOTION by Councilman Carter, seconded by Councilman Jemelka, that the ordinance be passed on first reading. MOTION carried unanimously.

THE following ordinance was presented for first reading:

AN ORDINANCE GRANTING TO CITY EMPLOYEES ADDITIONAL RIGHTS AND CREDITS IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM AS AUTHORIZED BY SECTION 63.303 SUBTITLE G, TITLE 110B, REVISED CIVIL STATUTES, AS ENACTED BY HOUSE BILL 1885, ACTS OF THE REGULAR SESSION OF THE 71st LEGISLATURE.

(recorded in full under No. 1520)

MOTION by Councilman Carter, seconded by Councilman Natho, that the ordinance be passed on First reading. MOTION carried unanimously.
THE following resolution was presented:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City of Yoakum, Texas in accordance with Section 6.03 of Texas Property Tax Code, as amended, does hereby cast, of its 153 votes, the following votes to the candidates listed for the five (5) positions on the Board of Directors of DeWitt County Appraisal District for the term beginning January 1, 1990.

Elwood Gaus ...................... 153 votes
Margaret L. Mueller .............. 0 "
Bill Robinson ..................... 0 "
Glenn Ruschaupt .................. 0 "
Clarence Wessels .................. 0 "

(recorded in full under No. 89-26)

AYES: Mayor Harbus, Councilmembers Kutach, Carter and Jemelka

NAYS: None

Councilman Natho abstained from voting.

THE following resolution was unanimously approved:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City Council does hereby designate Mark A. Stubbs, City Manager and Charlotte Morrow, Director of Finance, as the persons authorized to sign the State of Texas Purchase Vouchers and Requests for Advance or Reimbursement of grant funds approved by the Texas Community Development Program in the amount of $150,000, 1988 TCDP Contract No. 708411.

(recorded in full under No. 89-27)

THE following bond was presented for cancellation:

CITY OF YOAKUM, TEXAS, CERTIFICATE OF OBLIGATION - Fire Truck

Bond No. 009 1 @ $15,000 $15,000.00

MOTION by Councilman Natho, seconded by Councilman Carter, that the bond be cancelled. MOTION carried unanimously.

BY a unanimous vote, the Council appointed Tom Chilek, Director of Community Services, as the Labor Standards Compliance Officer to oversee the TCDP project in the "Wye" area, Contract No. 708411.

THE following bid proposals for Gasoline Storage Facilities were considered:
Independent Pump Service  
San Antonio, Tx.

Dup's of San Antonio, Inc.  
San Antonio, Tx.

S E & M Victoria,

Assistance & Labor $ 1,200.00 $ 6,600.00 No Bid
Equipment & Materials $ 14,067.00 $15,828.28 $16,065.00
Total $15,267.00 $22,428.28 $16,065.00

Upon the recommendation of Calvin Cook, Director of Public Works, the following motion was made:

MOTION by Councilman Kutach, seconded by Councilman Natho, to accept the low bid of Independent Pump Service in the amount of $15,267.00. MOTION carried unanimously.

THE following bid for the sale of the house in the City Park was considered:

Jose Garza $200.00

MOTION by Councilman Kutach, seconded by Councilman Carter, to accept the bid of $200.00. MOTION carried unanimously.

THE following bid proposals for Computer Hardware for the Police Department, Records System were considered (acceptance and approval of bids subject to approval of Governors Office-Criminal Justice Division):

Computerland of Victoria, Texas $17,003.00

MOTION by Councilman Kutach, seconded by Councilman Carter, to accept the bid of Computerland in the amount of $17,003.00. MOTION carried unanimously.

THE following bid proposals for Computer Software for the Police Department, Records System were considered (acceptance and approval of bids subject to approval of Governors Office-Criminal Justice Division):

Comprehensive Law Enforcement Systems (CLUES)  
Madison, Wisconsin $12,210.00

MOTION by Councilman Natho, seconded by Councilman Carter, to accept the bid of CLUES in the amount of $12,210.00. MOTION carried unanimously.

LCRA UPDATE:

a. Mr. Stubbs will attend a meeting of the Conservation Review Panel on November 17th in Austin. Mr. Stubbs is a member of the eight member panel who will represent the views of the 44 LCRA Wholesale Customers.

b. LCRA's Cummins Creek lignite mine project has been terminated.
LCRA will file a rate case next year to get the debt associated with Cummins Creek project into the rates. LCRA will file the rate case in the latter part of February, 1990. This will give the AWC Committee's time to study the rate design and cost allocation associated with a rate increase. Hopefully there will not be another rate case filed by LCRA within the next four or five years.

c. Mr. Stubbs has not received any information from LCRA on the Load Management Program for Yoakum.

CITY MANAGERS REPORT:

a. Mr. Stubbs has received a copy of Hunter Associates report on the cost of continuing operations of our landfill. On the assumption the city could get Moulton, Shiner, Hallettsville and Cuero to dump in our landfill, there would be a rate increase next year.

Options:
1. Look at private companies for collection.
2. Construct a transfer station ourselves or jointly with surrounding cities.

Mr. Stubbs said he hopes to have a plan for the council to consider what steps to take by the time the EPA comes out with the final regulations on landfills in March of 1990.

b. FM extension - waiting on maps from the Highway Department. Also, must have FPA and TAC approval on the right-of-way.

c. Council approved "all white lights" on the Christmas tree downtown - cost $1,850.00.

d. Mr. Stubbs reported that he had been contacted by the Cable TV Company and they are ready to do business to renew their franchise contract which is up next summer.

The Council agreed to hire a rate consultant before negotiating for a new franchise contract.

The Council also agreed to explore the possibility of municipal ownership of the cable TV system.

THE Mayor declared an Executive Session to discuss Police Management Audit.

THE meeting was again opened to the public.

THERE being no further business the meeting adjourned.

ATTEST:

Dorothy R. Moore, City Clerk

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas
December 12, 1989
7:30 P.M.
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:
M. W. Harbus, Jr. .........................Mayor
William J. Natho ............................Mayor Pro-Tem
Dennis O. Kutach .............................Councilmember
Carroll E. Carter ............................Councilmember
Mark Jemelka .................................Councilmember
Mark A. Stubbs ...............................City Manager
Dorothy R. Moore ............................City Clerk
Charles J. Kvinta ...........................City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

MINUTES from the meeting of November 14, 1989 were approved.

VISITORS were welcomed by the Mayor.

ITEM 4 (a), no action, a request for a change in zoning by W. D. Kvinta was denied by the Planning and Zoning Commission.

THE Council considered a resolution from the Planning and Zoning Commission to grant a Special Use Permit and the following ordinance was unanimously approved:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIAL USE PERMIT TO RICHARD CRUZ UNDER THE YOAKUM ZONING ORDINANCE.
(recorded in full under No. 1521)

THE following ordinance was presented for second and final reading:

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, 'UPDATED SERVICE CREDITS' IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE IN THE EMPLOYMENT OF THE CITY OF YOAKUM; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREEES AND BENEFICIARIES OF DECEASED RETIREEES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.
(recorded in full under No. 1519)

MOTION by Councilman Natho, seconded by Councilman Carter, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE following ordinance was presented for second and final reading:

AN ORDINANCE GRANTING TO CITY EMPLOYEES ADDITIONAL RIGHTS AND CREDITS IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM AS AUTHORIZED BY SECTION 63. 303 SUBTITLE G, TITLE 110B, REVISED CIVIL STATUTES, AS
ENACTED BY HOUSE BILL 1885, ACTS OF THE REGULAR SESSION OF THE 71ST LEGISLATURE.

(recorded in full under No. 1520)

MOTION by Councilman Carter, seconded by Councilman Natho, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

ACTION was tabled on Item 4 (e) an ordinance regulating satellite T.V. dishes.

THE following ordinance was presented for first reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING ORDINANCE NO. 1515, WHICH SETS FORTH AN ITEMIZED ESTIMATE OF THE EXPENSE OF CONDUCTING EACH ADMINISTRATIVE UNIT OF THE MUNICIPAL GOVERNMENT OF SAID CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1989 AND ENDING SEPTEMBER 30, 1990 AND APPROPRIATED MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH ESTIMATE; TO REVISE SAID ESTIMATES AND TO RE-APPROPRIATE SAID FUNDS, AND ADOPTING SAID REVISIONS AND ESTIMATES.

(recorded in full under No. 1522)

MOTION by Councilman Carter, seconded by Councilman Natho, that the ordinance be passed on first reading. MOTION carried unanimously.

THE following resolution was unanimously approved:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City Council does hereby designate the City Clerk as the Records Management Officer for the City of Yoakum, Texas.

(recorded in full under No. 89-28)

THE following resolution was unanimously approved:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City of Yoakum does request that the United States Congress take action to alter and delay implementation of the proposed new EPA regulations of municipal landfills. Specifically, the City asks that the new regulations include flexibility that would account for differences in physical landfill site characteristics, city size and urban/rural differences. Also, the City asks that the new regulations be delayed until 1994 so that a regional landfill can be planned and implemented, if required.

(recorded in full under No. 89-29)

THE following resolution was presented:

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

Shall tax all tangible personal property as defined in said
proposed amendment adding Section 1-j to Article VII of the Texas Constitution and in Section 11.251, Texas Tax Code, in Tax Year 1990 and each year thereafter.

(Recorded in full under No. 89-30)

MOTION by Councilman Natho, seconded by Councilman Jemelka, that the resolution be passed, approved and adopted. MOTION carried unanimously.

The following resolution was unanimously approved:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City of Yoakum does hereby support the compromise proposal recommended for approval by the AWC Committee on Rate Design and the AWC Board and does hereby instruct the Yoakum City Manager, Mark Stubbs, to make this fact known to the AWC membership and to cast the City's ballot in favor of the compromise proposal when a vote is taken.

A petition from the First State Bank to close the alley in Block 16 of the Roselawn Addition was considered. The petition was signed by all abutting property owners with the exception of one, who was out of town and will sign as soon as he returns.

The following resolution was presented:

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, that the following alley be closed:

The 18.6 foot wide alley abutting Lots 1 through 5, inclusive, and Lots 6 through 10, inclusive, all in Block 16, Roselawn Addition to the City of Yoakum.

(Recorded in full under No. 89-32)

MOTION by Councilman Natho, seconded by Councilman Jemelka, that the resolution be passed subject to the petition being signed by the remaining property owner.

AYES: Councilman Natho, Jemelka and Carter.

NAYS: None

Mayor Harbus and Councilman Dennis Kutach abstained from voting because of their association with the First State Bank.

Authorization

Motion by Councilman Kutach, seconded by Councilman Carter, that the city hire Jack Hopper as consultant for a TV cable franchise contract.

Authorized the city manager to proceed with a landfill study plan.
Approved the style and color of new uniforms for the Police Department and authorized professionally dry cleaning for the uniforms.

The Council voted not to continue taxing certain personal property (airplanes, motor homes and travel trailers) because of the cost requirements imposed by H.B. 82.

THE following bids for the purchase of a new ambulance were considered:

<table>
<thead>
<tr>
<th>Company</th>
<th>Make</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambulance Sales &amp; Service</td>
<td>Collins</td>
<td>$41,569.00</td>
</tr>
<tr>
<td>Mansfield, Texas</td>
<td>Wheel Coach</td>
<td>$41,432.00</td>
</tr>
<tr>
<td>San Antonio Ambulance Sales, Inc.</td>
<td>Mid South</td>
<td>$36,125.00</td>
</tr>
<tr>
<td>American Transcoach</td>
<td>Medtec</td>
<td>$39,885.00</td>
</tr>
<tr>
<td>Sanger, Texas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texoma Emergency Vehicle</td>
<td>Cayel-Craft</td>
<td>$38,654.00</td>
</tr>
<tr>
<td>San Antonio, Texas</td>
<td>Cayel-Craft</td>
<td>$36,654.00</td>
</tr>
<tr>
<td>Southern Ambulance Bldgs. Inc.</td>
<td>Southern</td>
<td>$38,432.00</td>
</tr>
<tr>
<td>LaGrange, Texas</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

MOTION by Councilman Kutach, seconded by Councilman Carter, to accept the low bid of San Antonio Ambulance Sales, Inc. in the amount of $36,125.00. MOTION carried unanimously.

THE following bids for new garage facilities were considered at the October meeting:

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drymalla Construction</td>
<td>$45,500.00</td>
</tr>
<tr>
<td>Columbus, Texas</td>
<td></td>
</tr>
<tr>
<td>Orr &amp; Zinke Contractors</td>
<td>$50,872.00</td>
</tr>
<tr>
<td>Yoakum, Texas</td>
<td></td>
</tr>
<tr>
<td>Kirkland Construction</td>
<td>$39,500.00</td>
</tr>
<tr>
<td>Victoria, Texas</td>
<td></td>
</tr>
</tbody>
</table>

The Council awarded the bid to Kirkland Construction. As of this date, Kirkland Construction is unable to honor the bid because of financial difficulties.

The Council reviewed legal obligations to Kirkland Construction. Finding no legal obligation the city would have in rescinding the motion, the following motion was made:

MOTION by Councilman Natho, seconded by Councilman Carter, to award the bid to Drymalla Construction, the next lowest bidder, in the amount of $45,500.00. MOTION carried unanimously.
LCRA Update:

Mr. Stubbs said he hopes to have the Load Management Program in by May 1, 1990.

City Managers Report:

Elwood Gaus was re-elected to the Board of Directors of the DeWitt County Appraisal District.

Reported on the progress of the street work by H & C Construction.

The Justice Department did not turn down the request to change the polling place from the Fire Station to the Community Center building.

There will be a Leadership Workshop in San Antonio on January 18-19, 1990. Henry Cisneros will be in charge of the workshop.

THE Mayor declared an executive session to consider litigation issues relating to the South Texas Utility Company.

THE meeting was again opened to the public.

THERE being no further business the meeting adjourned.

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:

Dorothy R. Moore, City Clerk