January 10, 2012
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Elorine Sitka .................................................. Mayor Pro-Tem
Tim Faulkner ......................................................... Councilmember
Rodney Jahn .......................................................... Councilmember
Timothy L. McCoy ............................................. Councilmember
Kevin Coleman .................................................. City Manager
Charles J. Kvinta, Jr. .......................................... City Attorney
Theresa A. Bowe .................................................. City Clerk

ABSENT: Anita R. Rodriguez ....................................... Mayor

MAYOR Pro-Tem Sitka called the City Council meeting to order and Councilmember Faulkner gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

OATH of Office and Statement of Appointed Official were administered to the Rodney Jahn as the City Councilmember Place 5 by the City Clerk.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of December 13, and December 22, 2011 as presented. Second was made Councilmember McCoy. Motion carried unanimously.

UNDER Old Business, Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 1997) on second and final reading amending Chapter 5 of the Yoakum Code of Ordinances regarding Article I; In General; Specifically Sections 5-3. Billboards and Signs-Projecting Over Streets; 5-7. Temporary For Public Events; and 5-10 Parabolic or Dish-Type Antennae. Second was made by Councilmember Faulkner and motion carried unanimously.

MOTION was made by Councilmember Faulkner with a second by Councilmember McCoy to adopt an ordinance (recorded as No. 1999) as amended on second and final reading amending the City of Yoakum Manual of Fees and Service Charges specifically Subsections IX. Solid Waste Management Facility, Item C. Materials Not Accepted in Facility, V. Miscellaneous, Items 8), 26), and 27) of the General Section. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 2000) on second and final reading continuing a Records Management Program to be administered by a Records Management Officer. Second was made by Councilmember Faulkner. Motion carried unanimously.

MR. Patrick Hawthorne, a representative from COPsync, Inc. of Dallas, Texas was present to provide a presentation on the recently purchased patrol interface for the Yoakum Police Department. The program will provide real-time updates for the patrol officers and dispatchers, provides law manuals in electronic format for the officers in their vehicles, and allows seamless communications with other jurisdictions utilizing the program. Capabilities of the equipment and software were reviewed. Questions were received and addressed. Council expressed their gratitude to Mr. Hawthorne for the information.
UNDER New Business, Steven Bonjonia, Mark Heidaker, and Sean Kennedy were present representing NuWater Solutions, LLC of The Woodlands, TX to provide a proposal to the Council for the purchase of effluent wastewater from the City's Wastewater Treatment Plant. The goal presented from NuWater included providing environmentally friendly water solutions for the Eagle Ford Shale. NuWater has agreed to cover the cost of any infrastructure needed to transport the water utilizing underground piping, provide a penalty clause in the contract if they do not utilize the water, and offered $3.00 per thousand gallons of effluent water. Council had no questions for NuWater at the time and Mayor Pro-Tem Sitka thanked Mr. Heidaker for the information.

INFORMATION was provided to Council regarding the representatives from STW, the accounting software providers for the City, to assist with accounting issues in order to complete the 2010 audit. Depending on the progress from the STW visit, auditors may present the 2010 audit at the February Council meeting. Staff is recommending the appointment of the current auditing firm for the 2011 audit in order to make a smooth transition from the 2010 to 2011 audits. Motion was made by Councilmember Faulkner to execute a letter of agreement with Harrison, Waldrop & Uherek, L.L.P. for auditing of City financial records for Fiscal Year ending September 30, 2011. Second was made by Councilmember McCoy; motion carried unanimously.

DISCUSSION was held regarding the notice received from the Texas Gas Service Company (TGS) of its intent to increase rates within its South Texas Service Area. After review of the options, Councilmember McCoy made a motion to adopt a resolution (recorded as No. 2012-01) suspending the effective date of the Texas Gas Service Company, Inc.'s requested rate change to permit the City time to study the request. This action will provide the City a period of 90 days from the date of the proposed effective date to make a final determination. Second was made by Councilmember Faulkner and motion carried unanimously.

PROPOSALS were reviewed on the Municipal Swimming Pool Facilities Improvement Project. Derrick Smith, Director of Community Services has recommended itemizing the project in order to alleviate the bid process and bring the cost down. Councilmember Faulkner made a motion to authorize the City Manager to advertise for bids on the Municipal Swimming Pool Improvement Project. After further discussion and explanation, Councilmember Faulkner withdrew his motion and moved to table the item. Motion was seconded by Councilmember McCoy and carried unanimously.

MOTION by Councilmember McCoy to adopt a resolution (recorded as No. 2012-02) establishing the procedures, and appointing election official for the City's General Election to be held on May 12, 2012. Second was made by Councilmember Faulkner. Motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to authorize the City Manager to enter into a Lease Agreement of Election Equipment with the County of Lavaca for the May 12, 2012 City of Yoakum General Election. Councilmember McCoy seconded the motion; motion carried unanimously.

THE City's Residential Brush Service Policy was reviewed. Discussion was held. Staff was given direction to make changes to the policy to remove the requirement for citizens to call in for brush pick up and consider establishing a monthly route for brush collection. The proposed changes will be reviewed and discussed at the February Council meeting.
DISCUSSION was held regarding the sale of effluent water from the City's Wastewater Treatment Plant. Environmental concerns were reviewed, as well as a letter from the Lavaca-Navadidad River Authority, and information from the City's bond counsel. Staff will continue to work with the Texas Commission on Environmental Quality to assure that all guidelines are followed. A motion was made by Councilmember McCoy to direct staff to terminate negotiations of the sale of the effluent wastewater temporarily and bring a recommendation back to the Council at a later date. After further discussion, Councilmember McCoy withdrew the motion and made a new motion to provide direction to staff to do additional research regarding effluent wastewater and to bring a recommendation back to the Council at a later date. Motion was seconded by Councilmember Faulkner and carried unanimously.

MOTION was made by Councilmember Faulkner to approve the designation of City Clerk Theresa A. Bowe as Acting City Manager per City Charter Section IV.e. Second was made by Councilmember McCoy; motion carried unanimously.

UNDER the City Manager's report, letters from both DeWitt and Lavaca County Appraisal Districts were provided for review indicating the election results of each Board of Directors. Both candidates nominated by Yoakum were elected: Conyetta Gaus-Swaney, DeWitt County, and John Fling, Lavaca County. Plans have begun for the first Saturday in March for this year's March Clean Up Day. Direction was given to staff to include flyers to the public in the January utility bill mail out. The Economic Development Corporation held a review of the Strategic Plan at their January meeting. Additional information will be provided and a more in depth review will be held at the February meeting. Construction has begun on the Fire Department Annex building. The skeleton is up and staff anticipates completion of the outer structure within the next five days. Test meters that had been installed at Councilmembers' residences were discussed and seem to be working well. Council was reminded of the 94th Annual Yoakum Area Chamber of Commerce Banquet to be held on Thursday, January 12, 2012 at the Community Center, and the Guadalupe-Valley Water Association meeting to be held on Thursday, January 19, 2012, also to be held at the Community Center.

MAYOR Pro-Tem Sitka announced that the meeting would be closed to the public and Council entered into Executive Session at 7:22 PM to discuss electric utility related matters (V.T.C.A., Gov. Code, Sec. 551.086), and to deliberate the resignation and the possible appointment of a replacement of an Economic Development Corporation director (V.T.C.A., Gov. Code, Sec. 551.074).

THE meeting re-opened to the public at 7:50 PM. No action resulted from Executive Session.

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

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
January 23, 2012  
Conference Room – 5:30 PM  
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:  
Anita R. Rodriguez ......................................................Mayor  
Elorine Sitka ...............................................................Mayor Pro-Tem  
Tim Faulkner ...............................................................Councilmember  
Rodney Jahn .................................................................Councilmember  
Timothy L. McCoy ..........................................................Councilmember  
Kevin Coleman ..............................................................City Manager  
Theresa A. Bowe .............................................................City Clerk

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

MAYOR Rodriguez called the Special City Council meeting to order at 5:45 PM and opened the meeting to the public.

MAYOR Rodriguez announced at 5:45 PM that the Council would convene into Executive Session pursuant to Texas Government Code Section 551.074 Personnel Matters to discuss a complaint against an officer employed under Article IV Sec. 3 of the City of Yoakum Charter (V.T.C.A., Gov. Code, Sec. 551.074).

THE meeting re-opened to the public at 5:55 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 5:55 PM.

Anita R. Rodriguez, Mayor  
City of Yoakum, Texas

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

PRESENT: Anita R. Rodriguez ........................................... Mayor
        Elorine Sitka ................................................ Mayor Pro-Tem
        Tim Faulkner .................................................. Councilmember
        Rodney Jahn ..................................................... Councilmember
        Timothy L. McCoy .............................................. Councilmember
        Kevin Coleman ............................................... City Manager
        Charles J. Kvinta, Jr. ...................................... City Attorney
        Theresa A. Bowe ............................................. City Clerk

ABSENT: None

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

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of January 10, and January 23, 2012 as presented. Second was made Councilmember McCoy. Motion carried unanimously.

UNDER Old Business, discussion was held regarding a proposed ordinance updating Solid Waste Rates. Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 2001) on first reading amending the Manual of Fees and Service Charges, specifically Section VIII. Solid Waste Rates and Fees, Item E. Residential Brush Service, and Section IX. Solid Waste Management Facility, Item F. Solid Waste Management Facility Rates. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

THE revised City of Yoakum Residential Brush Service policy was reviewed. Recommendations and direction had been given to Staff at the January Council meeting to make changes to the policy. Revised policy was reviewed and discussed. After adoption, the public will be notified through flyers provided in the Utility Bills and through a newspaper article. Motion was made by Councilmember Faulkner with a second by Mayor Pro-Tem Sitka to adopt the Residential Brush Service Policy as presented. Motion carried unanimously.

TWO names were provided as suggestions to replace Margie McMullen as a member to the Yoakum Economic Development Corporation Board of Directors. A ballot was distributed to the Council, collected and tabulated by the City Attorney and City Clerk. With the results of the vote, Councilmember McCoy made a motion to appoint Gery Maneth as a Director to the YEDC to fill an un-expired two-year term.

INFORMATION was received from the Clean-Up Program Committee on the upcoming March 3rd Clean-Up Day. Residential tires will be accepted; tires from commercial properties will not be accepted. Councilmember Faulkner provided information regarding feedback received from volunteers.
to allow thorough and consistent comparison by the City. The City is not required by State law do formal Request for Proposals on this item; however, staff recommended Council approving the RFP process to coincide with State law and City Charter requirements. After discussion, Councilmember McCoy made a motion to authorize the City Manager to advertise for Request for Proposals for the sale of effluent water to be due back to the City by March 9, 2012 in time for consideration for the March 13th Council meeting. Second was made by Councilmember Jahn. Motion carried unanimously.

COUNCILMEMBER Faulkner asked to address the Council regarding a proposed appreciation dinner for the oil and gas industry. He has approached the Chamber of Commerce and the Yoakum Economic Development Corporation regarding participating in the cost of the event. The Chamber has agreed to provide the use of the Community Center at no charge and the YEDC has authorized the expenditure of $1,000 to assist in the funding of the meal. After discussion, Councilmember McCoy made a motion to authorize an expenditure not to exceed $1,000 to participate in the funding of the appreciation dinner. Details will be coordinated and information will be provided.

STAFF initiated a review of the City ordinances and discussion was held regarding a potential ordinance relating to sexually oriented businesses, gaming facilities, oil and gas drilling within the City limits, and possible amendments to the comprehensive Zoning Ordinance. After review, Council directed staff to provide a recommendation regarding sexually oriented businesses as soon as possible; Staff indicated that the oil and gas issue should be available by the March Council meeting, the gaming facilities may need more in-depth research and may take some time, and the zoning issues will need to be taken to the next Planning and Zoning Commission at their next meeting for review and recommendation. Ordinances will be presented to Council as completed.

MOTION was made by Councilmember Faulkner to appoint Mayor Pro-Tem Sitka, Councilmember McCoy, and City Manager Coleman to the City/School Summer Recreation Board. Second was made by Councilmember Jahn; motion carried unanimously.

UPON motion by Mayor Pro-Tem Sitka and second by Councilmember Jahn, Council proclaimed the week of February 27th through March 2nd as Public Schools Week for the Yoakum Independent School District. Motion carried unanimously.

UNDER the City Manager’s report, Council was reminded of the scheduled updated Council photograph for the March meeting; City Manager Coleman provided information regarding the Texas Municipal League Region 11 meeting scheduled for February 23, 2012 in Edna, Texas; and a verbal report regarding the auditor was presented: the backlog of reconciliations has been completed through September 2011, Fiscal Year 2010 audit should be presented in April, and Fiscal Year 2011 in June. Changes were discussed that should enhance the procedures to be more efficient in the future.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:38 PM to discuss electric utility related matters (V.T.C.A., Gov. Code, Sec. 551.086), to deliberate the purchase, acquisition, exchange, lease, or value of real property for Phase III of the Sanitary Sewer Project (V.T.C.A., Gov. Code, Sec. 551.072), and to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071).

THE meeting re-opened to the public at 7:50 PM. The following action resulted from Executive Session: motion by Mayor Pro-Tem Sitka to approve negotiating transfer of lift station
COUNCIL received information regarding the pending Texas Gas Service Company rate case. The area cities that have been coordinating the negotiations with Texas Gas have not been satisfied with the negotiation proceedings. Council was presented with an option to adopt a resolution authorizing cooperation with other cities in the Texas Gas Service South Texas Service Area to retain a law firm to represent the City of Yoakum in the rate case. The cost was estimated to be $25,000; however, there would be no out-of-pocket expense to the City. The cost of litigation would be passed on in increments through future Texas Gas rates. After discussion, Mayor Pro-Tem Sitka made a motion to adopt a Resolution (recorded as No. 2012-03) authorizing cooperation with other cities in the Texas Gas Service South Texas Service Area to retain Lloyd Gosselinck and Consultants to represent the City of Yoakum in a pending Texas Gas Service Company rate case. Motion was seconded by Councilmember McCoy and carried unanimously.

UNDER New Business, a presentation was received from Oryx Development regarding a proposed 72 unit apartment development on Crittenden Street. Discussion was held and concerns were received from the public concerning issues with traffic and potential problems that may be associated with the facility and its residents.

TWO resolutions were presented to the Council for consideration in conjunction with the Oryx Development presentation: a resolution in support of the proposed Park Place Apartments Housing Community for individuals and families, approving an application for home funds to finance the project; and a resolution approving a Community Revitalization Plan for the property at 101 Crittenden Street. After hearing the community concerns, Council did not take action to adopt either resolution.

COUNCILMEMBER Faulkner made a motion authorizing participation in the GVEC Power Up Grant Program for partial funding of the statue replacement at the Chisholm Trail Memorial Park. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion authorizing participation in the LCRA Community Development Partnership Program for partial funding of a defibrillator for the Yoakum Fire/EMS Department. Motion was seconded by Councilmember Faulkner and carried unanimously.

MOTION was made by Councilmember Faulkner and seconded by Councilmember McCoy to authorize the City Manager to advertise for bids for the rehabilitation of Well #7 as budgeted. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion to authorize the City Manager to purchase a new 2012 Ford F-750 XL Dump Truck from Grande Ford Truck Sales, Inc. in the amount of $55,729.40, and the Dump Body from Warren Truck and Trailer, LLC in the amount of $9,780, both through the BuyBoard, as budgeted for the Street Department (total cost after assembly $65,509.40). Second was made by Councilmember Faulkner; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to authorize the City Manager to advertise for the sale of certain surplus equipment including a damaged 2001 Caterpillar Model 416D backhoe, and a single axle 4X8 utility trailer. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCIL was asked to authorize the City Manager to advertise for Request for Proposals for the bulk sale of wastewater effluent from the City's Wastewater Treatment Plant. The purpose of this RFP would be to allow any entity interested in purchasing effluent an opportunity to present an overall business plan, an operational plan, and proposed bulk purchase rate in similar formats
to allow thorough and consistent comparison by the City. The City is not required by State law to do formal Request for Proposals on this item; however, staff recommended Council approving the RFP process to coincide with State law and City Charter requirements. After discussion, Councilmember McCoy made a motion to authorize the City Manager to advertise for Request for Proposals for the sale of effluent water to be due back to the City by March 9, 2012 in time for consideration for the March 13th Council meeting. Second was made by Councilmember Jahn. Motion carried unanimously.

COUNCILMEMBER Faulkner asked to address the Council regarding a proposed appreciation dinner for the oil and gas industry. He has approached the Chamber of Commerce and the Yoakum Economic Development Corporation regarding participating in the cost of the event. The Chamber has agreed to provide the use of the Community Center at no charge and the YEDC has authorized the expenditure of $1,000 to assist in the funding of the meal. After discussion, Councilmember McCoy made a motion to authorize an expenditure not to exceed $1,000 to participate in the funding of the appreciation dinner. Details will be coordinated and information will be provided.

STAFF initiated a review of the City ordinances and discussion was held regarding a potential ordinance relating to sexually oriented businesses, gaming facilities, oil and gas drilling within the City limits, and possible amendments to the comprehensive Zoning Ordinance. After review, Council directed staff to provide a recommendation regarding sexually oriented businesses as soon as possible; Staff indicated that the oil and gas issue should be available by the March Council meeting, the gaming facilities may need more in depth research and may take some time, and the zoning issues will need to be taken to the next Planning and Zoning Commission at their next meeting for review and recommendation. Ordinances will be presented to Council as completed.

MOTION was made by Councilmember Faulkner to appoint Mayor Pro-Tem Sitka, Councilmember McCoy, and City Manager Coleman to the City/School Summer Recreation Board. Second was made by Councilmember Jahn; motion carried unanimously.

UPON motion by Mayor Pro-Tem Sitka and second by Councilmember Jahn, Council proclaimed the week of February 27th through March 2nd as Public Schools Week for the Yoakum Independent School District. Motion carried unanimously.

UNDER the City Manager’s report, Council was reminded of the scheduled updated Council photograph for the March meeting; City Manager Coleman provided information regarding the Texas Municipal League Region 11 meeting scheduled for February 23, 2012 in Edna, Texas; and a verbal report regarding the auditor was presented: the backlog of reconciliations has been completed through September 2011, Fiscal Year 2010 audit should be presented in April, and Fiscal Year 2011 in June. Changes were discussed that should enhance the procedures to be more efficient in the future.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:38 PM to discuss electric utility related matters (V.T.C.A., Gov. Code, Sec. 551.086), to deliberate the purchase, acquisition, exchange, lease, or value of real property for Phase III of the Sanitary Sewer Project (V.T.C.A., Gov. Code, Sec. 551.072), and to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071).

THE meeting re-opened to the public at 7:50 PM. The following action resulted from Executive Session: motion by Mayor Pro-Tem Sitka to approve negotiating transfer of lift station
site for Phase III of the Sanitary Sewer Improvement Project in exchange for site improvements in lieu of cash. Second was made by Councilmember Faulkner. Motion carried unanimously.

THERE being no further business, the meeting closed at 7:51 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
February 28, 2012  
Conference Room – 5:30 PM  
City Hall  

SPECIAL MEETING OF THE CITY COUNCIL  

PRESENT:  
Anita R. Rodriguez .............................................. Mayor  
Elorine Sitka ....................................................... Mayor Pro-Tem  
Tim Faulkner ......................................................... Councilmember  
Rodney Jahn .......................................................... Councilmember  
Timothy L. McCoy ..................................................... Councilmember  
Kevin Coleman ........................................................ City Manager  
Theresa A. Bowe ...................................................... City Clerk  

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

MAYOR Rodriguez called the Special City Council meeting to order at 5:30 PM and opened the meeting to the public.  

CITY Manager Coleman provided information to the Council regarding the Request for Proposals that have been sent to companies wishing to purchase effluent wastewater from the City's Wastewater Treatment Plant. Discussion was held; lease information was deliberated; and NuWater Solutions, LLC's proposal was reviewed. Councilmember Faulkner provided information regarding a conversation held between himself and a representative from NuWater. He expressed concern over the proposals sent to the businesses interested in the purchase of effluent.  

AFTER discussion, direction was given to the City Manager to amend the Request for Proposals to allow for an alternative proposal to be presented for consideration, and amend the land lease amount. An addendum to the RFP will be sent out to the known bidders.  

THERE being no further business, the meeting closed at 6:12 PM.  

Anita R. Rodriguez, Mayor  
City of Yoakum, Texas  

ATTEST:  
Theresa A. Bowe, City Clerk
March 13, 2012
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez ........................................... Mayor
           Elorine Sitka ..................................................... Mayor Pro-Tem
           Tim Faulkner ..................................................... Councilmember
           Rodney Jahn ........................................................ Councilmember
           Timothy L. McCoy .............................................. Councilmember
           Kevin Coleman .................................................. City Manager
           Charles J. Kvinta, Jr. ............................................ City Attorney
           Theresa A. Bowe .................................................. City Clerk

ABSENT:  None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Faulkner
gave the invocation. The Pledge of Allegiance to the Flag was led by Lucy and Ella Grace
Coleman and recited by all attending. Visitors were acknowledged and welcomed. City Manager
Coleman’s wife, Brenda Coleman was introduced and welcomed by the Council.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of
February 14, and February 28, 2012 as presented. Second was made Mayor Pro-Tem Sitka.
Motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance
(recorded as No. 2001) on second and final reading amending the Manual of Fees and Service
Charges, specifically Section VIII. Solid Waste Rates and Fees, Item E. Residential Brush Service,
and Section IX. Solid Waste Management Facility, Item F. Solid Waste Management Facility
Rates. Second was made by Councilmember McCoy; motion carried unanimously.

CITY Manager Coleman presented the proposals for the purchase of effluent wastewater
from the City’s Wastewater Treatment Plant from Alpha Reclaim Technology and NuWater
Solutions. After review of the proposals and upon staff recommendation, Mayor Pro-Tem Sitka
made a motion to authorize the City Manager to enter into negotiations and initiate the 30-day due
diligence agreement with NuWater Solutions of The Woodlands, Texas for the sale of effluent
wastewater from the Wastewater Treatment Plant. After negotiations are complete, staff will bring
the contract back to the Council for consideration. Second was made by Councilmember Faulkner;
motion carried unanimously.

DETAILED information was presented by Staff for the Council’s information on the March
3rd Clean-Up Day. Council comments were received. Staff was complimented and thanked for
their organization and hard work. The volume of tires received during the Clean-Up Day was
discussed. Further discussion and consideration will be held regarding the tire issue.

UNDER New Business, Christy Fojt with the Yoakum Shape Shop was present to request
the closure of certain streets and the assistance of the Yoakum Police Department for a 5K
Run/Walk and Kids Fun Run to be held on May 12, 2012 benefiting the Down Syndrome League.
After review and discussion, Councilmember Faulkner made a motion to approve the request for
street closure and to authorize assistance from the Yoakum Police Department Personnel as presented. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MAYOR Rodriguez opened a Public Hearing to receive citizen comments on a proposed ordinance regulating sexually oriented businesses. Comments were received from several individuals. Cindy Martin was present and acknowledged. She expressed a concern that by initiating regulation of these businesses, the City would be encouraging the development of such businesses in our community. Staff explained that current City and State laws would allow sexually oriented businesses in most commercial or industrial zoned areas within the City. The proposed ordinance would restrict the businesses certain distances from residences, schools, industrial areas, etc. Mrs. Martin maintained that she felt the ordinance would be detrimental to the City. Other comments were received from the audience. After discussion, Mayor Rodriguez closed the Public Hearing.

MOTION by Councilmember Faulkner to table the ordinance regulating sexually oriented businesses for a one month period and gave direction to staff to contact the Cities of Gonzales and Cuero, and the Texas Municipal League Legal Department to research the issue further. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MAYOR Rodriguez opened a Public Hearing to receive citizen comments on a proposed ordinance regulating game rooms and amusement redemption machines (8-liners). Discussion was held and Police Chief Arthur Rogers provided information. Mrs. Martin expressed the same concerns regarding this ordinance. After discussion, Mayor Rodriguez closed the Public Hearing.

COUNCILMEMBER Faulkner made a motion to table the ordinance regulating game rooms and amusement redemption machines (8-liners) for a one month period and gave direction to staff to contact the Cities of Gonzales and Cuero, and the Texas Municipal League Legal Department to research the issue further. Second was made by Councilmember McCoy; motion carried unanimously.

THE ordinance amending the City of Yoakum Manual of Fees and Service Charges to include licensing fees for game rooms and amusement redemption machines (8-liners), and sexually oriented businesses was tabled until a conclusion to the regulation issues is established.

UPON motion by Councilmember Faulkner and second by Councilmember McCoy, Council voted unanimously to adopt a resolution (recorded as NO. 2012-04) accepting the work completed under the Texas Water Development Board Project No. 72020 for the Sanitary Sewer Improvements - Project Year 2 funded by certificates of obligation sold to the Texas Water Development Board. The work was completed by Mercer Construction of Edna, Texas.

REVIEW was held on the 2012 Street Improvement Project. After discussion, Councilmember McCoy made a motion to approve the streets to be included in the 2012 Street Improvement Project and authorize the City Manager to advertise for seal coat bids. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

DISCUSSION was held regarding the utilization of the Lower Colorado River Authority (LCRA) above budget non-fuel revenues (ABNR) that had been sent to the City in October 2011. Staff provided Council with recommendations. After review, Councilmember Faulkner made a motion to refund 90% of the revenue to the utility customers equally on the August 2012 bill and to set aside 10% to a reserve account to fund any future automatic meter reading technology. Motion was seconded by Mayor Pro-Tem Sitka seconded the motion; motion carried unanimously.
MAYOR Pro-Tem Sitka made a motion to approve the allocation of unspent funds in the amount of $20,000 out of the Service Building Reserve Fund and an additional $5,000 to cover the cost of building demolition, site work for parking, and replacement of a fence at the City Yard. Second was made by Councilmember Faulkner. Motion carried unanimously.

BASED on a recommendation from the City’s auditor, Council had approved contracting accounting services to correct the City’s backlog on the annual audits. Staff has coordinated with STW, Inc. (the City’s provider of financial software) to provide reconciliation services. They have finalized the adjusting entries to complete the Fiscal Year 2010 audit. That audit should be presented to Council at the April 2012 Council meeting. Currently working on the adjusting entries for Fiscal Year 2011 which will allow for the 2011 audit. Council was asked to allocate the funds to cover the cost of utilizing the outsourced service. After review, Councilmember Jahn made a motion to approve the allocation of funds in an amount not to exceed $17,000 to cover the cost of outsourced accounting services. Motion was seconded by Councilmember Faulkner and carried unanimously.

INFORMATION was provided and a review was held of a report on Sales Tax budgeted for Fiscal Year 2012, and projected Fiscal Year 2012. Discussion was held of potential uses of any overage that the City experiences. It appears that the City will end up with a net of over $100,000 over and above what was budgeted for Fiscal Year 2012. City Manager Coleman made recommendations on areas where funds may be allocated: 1) confirm that there are no shortfalls in any revenue areas in the General Fund (cover the outsourced accounting services and taken on an unbudgeted $1,000 allocation for the appreciation dinner for the oil and gas industry); 2) reduce the transfer from the utility to make the budget work into this year to make the utility whole; 3) grant match for defibrillator for the Fire/EMS Department; 4) consider additional sidewalk and driveway improvement in association with the Fire Annex building; and 5) to make repairs on the Airport facility. Council discussion was held. Mr. Coleman’s recommendation was to utilize the additional funds on one time items and not include the additional revenue for operational expenses. That procedure would protect the City budget if the additional revenue becomes unavailable. No action was necessary or taken.

FISCAL Year 2012 Year-To-Date revenue was reviewed from the Hub City RV Park. It is estimated that revenue for the year will bring profit to over $70,000. Staff recommended utilizing a portion of the revenue received for upgrading the temporary site established last year which would include improving drainage in the temporary RV area and convert the RV Park to a permanent facility. Motion by Councilmember McCoy to allocate up to $5,000 to convert the temporary RV Park area to a permanent facility. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously. Direction was given to staff to consult an engineer with RV Park experience for assistance in the development of the new facility. Mrs. Charlene Pugh was acknowledged and commented on the need for improvements, update, and accessibility to municipal airport.

INFORMATION was provided regarding an Extra-Territorial Jurisdiction agreement with DeWitt County. Mayor Pro-Tem Sitka made a motion to authorize the Mayor to enter into an agreement with DeWitt County for the regulating and permitting of subdivisions in the City’s Extraterritorial Jurisdiction. Motion was seconded by Councilmember Faulkner and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to appoint Anita R. Rodriguez as Council Representative to the Yoakum Volunteer Fire Department Pension Board. Councilmember Faulkner seconded the motion; motion carried unanimously.
MOTION by Councilmember Faulkner and second by Mayor Pro-Tem Sitka to proclaim the month of April as Fair Housing Month. Motion carried unanimously.

UNDER the City Manager's report, a photograph was presented received from a Kirk Pate from Flatonia, Texas of a rendition of a proposed rail station and amtrak stop. He has asked for a letter of support from the City. Staff will place the item on the next agenda for Council consideration. A final report is expected from our consultant on the Texas Gas Service Rate increase. A meeting of the cities involved will be scheduled next week. An action item will be placed on the next agenda for Council consideration. The deadline to respond to Texas Gas is April 23, 2012. Letters have been sent to property owners requesting easements for Phase III of the Sanitary Sewer Improvement Project. No responses have been received at this time. The City will be hosting a Texas Municipal Retirement System meeting for employees eligible for retirement. The City currently has almost 20 employees eligible for retirement. A number of queries have been received regarding our new brush and yard waste pick up schedule. Concerns are addressed as calls are received; asking customers to have the items at the curb on Monday and crews will pick them up as early in the week as possible. Plans are to continue the current policy for at least 3 months and make necessary changes as needed after the initial 3 month period. Questions were received on Phase III of the Sanitary Sewer Improvement Project. Plans are to go forward after easements are received and final engineering is complete.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:40 PM to discuss electric utility related matters (V.T.C.A., Gov. Code, Sec. 551.086), to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to discuss the appointment, employment, or duties of additional personnel to perform finance duties in the Utility Administration Department (V.T.C.A., Gov. Code, Sec. 551-074).

THE meeting re-opened to the public at 8:05 PM. The following action resulted from Executive Session: motion by Mayor Pro-Tem Sitka to authorize the City Manager to advertise for a position in the Utility Administration. Second was made by Councilmember McCoy. Motion carried unanimously.

THERE being no further business, the meeting closed at 8:06 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

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

PRESENT: Anita R. Rodriguez ........................................ Mayor
          Elorine Sitka ........................................ Mayor Pro-Tem
          Tim Faulkner .......................................... Councilmember
          Rodney Jahn ........................................ Councilmember
          Kevin Coleman ........................................ City Manager
          Charles J. Kvinta, Jr. .................................. City Attorney
          Theresa A. Bowe ......................................... City Clerk

ABSENT: Timothy L. McCoy ........................................ Councilmember

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

MOTION was made by Mayor Pro-Tem Sitka to adopt the minutes from the meeting of March 12, 2012 as presented. Second was made Councilmember Faulkner. Motion carried unanimously.

UNDER Old Business, a report was provided regarding perceived problems of the implementation of ordinances regulating sexually oriented businesses by surrounding cities. The City Manager, Police Chief, City Attorney and Mayor contacted their counterparts in Cuero and Gonzales to determine if problems arose after the adoption of ordinances regulating the sexually oriented businesses as well as the game rooms and amusement redemption machines. All conversations indicate that the surrounding cities are not experiencing problems with the issues in question.

AFTER discussion, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2002) on first reading regulating sexually oriented businesses, amending the distance requirement to 1,500 feet. Second was made by Councilmember Jahn. Motion carried unanimously.

MOTION by Councilmember Faulkner to adopt an ordinance (recorded as No. 2003) on first reading regulating game rooms and amusement redemption machines, amending the distance requirement to 1,000 feet. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2004) on first reading amending the City of Yoakum Manual of Fees and Service Charges to include licensing fees for game rooms and amusement redemption machines (8-liners), and sexually oriented businesses and Section V. Water Rates & Fees, Item C. Bulk Rate to include Effluent Water Rates. Motion was seconded by Councilmember Faulkner and carried unanimously.

STEVE Van Mannen with Harrison, Waldrop & Uherek, L.L.P. was present to provide the audit report for Fiscal Year ending September 30, 2010, a letter of assurance from the firm asserting that the information in the audit report is accurate, and a "clean" or "un-qualified" opinion
indicating that the City is in good standing. After review of the document, Councilmember Faulkner made a motion to approve the audit for Fiscal Year ending September 30, 2010 as presented. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

UNDER New Business, Mayor Rodriguez opened a public hearing to receive citizen comments on the following recommendations made by the Planning and Zoning Commission: 1) to approve a request for a Change in Zoning from Residential (R-2) to Residential (R-4) in the 700 Block of Julia St.; 2) to approve a request for a Specific Use Permit to operate a religious institution at 402 Lott St.; 3) to approve a request for a Specific Use Permit to operate a dormitory at 201 W. Morris St.; 4) to approve a request for a Specific Use Permit to operate a dormitory at 1114 W. Gonzales St., and 5) to approve proposed amendments to the Zoning Ordinance concerning parking, definitions, specific use permits, planned unit developments, Commercial (C-2) and Industrial District. City Manager Coleman provided information regarding the requests. All requests are in compliance with the Future Land Use Plan. After review of the information and after receiving citizen comments, the public hearing closed.

MOTION by Councilmember Faulkner to adopt an ordinance (recorded as No. 2005) granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Lots 1 and 2 of Block 1133 in the Leo Tucker Addition as shown on the official tax roll (for location reference only: a portion of the 700 block of Julia St.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 2006) granting a Specific Use Permit to operate a religious institution for a two (2) year period on property described as Part of Lots 11 and 12 of Block 1010 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 402 Lott St.). Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

AN ordinance (recorded as No. 2007) was adopted on motion by Councilmember Jahn and second by Mayor Pro-Tem Sitka granting a Specific Use Permit to operate a dormitory for a two (2) year period on property described as Part of Lots 1, 2, and 3 of Block 1012 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 201 W. Morris St.). Motion carried unanimously.

A motion was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2008) granting a Specific Use Permit to operate a dormitory for a two (2) year period on property described as 1.181 acres in part of Abstract 34 of the John May Addition as shown on the official tax roll (for location reference only: 1114 W. Gonzales St.). Second was made by Councilmember Jahn and motion carried unanimously.

DISCUSSION was held regarding a proposed ordinance amending the Zoning Ordinance, specifically parking, definitions, specific use permits, planned unit developments, and Commercial (C-2) and Industrial Districts. Questions were raised regarding the parking requirements for new businesses and the ratio of parking spaces that are provided at City facilities. After review and deliberation, the ordinance was tabled until further review is held by the Planning and Zoning Commission regarding the parking requirements.

MELISSA Long with Lloyd Gosselink was present to provide information regarding the agreement negotiated with Texas Gas Service and the area cities. After review of the document, Councilmember Faulkner made a motion to adopt a resolution (recorded as No. 2012-05)
accepting the Texas Gas Service rate settlement agreement. Second was made by Mayor Pro-
Tem Sitka and motion carried unanimously.

MR. Gary Brewer of Victoria, Texas was present representing his mother, Mrs. Edith
Brewer concerning the property located at 214 Ruppert Street behind Mrs. Brewer’s property.
Concerns included the condition of the property, the security of the building, and possible illegal
activity surrounding the property. Mr. Brewer spoke at length regarding his concerns for his
mother’s safety and the steps that have been taken including contacting the Police Department
and the Code Enforcement Office. The City Manager provided Council with details of the procedures
that have taken place and the correct avenue to proceed. After discussion, direction was given to
City Manager Coleman to make this property a priority item and place on a future Building and
Standards meeting agenda for review.

DON Wallace and Larry Maroney with Wallace and Associates of Seguin, Texas were
present to provide information regarding supplemental insurance benefits through Aflac for City
employees. After review and discussion, direction was given to City Manager Coleman to initiate
procedures to allow City employees to retain the optional benefits offered through Wallace and
Associates.

A request was received from Ernest and Roxanna Elizondo for a variance to the City of
Yoakum Code of Ordinances and the Building Code to allow for columns to be placed to support
an awning at 606 Lott Street. Photographs of examples were provided for Council review.
Discussion was held and questions presented. Mr. Elizondo informed Council of plans to place
awnings on both Lott Street and Hugo Street; however, current plans are for the Lott Street awning
only. After discussion regarding the traffic visibility, Councilmember Faulkner made a motion to
approve the request for variance for an awning only at 606 Lott Street. An awning facing Hugo
Street may be considered upon request at a later date. Second was made by Mayor Pro-Tem
Sitka. Motion carried unanimously.

BILL Lopez, President of the Yoakum Area Chamber of Commerce was present to request
the closure of certain streets for the 84th Annual Tom Tom Festival activities. Mayor Pro-Tem Sitka
made a motion to approve the request as presented. Motion was seconded by Councilmember
Faulkner and carried unanimously. Mr. Lopez introduced Connie Zimmerman who made a request
to the Council to authorize the use of a City employee and vehicle to pull the Chamber float at area
parades. Direction was given to make a formal request to be placed on a future agenda for
consideration.

COUNCILMEMBER Jahn made a motion to approve a request from the Carl & Mary
Welhausen Library to close certain streets for the Summer Reading Program activities on
Wednesday, July 18, 2012. Second was made by Councilmember Faulkner; motion carried
unanimously.

COUNCIL was provided information regarding a potential increase form compensation
through the Texas Public Utility Commission for the use of City right-of-ways by certified
telecommunications providers. Council may decline the increase by motion or allow the increase
to take affect by not responding to the PUC notice. After discussion, Council chose to take no
action and allow the increase to become effective.

COUNCILMEMBER Faulkner made a motion to appoint Conyetta Gaus-Swaney and Glen
Renken as Commissioners for two-year terms, and Zephela Mathis as Resident Commissioner for
a one-year term to the Yoakum Housing Authority Board of Commissioners. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

UNDER the City Manager’s report, the Comptroller/Deputy Finance Director position is open and seven applications have been received to date. The position will remain open for at least another 7-10 days and then review applications and begin the interview process. The bid process for the rehabilitation of Brushy Creek Well #7 was initiated; however due to a publishing error, the process will be delayed. Bids are to be brought for review and consideration at the May City Council meeting. The Economic Development Corporation and the LCRA Economic Development Team are working to update the Master Plan. After meeting with local residents and business owners, LCRA expects to bring a draft to the EDC in May. The pool project is underway. The plumbing near completion, and the process has begun for re-establishment of the floors. The building of the roof should begin near the end of April. City Clerk Theresa Bowe and City Manager Coleman will be out on April 24th for a meeting at the Texas Municipal League to review the implications of Federal regulations on the current health insurance provided for City employees. Staff members will be at a Hurricane Conference scheduled for April 26th in Victoria, Texas.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:45 PM to deliberate the purchase, exchange, lease, or value of real property for Phase III of the Sanitary Sewer Improvement Project (V.T.C.A., Gov. Code, Sec. 551.072), to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072).

THE meeting re-opened to the public at 8:05 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 8:05 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

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

PRESENT:  Anita R. Rodriguez ................................................. Mayor
Elorine Sitka ................................................................. Mayor Pro-Tem
Tim Faulkner ................................................................. Councilmember
Rodney Jahn ................................................................. Councilmember
Timothy L. McCoy ......................................................... Councilmember
Kevin Coleman .............................................................. City Manager
Charles J. Kvinta, Jr. ....................................................... City Attorney
Theresa A. Bowe .............................................................. City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag was led by members of Boy Scout Troop 228 and recited by all attending. Visitors were acknowledged and welcomed. Boy Scouts in attendance were Reed Gearson, Ryan Gearson, and Devin Woytek to complete the requirements for the Citizenship in the Community Merit Badge.

MOTION by Councilmember Faulkner to abandon the Consent Agenda and consider each item on an individual basis. Second by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to adopt the minutes from the meeting of April 10, 2012 as presented. Second was made Councilmember Faulkner. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2002) as amended on second and final reading regulating sexually oriented businesses. Motion was seconded by Councilmember McCoy and carried unanimously.

UPON motion by Councilmember Faulkner and second by Councilmember McCoy, Council adopted an ordinance (recorded as No. 2003) as amended on second and final reading regulating game rooms and amusement redemption machines. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 2004) on second and final reading amending the City of Yoakum Manual of Fees and Service Charges to include licensing fees for game rooms and amusement redemption machines (8-liners), and sexually oriented businesses and Section V. Water Rates & Fees, Item C. Bulk Rate to include Effluent Water Rates. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2005) on second and final reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Lots 1 and 2 of Block 1133 in the Leo Tucker Addition as shown on the official tax roll (for location reference only: a portion of the 700 block of Julia St.) Second was made by Councilmember McCoy. Motion carried unanimously.
COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 2006) on second and final reading granting a Specific Use Permit to operate a religious institution for a two-year period on property described as Part of Lots 11 and 12 of Block 1010 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 402 Lott St.). Motion was seconded by Councilmember McCoy and carried unanimously.

UPON motion by Councilmember Jahn and second by Mayor Pro-Tem Sitka an ordinance (recorded as No. 2007) was adopted on second and final reading granting a Specific Use Permit to operate a dormitory for a two-year period on property described as Part of Lots 1, 2, and 3 of Block 1012 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 201 W. Morris St.). Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2008) on second and final reading granting a Specific Use Permit to operate a dormitory for a two-year period on property described as 1.181 acres in part of Abstract 34 of the John May Addition as shown on the official tax roll (for location reference only: 1114 W. Gonzales St.). Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCIL was presented with a revised InterLibrary Loan Policy for consideration. The revision included a stipulation to extend the interlibrary loan privilege for library patrons only after a one-year established membership. After review, a motion was made by Mayor Pro-Tem Sitka to adopt a revised InterLibrary Loan Policy as recommended by the Library Board. Second was made by Councilmember McCoy and motion carried unanimously.

MOTION by Councilmember McCoy to proclaim the week of May 20-26, 2012 as Public Works Week and extend our appreciation to the dedicated, hardworking individuals that form the outstanding City of Yoakum Public Works/Utility team. Second was made by Councilmember Jahn. Motion carried unanimously.

UNDER Old Business, information was provided regarding the Zoning Ordinance tabled from the April meeting. As discussed at the previous meeting, the parking requirements were removed from the ordinance until further review by the Planning and Zoning Commission. Questions were received and addressed concerning materials allowed for paving of parking lots, and the restrictions on recreational vehicles in non-designated areas. After review, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2009) on first reading amending Zoning Ordinance No. 1500 concerning definitions, specific use permits, planned unit developments, Commercial (C-2) and Industrial Districts. Councilmember Jahn seconded the motion; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 2010) on first reading accepting the Texas Gas Service rate settlement agreement. Motion was seconded by Councilmember McCoy and carried unanimously.

UNDER New Business, Mr. Adel Nichols was request Council review and revision of the rate structure recently implemented at the Solid Waste Management Facility. Mr. Nichols collects solid waste from the surrounding counties and has previously been charged by weight for disposing of that waste at the City facility. The new rate structure implemented in March 2012 provides for loose waste in vehicles and trailers to be charged by the cubic yard. The revised rates have increased Mr. Nichols' disposal rates. Staff provided Council with information concerning the issues of weighing loose waste on trailers due to the size of the scale and the inability to weigh the vehicles accurately. In order to cover the City's cost of disposal, measurement of the loose waste
allows for more accurate cost recovery. Council requested additional information be provided at the June Council meeting for further consideration.

LISA Cortinas with Golden Crescent Regional Planning Commission was present to request Council approval to utilize City property to house a transit bus for low cost transportation for local workers to the Inteplast Plant in Lolita, Texas. Discussion was held regarding stipulations for the housing of the vehicle and reimbursement for fuel utilized from the City supply. Motion was made by Councilmember Faulkner and seconded by Councilmember McCoy to approve the request contingent upon an agreement indicating outlined stipulations with the Golden Crescent Regional Planning Commission for the housing of a transit bus and reimbursement for fuel. Motion carried unanimously.

INFORMATION was provided on the Brushy Creek Well # 7 rehabilitation bid. After review, Mayor Pro-Tem Sitka made a motion to award the project to the low bidder, Friedel Drilling Company of Hochheim, Texas based on unit prices submitted in the proposal dated March 27, 2012 as budgeted. Second was made by Councilmember Faulkner; motion carried unanimously.

BIDS were reviewed for the 2012 Street Improvement Project. After discussion, Mayor Pro-Tem Sitka made a motion to award the bid to the low bidder, H & C Construction Company of Shiner, Texas based on the unit prices submitted on April 19, 2012 as budgeted. Motion was seconded by Councilmember Faulkner and carried unanimously.

SEAN Kennedy with NuWater Solutions, LLC was present to review a proposed Memorandum of Understanding for the purchase of effluent water from the City of Yoakum Wastewater Treatment Plant. After review, Councilmember McCoy made a motion to authorize the City Manager to execute a Memorandum of Understanding for the sale of effluent water with NuWater Solutions, LLC of The Woodlands, Texas. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

MOTION was made by Councilmember Faulkner to allocate $5,000 for the construction/improvements to the sidewalk for accessibility to the Fire Annex Building. Second was made by Councilmember McCoy. Motion carried unanimously.

A thank you was extended to GVEC for the PowerUp Grants received in the amount of $15,000 each for the Chisholm Trail Memorial Park Topiary rehabilitation project and for the Fire Department Annex Building. A motion was made by Councilmember McCoy to allocate matching funds for the topiary project from surplus rodeo bleachers project funds. Motion was seconded by Councilmember Jahn and carried unanimously.

AMERICANS with Disability Act (ADA) compliance issues at the municipal swimming pool and recreation facilities were reviewed. Staff informed Council that lifts for the swimming pool will need to be installed as soon as possible and accessibility to all facilities will need to be considered. A "Readily Achievable Plan" must be put in place by Council by June 15, 2012. Staff will begin compilation of the plan for review at the June meeting. After discussion, Mayor Pro-Tem Sitka made a motion to allocate up to $10,000 for the lift and sidewalk improvements at the pool from the Parks Capital Replacement Budget. Second was made by Councilmember McCoy and motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to appoint Holly Fishbeck, Ken Kvinta, and Carl O’Neill as members to the Parks and Recreation Advisory Committee for two-year terms. Motion was seconded by Councilmember McCoy and carried unanimously.
INFORMATION regarding a mid-year budget and revenue report was provided for Council review. The report covers the major line items in the City's General Fund and Utility Budgets, including an update of capital projects. Reports will be provided on a quarterly basis as part of the City Manager’s Report.

UNDER the City Manager’s report, the Dash for Downs event will be held on Saturday, May 12th. The Fire Department, Police Department and Public Works Departments will be working with the event coordinators to ensure safety. The new CopSync program is installed and largely operational. Staff is waiting on the Court interface portion. Council participation was discussed for the upcoming Tom Tom Parade. Early voting has ended. Election Day is Saturday, May 12th from 7:00 AM to 7:00 PM at City Hall. There will be a Special City Council meeting held on Wednesday, May 16th at 5:15 PM to canvass the Election returns. A draft presentation of the Economic Development Strategic Plan will be presented to the ED Board at their meeting to be held on Monday, May 14th. After the plan has been finalized with that Board, it will be brought before the Council for review. The City’s auditors will be in next week for final review of the 2011 audit. Staff will be conducting interview with candidates for the Comptroller/Deputy Finance Director position.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:10 PM to deliberate the purchase, exchange, lease, or value of real property for Phase III of the Sanitary Sewer Improvement Project (V.T.C.A., Gov. Code, Sec. 551.072), and to deliberate the probationary performance evaluation of the City Manager (V.T.C.A., Gov. Code, Sec. 551.074).

THE meeting re-opened to the public at 8:00 PM. The following action resulted from Executive Session: Motion by Mayor Pro-Term Sitka to authorize the City Manager to finalize acquisition of property for Phase III of the Sanitary Sewer Improvement Project.

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

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
May 16, 2012
Conference Room – 5:15 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: 
Anita R. Rodriguez ........................................... Mayor
Elorine Sitka ....................................................... Mayor Pro-Tem
Tim Faulkner ...................................................... Councilmember
Rodney Jahn ...................................................... Councilmember
Tim McCoy ........................................................ Councilmember
Charles J. Kvinta, Jr ........................................ City Attorney
Kevin Coleman .................................................. City Manager
Theresa A. Bowe ................................................. City Clerk

ABSENT: None

MAYOR Rodriguez called the meeting to order for the purpose of canvassing the May 12, 2012 General Election returns, issuance of the election certificates and administering of the Oath of Offices to the newly elected Councilmembers.

THE Mayor asked that Councilmembers Faulkner and McCoy canvass the returns. Finding the returns in order, Councilmember made a motion to adopt a resolution (recorded as No. 2012-06) declaring Elorine Sitka and Rodney Jahn elected with the following results: City Council Place 4. Cindy Martin – 57; Elorine Sitka – 142; City Council Place 5: Rodney Jahn - 155. The motion was second by Councilmember McCoy. Motion carried unanimously.

CERTIFICATES of Election were presented to Mayor Pro-Tem Sitka and Councilmember Jahn followed by City Clerk Bowe administering the Statement of Elected Officer and Oath of Office.

THERE being no further business, the meeting closed at 5:20 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
June 12, 2012
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .................................................................Mayor
            Elorine Sitka .................................................................Mayor Pro-Tem
            Tim Faulkner .................................................................Councilmember
            Rodney Jahn .................................................................Councilmember
            Timothy L. McCoy ..........................................................Councilmember
            Kevin Coleman .............................................................City Manager
            Charles J. Kvinta, Jr .........................................................City Attorney
            Theresa A. Bowe .............................................................City Clerk

ABSENT: None

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

MOTION by Councilmember McCoy to elect Anita R. Rodriguez as Mayor and Elorine Sitka
as Mayor Pro-Tem. Second was made by Councilmember Faulkner and carried unanimously.

VISITORS were acknowledged and welcomed.

MOTION was made by Mayor Pro-Tem Sitka to adopt the minutes from the meetings of
May 8 and May 16, 2012 as presented. Second was made Councilmember Faulkner. Motion
carried unanimously.

UNDER Old Business, Councilmember McCoy made a motion to adopt an ordinance
(recorded as No. 2009) on second and final reading amending the Zoning Ordinance concerning
definitions, specific use permits, planned unit developments, Commercial (C-2) and Industrial
Districts. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

MOTION was made by Councilmember Jahn and seconded by Councilmember McCoy to
adopt an ordinance (recorded as No. 2010) on second and final reading accepting the Texas Gas
Service rate settlement agreement. Motion carried unanimously.

INFORMATION was provided regarding the revised Solid Waste Management Facility rate
structure adopted at the March 13, 2012 Council meeting. A comparison was provided from
surrounding cities indicating rates and procedures. After review and discussion, staff was given
direction to provide a broader scope from other cities, to research the cost of a larger scale, and
review the contract with Texas Disposal Systems regarding the tonnage limit on delivered loads.

REVIEW was held on the revised Brush and Yard Waste Collection schedule. Staff had
recommended providing yard waste pick up on the first and third full weeks of each month and
brush pick up on the second and fourth weeks of each month. The schedule has been utilized for
the last three months and seems to be working well. Piles of brush no longer sit for long periods of
time and the customers are adapting to the new schedule. Council remarks indicate that the
revised schedule has served the purpose of making the City more presentable.

COUNCIL was provided information regarding new Americans With Disability Act
compliance guidelines for all parks and recreation facilities. Guidelines mandate that a "readily
achievable plan" be adopted by June 15, 2012. The Parks and Recreation Advisory Committee
will be working with staff to provide a priority based plan for the items indicated in the proposal. After review and discussion, Mayor Pro-Tem Sitka made a motion to adopt the Readily Achievable Plan for ADA compliance of Parks and Recreation Facilities as presented. Second was made by Councilmember Jahn; motion carried unanimously.

UNDER New Business, Mayor Rodriguez opened a public hearing to receive citizen comments on the following recommendation made by the Planning and Zoning Commission: to approve a request for a Change in Zoning from Residential (R-3) to Commercial (C-2) at 705 Hopkins St. City Manager Coleman provided information regarding the request. Property owners, Eugene and Ora1a Kloesel were present to provide information. After review of the information and after receiving citizen comments, the public hearing closed.

UPON recommendation from the City Manager, Mayor Pro-Tem Sitka made a motion to table the request for a Change in Zoning from Residential (R-3) to Commercial (C-2) on property described as Part of Lots 2 and 4 and all of Lot 4 in Block 1117 in the A. May Addition as shown on the official tax roll (for location reference only: 705 Hopkins St.). Mr. Coleman will research other avenues to accomplish Mr. and Mrs. Kloesel's goal without permanently changing the zoning on the referenced property. Second was made by Councilmember Jahn. Motion carried unanimously.

CITIZENS were present to request Council consideration to take action opposing disposal injection wells to be drilled in the Yoakum area. Mrs. Gayle Mikulenka-Parenoica spoke on behalf of the group providing information regarding the distance the wells will be placed in relation to the City limits, local nursing homes, and water wells. Research was provided concerning potential earthquakes, water contamination, and other environmental issues. Council expressed their appreciation to Mrs. Parenoica for the information.

DR. John Braden was present to request Council consideration to lease City owned property adjacent to his business located in the 1100 block of W. Grand Avenue to utilize for additional parking. Consensus was received from Council to provide direction to the City Manager and City Attorney to negotiate a lease agreement to allow Dr. Braden for the use of the City property discussed.

MAYOR Pro-Tem Sitka made a motion to authorize the City Manager to advertise for bids for Sanitary Sewer Improvement Project Year III – Texas Water Development Board Contract No. 72020. Second was made by Councilmember McCoy; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to appoint Gary Cooper and Tommy Linn, Jr. to the Planning and Zoning Commission for three-year terms; Mark Jahn, Darlene Renken, Scott Moehlman, Christine Zimmerman, and Michael Machalec to the Zoning Board of Adjustment for three year terms; Howard Templin, Wilbern Hairrell, Harvey Pekar, Alan Kahanek, and Connie Zimmerman to the Building and Standards Commission for two-year terms; Roberta Bittick, Lynn Brewer, Bill Haas, and Reggie Simek to the Library Board for two-year terms; Charles Pate and Norman Kaiser the Construction Board of Adjustment and Appeals for three-year terms; and Elorine Sitka as Council representative to the Yoakum Heritage Museum Board for a one-year term. Motion was seconded by Councilmember McCoy and carried unanimously.

UNDER the City Manager’s Report, Mr. Coleman provided Council with information regarding the Flag Burning Ceremony to be held on June 14, 2012 at 6:00 PM at the Municipal Park Pavilion; the Texas Municipal League Region 11 meeting to be held in Port Lavaca, TX. beginning at 4:00 PM; the final Tom Tom Committee meeting to be held at the Yoakum Area Chamber of Commerce on June 19, 2012 at 6:00 PM. Council was notified of the completion of the Memorandum of Understand with NuWater Solutions, LLC and staff continues to work with the company to complete the effluent wastewater purchase from the City’s Wastewater Treatment
Plant. Staff is also working with Eddy Packing, a local company, regarding the possible discharge from their plant into the City's Wastewater System. Plans have been made to present the final audit for Fiscal Year 2010 at the July Council meeting. Staff also plans to bring information to the Council in July regarding the current rules for the placement of signs and potential recommended changes to the regulations.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:05 PM for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to deliberate and discuss the probationary performance evaluation of the City Manager (V.T.C.A., Gov. Code, Sec. 551.074).

THE meeting re-opened to the public at 8:05 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 8:05 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
June 19, 2012
Conference Room – 6:00 PM
City Hall

BUDGET WORKSHOP/MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ........................................ Mayor
       Elorine Sitka .................................................. Mayor Pro-Tem
       Tim Faulkner ................................................... Councilmember
       Rodney Jahn ..................................................... Councilmember
       Tim McCoy ...................................................... Councilmember
       Charles J. Kvinta, Jr. ......................................... City Attorney
       Kevin Coleman .................................................. City Manager
       Theresa A. Bowe .............................................. City Clerk

ABSENT: None

MAYOR Rodriguez called the meeting to order for the purpose of discussing and reviewing a preliminary 2012-2013 City Budget.

CITY Manager Coleman provided Council with a review of the 2011-2012 Budget, the previously presented five-year equipment purchase plan, information regarding green replacement for the Municipal Golf Course, and an employee merit increase proposal. Discussion was held regarding the 2012-2013 Budget. After review, consensus of the Council was to provide for a 4% instead of 3% merit adjustment for evaluated employees. Council gave staff direction to provide additional information regarding the number of police officers employed by surrounding cities.

A Special Budget Workshop/Meeting was scheduled for August 7, 2012 @ 6:00 PM at the City Hall Conference Room. City Manager Coleman provided information to Council regarding an electric utility related matter: information was received from the Lower Colorado River Authority indicating that the electric utility rate will be reduced for the coming year. Council will be provided an opportunity to review the options related to the reduced rates. Steve Moffitt with Schneider Engineering, Ltd. has offered to assist the City with the process of determining the best option for the City of Yoakum to take.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:02 PM to deliberate and discuss the probationary performance evaluation of the City Manager (V.T.C.A., Gov. Code, Sec. 551.074).

THE meeting re-opened to the public at 7:15 PM. Action resulting from Executive Session: Motion by Mayor Pro-Tem Sitka to increase the City Manager salary to $90,000 annually. Second was made by Councilmember Faulkner. Motion carried unanimously.

THERE being no further business, the meeting closed at 7:15 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
July 10, 2012
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ............................................. Mayor
Elorine Sitka ................................................................. Mayor Pro-Tem
Tim Faulkner ................................................................. Councilmember
Rodney Jahn ................................................................. Councilmember
Timothy L. McCoy ......................................................... Councilmember
Kevin Coleman ............................................................. City Manager
Charles J. Kvinta, Jr. ....................................................... City Attorney
Theresa A. Bowe ............................................................. City Clerk

ABSENT: None

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

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of
June 12 and June 19, 2012 as presented. Second was made Councilmember McCoy. Motion
carried unanimously.

CITY Manager Coleman presented information from the auditors regarding the audit for
year ending September 30, 2011. Plans are to have a final presentation to the Council by the
August 7, 2012 Special Budget Workshop/Council Meeting. After discussion, Mayor Pro-Tem
Sitka made a motion to appoint Harrison, Waldrop & Uherek, L.L.P for auditing of City financial
records for Fiscal Year ending September 30, 2012 and authorize the City Manager to enter into a
Letter of Understanding with the firm. Second was made by Councilmember McCoy and motion
carried unanimously.

INFORMATION was provided regarding the Solid Waste Management Facility rate
structure implemented in March 2012. Alternate rate structures were provided for review and
consideration to alleviate the financial hardship for the solid waste collection business owners
operating in the counties for use of the City's Solid Waste Management facility. After review,
direction was given to Staff to bring an ordinance before the Council at the next regular Council
meeting with the revised presented rate structure.

DISCUSSION was held regarding solid waste collection rates charged for customers
outside City limits, specifically Juniper Ridge property owners. Rates are currently in effect for
customers outside City limits; however, an executed agreement should be received from all
property owners holding the City harmless from any damage caused by City vehicles on the private
street. Once agreements have been received from all property owners, the City will be able
provide solid waste service to any property owner in the subdivision requesting service.

ECONOMIC/Community Development Coordinator Patrick J. Kennedy was present to
provide information regarding the Yoakum Economic Development Corporation Annual Work Plan
and Budget for Fiscal Year 2012-13. After review and discussion, Councilmember McCoy made a
motion to adopt the Work Plan and Budget as presented. Motion was seconded by Mayor Pro-
Tem Sitka and carried unanimously.
COUNCILMEMBER Faulkner made a motion to adopt a City of Yoakum Records Disaster Response and Recovery Plan as presented by Staff. Second was made by Councilmember Jahn; motion carried unanimously.

A proposal for professional services from Schneider Engineering was presented for review. After discussion, Councilmember Faulkner made a motion to authorize the City Manager to enter into an agreement for professional services with Schneider Engineering, Ltd. of Austin, Texas for an automated meter reading infrastructure program. Second was made by Councilmember McCoy. Motion carried unanimously.

REVIEW was held and changes were recommended for City of Yoakum Code of Ordinances, specifically Chapter 5 Buildings and Structures, Article I. In General, Sections 5-3. Billboards and signs-projecting over streets, etc., 5-4. Same-Distance from residence, obstructing light, creating hazard, 5-5. Same-Setbacks, 5-6. Same-Wood construction, 5-7. Temporary for public events, and 5-8. Same-size. Staff was provided direction to bring an ordinance indicating recommended changes to the Council at the next regular meeting for consideration.

STAFF provided information to the Council regarding the current truck route through the City along with a map, and the City of Yoakum Code of Ordinances, specifically Chapter 21 Traffic, Sections 21-3. Truck routes-Weight of vehicles required to use, 21-4. Same-Designated, and 21-5. Same-Deviation for certain purposes. Discussion was held and public comment was received. After review, Council directed Staff to develop an ordinance for Council consideration allowing portions of Burt, Antioch, West, and South Streets as a truck route, and research the possibility of restricting hazardous waste. Staff will also contact TxDOT about the feasibility of utilizing the bridge over Hwy 111 as part of the truck route. Direction was provided for the Police Department to allow the passage of the trucks within the discussed route without citation until the ordinance is finalized.

MOTION by Councilmember Faulkner to appoint Mayor Pro-Tem Elorine Sitka and Councilmember Tim McCoy to the Golden Crescent Regional Planning Commission's General Assembly. Second was made by Councilmember Jahn and motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to appoint Carrie Renken as an Alternate Member to the Building and Standards Commission for a two-year term. Motion was seconded by Councilmember Faulkner and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to appoint Chris Gearson to the Construction Board of Adjustment and Appeals for an un-expired three-year term. Motion was seconded by Councilmember Jahn and carried unanimously.

UNDER the City Manager's Report: a Budget Workshop has been scheduled for August 7, 2012 and a Planning and Zoning Commission meeting will be held on July 17, 2012. The items presented to the Planning and Zoning Commission will appear on the August City Council meeting agenda for review and consideration. Fire/EMS Director Mark Harchek and Police Chief Arthur Rogers have made a recommendation for the testing of the new siren mounted at the Fire Station. Once a final schedule is set, notice will be made to the general public and public education will be addressed. Detailed expenditures for the 84th Annual Tom Tom Festival were presented. Total expenses for the City were $10,404.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:55 PM for Consultation with City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071) and to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072).
THE meeting re-opened to the public at 7:20 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:20 PM.

Anita R. Rodriguez
Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
August 7, 2012
Conference Room – 5:30 PM
City Hall

SPECIAL MEETING/BUDGET WORKSHOP OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez ......................................................... Mayor
          Eiorine Sitka ............................................................. Mayor Pro-Tem
          Tim Faulkner ............................................................. Councilmember
          Rodney Jahn ............................................................. Councilmember
          Tim McCoy ............................................................... Councilmember
          Charles J. Kvinta, Jr .................................................... City Attorney
          Kevin Coleman ........................................................... City Manager
          Theresa A. Bowe ......................................................... City Clerk

ABSENT:   None

MAYOR Rodriguez called the meeting to order for the purpose of receiving the annual audit ending September 30, 2011, reviewing the comprehensive fund balance policy, discuss funding for the Sanitary Sewer Project-Phase III, discussing and reviewing the 2012-2013 City Budget, and enter into Executive Session to deliberate the purchase, exchange, lease, or value of real property.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 5:40 PM to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072). The meeting re-opened to the public at 5:55 PM. No action resulted from Executive Session.

STEVE Van Mannen with Harrison, Waldrop & Uherek, L.L.P. was present to provide the audit report for Fiscal Year ending September 30, 2011, a letter of assurance from the firm asserting that the information in the audit report is accurate, and a “clean” or “un-qualified” opinion indicating that the City is in good standing. Deficiencies and corrective measures were discussed. After review of the document, Councilmember Faulkner made a motion to approve the audit for Fiscal Year ending September 30, 2011 as presented. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

DISCUSSION was held regarding the need for a comprehensive fund balance policy based on new GASB-54 regulations. After review of the provided information, staff informed Council that a proposed policy will be provided at the September Council meeting for their review and consideration.

STAFF provided Council with a response from the Texas Department of Agriculture on the 2011-2012 Community Development Fund application submitted earlier this year. The original request was for $263,000. The Texas Department of Agriculture allocated $128,350 to be awarded to the City of Yoakum. The City may either accept the reduced award amount of $128,350 or choose to compete in the marginal competition. Staff will bring the issue before the Council for formal action at the September Council meeting for consideration.

City Manager Kevin Coleman, Fire/EMS Director Mark Herchek, Director of Public Works/Utilities Jack Maloney, Finance Director Charlotte Morrow, Deputy Director of Finance/Comptroller Sandra Jacob, Police Chief Arthur Rogers, Director of Community Services Derrick Smith, and City Clerk Theresa Bowe presented information for the 2012-2013 City of Yoakum Fiscal Year Budget.
MAYOR Rodriguez expressed the gratitude of the Council to the City Manager and the Department Heads for the hard work that went into the development of the budget. All revenues and expenditures were reviewed on an individual department basis. City Manager and department heads outlined the increase and decreases in the cost of certain items, needed purchases, and expenditures. Council gave direction to staff to present the proposed budget for Council consideration at the August meeting and include one additional police officer in the Police Department.

THERE being no further business, the meeting adjourned at 9:13 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

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

PRESENT:
Anita R. Rodriguez ......................................................... Mayor
Elorine Sitka ................................................................. Mayor Pro-Tem
Tim Faulkner ................................................................. Councilmember
Rodney Jahn ................................................................. Councilmember
Timothy L. McCoy ........................................................... Councilmember
Kevin Coleman ............................................................... City Manager
Charles J. Kvinta, Jr. ......................................................... City Attorney
Theresa A. Bowe ............................................................... City Clerk

ABSENT: None

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

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of July 10 and August 7, 2012 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

INFORMATION was provided regarding Texas Disposal Systems rate schedules. The contract indicates an increase to go in affect this year and will be implemented upon second reading and publication of the proposed ordinance. Also included in the ordinance is the revised rate for uncompacted waste that is brought in from outside the City limits. After review and discussion, Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 2011) on first reading amending the Manual of Fees and Service Charges, specifically Section IX. Solid Waste Management Facility, Item F. Solid Waste Management Facility Rates as presented. Motion was seconded by Councilmember Jahn and carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the following recommendations made by the Planning and Zoning Commission: 1) to approve a request for a Change in Zoning from Residential (R-1) to Commercial (C-2) at 902 Hwy 77A South; 2) to approve a request for a Change in Zoning from Residential (R-1) to Commercial (C-2) for the Eastern 300 Block of Hwy 77A North; 3) to approve a Change in Zoning from Residential (R-1) to Business (B-1) for the Eastern 300 Block of Hwy 77A North; 4) to approve a Change in Zoning from Residential (R-1) to Commercial (C-1) at 1200 Carl Ramert Dr.; 5) to approve a Specific Use Permit for the operation of a hospital at 1200 Carl Ramert Dr.; 6) to approve a Change in Zoning from Residential (R-1) to Business (B-1) for the eastern corner of LCR 392 and Carl Ramert Dr.; and 7) to approve amendments to the Zoning Ordinance, specifically to include regulations for Specific Use Permits for the operation of home occupations, and general updating of the ordinance. City Manager Coleman provided information regarding the requests and Zoning Ordinance changes as recommended by staff. Property owners and representatives were present to answer questions and provide information on each item. All requests are in compliance with the Future Land Use Plan. After review of the information and after receiving citizen comments, the public hearing closed.
MOTION by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2012) on first reading granting a Change in Zoning from Residential (R-1) to Commercial (C-2) on property described as Part of Abstract 34 in the John May Addition as shown on the official tax roll (for location reference only: 902 Hwy 77A South). Second was made by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 2013) on first reading granting a Change in Zoning from Residential (R-1) to Commercial (C-2) on property described as 8.71 acres of Abstract 29 in the John May League as shown on the official tax roll (for location reference only: 300 Block of Hwy 77A North). Motion was seconded by Councilmember Jahn and carried unanimously.

MOTION by Councilmember Jahn to adopt an ordinance (recorded as No. 2014) of first reading granting a Change in Zoning from Residential (R-1) to Business (B-1) on property described as 12.00 acres of Abstract 29 in the John May League as shown on the official tax roll (for location reference only: Eastern 300 Block of Hwy 77A North). Second was made by Councilmember McCoy; motion carried unanimously.

THE preliminary plat for the subdivision of property described as 20.71 acres of Abstract 29 in the John May League as shown on the official tax roll (for location reference only: Eastern 300 Block of Hwy 77A North) was approved upon motion by Councilmember Faulkner and second by Mayor Pro-Tem Sitka. Motion carried unanimously.

UPON motion by Mayor Pro-Tem Sitka and second by Councilmember Faulkner, an ordinance (recorded as No. 2015) was adopted on first reading granting a Change in Zoning from Residential (R-1) to Commercial (C-1) on property described as 11.914 acres of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: 1200 Carl Ramert Dr.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 2016) on first reading granting a Specific Use Permit for the operation of a hospital on property described as 11.914 acres of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: 1200 Carl Ramert Dr.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Councilmember Jahn to adopt an ordinance (recorded as No. 2017) granting a Change in Zoning from Residential (R-1) to Business (B-1) on property described as 1 acre of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: corner of LCR 392 and Carl Ramert Dr.). Second was made by Councilmember McCoy; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to approve a preliminary plat for the subdivision of property described as 1 acre of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: 1200 Carl Ramert Dr.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCIL adopted an ordinance (recorded as No. 2018) on first reading amending Zoning Ordinance No. 1500, specifically Section 4.3 Use Regulations, Subsection A. 1. Residential Districts: Home Occupations and Section 10 Specific Use Permits. Motion was made by Councilmember McCoy; second was made by Councilmember Faulkner and carried unanimously.
COUNCIL considered a request from a citizen to close W. Schleicher Street from Lott to Front Streets for a period of time on August 25, 2012 in order to assure safety of guests at a wedding reception being held at a facility in that block. Winford and Tricia Mathew were present to make the request. City Manager Coleman informed Council of a recommended stipulation that applicants be responsible for any over-time cost associated with the placement of the barricades. After review and discussion, Mayor Pro-Tem Sitka made a motion to approve the request as presented with applicants being responsible for any additional personnel costs. Second was made by Councilmember Faulkner. Motion carried unanimously.

AMENDMENTS were reviewed for the 2012-2013 Fiscal Year Budget. One police officer was added into the Police Department budget, the sales tax estimate was increased to 95% of this year’s sales tax allocation, and contingency was set at roughly $74,000. The budget is balanced as presented. Council thanked staff for the work on this year’s budget. Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 2019) on first reading adopting the City of Yoakum’s 2012-2013 Fiscal Year Budget. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

ON motion by Mayor Pro-Tem Sitka, Council approved the 2012 Certified Appraisal Roll for the City of Yoakum as certified by the DeWitt County Chief Appraiser. Motion was seconded by Councilmember Faulkner and carried unanimously. The Appraisal Roll will provide roughly a 4% property tax revenue increase.

A motion was made by Councilmember Faulkner to establish the amount of debt service to be supported by the ad valorem tax levy at $110,000 and to establish the amount to be supported by utility revenue at $338,037 for Fiscal Year 2012-2013 for the payment of principal, interest and administrative fees, the 2006 Texas Water Development Board Certificates of Obligation debt in the amount of $80,000, the 2008 Texas Water Development Board Certificates of Obligation debt in the amount of $115,000, and the 2011 General Obligation Bond Issue debt in the amount of $253,037 for a total debt service of $448,037. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 2020) on first reading adopting a tax rate of $0.9087, allowing $.03239 for maintenance and operation and $.05848 for the payment of principal and interest on debt service. The proposed tax rate includes a 3% increase in Maintenance and Operation. Councilmember Faulkner seconded the motion. Motion carried unanimously.

THE City had applied for funding from the Texas Community Development Grant Program through the Texas Department of Agriculture (TDA) for the Sanitary Sewer Project – Phase III. Staff received notice from the TDA that the City had been allocated $128,350 of its original $263,000 application request. The City may either accept the reduced award amount or choose to compete in the marginal competition. After discussion and upon recommendation from Staff, Mayor Pro-Tem Sitka made a motion to accept the marginal funding awarded in the amount of $128,350. Second was made by Councilmember McCoy. Motion carried unanimously.

STAFF did a survey of the critical streets in relation to the review of truck routes within the City limits. Certain issues may require additional research and staff requested that Council allow additional time to resolve matters including the overpass located at Highway 111 and South South Street. City Manager Coleman reminded Council that the City has no jurisdiction over TxDOT infrastructure and that coordination with that entity will be critical. Consensus was received from Council to allow additional research and coordination on this item.
MOTION by Councilmember McCoy to appoint Tommy Barre, Gery Maneth, and Zenith Stevens as members to the Yoakum Economic Development Corporation Board of Directors for two-year terms. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

UNDER the City Manager's Report: City Manager Coleman informed the Council that Steve Moffitt with Schneider Engineering will be present at the September Council meeting to present a report on a restructure of the existing electric rates. Bank depository bids will be mailed and published in August for consideration by the Council in September. An item will appear on the September agenda for an application for a capacity building grant through the Texas Department of Agriculture for Council action. This grant will allow the City to accomplish baseline planning for water and sewer, provide a review of the City's subdivision ordinance, and provide for general mapping. The City is required to hold a public hearing. The Council is welcome but not required to attend. Staff has been approached by individuals/businesses that would like to utilize alternative electric power sources such as solar or wind generation, and feed any excess electricity generated back into the City's grid for a credit on their usage. The City does not have a policy in place for this issue. Staff will bring a proposed policy for Council consideration and any additional direction at the September Council meeting.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:55 PM for Consultation with City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071) and to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072).

THE meeting re-opened to the public at 7:15 PM. No action resulted from Executive Session.

THERE being no further business, the meeting adjourned at 7:15 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

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

PRESENT: Anita R. Rodriguez ........................................ Mayor
Elorine Sitka ....................................................... Mayor Pro-Tem
Tim Faulkner ......................................................... Councilmember
Rodney Jahn ........................................................ Councilmember
Timothy L. McCoy .................................................. Councilmember
Kevin Coleman ....................................................... City Manager
Charles J. Kvinta, Jr. ............................................... City Attorney
Theresa A. Bowe ..................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Jahn gave
the invocation asking for a moment of silence honoring those lost on September 11, 2001.

IN memory of the tragic events of September 11, 2001, Fire/EMS Director Mark Herchek
and Police Chief Arthur Rogers led the attendees in the Pledge of Allegiance to the Flag. Visitors
were acknowledged and welcomed.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meeting of
August 14, 2012 as presented. Second was made Mayor Pro-Tem Sitka. Motion, carried
unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 2011)
on second and final reading amending the Manual of Fees and Service Charges, specifically
Section IX. Solid Waste Management Facility, Item F. Solid Waste Management Facility Rates.
Motion was seconded by Councilmember Jahn and carried unanimously.

THE following ordinances were adopted on second and final reading as presented upon
motion by Councilmember Faulkner and second by Councilmember Jahn:

1) An ordinance (recorded as No. 2012) granting a Change in Zoning from Residential (R-
1) to Commercial (C-2) on property described as Part of Abstract 34 in the John May
Addition as shown on the official tax roll (for location reference only: 902 Hwy 77A
South).

2) An ordinance (recorded as No. 2013) granting a Change in Zoning from Residential (R-
1) to Commercial (C-2) on property described as 8.71 acres of Abstract 29 in the John
May League as shown on the official tax roll (for location reference only: Eastern 300
Block of Hwy 77A North).

3) An ordinance (recorded as No. 2014) granting a Change in Zoning from Residential (R-
1) to Business (B-1) on property described as 12.00 acres of Abstract 29 in the John
May League as shown on the official tax roll (for location reference only: Eastern 300
Block of Hwy 77A North).

4) An ordinance (recorded as No. 2015) was adopted on first reading granting a Change
in Zoning from Residential (R-1) to Commercial (C-1) on property described as 11.914
acres of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: 1200 Carl Ramert Dr.). Motion carried unanimously.

5) An ordinance (recorded as No. 2016) granting a Specific Use Permit for the operation of a hospital on property described as 11.914 acres of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: 1200 Carl Ramert Dr.).

6) An ordinance (recorded as No. 2017) granting a Change in Zoning from Residential (R-1) to Business (B-1) on property described as 1 acre of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: corner of LCR 392 and Carl Ramert Dr.).

7) An ordinance (recorded as No. 2018) amending Zoning Ordinance No. 1500, specifically Section 4.3 Use Regulations, Subsection A. 1. Residential Districts: Home Occupations and Section 10 Specific Use Permits.

Motion carried unanimously.

DR. John C. Braden was present to request approval to purchase City owned property located in the 1100 block of W. Grand Avenue to utilize for additional parking for his business. Dr. Braden has been in contact with the Texas Department of Transportation and details have been discussed regarding stipulations for ingress, egress, and curbing. After review and discussion, Councilmember Faulkner made a motion to approve the sale of the City owned property as discussed, in the amount of $800.00. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Councilmember McCoy to deny an application for a Change in Zoning from Residential (R-3) to Commercial (C-2) on property described as Part of Lots 2 and 4 and all of Lot 3 in Block 1117 in the A. May Addition as shown on the official tax roll (for location reference only: 705 Hopkins St.). Second was made by Councilmember Jahn. Motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the following recommendation made by the Planning and Zoning Commission: 1) for the approval of a Specific Use Permit for the operation of a home occupation to Eugene and Oralia Kloesel at property described as Part of Lots 2 and 4 and all of Lot 3 of Block 1117 in the A. May Addition as shown on the official tax roll (for location reference only: 705 Hopkins St.) City Manager Coleman provided information regarding the request. Property owners were present to answer questions and provide information. There being no comments were received from the public, the Public Hearing closed.

COUNCILMEMBER Jahn made a motion to adopt an ordinance (recorded as No. 2021) on first reading granting a Specific Use Permit for the operation of a home occupation to Eugene and Oralia Kloesel at property described as Part of Lots 2 and 4 and all of Lot 3 of Block 1117 in the A. May Addition as shown on the official tax roll (for location reference only: 705 Hopkins St.) Second was made by Councilmember Faulkner; motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the proposed 2012-2013 City Budget. City Manager Coleman provided information to the Council regarding the budget. The General Fund Budget as presented is $6,149,150, the Utility Fund Budget is $10,862,020 and the Airport Budget is $39,000 for a total 2012-2013 Fiscal Year Budget in the amount of $17,050,170. The budget as presented is balanced. Hearing no citizen comments, the public hearing was closed. Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2019) on second and final reading adopting the 2012-2013 Fiscal Year Budget. Second was made by Councilmember McCoy; motion carried unanimously.
property (V.T.C.A., Gov. Code, Sec. 551.072), and to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086).

THE meeting re-opened to the public at 7:25 PM. Action resulting from Executive Session: Motion by Mayor Pro-Tem Sitka to adopt an ordinance accepting an electrical rate adjustment as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

THERE being no further business, the meeting adjourned at 7:25 PM.

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

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk
September 25, 2012
Conference Room – 7:30 AM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

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

ABSENT: Rodney Jahn ......................................................... Councilmember

MAYOR Rodriguez called the Special City Council meeting to order for the purpose of receiving and reviewing bids for the City depository contract. City Manager Coleman provided information to the Council and summarized the two bids received from Yoakum National Bank and First State Bank. After compiling the information and comparing the numbers submitted, City staff recommended that Council award the bid to Yoakum National Bank.

AFTER discussion, Councilmember McCoy made a motion to award the City depository contract to Yoakum National Bank for a two-year period. Second was made by Councilmember Faulkner. Mayor Pro-Tem Sitka abstained from voting. Motion carried with Mayor Rodriguez, Councilmember McCoy, and Councilmember Faulkner voting in favor.

THERE being no further business, the meeting closed at 7:35 AM.

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

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk
October 9, 2012
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ............................................. Mayor
Elorine Sitka .............................................................. Mayor Pro-Tem
Tim Faulkner ............................................................. Councilmember
Rodney Jahn ............................................................... Councilmember
Kevin Coleman ............................................................ City Manager
Charles J. Kvinta, Jr. ........................................................ City Attorney
Theresa A. Bowe ........................................................... City Clerk

ABSENT: Timothy L. McCoy ............................................. Councilmember

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

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of September 11, 2012 and September 25, 2012 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2021) on second and final reading granting a Specific Use Permit for the operation of a home occupation to Eugene and Oralia Kloesel at property described as Part of Lots 2 and 4 and all of Lot 3 of Block 1117 in the A. May Addition as shown on the official tax roll (for location reference only: 705 Hopkins St.) Second was made by Councilmember Faulkner; motion carried unanimously.

MOTION by Councilmember Jahn to adopt an ordinance (recorded as No. 2022) on second and final reading accepting an electrical rate adjustment. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

REVIEW was held regarding the fund balances and the recommended policy. After discussion, Councilmember Faulkner made a motion to adopt a resolution (recorded as No. 2012-09) confirming compliance with Chapter 2256 of the Government Code (the Public Funds Investment Act) and adopting Exhibit A as the City of Yoakum’s Investment Policy and Strategies. Motion was seconded by Councilmember Jahn and carried unanimously.

DISCUSSION was held regarding a potential wage and salary study for all City of Yoakum employee positions, which may provide recommendations regarding salary adjustments. After review of the presented information, Mayor Pro-Tem Sitka made a motion to authorize the City Manager to advertise for Requests for Qualifications for an update of the employee compensation plan. Second was made by Councilmember Faulkner; motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the following recommendations made by the Planning and Zoning Commission: 1) for the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at 1005 Dunn St.; 2) for the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at 305 E. Hochheim St.; 3) for the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at 406 and 406 ½
Aubrey St.; and 4) for approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at 202 and 204 Garrett St. City Manager Coleman provided information regarding the requests. Property owner George Scott was present to answer questions and provide information regarding the requests at 1005 Dunn St. and 305 E. Hochheim Street. Property owner Greg Miears was present to provide information regarding 406 and 406 ½ Aubrey St. and 204 Garrett St. All requests were in compliance with the Future Land Use Plan with the exception of 204 Garrett Street. The Planning and Zoning Commission requested that the City Attorney review the request for spot zoning issues. The City Attorney's determination was received by the Council indicating that approval of the request could constitute spot zoning. There being no comments were received from the public, the Public Hearing closed.

MOTION was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2023) on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as all of Lot 3 in Block 1074 of the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 1005 Dunn St.) Second was made by Councilmember Jahn; motion carried unanimously.

COUNCILMEMBER Jahn made a motion to adopt and ordinance (recorded as No. 2024) on first reading granting an Change in Zoning from Residential (R-3) to Residential (R-4) on property described as all of Lot 3 in Block 1069 of the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 305 E. Hochheim St.). Upon second by Mayor Pro-Tem Sitka, motion carried unanimously.

A motion was made by Councilmember Faulkner to adopt an ordinance (recorded as No. 2025) on first reading granting Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lot 9 and Part of Lot 10 of Block 1 in the Pietsch Addition as shown on the official tax roll (for location reference only: 406 and 406 ½ Aubrey St.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION be Councilmember Faulkner to deny the request for a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 9 and 10 of Block 2 (NCB 1201) in the E. Herder Addition as shown on the official tax roll (for location reference only: 202 and 204 Garrett St.). Second was made by Councilmember Jahn; motion carried unanimously.

INFORMATION was reviewed regarding clarifications initiated in the proposed alternative truck route ordinance. Council was also asked to review the proposed permit application. After discussion, Councilmember Faulkner made a motion to table discussion on the alternative truck route ordinance and permit until due diligence has been performed with the companies/individuals that are directly affected by this issue. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

DISCUSSION was held regarding a possible engineering study on alternative truck routes. Direction was given to staff to contact current and retired local Texas Department of Transportation (TxDOT) engineers for their expertise with roadways and traffic that may be able to assist the City. Motion was made by Councilmember Jahn to advertise for Request for Qualifications for engineering services to study alternative truck routes and contact TxDOT engineers for assistance regarding the alternative truck routes. Upon second by Mayor Pro-Tem Sitka, motion carried unanimously.

MOTION by Councilmember Faulkner to approve revisions to the City of Yoakum Personnel Manual specifically Section 3-2 Probationary Period and Section 6-6 Performance
Evaluations to include permanent part-time employees in the evaluation process. Second was made by Councilmember Jahn. Motion carried unanimously.

PROPOSALS were reviewed for engineering services for the Texas Department of Agriculture grant program portion of the Sanitary Sewer Project Phase III Project. After discussion, a motion was made by Councilmember Faulkner to adopt a resolution (recorded as No. 2012-10) awarding a contract for the Sanitary Sewer Project Phase III engineering services to TRC Engineers, Inc. of Austin, TX. in an amount not to exceed $13,000. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

ONE proposal was received for administrative services for the Texas Department of Agriculture grant program portion of the Sanitary Sewer Project Phase III Project from Esser & Company. Motion was made by Councilmember Jahn to adopt a resolution (recorded as No. 2012-11) awarding a contract for the Sanitary Sewer Project Phase III administrative services to Esser & Company of Uvalde, TX. in an amount not to exceed $13,000. Second was made by Councilmember Faulkner; motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to authorize the purchase of a high velocity sewer clean out machine, as budgeted, from Texas Municipal Equipment through the BuyBoard in the amount of $57,046. Second was made by Councilmember Jahn. Motion carried unanimously.

STAFF presented a request from Lester and Doris Zimmerman for the purchase of City owned property described as Lot 9 of Block 8 in the Yoakum Heights Addition (within the 400 Block of Poth St.). After discussion and review, Councilmember Faulkner made a motion to approve the sale of the City owned property contingent upon the execution of a drainage easement through lot 9 as well as through lots 7 and 8 currently owned by the Zimmermans. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

AFTER review, Councilmember Jahn made a motion to approve the City of Yoakum's Identity Theft Prevention Program/Policy as presented. No changes were recommended by staff on the document. Second was made by Councilmember Faulkner; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to re-appoint Marlin Kuenstler to the Yoakum Oak Grove Cemetery Association Board of Directors for a 3-year term. Councilmember Faulkner seconded; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to authorize the expenditure of Baker Funds to finalize the Library Landscape Project. Mayor Pro-Tem Sitka seconded the motion; motion carried unanimously.

A motion was made by Mayor Pro-Tem Sitka authorizing the allocation of funds in an amount not to exceed $12,000 for outsourced accounting services should the need arise. Second was made by Councilmember Jahn. Motion carried unanimously.

UNDER the City Manager's Report: the Annual Pumpkin Patch event is scheduled for Wednesday, October 31st. Schneider Engineering has been compiling a report on the automated meter reading project. A workshop may be scheduled in order to provide the detailed information to the Council, possibly during the week of October 29th. Community Center renovations continue. McCord Engineering is reviewing the loss potential in our electric system and will provide more detailed information at a later date. Information was provided regarding the Bi-Annual Clean UP Day held on October 6th. Jack Maloney, Director of Public
Works provided a break down of debris collected and the cost to the City. Non-brush items that were unable to be collected by the volunteers have been picked up by City crews and brush will be collected on the City's regular route during the month. With this being Finance Director Charlotte Morrow's last Council meeting before retirement, she was recognized for her 47 years of service and thanked for her dedication and exemplary record.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:50 PM for Consultation with City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), and to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072).

THE meeting re-opened to the public at 7:00 PM. No action resulted from Executive Session.

THERE being no further business, the meeting adjourned at 7:00 PM.

Anita R. Rodriguez
Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe
City Clerk
October 29, 2012
Conference Room – 5:15 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .................................................... Mayor
Elorine Sitka ................................................................. Mayor Pro-Tem
Tim Faulkner ............................................................... Councilmember
Rodney Jahn ................................................................. Councilmember
Timothy L. McCoy ........................................................ Councilmember
Kevin Coleman ............................................................ City Manager
Charles J. Kvinta, Jr. ....................................................... City Attorney
Theresa A. Bowe ............................................................ City Clerk

ABSENT: None

MAYOR Rodriguez called the workshop/meeting to order for the purpose of receiving a report from Schneider Engineering, Ltd of Boerne, Texas and to discuss and consider any necessary action regarding an automated meter reading project.

MR. Ned Brown from Schneider Engineering of Boerne, Texas was present to provide information. Mr. Brown gave an overview as well as a detailed report on the options available to Yoakum regarding an automated meter reading program. Discussion was held.

CITY Manager Coleman made a recommendation to go forward and request Schneider Engineering to prepare a Request for Proposal or Request for Qualifications for an automated meter reading program. Consensus from the Council was to wait on the decision process and place the item on the regular November agenda for further consideration.

THERE being no further business, the meeting closed at 6:50 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
November 13, 2012
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ........................................ Mayor
Elorine Sitka ............................................................ Mayor Pro-Tem
Tim Faulkner .......................................................... Councilmember
Rodney Jahn ............................................................ Councilmember
Timothy L. McCoy .................................................... Councilmember
Kevin Coleman ....................................................... City Manager
Charles J. Kvinta, Jr. .................................................. City Attorney
Theresa A. Bowe ....................................................... City Clerk

ABSENT: None

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

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of October 9, 2012 and October 29, 2012 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

THE following ordinances were adopted on second and final reading as presented upon motion by Councilmember McCoy and second by Councilmember Faulkner:

1) An ordinance (recorded as No. 2023) granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as all of Lot 3 in Block 1074 of the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 1005 Dunn St.)

2) An ordinance (recorded as No. 2024) granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as all of Lot 3 in Block 1069 of the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 305 E. Hochheim St.)

3) An ordinance (recorded as No. 2025) granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lot 9 and Part of Lot 10 in Block 1 of the Pietsch Addition as shown on the official tax roll (for location reference only: 406 and 406 ½ Aubrey St.)

Motion carried unanimously.

MOTION by Councilmember Jahn to adopt an ordinance (recorded as No. 2022) on second and final reading accepting an electrical rate adjustment. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the following recommendation made by the Planning and Zoning Commission: 1) for the approval of a Change in Zoning from Residential (R-2) to Residential (R-4) at 906 Mathew St.; City Manager Coleman provided information regarding the request. Property owner George Scott was present to answer
questions and provide information regarding the request. The request is in compliance with the Future Land Use Plan. There being no comments received from the public, the Public Hearing closed.

MOTION was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2026) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as all of Lot 14 of Block 1145 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 906 Mathew St.) Second was made by Councilmember Faulkner; motion carried unanimously.

THE Yoakum Area Chamber of Commerce submitted a request for the closing of certain portions of West Grand Avenue, Ewald Street, and Front Street on December 7, 2012 for Christmas activities including the lighting of Centennial Park and the Christmas Tree at the end of West Grand Avenue. The cost to the City will be approximately $1,400 for personnel and equipment for the event. After review of the requested street closures, Councilmember Jahn made a motion to approve the request from the Yoakum Area Chamber of Commerce to close certain portions of West Grand Avenue for Christmas activities on December 7, 2012 as requested. Second was made by Councilmember McCoy and motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to accept the City of Yoakum Tax Roll as presented by DeWitt County Tax Appraisal District. Motion was seconded by Councilmember McCoy and carried unanimously.

INFORMATION was provided regarding a grant for maintenance to the Municipal Airport. After review and discussion, Councilmember McCoy made a motion to authorize the City Manager to execute a Texas Department of Transportation Routine Airport Maintenance Program grant agreement. Councilmember Jahn seconded the motion; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 2027) on first reading amending the 2011-2012 City of Yoakum Fiscal Year Budget Ordinance No. 1991. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

COUNCIL reviewed a request from Sweet Home Sand and Gravel for the purchase of City owned property located at the south/eastern most corner of Industrial Loop. A map was provided for reference purposes. The Council considered two options: 1) to go out for bid on the property and follow the State guidelines for receiving bids; or 2) to have an appraisal done of the property and sell it to interested adjacent property owners for fair market value. Discussion was held. A motion was made by Councilmember McCoy to authorize the City Manager to advertise for bids for the referenced property. Second was made by Councilmember Jahn. Motion carried unanimously.

YOAKUM Hospitality, LLC requested assistance through the Yoakum Economic Development Corporation for the building of a hotel under construction in Yoakum. Staff provided information regarding the request. After review and discussion, Councilmember McCoy made a motion to adopt a resolution (recorded as No. 2012-12) on the first of two readings approving a project proposed by Yoakum Hospitality, LLC to the Yoakum Economic Development Corporation in the amount of $50,000. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

THE Council received the Yoakum Economic Development Corporation Annual Report. Review and discussion was held. No action was necessary or taken.
DISCUSSION was held regarding a recommendation from the Parks & Recreation Advisory Board for the expenditure of funds for the purchase of bronze statues to be placed at the Chisholm Trail Memorial Park. A presentation was made for two large bronze longhorn statues and nine aluminum longhorn statues painted to replicate a bronze color. Suggestions were made to have the nine smaller aluminum statues painted to resemble authentic longhorn cattle. Staff is to research. Motion was made by Mayor Pro-Tem Sitka to approve the expenditure of funds for the purchase of statues at the Chisholm Trail Memorial Park. Second was made by Councilmember Faulkner. Motion carried unanimously.

ADDITIONAL discussion was held regarding the Bi-Annual Yoakum Clean UP Day held on October 6, 2012. Council suggested surveying the volunteer groups that have helped over the last two years to determine the best weekend for the upcoming March Clean UP Day. Discussion was held regarding brush, and certain unusually large piles of debris/limbs called in for pick up. Brush pick up was questioned since the City has a new policy and schedule for limb and yard waste pick up. Staff is to contact volunteers to determine the March 2013 Clean UP Date.

DUE to a necessary change in the routing of the new sanitary sewer lines, staff is requesting approval to advertise for bids for construction of the redesigned portion. After discussion, Councilmember Faulkner made a motion to authorize the City Manager to advertise for bids on a revised design of a portion of the Sanitary Sewer Improvement Project Phase III. Second was made by Councilmember McCoy and motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2012-13) authorizing signators and the bank depository institution for the Texas Community Development Program Contract No. 712450 project funds for the portion of the Sanitary Sewer Improvement Project funded through a grant from the Texas Department of Agriculture. Motion was seconded by Councilmember Faulkner and carried unanimously.

MOTION was made by Councilmember Jahn to authorize the City Manager to enter into a contract with TRC Engineers, Inc. for an engineering redesign of a portion of the Sanitary Sewer Improvement Project Phase III. Second was made by Councilmember McCoy; motion carried unanimously.

AFTER review of information provided by staff, Mayor Pro-Tem Sitka made a motion to authorize payment to Union Pacific Railroad for the use of Railroad Company’s right-of-way for the Sanitary Sewer Improvement Phase III Project in the amount of $14,560. Second was made by Councilmember Faulkner. Motion carried unanimously.

DISCUSSION was held regarding amendments to various established ordinances and potential new ordinances, specifically: 1) prohibiting the drilling of water wells within the City limits. Staff recommends creating an ordinance that prohibits the drilling and/or repairs of any private water well or underground disposal well within the City limits. Possible exceptions were reviewed. Council concurred with the recommendation and staff was given direction to develop the ordinance for review; 2) amending the City’s Zoning Ordinance to clarify the placement of storage buildings. Discussion was held. Council provided direction to bring an ordinance for review clarifying the issue of accessory buildings within the Zoning Ordinance; 3) requests have been made that the City allow the discharge of wastewater from septic haulers into the City’s Wastewater Treatment Facility. A potential amendment would create a definition of this non-local waste stream and apply all appropriate restrictions to the disposal of that waste into our system, and an amendment would be made to the Manual of Fees and Service Charges. Consensus from the Council was to
determine a fee and implement appropriate guidelines for the discharge; 4) revisions were recommended in the Manual of Fees and Service Charges regarding bulk water sales and EMS rates. Research has indicated that Yoakum's rates are well below other areas cities providing the same services and product. Council gave direction to staff to develop an ordinance for Council review.

UNDER the City Manager's Report, the Library Christmas display opens November 15th. Blue Santa will begin taking applications on Monday, November 26th. A Christmas party for the recipients will be held on December 15th at the Fire Station for the children to receive the gifts and share refreshments with Santa. Staff may possibly bring a proposed plan for tree trimming in City right-of-ways for budgetary purposes to the Council for consideration at a future meeting. Discussion was held regarding special use permits for trucks in conjunction with the alternative truck route ordinance. The alternative truck route engineering proposals and wage and salary survey proposals should be presented at the December Council meeting. Staff is researching the possibility of a permanent electronic waste recycling location for responsible disposal of electronic waste. Staff will be pulling additional information together on this subject for Council review. Holiday closures were reviewed: Thanksgiving, Thursday and Friday November 22 & 23; Christmas Holiday, Monday & Tuesday, December 24 & 25. The Department of Assistance and Rehabilitative Services will be utilizing the Harbus Building beginning in November. The Police Department Impound sale is scheduled for November 17th beginning at 10:00 AM.

EXECUTIVE Session was not entered into. City Manager Coleman provided information to the Council regarding the pending litigation concerning the property located at 222 Price Street. The City's insurance carrier, Texas Municipal League, will have an appraiser in to re-appraise the property and further deliberation will be held at a later date.

THERE being no further business, the meeting adjourned at 7:20 PM.

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

ATTEST:

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

PRESENT: Anita R. Rodriguez .......................... Mayor
          Elorine Sitka .................................. Mayor Pro-Tem
          Tim Faulkner .................................. Councilmember
          Rodney Jahn ................................... Councilmember
          Timothy L. McCoy ............................... Councilmember
          Kevin M. Coleman ............................... City Manager
          Charles J. Kvinta, Jr. ......................... City Attorney
          Theresa A. Bowe ................................ City Clerk

ABSENT: None

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

MOTION was made by Councilmember McCoy to adopt the minutes from the meeting of November 11, 2012 as presented. Second was made Councilmember Faulkner. Motion carried unanimously.

THE following ordinance was adopted on second and final reading as presented upon motion by Councilmember McCoy and second by Councilmember Jahn:

1) An ordinance (recorded as No. 2026) granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as all of Lot 14 of Block 1145 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 906 Mathew St.)

Motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the following recommendations made by the Planning and Zoning Commission: 1) for the approval of a Change in Zoning from Residential (R-3) to Business (B-1) at 1102 W. Grand Ave. 2) for the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at 204 Hope St; and 3) for the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at 203 Antioch St. City Manager Coleman provided information regarding the requests. Property owner John Braden (1102 W. Grand Ave.) was not present. Property owner George Scott was present to answer questions and provide information regarding the requests on properties located at 204 Hope St., and 203 Antioch St. The requests are in compliance with the Future Land Use Plan. There being no comments received from the public, the Public Hearing closed.

COUNCIL also received information regarding a denial for a Specific Use Permit for the operation of a home occupation for commercial auto repair of more than one vehicle at 502 Fink St. After discussion, Council gave direction to staff to work with the property owner at 502 Fink St. in an attempt to assist him with his request.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2028) on first reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lot 10 in Block 8 of the Yoakum Heights Addition as shown on the official tax roll (for location reference
only: 1102 W. Grand Ave.) Second was made by Councilmember Faulkner; motion carried unanimously.

MOTION by Councilmember Faulkner to adopt an ordinance (recorded as No. 2029) on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lot 10 in Block 1058 of the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 204 Hope St.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

UPON motion by Mayor Pro-Tem Sitka and second by Councilmember Faulkner, an ordinance (recorded as No. 2030) was adopted on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lot 2 in Block 1058 of the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 203 Antioch St.). All Councilmembers voted in favor.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 2027) as amended on second and final reading amending the 2011-2012 City of Yoakum Fiscal Year Budget Ordinance No. 1991. Second was made by Councilmember Jahn; motion carried unanimously.

EXPENDITURES for projects being carried over from Fiscal Year 2011-2012 were reviewed and provided for Council consideration for funding in the current Fiscal Year Budget. Projects include the Yoakum Community Center improvements, the Well #7 rehabilitation project that was begun last year, and the Community Development Block Grant matching funds for Phase III of the Sanitary Sewer Improvement Project. The Community Center Project and the Well #7 rehabilitation project were begun and for various reasons were not completed in the last fiscal year as anticipated. The Community Development Block Grant was not received and a re-allocation of funds is necessary for the completion of the Phase III Sanitary Sewer Improvement Project. After discussion, Councilmember Jahn made a motion to approve the expenditure of funds for the projects as presented. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION by Councilmember McCoy to adopt a resolution (recorded as No. 2012-12) on second and final reading approving a project proposed by Yoakum Hospitality, LLC to the Yoakum Economic Development Corporation in the amount of $50,000. Second was made by Councilmember Faulkner. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2031) on first reading amending the Manual of Fees and Service Charges specifically Subsection V. Water Rates & Fees, Item C. Bulk Water, and Subsection VII. Electric Rates & Fees, Item C. (Character of Service) and Item D. (Character of Service and Billing Demand) of the Utilities Section. Motion was seconded by Councilmember Faulkner and carried unanimously.

SHARLA Pohl with the Yoakum Housing Authority was present to provide information to the Council regarding the need for a change to the Section 8 Housing Choice Voucher resolution adopted in 2009. After review and discussion, Councilmember Faulkner made a motion to adopt a resolution (recorded as No. 2012-14) rescinding Resolution No. 2009-01 and authorizing the transfer of Yoakum Housing Authority Section 8 Housing Choice Vouchers to the City of Floresville Housing Authority for administration services as required by the United States Department of Housing and Urban Development. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

PROPOSALS received as a result of the Request for Proposals for a Wage and Salary Survey were reviewed. Staff received 2 responses: one from D. Hilton Associates of The Woodlands, Texas and one from The Waters Consulting Group, Inc. of Dallas, Texas. After review of both proposals, Councilmember McCoy made a motion to award the contract for the City of Yoakum Employee Wage and Salary Survey to D. Hilton Associates of The Woodlands, Texas. Second was made by Councilmember Jahn. Motion carried unanimously.
COUNCILMEMBER McCoy made a motion to proclaim the month of January as School Board Recognition Month. Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER the City Manager’s Report, as part of Phase III of the Sanitary Sewer Project, the engineers have surveyed the area on Tozik Street and believe the alternative route acceptable. Staff has sent out a questionnaire regarding the March Clean UP Day in an effort to determine the best weekend to hold the event in 2013. The Solid Waste Transfer Station is now able to accept electronic waste. An area has been established and an agreement has been put in place with a company that will pick up the items at no charge to the City. The auditor is scheduled to finalize the 2011-2012 audit during the first week of January and anticipates a final report to the Council at the February 2013 Council Meeting. The Blue Santa Program has been accepting applications. The final deadline is scheduled for Wednesday, December 12, 2013 at 3:00. Staff will be assisting with the Senior Citizen Christmas party being held at the Senior Citizen Center located on Kvinta Drive on Wednesday, December 12, 2013 beginning around 11:00 AM. Certain staff members and four YEDC Board Members will be attending Sales Tax Training hosted by the Texas Economic Development Council in Austin, Texas on Friday, December 14, 2012. At the January Council meeting, possible agenda items include options for the automated metering reading infrastructure, the consideration of the sale of City owned property on Industrial Loop, and the Planning and Zoning Commission’s recommendation regarding the storage building issue as it relates to buildings located on property not connected to the primary place of residence. Two large bronze statues have been ordered for the Chisholm Trail Memorial Park; staff has ordered one small aluminum statue painted to blend with the larger statues as an example in order to assist with the decision on how the smaller statues should be painted. City facilities including City Hall, the Wellhausen Library and the Solid Waste Transfer Station will be closed for the holidays on Monday and Tuesday, December 24th and 25th, 2012, as well as Tuesday, January 1, 2013. Monday and Friday’s Solid waste routes will be on schedule, Tuesday through Thursday’s routes will run a day behind both weeks. A report was made to Council regarding the DeWitt County assistance being provided to a citizen group in an effort to clean up of the cemetery on the Solid Waste Transfer Station/Water Treatment Plant property located at the end of Dunn Street. The DeWitt County Commissioner’s Court committed to utilizing County crews to assist with the clearing of the cemetery at the facility. In September, 2009 Council approved a request from Ms. Vanita Cheeves for the disposal of brush from the area at the Transfer Station at no charge. Councilmember Faulkner informed the Council that he was appointed to the Lower Colorado River Authority Mid-Basin Regional Planning Council. Eight counties are involved in the group; the first meeting will be held on January 15, 2013 in Bastrop, Texas.

EXECUTIVE Session was entered into at 6:55 PM in order to consult with the City Attorney on pending litigation (V.T.C.A. Gov. Code, Sec. 551.071), and to deliberate a six (6) month performance evaluation of the City Manager by the City Council (V.T.C.A. Gov. Code, Sec. 551-074). The meeting reopened to the public at 8:20 PM. Action resulting from Executive Session: Motion by Mayor Pro-Tem Sitka to increase the City Manager salary by $5,000 annually. Second was made by Councilmember Faulkner. Motion carried unanimously.

THERE being no further business, the meeting adjourned at 8:21 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk