January 9, 1990
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, Jr. .....................City Attorney

ABSENT:  None

THE meeting was called to order by Mayor Harbus.

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

VISITORS were welcomed by the Mayor.

MARK Jahn, President of the Yoakum Chamber of Commerce, was present to request that the council include an item on the February Agenda to increase the Hotel/Motel tax.

A Public Hearing was held to hear comments regarding a request from W. D. Kvinta for a change in zoning from residential (R-3) to commercial (C-1) at 512 W. Grand Ave.

Jim Yeager was present to oppose the change in zoning because he felt a zoning change should not benefit only one person. However, he said he would be in favor of changing all of W. Grand Avenue to commercial.

There was no other person present to comment on the change and the Public Hearing was closed.

SAM Ferguson, representing KPMG Peat Marwick, Certified Public Accountants, was present to present their audit report of the city's financial condition for the fiscal year beginning October 1, 1988 and ending September 30, 1989.

THE following ordinance was presented for second and final 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 No. 1522)
MOTION by Councilman Kutach, seconded by Councilman Jemelka, that the ordinance be passed, approved and adopted. MOTION carried unanimously.

THE following ordinance was presented for first reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A CHANGE IN ZONING FROM RESIDENTIAL (R-3) TO COMMERCIAL (C-1) TO W. D. KVINTA UNDER THE YOAKUM ZONING ORDINANCE.

(recorded in full No. 1523)

MOTION by Councilman Carter, seconded by Councilman Kutach, that the ordinance be passed on first reading with the stipulation that "no on-premise alcoholic beverage permit shall be issued for this location". MOTION carried unanimously.

THE following ordinance was presented for first reading:

AN ORDINANCE REGULATING THE INSTALLATION AND PLACEMENT OF PARABOLIC OR DISH-TYPE ANTENNAE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A PENALTY CLAUSE, PROVIDING AN EFFECTIVE DATE

(recorded in full No. 1524)

Item 6-c of the ordinance was amended to read - No parabolic or dish-type antennae shall be roof mounted in residentially zoned areas.

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

THE council unanimously approved the city's participation in Railroad Commission docket #7558.

THE following bids for the purchase of one (1) 1990 one-ton Cab & Chassis truck were considered:

Cooper Chevrolet, Olds, Buick, Pontiac $12,800.00 w/trade
Wendel Motor Co. $12,295.00 w/trade

MOTION by Councilman Kutach, seconded by Councilman Jemelka, to accept the low bid of Wendel Motor Co. in the amount of $12,295.00. MOTION carried unanimously.

THE following bids for the purchase of one (1) 1990 one-half ton pickup were considered:

Cooper Chevrolet, Olds, Buick, Pontiac $11,665.00 w/trade
Wendel Motor Co. $10,580.00 w/trade

MOTION by Councilman Natho, seconded by Councilman Carter, to accept the low bid of Wendel Motor Co. in the amount of $10,580.00. MOTION carried unanimously.
THE following bids for the purchase of Pre-Coat Aggregate-Grades #4 & #5 for the Street Department were considered:

<table>
<thead>
<tr>
<th>Company</th>
<th>Type</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redland Worth Corp.</td>
<td>Pre-Coat #5</td>
<td>$27.61 cu. yd.</td>
</tr>
<tr>
<td>San Antonio, Tex.</td>
<td>&quot; #4</td>
<td>$27.61 &quot; &quot;</td>
</tr>
<tr>
<td>Gifford Hill Co.</td>
<td>Pre-Coat #5</td>
<td>$22.72 cu. yd.</td>
</tr>
<tr>
<td>New Braunfels, Tex.</td>
<td>&quot; #4</td>
<td>$22.72 &quot; &quot;</td>
</tr>
<tr>
<td>Vulcan Materials</td>
<td>Pre-Coat #5</td>
<td>$27.08 cu. yd.</td>
</tr>
<tr>
<td>San Antonio, Tex.</td>
<td>&quot; #4</td>
<td>$27.08 &quot; &quot;</td>
</tr>
</tbody>
</table>

MOTION by Councilman Kutach, seconded by Councilman Jemelka, to accept the low bid of Gifford Hill Co. in the amount of $22.72 cu. yd. MOTION carried unanimously.

THE following bids for the purchase of Cold Mix Limestone Rock Asphalt for the Street Department were considered:

<table>
<thead>
<tr>
<th>Company</th>
<th>Type</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redland Worth Corp.</td>
<td>Type &quot;CC&quot;</td>
<td>$32.52 cu. yd.</td>
</tr>
<tr>
<td>San Antonio, Tex.</td>
<td>Type &quot;D&quot;</td>
<td>$32.52 &quot; &quot;</td>
</tr>
<tr>
<td>Gifford Hill Co.</td>
<td>Type &quot;CC&quot;</td>
<td>No Bid</td>
</tr>
<tr>
<td>New Braunfels, Tex.</td>
<td>Type &quot;D&quot;</td>
<td>$45.79 cu. yd.</td>
</tr>
<tr>
<td>Vulcan Materials</td>
<td>Type &quot;CC&quot;</td>
<td>$33.68 cu. yd.</td>
</tr>
<tr>
<td>San Antonio, Tex.</td>
<td>Type &quot;D&quot;</td>
<td>$33.97 &quot; &quot;</td>
</tr>
</tbody>
</table>

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

MOTION by Councilman Carter, seconded by Councilman Natho, to accept the bid of Vulcan Materials. MOTION carried unanimously.

LCRA UPDATE:

a. LCRA will provide full funding for the Load Management Program for the City of Yoakum. Should have program in place by May 1, 1990.

City Managers Report:

a. Mr. Stubbs has been contacted by the City Manager of Cuero to use Yoakum's landfill for a few months. The City of Cuero is in the process of closing their landfill.

The consensus of the council was to negotiate a contract with the City of Cuero for use of Yoakum's landfill.

b. Cheryl Matusek has resigned as Chairman of the Main Street program.

d. TML Region II Meeting - January 17, 1990 in Corpus Christi.

e. City of Yoakum will host the Waterworks meeting on January 18, 1990.

f. Mr. Chilek showed revised plans of the library building. Council will approve the plans at a later date.

THE Chairman declared an executive session to discuss the following:

a. Municipal Court Judge appointment.


c. Litigation matters relating to STUC.

THE meeting was again opened to the public and the following business transacted:

MOTION by Councilman Kutach, seconded by Councilman Carter, to appoint W.H. (Bill) McGill as interim Municipal Court Judge. MOTION carried unanimously.

THERE being no further business the meeting adjourned.

William J. Natho, Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

Dorothy P. Moore, City Clerk
January 19, 1990
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 meeting was called for the following purpose:

1. Appoint a member to the committee that will monitor the Palm Beach County Utilities Corporation bankruptcy.

2. Approve the plans for the new library building.

After being notified that Palm Beach County Utilities Corporation had filed for bankruptcy under Chapter 11, representatives of the six (6) cities (Cuero, Gonzales, Shiner, Luling, Lockhart and Yoakum) directly affected by this, met in Gonzales on January 15th to discuss what should be done. Palm Beach County Utilities Corporation is the supplier of natural gas to these cities.

It was decided that a committee be appointed consisting of one member from each city to monitor and possibly select an attorney to represent the cities.

MOTION by Councilman Kutach, seconded by Councilman Carter, to appoint Mayor Harbus as representative for the City of Yoakum. MOTION carried unanimously.

MOTION by Councilman Carter, seconded by Councilman Kutach to appoint Mark Stubbs as an alternate representative. MOTION carried unanimously.

TOM Chilek, Director of Community Services, was present to present revised plans for the new library building.

MOTION by Councilman Kutach, seconded by Councilman Jemelka, that the plans for the new library building be approved as presented. MOTION carried unanimously.
THERE being no further business the meeting adjourned.

William J. Natho, Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

Dorothy R. Moore, City Clerk
February 13, 1990  
7:30 P.M.  
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
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:  M. W. Harbus, Jr. ........................ Mayor

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

MINUTES from the meeting of January 9, 1990 were approved as corrected: Item (a) under City Managers Report was corrected to read: to look into the feasibility of a contract with the City of Cuero for use of Yoakum's landfill.

MINUTES from the meeting of January 19, 1990 were approved.

UPON the recommendation of the Planning and Zoning Commission to grant a Specific Use Permit the following ordinance was considered:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO BIBLE BAPTIST CHURCH UNDER THE YOAKUM ZONING ORDINANCE.  
(No. 1525)

MOTION by Councilman Kutach, 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 OF THE CITY OF YOAKUM, TEXAS GRANTING A CHANGE IN ZONING FROM RESIDENTIAL (R-3) TO COMMERCIAL (C-1) TO W. D. KVINTA UNDER THE YOAKUM ZONING ORDINANCE.  
(No. 1523)

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

THE following ordinance was presented for second and final reading: (amendments to the ordinance after first reading were reviewed)

AN ORDINANCE REGULATING THE INSTALLATION AND PLACEMENT OF PARABOLIC OR DISH-TYPE ANTENNAE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A PENALTY CLAUSE; PROVIDING AND EFFECTIVE DATE.  
(No. 1524)
MOTION by Councilman Carter, seconded by Councilman Kutach, that the ordinance be passed, approved and adopted as amended. MOTION carried unanimously.

THE following ordinance was presented for first reading:

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. (No. 1526)

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

AYES: Councilman Jemelka, Councilman Kutach and Natho, Mayor Pro-Tem.

NAYS: Councilman Carter.

THE following resolution was presented:

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 5, 1990 there shall be elected the following officials for this City:

One (1) Councilmember, Place 4
One (1) Councilmember, Place 5

(No. 90-1)

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

THE following resolution was presented:

NOW, THEREFORE, BE IT RESOLVED 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 26th day of May, 1990. (No. 90-02)

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

Participating in the following Special Project of the Association of Wholesale Customers; INTERVENTION IN 1990 LOWER COLORADO RIVER AUTHORITY RATE CASE TO SUPPORT COMPROMISE APPROVED BY THE ASSOCIATION OF WHOLESALE CUSTOMERS MEMBERSHIP. (No. 90-03)

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

NO action was taken to participate in the inquiry into the reasonableness of the rates of Southwestern Bell, docket #8585, at the PUC.

THE Council approved the final payment of $838.50 to Lavaca County for replacement of Supplejack Creek Bridge.

THE Council approved a request to close off W. Grand from Irvine Street to Front Street and a part of Lott Street on February 24th, 1990, Land of Leather days.

THE following bonds and interest coupons were tabulated by the City Attorney and presented for cancellation:


<table>
<thead>
<tr>
<th>BONDS</th>
<th>No. 55 thru 65</th>
<th>11 @ $5,000</th>
<th>$55,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUPON NO. 33</td>
<td>No. 55 thru 65</td>
<td>11 @ $128.75</td>
<td>1,416.25</td>
</tr>
<tr>
<td></td>
<td>No. 66 &quot;</td>
<td>12 @ $130.00</td>
<td>1,560.00</td>
</tr>
<tr>
<td></td>
<td>No. 78 &quot;</td>
<td>12 @ $131.25</td>
<td>1,575.00</td>
</tr>
<tr>
<td></td>
<td>No. 90 &quot;</td>
<td>13 @ $132.50</td>
<td>1,722.50</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$61,273.75</td>
</tr>
</tbody>
</table>

MOTION by Councilman Carter, seconded by Councilman Kutach, that the bonds and interest coupons in the amount of $61,273.75 be cancelled. MOTION carried unanimously.

NO action was necessary at this time relating to the STUC bankruptcy proceedings.

THE Council authorized the City Manager to negotiate a contract with the City of Cuero for use of Yoakum's landfill.

THE Council authorized the City Manager to intervene on behalf of the City of Yoakum individually or with Small Cities group in the upcoming LCRA Rate Case.
THE following bids for the purchase of one (1) Police Package Automobile were reviewed:

Wendel Motor Co. $13,169.00
Cooper Chevrolet, Oldsmobile
Buick, Pontiac $14,844.00

Upon the recommendation of the Chief of Police, the following motion was made:

MOTION by Councilman Jemelka, seconded by Councilman Carter, to accept the bid of Wendel Motor Co. in the amount of $13,169.00. MOTION carried unanimously.

THE following bids for the "Undercarriage Replacement on a Caterpillar" were considered:

Holt Company of Victoria, Tx. $12,282.87
Mustang Tractor of El Campo, Tx. $12,322.96

(these are estimated cost. Cost of job could very well vary because of parts actually needed to replace the undercarriage)

MOTION by Councilman Carter, seconded by Councilman Jemelka, to accept the estimated cost of $12,282.87 from Holt Company. MOTION carried unanimously.

BIDS for materials to be used in the reconstruction and construction of Electric Power Lines were considered:

Specifications for the material were written to accept or reject quotations on each item separately or as a whole. As a result nine bids on the materials were received. Mr. Cook, Director of Public Works, recommended approval to award the purchase of the materials to eight (8) of these companies, for a total cost bid package of $21,063.77.

MOTION by Councilman Kutach, seconded by Councilman Jemelka, to accept the recommendation of Mr. Cook and approve the purchase of materials needed for the job in the amount of $21,063.77. MOTION carried unanimously.

THE Council postponed the appointment of a Chairman for the Yoakum Main Street Project.

THE Council appointed Hazel Bland as Judge for the City Officer election on May 5th, and Janie Villa as Alternate Judge.

THE Council took no action on the appointment of a Municipal Court Judge.

LCRA UPDATE:
The Council viewed a video of some of the activities of the Lower Colorado River Authority.
CITY MANAGERS REPORT:

a. Invitation to an informal dinner with representatives of LCRA in Shiner on March 6, 1990 at 4:30 p.m.

b. Computer system for the Police Department is installed.

c. Garage building almost completed.

d. Old underground gasoline storage tanks have been removed. All environmental test have been completed and no contamination was found in the soil.

AN executive session was held to discuss the following:

a. Consider pending litigation against the city (Cause No. 90-1-15,242).

b. Consider potential litigation matters with TCI, Inc.

c. Consider acquisition of land for planned highway project.

d. Consider review of Municipal Court Judge candidates.

THE meeting was again opened to the public.

THERE being no further business the meeting adjourned.

[Signature]
Wm. J. Natho, Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

[Signature]
Dorothy R. Moore, City Clerk
March 1, 1990
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
Mark A. Stubbs .......................... City Manager
Dorothy R. Moore ........................ City Clerk
Charles J. Kvinta, Jr. .................. City Attorney

ABSENT:
Carroll E. Carter ........................ Councilmember
Mark Jemelka ............................ Councilmember

THE meeting was called to order by Mayor Harbus.

THE meeting was called for the following purpose:

a. Approve right-of-way for highway project.

b. City Managers Report:

THE following resolution was unanimously approved.

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

That the City Council does hereby authorize the disposition of 8.35 acres of land from the Yoakum Municipal Airport to be used as right-of-way for the proposed FM 4375 and directs the City Manager to deposit $29,253.00 in the Yoakum Airport Fund to be used for future maintenance and future improvement of the Yoakum Municipal Airport.

(No. 90-04)

Mr. Stubbs reported a request from the "Bastrop Group" for financial support to see that GVEC does not have the final ruling of the LCRA rate case overturned.

This is a continuation of the Bastrop Group intervention of the LCRA rate case, Docket No. 8400.

Mr. Stubbs said he will write a letter informing them of the City of Yoakum's support and ask them to let us know if the total cost gets over $2,500.

THE Council accepted the resignation of Mr. Stubbs, effective June 1, 1990. Mr. Stubbs has accepted a position with Bluebonnet Electric Cooperative, Inc. in Giddings, Texas.
THERE being no further business the meeting adjourned.

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

ATTEST:

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

ABSENT: None

THE meeting was called to order by Mayor Harbus.
MINUTES of the February 13th and March 1st meetings were approved.
VISITORS were welcomed by the Mayor.

MR. Carl Ramert, Chairman of the Landscape Committee for the Governors Achievement Award, was present to ask the council to consider entering into a plan to beautify the entrance of Hwy 111 East at the corner of E. Gonzales and E. Morris Streets. This will require the acquisition of additional property. Council will take this under consideration.

A Load Management Program for the City of Yoakum was discussed. Yoakum has been selected by LCRA to participate in a Pilot Program.
Mike Keller, selected by LCRA to manage the program, was present to explain the program.
Jim McCord of McCord Engineering, Inc., who is doing an electric rate study for the city, was present with his recommendation of electric rates for the program and the implementation of same.
The council was in approval of the Load Management Program and selected "Option 1" of the recommendations of Jim McCord as to the implementation of new rates.

Option 1:
1.) Use meters for data collection only for the June-December, 1990 time period.
2.) Incorporate data from June-December, 1990 time period into the overall electric system rate revision recommendation to be made in January, 1991.

ITEM 5-a, no action.

UPON consideration of a resolution from the Planning and Zoning Commission to grant a Specific Use Permit the following ordinance was considered:
AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO RONALD N. LAW UNDER THE YOAKUM ZONING ORDINANCE.
(No. 1527)

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 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 OR ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.
(No. 1526)

MOTION by Councilman Natho, seconded by Councilman Jemelka, that the ordinance be passed, approved and adopted.

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

NAYS: Councilman Carter.

ITEM 5-d, no action.

THE following resolution was considered:

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

We urge the Public Utility Commission of Texas to recognize the many months of hard work and compromise that went into the rate design concept developed by the AWC and submitted by the LCRA in this current rate case filing;
(No. 90-05)

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

THE Council authorized the City Manager to notify Chevron Corporation, at his convenience, to remove existing airplane fuel tanks and pump from the Yoakum Municipal Airport.

THE following bids for the Central Trunk Sanitary Sewer Project were considered:

Uticon
Richmond, Texas
$441,943.70

Mercer Construction Co.
Edna, Texas
$480,856.90

Rhode Construction Co.
Hillsboro, Texas
$577,477.90
Conex Construction  
Round Rock, Texas  
$613,461.00

Utility Consolid., Inc.  
San Antonio, Texas  
$696,969.00

Upon the recommendation of Paul Boedeker, of Hunter Associates, Inc., the following motion was made:

MOTION by Councilman Carter, seconded by Councilman Natho, that the bid be awarded to Uticon in the amount of $441,943.70 and authorize the purchase of gravel cushion @ $2.50 L.F. and backfill material @ $7.50 L.F. MOTION carried unanimously.

THE following bids for labor, tools and equipment to construct 1.2 miles of electric distribution lines were considered:

Universal Electric Co.  
$41,039.16
LCRA  
$41,600.00
Gill Electric  
$46,998.95
Red Simpson  
$48,928.86
Clay Richardson, Inc.  
$49,139.34
Electric Utility  
$49,794.98
Urban Electric  
$60,688.98
Henkels & McCoy, Inc.  
$68,460.77

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 Universal Electric Co. in the amount of $41,039.16. MOTION carried unanimously.

THE following bids for the purchase of gasoline and #2 diesel fuel were considered:

<table>
<thead>
<tr>
<th>Company</th>
<th>Price/gal Unleaded</th>
<th>Price/gal Diesel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander Oil Co.</td>
<td>.7520</td>
<td>.7260</td>
</tr>
<tr>
<td>Kincer Oil Co.</td>
<td>.7635</td>
<td>.7370</td>
</tr>
<tr>
<td>Thomas Oil Co.</td>
<td>.7620</td>
<td>.7410</td>
</tr>
<tr>
<td>Moore Oil Co.</td>
<td>.7920</td>
<td>.7470</td>
</tr>
<tr>
<td>Rudolphs, Inc.</td>
<td>.7490</td>
<td>.7212</td>
</tr>
</tbody>
</table>

Upon the recommendation of Bob Lucas, Purchasing Agent, the following motion was made:

MOTION by Councilman Natho, seconded by Councilman Kutach to accept the bid of Rudolphs, Inc. MOTION carried unanimously.

ITEM 9-a. No action.
THE Council nominated Tom Chilek to serve on the Golden Crescent Regional Planning Commission on Solid Waste as a representative from DeWitt County.

ITEM 9-c, No action.

City Managers Report:


THE Mayor declared an executive session for the following purpose:

a. Discuss city manager selection.

THE meeting was again opened to the public.

THERE being no further business the meeting adjourned.

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

ATTEST:

\[Signature\]
Dorothy B. Moore, City Clerk
April 10, 1990
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, Jr. ..................... City Attorney

ABSENT: None

THE meeting was called to order by the Mayor.

MINUTES of the March 13th meeting were approved.

VISITORS were welcomed by the Mayor.

A representative from San Antonio scheduled to discuss the 1990
census was unable to attend.

A Public Hearing was held to consider a request from Lester C.
Warburton, Jr. to appeal the denial of his request to the Planning and
Zoning Commission for a Specific Use Permit to locate one mobile home
at 608 Edgar St.

Those present to object were:
Mr./Mrs. James Cowey
Mr./Mrs. Harvey Barsch
Ms. Melba Bucek
Ms. Kathy Garrett
Mrs. Dudley Wayne Garrett

Those present to speak in favor of the mobile home were:
Mr./Mrs. Victor Spies
Mr./Mrs. James Fait

AN ordinance to grant the request for a Specific Use Permit to
locate one mobile home at 608 Edgar was presented.
No motion was made to pass the ordinance; request was denied.

UPON consideration of a resolution from the Planning and Zoning
Commission to grant a Specific Use Permit the following ordinance was
considered:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A
SPECIFIC USE PERMIT TO GERELINE FLEMMING GILES UNDER
THE YOAKUM ZONING ORDINANCE. (No. 1528)

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

THE Council approved the CIP Street Program for 1990 as presented by Calvin Cook, Director of Public Works/Utilities.

THE Council authorized a Cable T.V. Survey to be mailed out.

THE following bids for new fire hose were considered:

- Hurricane Fire, Inc. $8,250.00
- Clarey's Safety Equipment, Inc. $8,825.00
- Casco Industries $7,810.00

Upon the recommendation of David Ferry, Fire Chief, the following motion was made:

MOTION by Councilman Kutach, seconded by Councilman Carter, to award the bid to the low bidder, Casco Industries, in the amount of $7,810.00. MOTION carried unanimously.

THE Council appointed William (Bill) McGill as Municipal Court Judge.

THE Council appointed Walter Squyres, Jr. as Health Inspector for the City.

Appointment of a Main Street Chairman is still pending.

LCRA Update:

a. Rate Case is now in process.

b. The Pilot Program on Load Management is going well.

c. There was good participation from the 27 electric customers selected to participate in the Load Management Program.

City Managers Report:

Reminded Council of the TML meeting in Victoria on April 19th. Golden Crescent Regional Planning Commission General Assembly on April 25th. An invitation to the Municipal Electric Service Association Fellowship in Shiner on May 16th.

THE Mayor declared an executive session for the following purpose:

a. Review City Manager applications.

b. Review Municipal Court Judge applications.
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

Dorothy R. Moore, City Clerk
EMERGENCY 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

ALSO PRESENT:
Tom Chilek ............................Director of Community Services
Brenda Thompson ..........................President of the Friends of the Library

THE meeting was called to order by Mayor Harbus.

THE purpose of the meeting was to review bids received on April 25th to renovate the old Power Plant building for a library.

THE lowest bid received exceeded the funds available in the amount of $160,622.72.

Mrs. Thompson with the Friends of the Library and Doug Plummer, have worked diligently to secure grants and donations to construct a new library building and according to the Architects projection, had sufficient funds available.

Alternatives were discussed:

a. Choose another building to renovate which might cost less.

b. Delay award of bid contract and try to raise more money.

c. Build a new building.

Because of the time restraint concerning, award of bid, the Meadows Foundation grant, and state grant, no decision was made.

Mrs. Thompson said she will be contacting foundations for additional grants.

THERE being no further business the meeting adjourned.

ATTEST:

Dorothy R. Moore, City Clerk

M. W. Harbus, Jr. .................................Mayor
City of Yoakum, Texas
May 8, 1990
7:00 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, Jr. ..................... City Attorney

ABSENT: None

THE meeting was called to order by Mayor Harbus.

A public hearing was held to hear comments from citizens concerning Cable T.V. services in Yoakum. TCI Cablevision franchise will expire this year.

Dr. Jack Hopper, Consultant for the City, Randy Grimes and Carl Simpson, representing TCI Cablevision were present.

PRIORITY comments from the citizens were:
1. Cost for such few channels.
2. Cost for additional hook-ups.
4. To many of the present channels carry the same program.

RECOMMENDATION from Mr. Hopper:
1. A short term franchise.
2. Penalties in the franchise that would require the cable company to live up to specified requirements, if not, they could be thrown out.
3. More channels.
4. System upgraded.

Audience was in favor of a short term franchise and more channels.

Mr. Grimes:

TCI is now in the process of upgrading the system and shooting for October 15, 1990 for completion. We will be adding a lot of the channels mentioned here tonight.

THERE were approximately 30 citizens at the public hearing. After
one hour of discussion, the public hearing was closed.

THE Mayor appointed Councilman Carter and Jemelka, and the City Clerk, to canvass the returns of the City Officer election on May 5th.

THE following resolution was unanimously approved:

There came on to be considered the returns of an election held on the 5th day of May, 1990, 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 706 valid and legal votes; that each of the candidates in said election received the following votes:

PLACE NO. 4
Dennis O. Kutach.......427
WRITE-IN FOR PLACE NO. 4
Charlie Hall.............261
PLACE NO. 5
William J. Natho........533

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

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that Dennis O. Kutach and William J. Natho were duly elected Councilmembers of said City at said election.

(No. 90-06)

THE City Clerk administered the Oath of Office to Dennis O. Kutach and William J. Natho; and they were declared duly installed.

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

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

MINUTES from the meetings of April 10th, 24th and May 2nd, 1990, were approved.

VISITORS: Billy Parks, Chairman of the Yoakum Rodeo Club, asked the council to consider a fee for certain functions at the rodeo grounds.

BILLY Parks, District' Design Engineer for the Highway Department, presented a sketch on beautification plans for Hwy 111 east.

THE council considered a resolution from the Planning and Zoning 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 Wm. H. GRIFFIN UNDER THE YOAKUM ZONING ORDINANCE.

(No. 1529)
THE council considered amendments to the City Attorney's contract.

MOTION by Councilman Jemelka, seconded by Councilman Natho, to raise Mr. Kvinta's hourly rate to $40.00 per hour and a retainer fee of $250.00 per month.

GUIDELINES proposed by Mr. Stubbs for the Load Management Program were unanimously approved.

PLANS prepared by Mr. Stubbs to upgrade the Police Station, City Hall and buildings in the "Yard" were reviewed:

1. The Police Station should be moved to the current warehouse. The building will need renovating. Cost - $275,000
2. The City Hall should be repaired and remodeled. Cost - $33,000 (funded in current budget).
3. The balance of the municipal facilities "the Yard" should be renovated and expanded. Cost - $100,000 (funded through the 1988 Bond Issue).

THE council unanimously approved repair and remodel of City Hall and renovation and expansion of "the Yard".

THE Mayor declared an executive session to review City Manager applications.

THE meeting was again opened to the public.

MOTION by Councilman Natho, seconded by Councilman Carter, to appoint William Lewis as City Manager, effective June 18, 1990, with a salary of $45,000 per year.

THE following appointments were unanimously approved:

PLANNING AND ZONING COMMISSION:
Carl Ramert - Jim Witte - Glenn Kusak

HOUSING AUTHORITY:
Elwood Gaus - Tom B. Davis - Faustino Rodriguez

HOUSING BOARD OF ADJUSTMENTS AND APPEALS:
Jim Witte

LIBRARY BOARD:
Mrs. Joyce Manning - Mrs. Wm. A. Adams - Mrs. Ralph Rinn - Mrs. Margie Kvinta

COMMUNITY CENTER BOARD OF GOVERNORS:
Claud B. Jacobs - Janet Barre

AIRPORT ADVISORY BOARD:
Jack Turner - Dale H. Farnsworth
MOTION by Councilman Carter, seconded by Councilman Natho, to appoint Councilman Kutach, Councilman Jemelka and the City Manager to the Summer Recreation Board. MOTION carried unanimously.

THE council unanimously approved the appointment of Conyetta Gaus as the Main Street Chairman.

LCRA Update:

Rate case is still going on - no change.

City Managers Report:

a. Reminded council of the 30th annual meeting of the AWC on May 30th.

b. Institute for Mayors, Councilmembers and Commissioners to be held in Lubbock, June 29 - July 1, 1990.

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
May 25, 1990
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

THE meeting was called to order by Mayor Harbus.

THE purpose of the meeting was to review and award bid on the renovation of the proposed library building.

BIDS for the renovation of the old "Power Plant" building for a library were received on April 25, 1990.

The low base bid was ................. $354,000
Funds available ......................... 287,041

Mr. Chilek, Director of Community Services, and Brenda Thompson, President of the Friends of the Library, recommended the following:

Use available funds to do construction of the building and leave off the alternates as follows:

Base bid price ....................... $354,000
Less total cuts ...................... 29,583
Sub-total ......................... $324,417
Land excavation ...................... 5,000
Plus Roof Work ...................... 6,000
Outstanding Fees .................... 5,750
Total ............................ $341,167

Funds available:
Balance C.D.'s ...................... $125,256
Checking Balance .................. 2,785
State Grant .......................... 100,000
Meadows Foundation ................ 50,000
Total funds ......................... $287,041

Net funds needed for project:
Construction costs .................. $341,167
Total funds ......................... 287,041
Net shortfall ....................... 54,126
MOTION by Councilman Kutach, seconded by Councilman Natho, to award the bid to Gooden Construction in the amount of $354,000. MOTION carried unanimously.

MOTION by Councilman Carter, seconded by Councilman Jemelka, that the Council approves $29,583 in cuts to the total contract bid. MOTION carried unanimously.

THE city is committed for the $54,126.

THERE being no further business the meeting adjourned.

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

ATTEST:

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
Charles J. Kvinta, Jr. ............ City Attorney
Gladys M. Jiral .................. Deputy City Clerk

ABSENT: None

THE meeting was called to order by Mayor Harbus.

MINUTES of the May 8th and May 25th meetings were approved.

VISITORS were welcomed by the Mayor.

MR. DOYLE BEBEE, Area Manager-External Affairs for Southwestern Bell Telephone Company, was present requesting letters of support concerning proposed legislation to relax restrictions previously placed on Southwestern Bell by the Public Utility Commission. Request was taken under consideration by Council.

UPON consideration of a resolution from the Planning and Zoning Commission to grant a Specific Use Permit, the following ordinance was considered:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO A.E. AND LUCILLE FEES UNDER THE YOAKUM ZONING ORDINANCE. (No. 1530)

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

THE following ordinance was presented on first reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS, ESTABLISHING UNIFORM RULES AND REGULATIONS IN THE CODE KNOWN AS "RULES ON RETAIL FOOD STORE SANITATION" AND "RULES ON FOOD SERVICE SANITATION" AS ADOPTED BY THE TEXAS DEPARTMENT OF HEALTH, SAVE AND ACCEPT SUCH PORTIONS AS ARE HEREAFTER MODIFIED OR AMENDED, DELETED OR IN CONFLICT, PROVIDING FOR AN INSPECTOR AND FOR AN INSPECTION FEE, PROVIDING A SAVINGS CLAUSE AND FOR THE EFFECTIVE DATE THEREOF. (No. 1531)
MOTION by Councilman Kutach, seconded by Councilman Jemelka that the ordinance be passed, approved and adopted. Motion carried unanimously.

THE following resolution was considered:

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

Loop 51 be designated Business 77A. (No. 90-07)

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

CONSIDERATION of a contract to allow the City of Cuero to use Yoakum’s landfill was discussed.

MOTION by Councilman Carter, seconded by Councilman Natho that the City of Yoakum enter into this contract. Motion carried unanimously.

TOM Chilek, Director of Community Services, presented a recommendation for a Rodeo Arena Usage Fee. Individuals who want to use the arena for personal profit would have to pay $50.00 per day for each day used, plus a $50.00 deposit to cover clean up. If the arena is left clean after the event, the deposit is refunded.

MOTION by Councilman Carter, seconded by Councilman Kutach that the Rodeo Arena Usage Fee as presented be adopted. Motion carried unanimously.

THE following bids for seal coating of approximately 117,695 square yards of streets were considered:

Dean & Keng $ 55,009.37
H & C 55,135.50
Weaver, Inc. 57,089.30
Olmos Equipment 62,367.08

MOTION by Councilman Carter, seconded by Councilman Natho that the bid be awarded to the low bidder, Dean & Keng, in the amount of $55,009.37. Motion carried unanimously.

THE following bids for foundation stabilizing of city hall were considered:

Advanced Structural Systems, Inc. $ 15,650.00
Stabilizing Technology of Tex.Inc. 16,980.00

MOTION by Councilman Natho, seconded by Councilman Kutach that Advanced Structural Systems, Inc. be awarded the base bid of
$13,800.00 and, if needed the Alternate amount of $1,850.00 covering additional support for the stairwell, for a total bid of $15,650.00. Motion carried unanimously.

THE following bids for the Texas Community Development Project Grant for street improvements in the Wye area were considered:

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean &amp; Keng</td>
<td>$145,941.10</td>
</tr>
<tr>
<td>H &amp; C</td>
<td>168,708.39</td>
</tr>
<tr>
<td>Weaver, Inc.</td>
<td>175,527.60</td>
</tr>
<tr>
<td>South Texas</td>
<td>193,850.60</td>
</tr>
</tbody>
</table>

MOTION by Councilman Kutach, seconded by Councilman Jemelka that the bid be awarded to Dean & Keng in the amount of $145,941.10. Motion carried unanimously.

THERE being no further business, the meeting adjourned.

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

ATTEST:

Gladys M. Jiraf
Deputy City Clerk
July 10, 1990
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
William H. Lewis ......................... 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 June 12, 1990 were considered.

MOTION by Councilman Natho, seconded by Councilman Carter, that
the minutes be approved as written. MOTION carried unanimously.

VISITORS were welcomed by the Mayor.

UPON consideration of a resolution from the Planning and Zoning
Commission to grant a change in zoning the following ordinance was
presented:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A CHANGE IN
ZONING FROM RESIDENTIAL (R-3) TO COMMERCIAL (C-1) TO PACIFIC
SOUTHWEST BANK, F.S.B. UNDER THE YOAKUM ZONING ORDINANCE.
(No. 1532)

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

THE following ordinance was presented for second and final
reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS, ESTABLISHING UNIFORM
RULES AND REGULATIONS IN THE CODE KNOWN AS "RULES ON RETAIL FOOD
STORE SANITATION" and "RULES ON FOOD SERVICE SANITATION" AS
ADOPTED BY THE TEXAS DEPARTMENT OF HEALTH, SAVE AND ACCEPT SUCH
PORTIONS AS ARE HEREAFTER MODIFIED OR AMENDED, DELETED OR IN
CONFLICT, PROVIDING FOR AN INSPECTOR AND FOR AN INSPECTION FEE,
PROVIDING A SAVINGS CLAUSE AND FOR THE EFFECTIVE DATE THEREOF.
(No. 1531)

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

THE following resolution was presented:

NOW, THEREFORE, BE IT RESOLVED 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. (No. 90-08)

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

THE following resolution was presented:

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

That the City Council does hereby designate the City Manager and 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 $150,000.00 TCDP Contract No. 708411. (No. 90-09)

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

THE following resolution was presented:


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

THE following resolution was presented:

A resolution entering into a contract with the Lower Colorado River Authority for a "Pilot Conservation and Load Management Program" to be conducted by the City of Yoakum with the assistance of LCRA; and M. W. Harbus, Jr., Mayor of the City of Yoakum, Texas, is hereby authorized to sign such contract.

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 Standard Form of Agreement Between Owner and Contractor for the public library project between the City and Gooden Constructors Corporation be ratified by the City of Yoakum. (No. 90-12)

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

MOTION by Councilman Kutach, seconded by Councilman Jemelka, that the accounting firm of Harrison, Waldrop and Uherek be appointed to audit the City's books for the 1989/90 Fiscal Year. MOTION carried unanimously.

A request from the Thomaston Volunteer Fire Department to purchase surplus City equipment (three 2-way radios and a light bar) was considered.

MOTION by Councilman Natho, seconded by Councilman Kutach, to sell the radios and light bar for $100.00. MOTION carried unanimously.

The Council unanimously approved additional streets to be added to the 1990 CIP Street Program as recommended by Calvin Cook, Director of Public Works.

BY a unanimous vote, the Council approved a contract to the City of Cuero for use of the City of Yoakum landfill for the period of July 11, 1990 through July 31, 1990.

BANK depository bids for City funds beginning October 1, 1990 through September 30, 1992 were received from the First State Bank and the Yoakum National Bank.

MOTION by Councilman Carter, seconded by Councilman Jemelka to accept the bid of Yoakum National Bank.

AYES: Councilman Carter, Jemelka and Natho.

NAYS: None

Mayor Harbus and Councilman Kutach abstained from voting.

City Managers Report:

Mr. Lewis discussed setting a date and time for a budget workshop.

A "Planning Session" was set for July 24th at 6:00 p.m. and a Budget Workshop for July 31st at 6:00 p.m.
THERE being no further business the meeting adjourned.

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

ATTEST:

Dorothy R. Moore, City Clerk
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
William H. Lewis ............................... City Manager

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

THE meeting was called to order by Mayor Harbus.

THE meeting was called for the following purpose:

1. Planning Session.

THERE being no further business the meeting adjourned.

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

ATTEST:

Dorothy R. Moore, City Clerk
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
William H. Lewis ....................... City Manager
Dorothy R. Moore ....................... City Clerk

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

THE meeting was called to order by Mayor Harbus.

THE meeting was called for the following purpose:

1. Conduct a Budget Workshop for Fiscal Year 1990/91.

Portions of the purposed budget was reviewed. Another workshop will be held on August 16, 1990.

THERE being no further business the meeting adjourned.

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

ATTEST:

Dorothy R. Moore / City Clerk
August 14, 1990
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
William H. Lewis ..................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 July 10th, 24th and 31st, 1990 were considered.

MOTION by Councilman Kutach, seconded by Councilman Jemelka, that the minutes of July 10th, 24th and 31st, 1990, be approved as written.
MOTION carried unanimously.

VISITORS were welcomed by the Mayor.

MRS. Brenda Thompson, President of Friends of the Library, was present to update the Council on the Library Project.

Project Update:

a. The Brown Foundation denied request for a $40,000 grant due to lack of funds.

b. Friends of the Library signed a contract with Mr. J. Gandolf Burrus, a professional grant writer, to write eleven (11) grants, hoping to get at least $50,000 to be used for parking lot, furnishings, etc. Mr. Burrus was paid $1,000.00 by the Friends of the Library for this service.

c. Received an additional $14,000.00 donation from the Welhausen family, making their total donation approximately $84,000.00

d. Have a contingency of $9,600.00 on the renovation of the building only (this includes the money committed by the city).

e. Have had calls from some of the clubs and individuals
interested in donating the cost of furnishings, flag pole, bike rack, etc.

f. Friends of the Library will possibly have another fund raising event, but time and place have not been set.

Mrs. Thompson thanked the Council for their consideration and effort and assured them the Friends of the Library will continue to try to raise money for the project.

MR. Gooden, contractor for the Library Project, was present to update the Council on the progress of the project.

Mr. Gooden said he had run into some problems associated with digging holes for footings. Additional beams and slabs were uncovered which were unforeseen when the project was bid. These slabs had to be removed before he could continue. This was an extra cost.

The cost of renting a machine to break up the large slabs and the labor involved to remove the cement amounted to $5,021.00. Even with this delay, Mr. Gooden felt the project would be finished on schedule.

MOTION by Councilman Kutach, seconded by Councilman Natho, to authorize the Mayor to sign a change order to Mr. Gooden in the amount of $5,021.00 for the additional cost. MOTION carried unanimously.

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

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

(No. 1533)

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

The following ordinance 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, 1990 AND ENDING SEPTEMBER 30, 1991, BOTH DATES INCLUSIVE; AND ADOPTING THE BUDGET FIGURES AND ACCOUNTS AS PART OF SAID APPROPRIATIONS.

(No. 1534)

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

THE following ordinance 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 1990, AND APPORTIONING SAME TO THE DIFFERENT FUNDS.  
(No. 1535)

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

THE Council discussed the proposed contract with LCRA for the "Yoakum Pilot Project".
Mr. Lewis said he would like to negotiate with LCRA for a contract that would be more beneficial to the City of Yoakum.

MOTION Councilman Natho, seconded by Councilman Carter, to table approval of the LCRA contract until the next regular meeting. MOTION carried unanimously.

BY a unanimously vote, the Council approved the 1990 tax roll as certified by DeWitt County Chief Appraiser for a total value of $99,130,360.00.

THE Council approved the appointment of Jack Hopper for consulting work for the six cities involved in the South Texas Utility bankruptcy with stipulation that the cost to the City of Yoakum not exceed $2,000.00.


THE Council nominated Ron Layton to serve on the Golden Crescent Regional Planning Commission's Regional Tourism Advisory Committee with Tracy Roman as alternate for FY 1990 and 1991.

City Managers Report:

a. Jack Hopper will be in Yoakum on August 20th.

b. Jimmy McCord, rate consultant for the city, will be at the last Budget Workshop.

C. Mr. Lewis said he will have a draft agreement between the City and the Chamber of Commerce at the next regular meeting. Current agreement will expire in September, 1990.

THERE being no further business the meeting adjourned.

ATTEST:

Dorothy R. Moore, City Clerk

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas
August 16, 1990
6:00 P. 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
William H. Lewis  ......................... City Manager
Dorothy R. Moore  ......................... City Clerk

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

THE meeting was called to order by Mayor Harbus.

THE meeting was called for the following purpose:

a. Conduct a Budget Workshop for Fiscal Year 1990/91.

THERE being no further business the meeting adjourned.

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

ATTEST:

______________________________  
Dorothy R. Moore, City Clerk
August 30, 1990
6:00 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 Jemelka ..................................Councilmember
William H. Lewis ...............................City Manager

ABSENT:
Charles J. Kvinta, Jr. ..........................City Attorney
Dorothy R. Moore ...............................City Clerk

THE meeting was called to order by Mayor Harbus.

THE purpose of the meeting was to conduct a Budget Workshop for Fiscal Year 1990-91.

THERE being no further business the meeting adjourned.

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

ATTEST:
Dorothy R. Moore, City Clerk
September 11, 1990
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
William H. Lewis ..................... 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 meetings of August 14th, 16th and 30th, 1990 were considered.

MOTION by Councilman Carter, seconded by Councilman Natho, that the minutes be approved as written. MOTION carried unanimously.

VISITORS were welcomed by the Mayor.

A Public Hearing concerning the City Budget for fiscal year 1990-91 was held.

BILLY D. Parks, Sidewalk "Task-force" Chairman, was present to talk about a "Plan of Action" developed by the committee to improve downtown Yoakum.
Their main concern is the street curbing and sidewalks downtown, which are in bad need of repair.
$7,500.00 has been appropriated in the 1990-91 budget for repair to curbing and sidewalks downtown.
Mr. Parks felt this was a good beginning and would like to see the program continue for several years, then perhaps most of the curbing and sidewalks could be repaired.

No one else was present to comment on the budget and the Public Hearing was closed.

THE following ordinances were presented for second and final 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, 1990 AND ENDING SEPTEMBER 30, 1991, BOTH DATES INCLUSIVE; AND
ADOPTING THE BUDGET FIGURES AND ACCOUNTS AS PART OF SAID APPROPRIATIONS.

(No. 1534)

MOTION by Councilman Natho, seconded by Councilman Kutach, to adopt the 1990-91 fiscal year budget figures as amended and asked that all department heads try to cut their budget if they could. MOTION carried unanimously.

AN ORDINANCE LEVYING THE TAXES TO BE ASSESSED AND COLLECTED IN THE CITY OF YOAKUM, DEWITT AND LAVACA COUNTIES, TEXAS FOR THE YEAR 1990, AND APPORTIONING SAME TO THE DIFFERENT FUNDS.

(No. 1535)

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

THE following ordinances were 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 PURPOSED OR SUCH ESTIMATE; TO REVISE SAID ESTIMATES AND TO RE-APPROPRIATE SAID FUNDS, AND ADOPTING SAID REVISIONS AND ESTIMATES.

(No. 1536)

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

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING THE CITY OF YOAKUM MANUAL OF FEES AND SERVICE CHARGES; REGARDING ITEM SEVEN (VII), ELECTRIC RATES AND FEES OF THE UTILITIES SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

(No. 1537)

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

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING THE CITY OF YOAKUM MANUAL OF FEES AND SERVICE CHARGES; REGARDING ITEM SIX (VI), SEWER RATES AND FEES OF THE UTILITIES SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN
EFFECTIVE DATE.

(No. 1538)

MOTION by Councilman Carter, seconded by Councilman Natho, that the ordinance be passed on first reading. 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), WATER RATES AND FEES OF THE UTILITIES SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

(No. 1539)

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

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING THE CITY OF YOAKUM MANUAL OF FEES AND SERVICE CHARGES; REGARDING ITEM NINE (IX), LANDFILL RATES AND FEES OF THE UTILITIES SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

(No. 1540)

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

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING CHAPTER 10 OF THE YOAKUM CODE OF ORDINANCES; REGARDING ARTICLE II THEREOF; AND SPECIFICALLY SECTIONS 10-25, MATERIALS ACCEPTABLE; 10-27, PERMITS TO DUMP; 10-29, USE BY RESIDENCE CUSTOMERS; REPEALING ALL ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

(No. 2541)

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

THE following resolution was presented:

Then came on for discussion the matter of appointing a representative to the Association of Wholesale Customers. Councilman Kutach moved, seconded by Councilman Jemelka, to appoint William H. Lewis, City Manager, as the regular Representative and William J. Natho, Mayor Pro-Tem, as Alternate Representative; Whereupon all voted in favor and the motion carried.

(90-13)
MOTION by Councilman Carter, seconded by Councilman Natho, that the consideration of the LCRA contract "Yoakum Pilot Project",
tabled at the last meeting, be laid on the table for consideration. MOTION carried unanimously.

A revised contract which has been accepted by LCRA was considered.

MOTION by Council Natho, seconded by Councilman Jemelka, to authorize the Mayor to execute the revised LCRA contract, "Yoakum Pilot Conservation and Load Management Program Agreement". MOTION carried unanimously.

THE Council approved a request from Calvin Cook, Director of Public Works/Utilities, to sell junk and surplus equipment.

THE Council authorized advertisement of bids for construction of water lines as approved by a bond issue under the Capital Improvement Program.

DELINQUENT utility bills in the amount of $13,966.02 were reviewed.

MOTION by Councilman Kutach, seconded by Councilman Natho, to charge off the City books $13,966.02 in delinquent utility bills. MOTION carried unanimously.

NON-COLLECTABLE (Medicare/Medicaid ambulance bills-$18,495.57) (and Collectable unpaid ambulance bills-$11,302.69) totaling $29,798.26 in unpaid ambulance bills were reviewed.

MOTION by Councilman Kutach, seconded by Councilman Natho, to charge off the City books $29,798.26 in delinquent ambulance bills. MOTION carried unanimously.

The Council authorized the City Manager to engage an attorney to collect some of the delinquent bills.

THE following interest coupons were presented for cancellation:

CITY OF YOAKUM, TEXAS, ELECTRIC LIGHT, WATERWORKS AND SEWER SYSTEM REVENUE BOND, Series 1973. (paid June, 1990)

COUPON NO. 34:

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<td>$4,597.50</td>
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MOTION by Councilman Kutach, seconded by Councilman Natho, that the interest coupons in the amount of $4,597.50 be cancelled.
as ratified by the City Attorney. MOTION carried unanimously.

THE Council considered a request from Calvin Cook, Director of Public Works/Utilities, for the demolition of an existing building located in the utility maintenance facilities.

MOTION by Councilman Carter, seconded by Councilman Natho, to authorize the advertisement of bids to tear down the building. MOTION carried unanimously.

THE Council nominated Thomas Linn to serve on the Golden Crescent Regional Planning Commission's EMS/9-1-1 Advisory Committee - Lavaca County.

THE Council nominated Thomas Linn to serve on the Golden Crescent Regional Planning Commission's Public Protection Committee - DeWitt County.

City Managers Report:

Mr. Lewis said he would like to approach the Yoakum Hospital District Board of Directors on the possibility of funding the ambulance service. Their regular meeting will be held Thursday, September 13th and discussion of the ambulance service is an item on the agenda. Council was in favor of this and will probably attend the meeting.

Reminded Council of the TML meeting in Cuero on September 26th.

THERE being no further business the meeting adjourned.

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

ATTEST:

Dorothy R. Moore, City Clerk
September 13, 1990
7:00 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 Jemelka ...........................Councilmember
William H. Lewis ........................City Manager

THE purpose of the meeting was to discuss the Yoakum Ambulance Service with the Yoakum Hospital District Board of Directors at their regular scheduled meeting.

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

ATTEST:

Dorothy R. Moore, City Clerk
October 9, 1990
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
William H. Lewis ..................City Manager
Dorothy R. Moore ..................City Clerk
Charles J. Kvinta, Jr. ............City Attorney

ABSENT: None

THE meeting was called order by Mayor Harbus.

MINUTES from the meetings of September 11th and 13th, 1990, were considered.

MOTION by Councilman Carter, seconded by Councilman Natho, that the minutes be approved as written. MOTION carried unanimously.

THE following ordinances were presented for second and final 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. (No. 1536)

MOTION by Councilman Carter, seconded by Councilman Jemelka, 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 SEVEN (VII), ELECTRIC RATES AND FEES OF THE UTILITIES SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREBITH; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE. (No. 1537)

MOTION by Councilman Natho, seconded by Councilman Jemelka, 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
SIX (VI), SEWER RATES AND FEES OF THE UTILITIES SECTION;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT
HERewith; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN
EFFECTIVE DATE.
(No. 1538)

MOTION by Councilman Natho, seconded by Councilman Jemelka,
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), WATER RATES AND FEES OF THE UTILITIES SECTION;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT
HERewith, PROVIDING A SAVINGS CLAUSE AND PROVIDING AN
EFFECTIVE DATE.
(No. 1539)

MOTION by Councilman Natho, seconded by Councilman Jemelka,
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
NINE (IX), LANDFILL RATES AND FEES OF THE UTILITIES SECTION;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT
HERewith; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN
EFFECTIVE DATE.
(No. 1540)

MOTION by Councilman Natho, seconded by Councilman Jemelka,
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 II
THEREOF; AND SPECIFICALLY SECTIONS 10-25, MATERIALS
ACCEPTABLE; 10-27, PERMITS TO DUMP; 10-29, USE BY RESIDENCE
CUSTOMERS; REPEALING ALL ORDINANCE OR PARTS OF ORDINANCES IN
CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.
(No. 1541)

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

THE following ordinance was presented for first reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING THE CITY
OF YOAKUM MANUAL OF FEES AND SERVICE CHARGES; REGARDING ITEM
ONE (1), DEPOSITS OF THE UTILITIES SECTION; REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith;
PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE. (No. 1542)

MOTION by Councilman Kutach, seconded by Councilman Jemelka, that the ordinance be passed on first reading with an amendment to Item B. to read as follows: (equivalent to two (2) months average bill). MOTION carried unanimously.

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. (No. 1543)

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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

That the City Council officially congratulates and commends the Rosebud Chapter of the Telephone Pioneers of America for their participation in making the TEDDY BEAR program available in the City of Yoakum, Texas. (No. 90-14)

MOTION by Councilman Natho, seconded by Councilman Kutach, that the resolution be passed, approved and adopted; and that the City of Yoakum participate in the program. MOTION carried unanimously.

THE following resolution was presented:

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

That the Yoakum National Bank, Yoakum, Texas, be and it is hereby made depository for the funds of the City of Yoakum, Texas, for the period beginning October 1, 1990 and ending September 30, 1992. That said funds shall be withdrawn from said depository on the check of the City of Yoakum, and signed by the two following officials: William H. Lewis, City Manager and Charlotte R. Morrow, Director of Finance. (No. 90-15)
MOTION by Councilman Carter, seconded by Councilman Jemelka, that the resolution be passed, approved and adopted. MOTION carried unanimously.

CALVIN Cook, Director of Public Works/Utilities, gave an update on the Capital Improvement Program. This is the second year of the program.

STREETS selected for the Capital Improvement Program for the 3rd year were unanimously approved.

THE Council approved an engineering agreement with Matussek Engineering, Inc. for the 1991 Street C.I.P. Project and authorized the Mayor to execute the agreement.

THE Council authorized the advertisement of bids for a new Public Works/Utility facility. This is another part of the Capital Improvement Program as approved by the voters in the 1988 bond election.

JAMES Corry and Valerie Taylor, of the Tethys Corporation, were present to discuss the city's computer system. They have evaluated the current system and found it to be inadequate and time consuming.

They recommended a new AS/Entry computer with software from USTI. The terminals and printer currently used on the System/34 can be used on the new system.

**COST:**

- Hardware..........................$13,120
- Operating System Software......2,912
- General Ledger ....................3,000
- Accounts Payable/P.O. ...........3,000
- Payroll/Personnel .................3,000
- Utility Billing ....................5,000

**PLUS:**

Installation fee of $65.00 per hour not to exceed 170 hours.

**ANNUAL MAINTENANCE FEE:**

$2,100. This will insure upgrades to software and hotline support.

Recommendations will be considered.

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

THE Council nominated Mayor Harbus to serve as a representative for DeWitt County to the Board of Directors of the Golden Crescent Regional Planning Commission.

BIDS received on October 4, 1990, for the West Side 12" Water Main Project were considered.
The bids were reviewed and tabulated by Hunter Associates, Inc.

Bids ranged from $460,730.50 by Rhode Construction Company of Hillsboro, Texas, up to $656,447.50 by E & C Group International, Inc. of Houston, Texas.

Paul Boedeker of Hunter Associates was present to recommend the bid be awarded to Rhode Construction Company.

MOTION by Councilman Kutach, seconded by Councilman Carter, that the bid be awarded to Rhode Construction Company in the amount of $460,730.50. MOTION carried unanimously.

City Attorneys report concerning use of City ambulance outside the city limits:
   a. The City cannot provide services outside the city limits.

City Managers Report:

   a. LCRA Pilot Program is progressing well.
      Mr. Lewis said there will be two spinoffs from the
      program which will be advantages to the city:

      1. The city will be able to incorporate some of
         the SCADA system equipment with the Pilot Program equipment.

      2. LCRA is making available to the city, 50
         cycling switches that will be modified to cycle industrial motors. The first thing the city
         will do is to put them on all city motors (100 horsepower etc.).
         Also, some of the businesses in the community
         have shown an interest and indicated they would allow the city to cycle some of their
         heavier motors and air conditioners.

   b. The 1989/90 audit is almost complete. The auditors should have their report ready by the
      December meeting.

   c. Mr. Lewis suggested a City Committee be appointed to discuss ambulance service with the Yoakum
      Hospital District Board.
      Mr. Lewis and Councilmembers Natho and Carter volunteered to serve on the committee.

THERE being no further business the meeting adjourned.

ATTEST:

Dorothy R. Moore, City Clerk

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas
November 13, 1990
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
William H. Lewis ......................... 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 October 9th, 1990 were considered.

MOTION by Councilman Natho, seconded by Councilman Kutach, that the minutes be approved as written. MOTION carried unanimously.

VISITORS were welcomed by the Mayor.

MR. Virdell Skelton, EMS Coordinator, gave a report on the ambulance service and survey he conducted regarding the base rate charged for ambulance service within this area, and the amount approved by Medicare. The majority of the cities surveyed are charging more than Yoakum and getting much more approved by Medicare.

Mr. Skelton talked with personnel in the Medicare office, and found that in order to get the approved amount for ambulance service increased by Medicare, the city needs to increase the rates, wait three (3) months and apply to Medicare for an increase through the Equity Adjudication process. Other ambulance providers have followed this procedure and have gotten results.

THE following ordinance was considered for first reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS AMENDING THE CITY OF YOAKUM MANUAL OF FEES AND SERVICE CHARGES; REGARDING ITEM ONE (1), AMBULANCE CHARGES AND FEES OF THE GENERAL SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

(No. 1544)

MOTION Councilman Kutach, seconded by Councilman Jemelka, that the ordinance be passed on first reading. MOTION carried unanimously.
THE following ordinance establishing a Records Management Program was presented for first reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS ESTABLISHING AN ACTIVE AND CONTINUING RECORDS MANAGEMENT PROGRAM TO BE ADMINISTERED BY A RECORDS MANAGEMENT OFFICER FOR THE PURPOSE OF PRESCRIBING POLICIES AND PROCEDURES CONSISTENT WITH THE LOCAL GOVERNMENT RECORDS ACT AND IN THE INTERESTS OF COST-EFFECTIVE AND EFFICIENT RECORDKEEPING; PROVIDING A SAVINGS CLAUSE AND FOR THE EFFECTIVE DATE THEREOF. (No. 1545)

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

UPON consideration of resolutions from the Planning and Zoning Commission to grant Specific Use Permits the following ordinances were considered:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS GRANTING A SPECIFIC USE PERMIT TO CHARLES L. AND PEGGY HOLSTER UNDER THE YOAKUM ZONING ORDINANCE. (No. 1546)

MOTION by Councilman Carter, 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 VERDIST JOHNSON UNDER THE YOAKUM ZONING ORDINANCE. (No. 1547)

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

ACTION was delayed on the second reading of an ordinance to revise Utility Deposits. The ordinance will be amended and presented for second reading at the next council meeting.

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 RETIREEs AND BENEFICIARIES OF DECEASED RETIREEs OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS. (No. 1543)

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

THE Council unanimously approved the advertisement of bids for the purchase of a brush chipper.

AUTHORIZATION to update the city's computer system with a AS/Entry computer with software from USTI was delayed. The Council asked that some of the city staff visit a comparable city with this type of computer system in place and report back to the council.

ITEM #6c was disregarded at this time. Information on an agreement to contract with Bluebonnet Electric Cooperative, Inc. for help with our SCADA System was not complete.

A request from Bob Putnam, Coordinator of the Yoakum Adult Literacy Council, for a location to teach was considered.

MOTION by Councilman Natho, seconded by Councilman Carter, to authorize an agreement between the City and the Yoakum Adult Literacy Council for the use of a room in the old Library building and that the agreement be on an annual basis. MOTION carried unanimously.

THE City Manager received authorization to remove the old restroom facilities in Park #2 on Dunn Street.

BY a unanimous vote the Council appointed David H. Watson, M.D., as the City Health Authority.

CITY MANAGERS REPORT:

A ballot received from the United States Bankruptcy Court, Victoria Division, in reference to Palm Beach County Utilities bankruptcy, was discussed. The City can accept or reject an amended "Plan of Reorganization".
The Council choose to reject the Plan.

THE following letter of resignation was read:

DearMayor Harbus and Council:

After much deliberation, I have decided to resign my position as Councilman, Place 4, City of Yoakum effective December 31, 1990.

I have been asked to serve on a statewide committee for the Independent Bankers Association of Texas and have agreed to accept this appointment. I strongly believe in the independent banking system and feel this is an opportunity to make a contribution to the industry that has been so good to me.
Since this will take additional time from my normal duties at First State Bank, I find it necessary to free myself of some of my outside obligations. This resulted in my decision to resign from the City Council.

These past few years have been very enjoyable serving with all of you and the past council members. I think we have worked well together and as a result, many good things have been accomplished. My appreciation goes to the outstanding employees of the City of Yoakum who have helped make my tenure on the council a most pleasant one. Above all, I would like to thank the citizens of Yoakum for allowing me the opportunity to serve them. It has been an experience that I will remember for the rest of my life.

Sincerely,
S/Dennis O. Kutach

The Council accepted the resignation of Mr. Kutach with regret.

THERE being no further business the meeting adjourned.

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

ATTEST:
Dorothy R. Moore, City Clerk
December 11, 1990
7:30 P. M.
City Hall

REGULAR MEETING OF THE CITY COUNCIL

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

ABSENT: M. W. Harbus, Jr. .......................Mayor

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

MINUTES from the meeting of November 13, 1990 were considered.

MOTION by Councilman Carter, seconded by Councilman Jemelka,
that the minutes be approved as written. MOTION carried unanimously.

VISITORS were welcomed.

THE following ordinance was presented for first reading:

AN ORDINANCE OF THE CITY OF YOAKUM, TEXAS, AMENDING CHAPTER 5 OF
THE YOAKUM CODE OF ORDINANCES; REGARDING ARTICLE II, ELECTRICAL;
DIVISION 3, STANDARDS OF CONSTRUCTION AND INSTALLATION; AND
SPECIFICALLY SECTION 5-59, CODE ADOPTED; REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND
PROVIDING FOR AN EFFECTIVE DATE.  (No. 1548)

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

THE following ordinances were 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 ONE
(1) DEPOSITS OF THE UTILITIES SECTION; REPEALING ALL ORDINANCES
OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS
CLAUSE AND PROVIDING AN EFFECTIVE DATE.  (No. 1542)

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, AMENDING THE CITY OF
YOAKUM MANUAL OF FEES AND SERVICE CHARGES; REGARDING ITEM ONE (1), AMBULANCE CHARGES AND FEES OF THE GENERAL SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITHT PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE. (No. 1544)

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 ESTABLISHING AN ACTIVE AND CONTINUING RECORDS MANAGEMENT PROGRAM TO BE ADMINISTERED BY A RECORDS MANAGEMENT OFFICER FOR THE PURPOSE OF PRESCRIBING POLICIES AND PROCEDURES CONSISTENT WITH THE LOCAL GOVERNMENT RECORDS ACT AND IN THE INTERESTS OF COST-EFFECTIVE AND EFFICIENT RECORDKEEPING; PROVIDING A SAVINGS CLAUSE AND FOR THE EFFECTIVE DATE THEREOF

(No. 1545)

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

THE following resolution amending the Heat Pump Rebate program was considered:

NOW, THEREFORE, BE IT RESOLVED 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.

(No. 90-16)

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

THE following resolution was considered:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS AUTHORIZING THE AMENDMENT OF THE CITY'S TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT #708411. (No. 90-17)

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

THE council considered the continuation of legal service in the South Texas Utilities bankruptcy. This has been a joint effort of the six (6) cities involved.

MOTION by Councilman Carter, seconded by Councilman Kutach, that
the City of Yoakum support the continuation of legal service in the South Texas Utilities bankruptcy up to $2,000.00. MOTION carried unanimously.

THE council authorized the City Manager to enter into a contract with Blue Bonnet Electric Cooperative, Inc. for help with the city's SCADA system with a cap of $5,000.00.

MR. Howell, Administrator of the Blue Bonnet Youth Ranch, was present to request a special landfill charge to the Youth Ranch. Up until November 1, 1990 the Youth Ranch was allowed to dispose of their garbage and trash free of charge. New rates mandate that everyone outside the city limits be charged a fee.

The City Attorney was instructed to find out if the city could legally make exception to rates for people living outside the city limits.

Mr. Howell said he would also approach the County Commissioners for help in this situation.

JACK Hopper, City's CATV Consultant, was present to update the council on the process of renewing the city's franchise contract with TCI.

Mr. Hopper said that Section 626 of the Cable Communication Policy Act has been completed and action was needed from the council declaring this.

MOTION by Councilman Kutach, seconded by Councilman Carter, to declare that Section 626 of the Cable Communication Policy Act has been completed and authorize Mr. Hopper to continue negotiation with TCI and report back. MOTION carried unanimously.

THE council considered the purchase of a computer system update for City Hall. Hardware to be purchased from IBM Corporation in Corpus Christi and the software from United Systems Technology, Inc., Irving, Texas.

MOTION by Councilman Carter, seconded by Councilman Jemelka, that the City purchase a computer system as recommended by the city staff and funds from the Utility Reserve Fund be used to pay for the system. MOTION carried unanimously.

THE council appointed Mark Jemelka as a representative on the local Board of Trustees for the Volunteer Firemen's Retirement Fund. Mr. Jemelka will replace Mr. Kutach.

THE following bids for a new Public Works/Utility building was considered:

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>BID</th>
<th>ALTERNATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edna Lumber</td>
<td>$71,000</td>
<td>$6,500</td>
</tr>
<tr>
<td>Gaeke Construction</td>
<td>77,000</td>
<td>7,500</td>
</tr>
<tr>
<td>Lueckmeyer Construction</td>
<td>71,100</td>
<td>5,800</td>
</tr>
<tr>
<td>A. Grohmann &amp; Sons</td>
<td>62,682</td>
<td>3,200</td>
</tr>
</tbody>
</table>
Upon the recommendation of Calvin Cook, Director of Public Works/Utilities, the following motion was made:

MOTION by Councilman Jemelka, seconded by Councilman Kutach, to accept the bid with the alternate bid from A. Grohmann & Sons for a total of $65,882.00. MOTION carried unanimously.

ITEM 8-b; bids for the purchase of a brush chipper was deleted.

GANDOLF Burrus, of R.G.S. Associates, was present to offer assistance in preparing an application to the Texas Parks and Wildlife Department for funding to improve the City Park.

The council instructed Mr. Burrus to get with Mr. Chilek to select what type of improvement is most needed and present his proposal to the council.

THE Mayor Pro-Tem declared an executive session for the following purpose:
   a. Discuss selection of Councilmember to fill Dennis Kutach's position until May, 1991 election.

   b. Consider a lease agreement of city property.

   c. Consider acquisition of real property.

THE meeting was again opened to the public and the following business transacted:

MOTION by Councilman Kutach, seconded by Councilman Carter, to have the City Attorney review the airport operator's lease agreement with the City and authorize the City Attorney to take the appropriate action necessary to protect the City's interest. MOTION carried unanimously.

THERE being no further business the meeting adjourned.

William J. Natho, Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

Dorothy B. Moore, City Clerk