January 8, 2013
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez ........................................ 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 Rodríguez 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 meeting of December 11, 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 Faulkner and second by Councilmember McCoy:

1) An ordinance (recorded as No. 2028) 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.)

2) An ordinance (recorded as No. 2029) 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.).

3) An ordinance (recorded as No. 2030) 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 property descriptions are as shown on the official tax roll. Motion carried unanimously.

UPON motion by Mayor Pro-Tem Sitka and second by Councilmember Faulkner, Council adopted an ordinance (recorded as No. 2031) on second and final reading amending the Manual of Fees and Service Charges specifically Section 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. All Councilmembers voted in favor. Motion carried.

MAYOR Rodríguez opened a public hearing to receive citizen comments on the following recommendations made by the Planning and Zoning Commission: 1) Approval of a request for a Change in Zoning from Residential (R-3) to Residential (R-4) at 402 Plaza St.; and 2) approval of a request for a Change in Zoning from current zoning districts (R-1, C-1, and C-2) to Industrial (I) in the
100 block of Harwood Rd. Property owners for the 402 Plaza St. request were present to answer any questions. The property owners for the Harwood Rd. property were not present. The requests are in compliance with the Future Land Use Plan. There being no comments received from the public, the Public Hearing closed.

MOTION by Councilmember Faulkner to adopt an ordinance (recorded as No. 2032) on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 7, 8, & 9 in Block 1092 of the Plaza Addition as shown on the official tax roll (for location reference only; 402 Plaza St.) Second was made by Councilmember; motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 2033) on first reading granting a Change in Zoning from current zoning districts (R-1, C-1, and C-2) to Industrial (I) on property described as 7.47 acres of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only; 100 Block of Harwood Rd.) Motion was seconded by Councilmember Jahn and carried unanimously.

A request was received from the Yoakum Shape Shop for the closure of certain streets for the Annual Dash For Downs 5K Run. After review of the information provided, Councilmember Jahn made a motion to approve the request as presented for the 3rd Annual Dash for Downs 5K Run and Fun Walk for the closure of certain streets and the utilization of City personnel for traffic control. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

JEREMY Barnes was present to request the placement of certain private utility improvements in an un-improved City right-of-way. Mr. Barnes provided the Council with details regarding his request. Discussion was held regarding the issues of concern from City staff. If approved, staff recommended constraints be placed on the placement of the utilities as follows: Conformance with the current electrical code, no expansion of use beyond exterior lighting, lines be placed in at a depth and location approved by City so as to limit interference with the function or future maintenance of any public utilities, and permanent identification of the location and depth of the line above ground. After discussion, Councilmember Faulkner made a motion to approve the request from Jeremy Barnes to place private utility improvements in the un-improved City right-of-way at the 600 Block of Schill Street. Motion was seconded by Councilmember Jahn and carried unanimously.

REVIEW was held of the revised Zoning Map. Motion was made by Councilmember Jahn to adopt a resolution (recorded as No. 2013-01) voiding all previous Official Zoning Maps and adopting an Official Zoning Map as amended. Second was made by Councilmember McCoy. Motion carried unanimously.

INFORMATION was provided and City Manager Coleman provided details regarding suggested amendments to Zoning Ordinance No. 1500 by the Planning and Zoning Commission to the Council. After review, Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 2034) on first reading amending Zoning Ordinance No. 1500, specifically Section 4. Schedule of District Regulations Adopted, Subsection 4.3, Item A. Residential Districts, #1. Uses permitted within the R-1 Residential District, Section 8. Supplementary District Regulations and Exceptions, Subsection 8.1 Accessory Buildings, and Subsection 8.8 Site Plan. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

STAFF provided information to the Council regarding the quarter receipt of hotel/motel tax revenue distributed to the City from the Texas State Comptroller of Public Accounts. In the past, these funds have been deposited to the City’s account and percentages allocated to the Yoakum Area Chamber of Commerce at 53%, to the Yoakum Heritage Museum at 7%, and the City retains 40% for
use for the development of tourism as is dictated by State statute. Staff requested direction and clarification from the Council regarding these funds since no written agreement exists between the three entities and limited information is available regarding the percentages received by each. Mayor Rodriguez appointed a committee to work with staff and members of the other two entities toward a written agreement and uses for the funds. The committee appointment included Mayor Rodriguez and Councilmember Faulkner. Direction to staff was to continue distribution to the entities as outlined and discussed until further notice.

A recommendation was received and reviewed from the Yoakum Economic Development Corporation Board of Directors to revise the YEDC 2012-2013 Budget. After discussion, Councilmember McCoy made a motion to approve the recommendation amending the YEDC 2012-2013 Budget by reducing the YEDC Contingency Fund by $21,550 and allocate those funds to the 2013 Enhancement Program Accounts. Second was made by Councilmember Jahn. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion authorizing the Mayor to sign a letter in support of a GVEC Power Up Grant Application being submitted by the Yoakum Area Chamber of Commerce specifically for the upgrade of the park electric service and the large pavilion for use during the Tom Tom Festival. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCIL reviewed plans for tree trimming along certain City streets and right-of-ways. Discussion was held regarding the needed clearance of 13 feet from the street edge for emergency vehicles and other City equipment. Notice will be published in the local newspaper giving property owners an opportunity to trim low hanging limbs prior to the contractor taking action. After receiving information from staff, Councilmember McCoy made a motion to authorize the City Manager to advertise for bids for tree trimming services in City right-of-ways. Councilmember Jahn seconded the motion; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka authorizing the City Manager to advertise for bids for roof repairs on the Harbus Building, City Hall, and Airport Facilities. Second was made by Councilmember Faulkner; motion carried unanimously.

RESPONSES were reviewed for the Alternate Truck Route Engineering Request for Proposals. After discussion, Mayor Pro-Tem Sitka made a motion to allocate an amount not to exceed $5,000 for professional engineering services to assess alternate truck routes and authorize the City Manager to meet with each responding firm to determine the best recommendation to the Council. Motion was seconded by Councilmember Faulkner and carried unanimously.

AFTER review of the proposals for the engineering services for the Alternate Truck Route, Councilmember Faulkner made a motion to table the proposed ordinance establishing the guidelines and authorizing the permitting of through truck traffic on certain City streets until information is received from the selected engineering firm. Second was made by Councilmember McCoy. Motion carried unanimously.

COUNCILMEMBER Faulkner made a motion authorizing the purchase of a new 2013 Chevy Tahoe Police Package in the amount of $25,627 through the State BuyBoard Contract as allowed through the cooperative purchasing regulations, and within budget. Motion was seconded by Councilmember McCoy and carried unanimously.
MOTION by Councilmember Jahn to adopt a resolution (recorded as No. 2013-02) authorizing, establishing the procedures for, and appointing election officials for the City’s General Election to be held on May 11, 2013. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion authorizing the City Manager to enter into a Lease Agreement of Election Equipment with Lavaca County for the May 11, 2013 City of Yoakum General Election. Motion was seconded by Councilmember Jahn and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to appoint Vicki White to an un-expired term to the Planning and Zoning Commission, and Lindsey Lacina to an un-expired term to the Parks and Recreation Advisory Board. Second was made by Councilmember Faulkner. Motion carried unanimously.

MOTION by Councilmember McCoy to authorize the City Manager to advertise for bids for the rehabilitation of Well #4 and, to act in all matters related to the contract not to exceed budgeted amount. Motion was seconded by Councilmember Jahn and carried unanimously.

UNDER the City Manager’s Report, the Fire Department is hosting a blood drive on Tuesday, January 15th at the Fire Station. Council was informed of the upcoming Election filing. The first day to file for a place on the ballot is Wednesday, January 30th for the May 11th election. The auditors are on schedule to present the audit for last fiscal year at the February Council meeting. Automated Meter Infrastructure information may be presented at the next Council meeting. The statues were ordered for the Chisholm Trail Memorial Park. One of the smaller statues was presented as an example. A report was provided on the Municipal Swimming Pool, including safety signage issues, landscaping, painting, and the entrance gate. Estimated costs for the lifeguard stands, decking and diving boards will be reviewed. The kiddie pool has been capped off and a portion of the sidewalks have been repaired. The Quarterly Fund Balance report was provided for Council review. The March 2013 Clean-Up Day was discussed. The date was set for the 2nd Saturday in March (March 9th). Information will be forwarded to the public and volunteers will be contacted for participation. Yoakum will be hosting the Guadalupe Valley Water Association January meeting on January 17th. The Yoakum Area Chamber of Commerce Banquet is scheduled for Thursday, January 24th.

EXECUTIVE Session was entered into at 7:08 PM in order to deliberate the purchase, exchange, lease, or value of real property located at Industrial Loop (V.T.C.A., Govt. Code, Sec. 551.072). The meeting reopened to the public at 7:15 PM. Action resulting from Executive Session: Motion by Mayor Pro-Tem Sitka to accept the bid in the amount of $1,020 received from Susan and Robert Jansky for the City owned property located at Industrial Loop. Second was made by Councilmember Faulkner. Motion carried unanimously.

THERE being no further business, the meeting adjourned at 7:16 PM.

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

ATTEST:

Theresa A. Bowe, City Clerk
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 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 meeting of January 8, 2013 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 Jahn and second by Councilmember McCoy:

1) An ordinance (recorded as No. 2032) granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 7, 8, & 9 in Block 1092 of the Plaza Addition as shown on the official tax roll (for location reference only: 402 Plaza St.)

2) An ordinance (recorded as No. 2033) granting a Change in Zoning from current zoning districts (R-1, C-1, and C-2) to Industrial (I) on property described as 7.47 acres of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: 100 Block of Harwood Rd.)

All property descriptions are as shown on the official tax roll and both requests are in compliance with the Future Land Use Plan. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2034) on second and final reading amending Zoning Ordinance No. 1500, specifically Section 4. Schedule of District Regulations Adopted Subsection 4.3, Item A. Residential Districts, #1. Uses permitted within the R-1 Residential District, Section 8. Supplementary District Regulations and Exceptions, Subsection 8.1 Accessory Buildings, and Subsection 8.8 Site Plan. Motion was seconded by Councilmember Faulkner 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) Approval for a Change in Zoning from Residential (R-3) to Residential (R-4) at 702 Dunn St.; and 2) approval for a Change in Zoning from Residential (R-3) to Business (B-1) at 611 N. South St. Property owners were present to provide information and answer any questions. Comments and questions were received from the public and
addressed. Objections were heard and answered by property owners. The requests are both in compliance with the Future Land Use Plan. After discussion the Public Hearing closed.

MOTION by Councilmember Faulkner to adopt an ordinance (recorded as No. 2035) on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 7-9 in Block 1060 of the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 702 Dunn St.) Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 2036) on first reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lots 5 & 6 in Block 1165 of the JX May Addition as shown on the official tax roll (for location reference only: 611 N. South St.) Motion was seconded by Councilmember Jahn and carried unanimously.

UPON motion by Councilmember McCoy and second by Mayor Pro-Tem Sitka, the Council adopted a resolution (recorded as No. 2013-03) re-affirming the City of Yoakum’s Guidelines and Criteria for Tax Abatement adopted February 11, 1997 as recommended by the Yoakum Economic Development Corporation Board of Directors. Motion carried unanimously.

DISCUSSION was held reading a proposed ordinance regulating the drilling of water wells. After review, Councilmember Jahn made a motion to adopt an ordinance (recorded as No. 2037) on first reading regulating the drilling of water wells inside the City limits. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

REMAINING funds allocated for the Municipal Swimming Pool renovations were reviewed along with items to be considered for prioritization. After review of needed improvements, Mayor Pro-Tem Sitka made a motion to authorize the expenditure of $4,200 from the park reserve funds to replace one (1) lifeguard stand, and the replacement of a storage shed. Second was made by Councilmember Faulkner. Motion carried unanimously.

REVIEW was held of the 2013 Tree Trimming Project bid tabulation. After discussion, Councilmember Faulkner made a motion to award the bid to the sole bidder, Custom Tree Trimming & Removal of Yoakum, Texas in an amount not to exceed $18,000 and allocate the remaining budgeted funds for contract work to clear debris and weeds in significant drainage areas and rights-of-ways, contract work to target curb replacement and construction, and additional funding for the upcoming street improvement project. Motion was seconded by Councilmember McCoy and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to approve an expenditure for the repair of a TYMCO Street Sweeper by Industrial Disposal Supply as a single-source provider in the amount of $33,000. Second by Councilmember McCoy; motion carried unanimously. The repair should extend the life of the current sweeper by another 5 – 7 years; at that time, consideration to purchase a new sweeper may be necessary.

AFTER review and discussion, a motion was made by Councilmember Faulkner to authorize the purchase of breathing apparatus for the Fire/EMS Department from Casco Industries (a single-source provider) in the amount of $25,000, exceeding previously budgeted funding and to include additional equipment. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.
UPON motion by Councilmember Faulkner and second by Councilmember Jahn, Mayor Pro-Tem Sitka, Councilmember McCoy, and City Manager Coleman were appointed to the City/School Summer Recreation Board. Motion carried unanimously.

INFORMATION was provided regarding adjustments to the City of Yoakum Personnel Manual, specifically for employees’ vacation and sick leave accrual process changing from a monthly accrual to a bi-weekly accrual inline with previously established pay periods. Motion by Councilmember McCoy and second by Councilmember Faulkner to approve amendments to the City of Yoakum Personnel Manual as presented. Motion carried unanimously.

UNDER the City Manager’s Report, information was provided on Phase III of the Sanitary Sewer Project. Bids are scheduled to be let in March for engineering services to be brought to the Council for consideration in May 2013. The City Auditors are scheduled to bring the Fiscal Year 2012 audit to the Council in March. The longhorn statues for the Chisholm Trail Memorial Park are scheduled for delivery in March. The March 9th Clean-Up Day is on schedule; information has been sent to the newspaper, posted on City facility entrances, and printed on the February utility bills. City staff will meet volunteers at 8:00 Saturday morning to assign work areas; lunch will be served for all volunteers. Council was invited to the TML Region 11 Meeting scheduled for March 7, 2013 to be hosted by the City of Victoria, Texas. Councilmember Faulkner provided Council with a review of Economic Development Corporation activity including the visit to the North American Hydraulic Excavator Company (Caterpillar) facility by three of the ED Board members, the prospect of a recommendation forthcoming from the ED Board regarding the Freeport Tax Exemption (goods-in-transit tax); the possible recruitment of a professional site locator for potential businesses; the tour of the Eddy Packing Company facility and that company’s manpower shortage; information was provided on the Enhancement program; Council was invited to the ED Board meeting held the 2nd Monday of each month; and information was provided on the new YoakumEDC.com website. The City Manager continued with information regarding the old cemetery located on City property at the end of Dunn Street. County Commissioners had approved the clearing by County crews and clean-up is going well. The City Council had approved the free disposal of the brush from that project to our brush and lumber grinding area. The Annual Police Department Racial Profiling Report was provided for Council review as provided by law.

EXECUTIVE Session was entered into at 6:55 PM in order to discuss an electric utility-related matter concerning the review of meter reading options for the City (V.T.C.A., Gov. Code, Sec. 551.086) and to deliberate the performance evaluation, and salary review of the Municipal Court Judge and the City Attorney (V.T.C.A., Gov. Code, Sec. 551-074). The meeting reopened to the public at 7:30 PM. Action resulting from Executive Session: Motion by Mayor Pro-Tem Sitka to increase the salary for the Municipal Judge by 5% effective March 1, 2013. Second was made by Councilmember Faulkner. Motion carried unanimously.

THERE being no further business, the meeting adjourned at 7:31 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

The City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
March 12, 2013
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez ........................................ 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 Councilmember Jahn gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed. Norma Zelinger was introduced by the City Manager as the newest City of Yoakum Police Officer. Officer Zelinger was welcomed by the Council.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meeting of February 12, 2013 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 Jahn and second by Councilmember Faulkner:

1) An ordinance (recorded as No. 2035) on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 7-9 in Block 1060 of the Yoakum Townsite Addition (for location reference only: 702 Dunn St.)

2) An ordinance (recorded as No. 2036) on first reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lots 5 & 6 in Block 1165 of the JX May Addition (for location reference only: 611 N. South St.)

All property descriptions are as shown on the official tax roll and both requests are in compliance with the Future Land Use Plan. Motion carried unanimously.

COUNCIL considered a request from the local Relay For Life representative (Name) for the utilization of the Yoakum Municipal Park for the 2013 Relay For Life event. The program has been in existence for 30 years; this year’s program will be from 12:00 pm to 9:00 pm with the luminaries being lit at dusk. After discussion, Councilmember Faulkner made a motion to allow the use of the Municipal Park Facilities for the 2013 Relay For Life event as presented. Motion was seconded by Councilmember McCoy and carried unanimously.

UPON motion by Councilmember McCoy and second by Councilmember Jahn, an ordinance (recorded as No. 2037) was adopted on second and final reading regulating the drilling of water wells inside the City limits. 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) Approval for a Change in Zoning from Residential (R-2) to Residential (R-3) at 223 Mathew St. Property owners were present to provide information and answer any questions. Comments and questions were received from the public and addressed. The property owner indicated that the current structure located on the property is to be demolished and a multi-wide manufactured home will be installed. Should the property owners be unable to acquire a multi-wide home, and a single-wide manufactured home is obtained, a request will be required to go before the Planning and Zoning Commission for review and consideration prior to placement. The request is in compliance with the Future Land Use Plan. After discussion the Public Hearing closed.

MOTION by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2038) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-3) on property described as Lot 22 (Lot 18 on the City Map) of Block 1120 in the Park Heights Addition as shown on the official tax roll (for location reference only: 223 Mathew St.) Second was made by Councilmember Jahn; motion carried unanimously.

MICHAEL Sharp with Burry & Partners of San Antonio, Texas was present representing HEB Grocery Company regarding a request to approve a preliminary plat on property described as 5.48 acres of Abstract 29 of the John May League (property owned by Southern Pacific Railroad), and part of Block 1130 of the Park Heights Addition (for location reference: 201 W. Gonzales St.) The Preliminary Plat was reviewed and recommended to Council for approval as presented by the Planning and Zoning Commission at their meeting of March 11, 2013. A drainage study has been submitted; information was provided to Council and questions were received and addressed. Motion by Mayor Pro-Tem Sitka to approve the Preliminary Plat as presented. Second was made by Councilmember Faulkner. Motion carried unanimously.

INFORMATION was provided regarding bids received for the City facilities roof repairs and rehabilitation. Both Airport facility bids were under budget and awarded to Easley Construction of Victoria, Texas. Details were provided on bids received for the Harbus Building roof repairs which were over budget. Staff recommended rejecting all bids for the project and re-evaluating. Bids were reviewed for the City Hall facility roof repairs; Easley Construction provided the low bid on the project, however did not provide a quote for a warranty. Staff recommended awarding the bid to Easley Construction contingent upon successful negotiation of a warranty. Motion was made by Councilmember McCoy to reject all bids received on the Harbus Building roof repairs and award the bid for the City Hall facility to Easley Construction of Victoria, Texas in the amount of $14,202 contingent upon the successful negotiation of a warranty. Second by Mayor Pro-Tem Sitka; motion carried unanimously.

UPON recommendation by the committee appointed to review options for utilization of Type B Sales Tax revenue, Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 2039) on first reading creating a Tourism Board, establishing roles and responsibilities, the appointment of members, the filling of vacancies, and the election of officers to said Board. Second was made by Councilmember Jahn and motion carried unanimously. The City Attorney was asked to review the authority of the created Board to allocate funds without Council consent. The Tourism Board will be able to distribute funds as allowed by law without Council approval.

MOTION was made by Councilmember Jahn to adopt a resolution (recorded as No. 2013-04) allowing the issuance of credit cards to authorized City employees through the City's approved depository. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.
MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2013-05) allowing the submission of a grant application to the Texas Department of Housing and Community Affairs Owner Occupied Housing Program (HOME Program). Motion was seconded by Councilmember Faulkner and carried unanimously.

ADDITIONAL information was provided regarding the 2013 Tree Trimming Contract. Discussion was held and quotes were reviewed from the contractor for a stretch of Kennedy Ditch and the new lift station area. After review of the recommendations from Staff, Councilmember McCoy made a motion to change the contractual amount for the 2013 Tree Trimming Contract to an amount not to exceed $25,000 to complete the Kennedy Ditch area; and to disregard the lift station area at this time. Motion was seconded by Councilmember Jahn and carried unanimously.

SIGNAGE on and adjacent to designated truck routes was discussed. City Manager Coleman hopes to have the report from the engineer with recommendations for the alternate truck route by the end of April 2013. Staff has indicated certain locations along the route where additional signage indicating where the trucks are allowed and along City streets where they may be prohibited. Specific discussion was held regarding vehicles traveling on FM 1447 toward Highway 111, and choosing to take FM 682 rather than continue on to Highway 111 to the designated truck route. Action taken by City Council on this issue would make an official request to the Texas Department of Transportation to place additional signage outside City limits to provide direction to truck operators. The intent would be to instruct through-truck traffic to continue on FM 1447 to Highway 111. This action would not prevent truck traffic initiated inside City limits with current arrangements with the City to travel along approved roads at this time. Mr. Robert Jansky was present to provide comment regarding the shortest route through the City from FM 682 being Burt Street to Antioch Street to S. South Street to West Street to Highway 111/Irvine Street. Reiteration was provided of the proposed signage will be to guide vehicles that originate outside of the City limits for through traffic. After discussion, motion by Councilmember McCoy to approve additional signage to regulate the use of City streets by through truck traffic originating outside the City limits. Second was made by Councilmember Jahn; motion carried unanimously.

COUNCIL considered a request from Mr. Don Williams to authorize him to cast a vote on behalf of the City of Yoakum at the Guadalupe Valley Electric Cooperative District Meeting to be held on March 19, 2013. Discussion was held; no action was taken.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2013-06) accepting Certificates of Unopposed Candidates from the City Clerk, cancelling the may 11, 2013 General Election, and declaring each unopposed candidate elected to office for City Council Places 1, 2, and 3. Second was made by Councilmember Jahn; motion carried unanimously.

A motion was made by Councilmember McCoy proclaiming the month of April 2013 as Fair Housing Month. Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER the City Manager's Report, the information packet from the Texas Municipal League Region 11 meeting held in Victoria on March 7, 2013 was provided for the Councilmembers unable to attend, as well as an agenda for the next meeting to be hosted by the City of Refugio in June 2013. Council was provided a copy of a letter from Mr. Jack Turner declining reappointment to the Yoakum Housing Authority Board of Commissioners after 35 years of service. City Manager Coleman announced the City/School Summer Recreation Board meeting scheduled for March 18, 2013 at 11:00 AM to be held at the City Hall Conference Room. The Yoakum Independent School District has invited the City to attend a meeting scheduled for Tuesday, March 19, 2013 at 6:00 PM in the YISD Administrative Building to discuss its literacy plan. Certain staff members will attend and Council is
invited. The presentation of the 2012 audit has been postponed due to a death in the auditor’s family. Plans are to bring the audit to the Council in April 2013. The Wage & Salary study has been received and is to be presented at the April 2013 Council meeting. Information will be provided regarding the sales tax revenue and other fund balances. The March 2013 Yoakum Clean-Up Day was another great success: the number of volunteers exceeded previous years. Most crews were done by 10:30 AM and final touches were completed by 11:30 AM. Information was provided regarding the goods-in-transit tax issue that may be brought before the Council for consideration. Economic Development Board members will be approaching other taxing entities to address concerns.

THERE being no further business, the meeting adjourned at 7:02 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
April 9, 2013
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 M. 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 meeting of March 12, 2013 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

COUNCILMEMBER Jahn made a motion to adopt an ordinance (recorded as No. 2038) on second and final reading granting a Change in Zoning from Residential (R-2) to Residential (R-3) on property described as Lot 22 (Lot 18 on the City Map) of Block 1120 in the Park Heights Addition as shown on the official tax roll (for location reference only: 223 Mathew St.) Second was made by Councilmember Faulkner; motion carried unanimously.

REVIEW was held of the final plat on property described as 5.48 acres of Abstract 29 of the John May League (property currently owned by Southern Pacific Railroad), and part of Block 1130 of the Park Heights Addition (for location reference: 201 W. Gonzales St.). Staff reviewed the plat indicating that it is strictly a metes and bounds plat not indicating easements or lease holds. Easements and leases will be negotiated. Motion was made by Mayor Pro-Tem Sitka to approve the Final Plat as presented. Second was made by Councilmember Faulkner. Motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 2039) on second and final reading creating a Tourism Board, establishing roles and responsibilities, the appointment of members, the filling of vacancies, and the election of officers to said Board. Second was made by Councilmember Jahn and motion carried unanimously.

A request was received from the property owner at 318 Front Street for a variance to the City of Yoakum Code of Ordinances and to the Building Code to allow for columns to be placed supporting an awning at the location. The property owner, Raul Cervantes, was present to provide information and answer questions. After review, Mayor-Pro Tem Sitka made a motion to allow a variance to the City of Yoakum Code of Ordinances and the Building Code as requested contingent upon all other construction being done in compliance with all Building Code requirements. Second was made by Councilmember Faulkner. Motion carried unanimously.
THE following recommendations were received from the Planning and Zoning Commission:
1) the approval of a Change in Zoning from current zoning districts (Residential R-1 and Commercial C-2) to Industrial (I) at 201 & 203 Harwood Rd.; 2) approval of a Specific Use Permit for the operation of a religious institution at 406 Lott St. for a two-year period; and 3) approval of a Change in Zoning from Residential (R-2) to Residential (R-3) at 207 & 209 Dayly St., and 208 & 210 McGee St.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the Planning and Zoning Commission's recommendations. The property owners for each property were present to provide information and answer questions. All requests are in compliance with the Future Land Use Plan. With no citizen comments being received from the public; the public hearing closed.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2040) on first reading granting a Change in Zoning from current zoning districts (Residential R-1 and Commercial C-2) to Industrial (I) on property described as 5.61 acres of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: 201 & 203 Harwood Rd.). Motion was seconded by Councilmember Faulkner and carried unanimously.

UPON motion by Councilmember Faulkner and second by Mayor Pro-Tem Sitka an ordinance (recorded as No. 2041) was adopted on first reading granting a Specific Use Permit for the operation of a religious institution for property described as Part of Lots 11 and 12 of Block 10 (NCB 1010) in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 406 Lott St.) (Property is owned by Joseph and Conyetta Swaney). Motion carried unanimously.

COUNCILMEMBER Jahn made a motion to adopt an ordinance (recorded as No. 2042) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-3) on property described as Part of Lots A, B, & D of Block 1103 in the West End Addition as shown on the official tax roll (for location reference only: 207 & 209 Dayly St., and 208 & 210 McGee St.) (Property is owned by Aaron Rosales). Second was made by Councilmember Faulkner; motion carried unanimously.

COUNCIL reviewed the list of streets to be included in the 2013 Street Improvement Project. Information was provided by staff and discussion was held regarding areas that are suffering, possible over budget items, prioritization by staff once bids are received and possibly utilizing Street Reserve Funds for a portion of overage. A motion was made by Mayor Pro-Tem Sitka to approve the streets to be included in the 2013 Street Improvement Project, authorize the City Manager to advertise for seal coat bids, and approve the recommendation by staff as presented. Motion was seconded by Councilmember Faulkner and carried unanimously.

AN overview was held of the Employee Wage and Salary study being performed by D. Hilton & Associates. Staff recommends scheduling a workshop to meet with the firm to go through the report in detail. Council will be contacted to determine and confirm a date for the Workshop.

DISCUSSION was held regarding the City Hall roof repair and the quote from Easley Construction of Victoria, TX. for a five-year labor and materials warranty in the amount of $4,500. To move forward with the project and include the warranty will put the project over budget. After discussion, Councilmember Jahn made a motion to authorize the cost of the warranty. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.
MOTION by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2013-07) adopting a Citizen Complaint Procedure required as recipients of a grant by the Texas Community Development Block Grant from the Texas Department of Agriculture, Office of Rural Affairs in connection with the Sanitary Sewer Improvement Project – Phase III. Second was made by Councilmember Jahn and motion carried unanimously.

COUNCILMEMBER Jahn made a motion to adopt a resolution (recorded as No. 2013-08) establishing City policy regarding Section 504 grievance procedures required as recipients of grant funds by the Texas Community Development Block Grant from the Texas Department of Agriculture, Office of Rural Affairs in connection with the Sanitary Sewer Improvement Project – Phase III. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

UPON motion by Councilmember Faulkner and second by Councilmember Jahn, Council adopted a resolution (recorded as No. 2013-09) adopting Section 3 Policy Plan required as recipients of grant funds by the Texas Community Development Block Grant from the Texas Department of Agriculture, Office of Rural Affairs in connection with the Sanitary Sewer Improvement Project – Phase III and authorizing the City Manager to act as the City’s Executive Officer and authorized representative in all matters pertaining to the City’s participation in the Section 3 Policy. Motion carried unanimously.

COUNCILMEMBER Jahn made a motion to appoint Billy Goodrich and Mary Lou Vera to the Yoakum Housing Authority Board of Commissioners for two-year terms, and Zephela Mathis as Resident Commissioner for a one-year term. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously. Mr. Jack Turner, who served on the Board for 36 years, declined reappointment. Council expressed their appreciation to Mr. Turner for his dedicated service.

MOTION by Councilmember Faulkner to proclaim the week of May 19 – May 25, 2013 as Public Works Week. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

UNDER the City Manager’s Report, two bronze steers have been delivered to the Chisholm Trail Memorial Park for placement. Both larger statues and the smaller calf that has been on display at City Hall will be placed and secured this week. A representative from the Insurance Services Office will be in Yoakum this week to complete a survey to determine the ISO rating for our City. The City will be hosting a group of volunteers from the New Life Baptist Church and the First Baptist Church on Saturday, April 13, 2013. The Youth Groups will be assisting Park Personnel in a clean up project in the Municipal Parks. Council was informed of the Friends of the Library Annual Spring Luncheon scheduled for Monday, April 15, 2013 to be held at the Yoakum Community Center beginning at 11:30 AM. Staff intends to bring bids received on the Sanitary Sewer Improvement Project – Phase III to the May 2013 Council meeting for consideration, and plans are to have the audit presented by Harrison, Waldrop & Uherek, L.L.P. The City is moving forward on the dedication plans for the Municipal Swimming Pool Project. The Library received another grant from the Tocker Foundation in the amount of $9,400 that will cover a five-year period for a web-based circulation program. The bi-annual Clean Up Day held on April 6, 2013 was a success, information was provided: the Transfer Station logged 353 cubic yards of trash, 3.8 cubic yards of lumber, 94.4 cubic yards of brush, and 105 tires removed from the community. The estimated cost to the City for the project is $6,307.41. An announcement was made of a retirement reception to be hosted by the Yoakum Housing Authority honoring Mr. Jack Turner and Mrs. Sandra Steinmann for their years of service to that organization, to be held April 26, 2013 from 3:00 PM to 6:00 PM. A financial report for fiscal year quarter ending March 31, 2013 was presented and reviewed.
COUNCIL entered into Executive Session at 6:48 PM to deliberate the purchase, exchange, lease or value of real property and consider authorizing the Mayor to enter into a lease agreement with HEB Grocery for property described as 5.48 acres of Abstract 29 of the John May League (property currently owned by Union Pacific Railroad behind HEB Pantry retail strip) (Gov. Code, V.T.C.A. Sec. 551.072). The meeting re-opened to the public at 7:10 PM.

ACTION resulting from Executive Session: Mayor Pro-Tem Sitka made a motion to authorize the Mayor to enter into a partial termination agreement with Union Pacific Railroad Company and enter into a commercial lease with HEB Grocery on property described as part of 5.48 acres of Abstract 29 of the John May League. Second was made by Councilmember Faulkner. Motion carried unanimously.

THERE being no further business, the meeting adjourned at 7:11 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 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 Mayor Pro-Tem Sitka gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

MAYOR Rodriguez presented Certificates of Election for Councilmembers McCoy, Faulkner, and Mayor Pro-Tem Sitka. Mayor Pro-Tem and Mayor Rodriguez, City Clerk Bowe administering the Statement of Elected Officers and the Oaths of Office.

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 Councilmember Faulkner to adopt the minutes from the meeting of April 9, 2013 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 Faulkner and second by Councilmember Jahn:

1) An ordinance (recorded as No. 2040) on first reading granting a Change in Zoning from current zoning districts (Residential (R-1) and Commercial (C-2)) to Industrial (I) on property described as 5.61 acres of Abstract 44 in the Pat Ryan Addition (for location reference only: 201 & 203 Harwood Rd.)

2) An ordinance (recorded as No. 2041) on first reading granting a Specific Use Permit for the operation of a religious institution for property described as Part of Lots 11 and 12 of Block 10 (NCB 1010) in the Yoakum Townsite Addition (for location reference only: 406 Lott St.) (Property owned by Joseph and Conyetta Swaney)

3) An ordinance (recorded as No. 2042) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-3) on property described as Part of Lots A, B, & D of Block 1103 of the West End Addition (for location reference only: 207 & 209 Dayly St.; and 208 & 210 McGee St.) (Property owned by Aaron Rosales)

All property descriptions are as shown on the official tax roll and requests are in compliance with the Future Land Use Plan. Motion carried unanimously.
THE following recommendation was received from the Planning and Zoning Commission:
1) the approval of a Change in Zoning from Residential (R-1) to Industrial (I) at Airport Rd.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the Planning and Zoning Commission’s recommendation. The property owners were not present and no written objections have been received. The request is in compliance with the Future Land Use Plan. With no citizen comments being received from the public; the public hearing closed.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2043) on first reading granting a Change in Zoning from Residential (R-1) to Industrial (I) on property described as 2 acres of Abstract 44 in the Pat Ryan Addition as shown on the official tax roll (for location reference only: Airport Rd.). Motion was seconded by Councilmember McCoy and carried unanimously.

INFORMATION was received from Charlotte Krause with the Pecan Valley Groundwater Conservation District regarding a request for the City of Yoakum’s support to change the uniformed election date for their entity. After discussion, Councilmember McCoy made a motion to adopt a resolution (recorded as No. 2013-10) in support of changing the Pecan Valley Groundwater Conservation District election schedule to the November Uniform Election Date. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

AUDITOR Steve Van Mannen with Harrison, Waldrop & Uherek, L.L.P. was present to provide information regarding the Annual Financial Audit Report for Fiscal Year ending September 30, 2012. A letter of assurance from the firm was provided, 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. Minor 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, 2012 as presented. Councilmember McCoy seconded the motion. Motion carried unanimously.

DIRECTOR of Finance Sandra Jacob provided a mid-year Budget and Revenue Report for Fiscal Year 2013 for consideration. Discussion was held; question were presented and addressed. After review, Councilmember McCoy made a motion to approve the mid-year Budget and Revenue Report as presented. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

COUNCILMEMBER Jahn made a motion to authorize the closure of certain streets and alleys, and to authorize the use of City property as presented in coordination with the 85th Annual Tom Tom Festival to be held May 31 – June 1, 2013. Second was made by Councilmember Faulkner and motion carried unanimously. Staff noted that Texas Department of Transportation (TxDOT) requirements mandate that TxDOT right-of-ways be re-opened by 12:00 noon.

IN an effort to maintain a safe environment during the Tom Tom Festival activities in and around the Municipal Park area, and upon recommendation by staff, Councilmember McCoy made a motion authorizing a “No Parking” designation on the portion of Davis Avenue between Valentine St. and S. Park Road on Saturday, June 1, 2013. Motion was seconded by Councilmember Jahn and carried unanimously.

UPON motion by Councilmember Jahn and second by Councilmember McCoy, the Council unanimously approved a request from the Yoakum Independent School District to waive golf course green fees for a school sponsored golf tournament.
AFTER Council ballots were canvassed by the City Attorney and City Clerk, Mayor Pro-Tem Sitka made a motion to appointment Lindsey Lacina and Wayne Ramert to the Parks and Recreation Advisory Board for two-year terms. Second was made by Councilmember Faulkner and motion carried unanimously.

APPOINTMENTS to the recently created Tourism Board were discussed. Motion by Councilmember McCoy to appoint Annie Rodriguez and Carl O'Neill for initial one-year terms, and Layne Brandt, Tim Faulkner, and Theresa Bowe for two-year terms. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

BIDS for the City of Yoakum Sanitary Sewer Improvement Project – Phase III were presented and discussed. Options were reviewed concerning the portion funded by the Community Development Block Grant through the Texas Department of Agriculture Office of Rural Affairs. After review, Councilmember Faulkner made a motion to award the contract to the low bidder, Mercer Construction Co. of Edna, Texas based on unit prices and authorize the submission of a change order to the Texas Department of Agriculture to accommodate budget limitations. Second was made by Councilmember McCoy; motion carried unanimously.

THE larger portion of the Sanitary Sewer Improvement Project – Phase III was discussed. Bids were substantially higher that the engineer's estimates (roughly 33% over budget). After review, Councilmember Jahn made a motion directing staff to award the bid to the low bidder, Mercer Construction Co., of Edna, Texas based on unit prices and directed staff to work with TRC Engineering and Mercer Construction to revise the scope of work and review potential changes in construction details to bring project within budget. Motion was seconded by Councilmember McCoy; motion carried unanimously.

INFORMATION was provided regarding bids received for the 2013 Street Improvement Project. Options were discussed. After review, Councilmember Faulkner made a motion to award the contract to the low bidder, H & C Construction of Shiner, Texas based on unit prices in an amount not to exceed $81,000, amend the budget to transfer $25,000 out of the Street CIP Reserve account to be placed in the Street Improvement Project budget to cover the over-budget amount, and authorized the City Manager to act in all matters relating to the contract. Second was made by Councilmember McCoy; motion carried unanimously.

MOTION was made by Councilmember Jahn to adopt a resolution (recorded as No. 2013-11) authorizing the City Manager to adopt in all matters related to a grant from the Regional Environmental Resources Advisory Committee (RERAC) through the Golden Crescent Regional Planning Commission for disposal of e-waste items and tires. Seconded by Councilmember Faulkner. Motion carried unanimously.

COUNCIL received information on the Airport Hanger Roof Replacement Project awarded to Easley Construction. Upon inspection of the roof, the contractor suggested a full roof replacement due to the current condition of the facility. The proposal provides for a full warranty. After discussion, Mayor Pro-Tem Sitka made a motion to authorize the City Manager to execute a contract for the complete replacement of the Airport Hanger Roof in an amount not to exceed $32,000 and authorize the budget amendment to accommodate funding of the project. Motion was seconded by Councilmember McCoy and carried unanimously.

DISCUSSION was held regarding proposed budget amendments to allow for air condition repair at City Hall, and electrical repair at the Municipal Park Pavilion. A motion was made by
Councilmember McCoy to authorize the increase of Line Item 5403 – Maintain Heating and Cooling Units in the Building Maintenance Department from $3,000 to $9,000 to fund replacement of the Air Condition unit at City Hall prior to the roof repair; and to increase Line Item 5401 – Maintain Buildings and Grounds in the Parks and Recreation Department from $15,000 to $24,000 to fund electrical and lighting upgrade at the Park Pavilion. Second was made by Councilmember Faulkner and motion carried unanimously.

STAFF provided information regarding proposed changes to the City of Yoakum Personnel Manual which included requiring City wide random drug and alcohol screening procedural changes, accrual of compensatory time, cell phone usage while driving a City vehicle, gift policy, and sick leave allowed for family. After review, Mayor Pro-Tem Sitka made a motion to adopt the revised Personnel Manual as presented. Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER the City Manager’s Report, Council was reminded that the 85th Annual Tom Tom Festival is scheduled for May 31, through June 2, 2013 in the Municipal Park, and the City of Yoakum Municipal Swimming Pool Ribbon Cutting will be held on June 1, 2013 at 12:00 noon. Information on future City Council agenda items was provided: additional action may need to be taken regarding the Sanitary Sewer Improvement Project – Phase III; preliminary budget revisions may be presented; and plans are still underway for a workshop on the Employee Compensation Study once the final draft is received from the contractor. The City Clerk was asked to provide an update on the Library’s new circulation program provided by a grant received from the Tocker Foundation. The new program allows patrons internet access to view their own account information, as well as browse the Library’s complete collection, and will provide staff with a multitude of features that will assist the Library in being more efficient and user friendly.

COUNCIL entered into Executive Session at 7:25 PM to discuss the appointment, employment, or duties of additional personnel to perform code enforcement duties in the Inspection Department (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 adjourned at 7:50 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
June 11, 2013
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez .............................................................. 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 Rodríguez 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 meeting of
May 14, 2013 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. 2043) on
second and final reading as presented granting a Change in Zoning from Residential (R-1) to
Industrial (I) on property described as 2 acres of Abstract 44 in the Pat Ryan Addition as shown on
the official tax roll (for location reference only: Airport Rd). The request is in compliance with the
Future Land Use Plan. Motion was seconded by Councilmember Faulkner and carried
unanimously.

THE following recommendations were received from the Planning and Zoning Commission:
1) the approval of a Change in Zoning from Residential (R-2) to Residential (R-4) at 425 Mathew
   Street; 2) the approval of a Change in Zoning from Residential (R-1) to Residential (R-3) at 1509
   W. Grand Avenue (Lots 13-17) & denial of the requested Change in Zoning on Lots 1-5.

MAYOR Rodríguez opened a public hearing to receive citizen comments on the Planning
and Zoning Commission’s recommendations. The property owners were present and written
objections for the property located at 1509 W. Grand Avenue were reviewed. Council noted that
only one objection was received by the Planning and Zoning Commission at the posted meeting.
The requests recommended for approval are in compliance with the Future Land Use Plan. Citizen
comments were received from the public with objections being noted; the public hearing closed.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No.
2044) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on
property described as ½ of Lot 13 and all of Lot 14 of Block 1121 in the Park Heights Addition as
shown on the official tax roll (for location reference only: 425 Mathew St.). Motion was seconded
by Mayor Pro-Tem Sitka and carried unanimously.
MOTION was made by Councilmember McCoy to adopt an ordinance (recorded as No. 2045) on first reading granting a Change in Zoning from Residential (R-1) to Residential (R-3) on property described as Lots 13-17 in Block 3 of the Burns Addition as shown on the official tax roll (for location reference only: 1509 W. Grand Ave.) and deny the requested Change in Zoning on Lots 1-5 in Block 3 of the Burns Addition. Second was made by Councilmember Jahn. Motion carried with Councilmember Faulkner voting against.

Helen Seakamp with the Yoakum Heritage Museum was present along with other Museum Board members to request additional funding from the City to increase the Museum Director salary and attempt to alleviate the turnover of employees in that position. Discussion was held regarding the timing of the funding and the ability to begin the additional funding with the upcoming Fiscal Year Budget. Mayor Pro-Tem Sitka made a motion to provide funding to the Yoakum Heritage Museum in the amount of $11,700 to become effective with the October 1, 2013 budget year. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER Faulkner made a motion to deny a request from American General Life and Accident Insurance Company to enter into an agreement for an Employer Sponsored Voluntary Benefits Program. Second was made by Councilmember Jahn; motion carried unanimously.

MOTION by Councilmember Jahn to grant a request from the Carl & Mary Welhausen Library to close certain portions of streets surrounding the Library for the Summer Reading Program activities to be held on Wednesday, July 17, 2013. Councilmember McCoy seconded the motion. Motion carried unanimously.

INFORMATION was received from Kevin Osborne with TRC Engineers regarding the Texas Department of Agriculture portion of the Sanitary Sewer Improvement Project – Phase III. Recommendations were reviewed and discussed. Motion was made by Councilmember McCoy to accept the change order as recommended by TRC Engineers pending approval by the Texas Department of Agriculture, and allocate up to $38,000 for a certain portion of the property. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

IN continuance of the discussion with Kevin Osborne with TRC Engineers, discussion was held regarding the remaining portion of the Sanitary Sewer Improvement Project – Phase III. Adjustments made to certain aspects of the specifications would reduce the cost of the total project by $693,000. After addressing questions and concerns, Councilmember Jahn made a motion to approve the change order as recommended by TRC Engineers as presented. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

DISCUSSION was held regarding the acceptance of a HOME Program Grant. After review and clarification, Councilmember Faulkner made a motion to accept a grant from the Texas Department of Housing and Community Affairs Owner Occupied Housing Program (HOME Program) for the completion of eight homes within the following two (2) year period. Motion was seconded by Councilmember McCoy and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to authorize the City Manager to advertise for Request for Proposals from contractors in compliance with the Texas Department of Housing and Community Affairs Owner Occupied Housing Program. Second was made by Councilmember Faulkner and motion carried unanimously.
MOTION by Councilmember McCoy to appoint the firm of Harrison, Waldrop & Uherek, L.L.P. for auditing of City financial records for Fiscal Year ending September 30, 2013 and authorize the City Manager to enter into a Letter of Understanding with the firm. Second was made by Councilmember Faulkner. Motion carried unanimously.

CITY Manager Coleman provided information to the Council regarding the City of Yoakum Employee Wage & Salary Study currently in progress. Starting salaries for most positions seem to be below market value at this time. In order to accommodate the salary increases needed all at once, the budget could be impacted by $261,200. The contractor, D. Hilton and Associates continue to work through details for a final draft. Options were reviewed. Direction was provided to the City Manager to instruct D. Hilton to provide information based on a three-year incremental increase and schedule a workshop for June 24, 2013 at 5:30 PM to receive the information.

MAYOR Pro-Tem Sitka made a motion to appoint the following members to the respective City appointed Boards: Tommy Barre and Bettyle Powell to the Planning and Zoning Commission for three-year terms; Sandra Bergey and Chris Gearson to the Construction Board of Adjustment and Appeals for three-year terms; Betty Borchers, Bob Putnam, Malissa Williams, and Patsy Kaiser to the Library Board for two-year terms; and Eloine Sitka as Council Representative to the Yoakum Heritage Museum for a one-year term. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER the City Manager’s Report, information for training opportunities was provided to the Council. A report was compiled from the various City Departments on the activities and cost to the City of the 85th Annual Tom Tom Festival. For future agenda items, the City Manager informed the Council that the current Fiscal Year Budget amendment should be presented at the July Council meeting. Staff will work up a tentative schedule for the 2013-2014 Fiscal Year Budget Workshop and confirm dates with the Council.

COUNCIL entered into Executive Session at 7:00 PM 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), and to discuss an electric utility-related matter concerning GFS Electric Cooperative (V.T.C.A., Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:55 PM. No action resulted from Executive Session.

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

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
June 18, 2013
Conference Room – 6:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez  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 Rodríguez opened the meeting to the public at 12:10 PM in compliance with V.T.C.A., Gov. Code, Sec. 551.041.

COUNCIL entered into Executive Session at 12:10 PM to deliberate the appointment, assignment, and duties of the City Attorney (V.T.C.A., Gov. Code, Sec. 551.074). The meeting re-opened to the public at 12:30 PM.

Action resulting from Executive Session: Mayor Pro-Tem Sitka made a motion to accept the resignation of City Attorney Charles J. Kvinta, Jr. and authorize the Mayor to pursue interim legal services. Motion was seconded by Councilmember McCoy and carried unanimously.

Anita R. Rodríguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
June 25, 2013
Conference Room – 6:00 PM
City Hall

SPECIAL MEETING/WORKSHOP 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 opened the meeting to the public at 5:00 PM in compliance with V.T.C.A., Gov. Code, Sec. 551.041.

INFORMATION was provided from Erica Bonnell with D. Hilton Associates regarding the recommended revised pay structure presented. Market pricing analysis was conducted for each position. Applying internal equity will support strong performers, and assist with maintaining ongoing market competitiveness. Ms. Bonnell also informed the Council that ongoing support will be provided by D. Hilton and Associates to maintain market pricing over the three year period that the incremental increases will be implemented.

MAYOR Rodriguez provided findings to the Council regarding a candidate for the City Attorney position. After discussion, Mayor Pro-Tem Sitka made a motion to appoint Ken Kvinta as City Attorney effective immediately. Second was made by Councilmember McCoy. Motion carried unanimously.

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

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk

City of Yoakum, Texas
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez .................................................. Mayor
Elorine Sitka ................................................................. Mayor Pro-Tem
Tim Faulkner ................................................................. Councilmember
Rodney Jahn ................................................................. Councilmember
Timothy L. McCoy .......................................................... Councilmember
Kevin M. Coleman .......................................................... City Manager
Kenneth E. Kvinta ........................................................... City Attorney
Theresa A. Bowe .............................................................. City Clerk

ABSENT: None

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. Newly appointed City Attorney Ken Kvinta was introduced and welcomed.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of June 11, June 18, and June 25, 2013 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt the following ordinances on second and final reading as presented: 1) (recorded as No. 2044) granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as ½ of Lot 13 and all of Lot 14 of Block 1121 in the Park Heights Addition as shown on the official tax roll (for location reference only: 425 Mathew St.); and 2) (recorded as No. 2045) granting a Change in Zoning from Residential (R-1) to Residential (R-3) on property described as Lots 13-17 in Block 3 of the Burns Addition as shown on the official tax roll (for location reference only: 1509 W. Grand Ave.). Motion was seconded by Councilmember Jahn and carried unanimously.

THE following recommendations were received from the Planning and Zoning Commission: 1) the approval of a Change in Zoning from Residential (R-2) to Residential (R-4) at 404 Moffitt Street; and 2) the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at 402 & 404 Aubrey St.

Mayor Rodriguez opened a public hearing to receive citizen comments on the Planning and Zoning Commission’s recommendations. The property owners were not present for the property located at 404 Moffitt St; no written objections had been received and no citizen comments were received during the Public Hearing. Applicant and property owner were present to provide information and answer questions. The requests recommended for approval are in compliance with the Future Land Use Plan. With no comments being heard, the public hearing closed.

Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2046) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Part of Lot 11 and all of Lot 12 of Block 1136 in the Tucker Addition as shown on the
official tax roll (for location reference only: 404 Moffitt St.) (Property owned by Marcela Munoz.). Motion was seconded by Councilmember McCoy and carried unanimously.

MOTION was made by Councilmember McCoy to adopt an ordinance (recorded as No. 2047) on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 7 and 8 of Block 1 in the Pietsch Addition as shown on the official tax roll (for location reference only: 402 & 404 Aubrey St.) (Property owned by Marcela Munoz). Second was made by Councilmember Faulkner. Motion carried unanimously.

RECEIVED a preliminary report from Bradley Loehr, P.E. with BEFCO Engineering, Inc. on a designated truck route. Maps were presented and discussion was held regarding options that may be available to the City, as well as the current routes that are being utilized. Discussion was held on the cost of the presented options, a possible permitting system, alternate routes, and the issues at the intersection of FM 318 and Highway 111. Further discussion and more detailed information will be provided by BEFCO at a later date for staff and Council review.

THE Quarterly Financial/Investment Report was presented and Director of Finance Sandra Jacob was present to provide information and answer question. Councilmember Faulkner made a motion to approve the Quarterly Financial/Investment Report as presented. Second was made by Councilmember Jahn. Motion carried unanimously.

AFTER review and discussion, motion was made by Councilmember Jahn to adopt an ordinance (recorded as No. 2048) on first reading amending the City of Yoakum 2012-2013 Fiscal Year Budget. Second was made by Councilmember Faulkner; motion carried unanimously.

INFORMATION was provided regarding the proposed Performance Agreement between the Yoakum Economic Development Corporation and Pavilion FD-Yoakum, LLC. Pavilion owns the property on which the facility is being built and will maintain a long term lease agreement with Family Dollar which is the employing entity. After discussion, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2013-12) on the first of two reading approving a Performance Agreement with Pavilion FD-Yoakum, LLC for the allocation of Type B Sales Tax Funds in the amount of $50,000. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCILMEMBER McCoy made a motion to approve the amended Yoakum Economic Development Corporation 2012-2013 Fiscal Year Budget as presented including $10,000 to be allocated to the certified nursing assistance program, $50,000 to assist with performance agreements, and $5,000 to be allocated for a vision seminar to be performed by a contracted site locator firm. Motion was seconded by Councilmember Jahn and carried unanimously.

UNDER the City Manager’s Report, for future agenda items, the City Manager informed the Council that follow-up information will be provided from BEFCO Engineering, Inc. at a future Council meeting, the proposed budget will be provided to Council at the August Council meeting, the City Attorney will be reviewing the ability of the City to require renters to maintain property within the Property Maintenance Code, staff has been approached by a citizen requesting to open the Animals and Fowl Ordinance for discussion at a future Council meeting, and staff may bring a request to Council for authorization to advertise for a Request for Proposal for the outsourcing of EMS billing services. A Budget Workshop was tentatively scheduled for August 8, 2013 at 5:30 PM. A Draft Budget will be provided for Council’s review prior to the meeting. Information was provided regarding changes implemented in the Employee Salary Survey. Details will also be
discussed at a later date. Staff was informed of the latest ISO rating after information was provided to the company performing the survey. Yoakum’s ISO rating improved from a five (5) to a four (4).

COUNCIL entered into Executive Session at 7:10 PM to discuss and consider a professional services agreement for employment of the City Attorney (V.T.C.A., Gov. Code, Sec. 551.074). The meeting re-opened to the public at 7:18 PM. No action resulted from Executive Session.

THREE being no further business, the meeting adjourned at 7:18 PM.

Elorine Sitka, Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
August 8, 2013
Conference Room – 5:30 PM
City Hall

SPECIAL MEETING/BUDGET WORKSHOP 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
          Theresa A. Bowe ............................................................... City Clerk

ABSENT: None

THE budget workshop meeting was called to order by Mayor Rodriguez with City Manager Kevin Coleman, Fire/EMS Director Mark Herchek, Finance Director Sandra Jacob, Director of Public Works/Utilities Jack Maloney, Police Sergeant Michael Pierman, Director of Community Services Derrick Smith, and City Clerk Theresa Bowe in attendance for presentation of the 2013-2014 City of Yoakum Fiscal Year Budget.

All revenues and expenditures were reviewed on an individual department basis. City Manager outlined the increase and decreases in the cost of certain items, needed purchases, and expenditures. Council gave direction to staff to make changes as discussed and present the revised budget for Council consideration at a special meeting scheduled for August 22, 2013 at 5:30 PM meeting.

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

Elorine Sitka
Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

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

PRESENT:  Elorine Sitka ................................................. Mayor Pro-Tem
          Tim Faulkner ................................................... Councilmember
          Rodney Jahn .................................................... Councilmember
          Timothy L. McCoy ............................................. Councilmember
          Kevin M. Coleman ............................................ City Manager
          Kenneth E. Kvinta ............................................. City Attorney
          Theresa A. Bowe .............................................. City Clerk

ABSENT: Aníta R. Rodríguez ........................................ Mayor

MAYOR-Pro Tem Sitka 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 July 9 and August 8, 2013 as presented. Second was made Councilmember Jahn. Motion carried unanimously.

COUNCILMEMBER Jahn made a motion to adopt the following ordinances on second and final reading as presented: 1) (recorded as No. 2046) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Part of Lot 11 and all of Lot 12 of Block 1136 in the Tucker Addition as shown on the official tax roll (for location reference only: 404 Moffitt St.) (Property owned by Marcela Munoz); and 2) (recorded as No. 2047) on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 7 and 8 of Block 1 in the Pietsch Addition as shown on the official tax roll (for location reference only: 402 & 404 Aubrey St.) (Property owned by Marcela Munoz). Motion was seconded by Councilmember McCoy and carried unanimously.

UPON motion by Councilmember McCoy and second by Councilmember Jahn, Council unanimously adopted a resolution (recorded as No. 2013-13) adopting a new Official Zoning Map which shall supersede all previous Official Zoning Maps.

AFTER review and discussion, motion was made by Councilmember McCoy to adopt an ordinance (recorded as No. 2048) on second and final reading amending the City of Yoakum 2012-2013 Fiscal Year Budget. Second was made by Councilmember Jahn; motion carried unanimously.

COUNCILMEMBER FAULKNER made a motion to adopt a resolution (recorded as No. 2013-12) on the second of two readings approving a Performance Agreement with Pavilion FD-Yoakum, LLC for the allocation of Type B Sales Tax Funds in the amount of $50,000. Motion was seconded by Councilmember McCoy and carried unanimously.

DISCUSSION was held regarding the proposed 2013-2014 Fiscal Budget including the proposed tax rate and options for Council to consider. Direction was given to the City Manager to
contact the DeWitt County Tax Assessor Collector to acquire additional details prior to first reading to adopt a tax rate for 2013.

INFORMATION was provided regarding the City of Yoakum solid waste contracts with Texas Disposal System (TDS) and the City of Cuero for acceptance, disposal, and transport of solid waste. Staff has been made aware of a pending contract for TDS to provide solid waste collection services to the City of Cuero, which will affect the existing contracts with the City of Yoakum due for renewal in 2014. Additional information will be available at future meetings and Council action will be required at a later date.

COUNCILMEMBER McCoy made a motion to accept the City of Yoakum Employee Wage & Salary Survey and approve the incremental salary adjustment for Fiscal Year 2013-2014 as presented. Second was made by Councilmember Faulkner and motion carried unanimously.

THE YEDC Annual Work Plan and Budget for FY 2013-2014 was reviewed and considered. After discussion, Councilmember McCoy made a motion to approve the Yoakum Economic Development Corporation Annual Work Plan and Budget for FY 2013-2014 as presented. Motion was seconded by Councilmember Jahn and carried unanimously.

MOTION was made by Councilmember Faulkner to authorize the City Manager to enter into an Interlocal Cooperation contract with the Texas Department of Public Safety for the purchase of supplies. Seconded by Councilmember Jahn; motion carried unanimously.

COUNCILMEMBER Jahn made a motion to authorize the City Manager to execute a renewal agreement with the Texas Department of Public Safety for Release of Driver Records for employment purposes. Motion was seconded by Councilmember McCoy and carried unanimously.

MOTION was made by Councilmember McCoy to appoint four (4) members to the Yoakum Economic Development Corporation Board of Directors: Anita Rodriguez, Tim Faulkner, Dave Talbert, and Arthur Hermann, III to be appointed for two-year terms. Second was made by Councilmember Jahn; motion carried unanimously.

TWO Councilmembers, Elorine Sitka and Tim McCoy were appointed to the Golden Crescent Regional Planning Commission's General Assembly upon motion by Councilmember Faulkner and second by Councilmember Jahn. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion to authorize the City Manager to execute a Continuation of Coverage Administrative Agreement with the Texas Municipal League Intergovernmental Employee Benefits Pool. Motion was seconded by Councilmember Faulkner and carried unanimously.

UPON motion by Councilmember Faulkner and second by Councilmember McCoy, Council unanimously authorized the purchase of water meters as budgeted from Mueller Systems in the amount of $28,421.87.

INFORMATION and timeline was provided for the October 2013 Clean-Up Day to be held on October 5, 2013.

UNDER the City Manager's Report, the Yoakum Municipal Swimming Pool will be closed after August 16, 2013, a Special Council meeting has been scheduled for August 22, 2013 at
which time the 2013-2014 Fiscal Budget will be presented for Council action, the Golden Crescent Regional Planning Commission General Assembly will be held in Hallettsville, Texas on August 27, 2013, City facilities will be closed for Labor Day on September 3, 2013, and the Texas Municipal League Annual Conference is scheduled October 9-11, 2013 in Austin, Texas. A revised Policy Statement Manual will be presented to the Council for review and action at a future Council meeting, either September or October. The Sanitary Sewer Improvement Project – Phase III contracts have been signed and a pre-construction meeting will be scheduled. Mercer Construction of Edna, Texas is working on the Yoakum Street Water Tower to address issues. The Request for Proposals for the HOME Program Grant through the Texas Department of Housing and Community Affairs has been sent out; proposals are scheduled to be opened on August 28, 2013 at 2:00 PM. Staff will be reviewing in further detail the EMS billing rates prior to submission to the Council for consideration. Preparation for the 2013 Street Improvement Project is complete and the contractor, H&C Construction of Shiner, Texas will contact Street Department Staff to schedule the seal coating portion.

THERE being no further business, the meeting adjourned at 6:47 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
SPECIAL MEETING/BUDGET WORKSHOP OF THE CITY COUNCIL

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

ABSENT: None

THE budget workshop meeting was called to order by Mayor Rodriguez with City Manager Kevin Coleman, Fire/EMS Director Mark Herchek, Finance Director Sandra Jacob, Director of Public Works/Utilities Jack Maloney, Police Chief Arthur Rogers, Director of Community Services Derrick Smith, and City Clerk Theresa Bowe in attendance for presentation of the revised 2013-2014 City of Yoakum Fiscal Year Budget.

ALL revenues and expenditures were reviewed. After discussion, Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 2049) on first reading adopting the 2013-2014 Fiscal Year Budget as presented. Second was made by Councilmember McCoy; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to approve the 2013 Certified Appraisal Roll for the City of Yoakum as certified by the DeWitt County Chief Appraiser in the amount of $201,687,124 including both DeWitt and Lavaca County appraisal roles, and pending the final outcome of $21,518,180 under appeal. Motion was seconded by Councilmember Faulkner and carried unanimously.

MOTION by Councilmember McCoy to establish the amount of debt service to be supported by the ad valorem tax levy at $115,000 and to establish the amount to be supported by utility revenue at $330,281 for Fiscal Year 2013-2014 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 $250,281 for a total debt service of $445,281. Motion was seconded by Councilmember Faulkner and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2050) 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 4.5% increase in Maintenance and Operation and is unchanged from the 2012 tax rate. Councilmember McCoy seconded the motion. Motion carried unanimously.

MOTION by Councilmember Jahn to adopt an ordinance (recorded as No. 2051) on first reading amending the Manual of Fees and Services Charges, specifically Subsection VIII. Solid Waste Rates and Fees, Item F. Roll-Off Container Service Fee; Subsection IX. Solid Waste
Management Facility, Item F. Solid Waste Management Facility Rates, both in the Utilities Section; Subsection IV. Parks/Recreation Policies & Fees, Item C. School Green Fees, Item E. Pavilion Reservation Fee, and Item G. Rodeo Arena and Grounds Usage Fee in the General Section. Second was made by Councilmember Faulkner and motion carried unanimously.

THERE being no further business, the meeting closed at 6:04 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

City of Yoakum
Texas
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez .................................................... Mayor
Tim Faulkner ................................................................. Councilmember
Rodney Jahn ................................................................. Councilmember
Timothy L. McCoy ............................................................ Councilmember
Kevin M. Coleman ............................................................ City Manager
Kenneth E. Kvinta ............................................................. City Attorney
Theresa A. Bowe ............................................................... City Clerk

ABSENT: Elorine Sitka .......................................................... Mayor Pro-Tem

MAYOR Rodriguez called the City Council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag was led by Boy Scout Mason Talbert of Troop #228 and recited by all attending. Visitors were acknowledged and welcomed. Officer Kelley Lawrence was introduced and welcomed as Yoakum’s newest Police Officer.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of August 13 and August 22, 2013 as presented. Second was made Councilmember McCoy. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt the following ordinances on second and final reading: 1) an ordinance (recorded as No. 2049) adopting the 2013-2014 Fiscal Year Budget as presented; 2) an ordinance (recorded as No. 2050) levying taxes to be assessed and collected and 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 4.5% increase in Maintenance and Operation and is unchanged from the 2012 tax rate; and 3) an ordinance (recorded as No. 2051) amending the Manual of Fees and Services Charges, specifically Subsection VIII. Solid Waste Rates and Fees, Item F. Roll-Off Container Service Fee; Subsection IX. Solid Waste Management Facility, Item F. Solid Waste Management Facility Rates, both in the Utilities Section; Subsection IV. Parks/Recreation Polices & Fees, Item C. School Green Fees, Item E. Pavilion Reservation Fee, and Item G. Rodeo Arena and Grounds Usage Fee in the General Section. Motion was seconded by Councilmember Jahn and carried unanimously.

A Public Hearing was opened to receive citizen comments regarding the renewal of the City of Yoakum Juvenile Curfew Ordinance. Letters of support were received and reviewed by Council. With no comments received from the public, the Public Hearing closed.

MOTION by Councilmember Faulkner to adopt an ordinance on first reading (recorded as No. 2052) providing for the continuance of Juvenile Curfew Ordinance No. 1578 as amended. Second was made by Councilmember Jahn. Motion carried unanimously.

BRADLEY Loehr, P.E. with BEFCO Engineering, Inc. and Mr. Ben Bohuslav were present to provide information regarding the final engineer’s report on the Alternative Truck Route. Discussion was held regarding: proposed solutions to the large trucks utilizing narrow City streets, specifically, Burt, Antioch, and South South and North South Streets; the sharp turn located at F.M. 318 and Highway 111 West; possible street improvements; annual permitting; and City Attorney
review of the existing truck ordinance. Permitting concerns could include weight limits to protect streets, and types of material being hauled on City streets (i.e. hazardous material). Mr. Bahuslav recommended working with the local Texas Department of Transportation Engineer on solutions. Council gave direction to staff to review the ordinance and present recommendations at a future Council meeting.

ROBIN Sisco with GrantWorks of Austin, Texas was present to provide information regarding the proposal submitted in coordination with the Texas Department of Housing and Community Affairs Owner Occupied Housing Program (HOME Program). Details were provided and discussion was held. Upon completion of Ms. Sisco’s presentation, Councilmember Faulkner made a motion to adopt a resolution (recorded as No. 2013-16) authorizing the award of the contract for the Texas Department of Housing and Community Affairs Owner Occupied Housing Program and authorize the City Manager to enter into an agreement with the awarded contractor. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCILMEMBER Faulkner provided a report from the Tourism Board outlining the Fiscal Year 2013-2014 Action Plan for the Board. The tentative budget was reviewed and discussed. As it stands, once Hotel/Motel Occupancy Tax funds are received by the City, distribution is made to the Yoakum Area Chamber of Commerce in the amount of 53%, 7% to the Yoakum Heritage Museum, and the remaining 40% is retained by the City. The recent establishment of the Tourism Board provides an avenue to effectively utilize the funds held by the City to directly benefit the tourism/hotel industry. The funds may be utilized for events that include nine criteria stipulated by State law which include arts, sporting, and other multi-day events. Council suggested inviting hotel owners to visit with the Tourism Board on how they would like to see the funds used.

A request was heard from the Crossroads Youth Football League for the use of City facilities and property located on North South Street near the rodeo grounds. Quinton Moore and Chad Douglas were present to make the request, provide information, and answer questions. The representatives of the League have done maintenance to the field and are requesting exclusive use of the area with the intent of improving the area with an irrigation system, lines, and a concession stand. The group is planning a fundraiser to fund the irrigation system, and the City staff has offered to install. Consensus of the Council was to give direction to the City Manager to draft a formal agreement and bring to the Council for consideration at a later Council meeting.

REVIEW was held of the Yoakum Code of Ordinances, specifically Chapter 10-14 regarding Open Burning. Staff has received several requests to burn brush inside the City limits and has refused based on the current City statutes. Based on the hazards that burning inside the City limits may cause, Staff’s recommendation is to maintain the ordinance as it is written to ensure public safety and assist in maintaining a clean environment. Council agreed and the ordinance will remain in place. Discussion was also held regarding Chapter 4 – Animals and Fowl. Comments were received from the public regarding felines being allowed to run-at-large. Mr. and Mrs. David Aselin were present requesting that the Council review the ordinance to remove the wording that requires cats to be restrained. Mr. Don Bowe was present to request that the ordinance be made more stringent and limit the number of cats that an individual is allowed to own. Extended discussion was held; consensus of the Council was to leave the ordinance as it stands currently.

AN amendment to the City of Yoakum Employee Wage & Salary Plan and incremental salary adjustment for Fiscal Year 2013-2014 was presented for review. Councilmember McCoy made a motion to approve as presented with a second by Councilmember Jahn. Motion carried unanimously.
AFTER a review of the City’s Investment Policy and information provided by the Director of Finance Sandra Jacob indicating that no changes in the law have made it necessary to amend the current policy, a motion was made by Councilmember Faulkner to adopt a resolution (recorded as No. 2013-17) adopting a current Investment Policy for the City of Yoakum. Second was made by Councilmember Faulkner. Motion carried unanimously.

MOTION was made by Councilmember Jahn to authorize the charge-off of listed ambulance and utility account receivables as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

COUNCILMEMBER McCoy made a motion to approve the use of reserve funds for the unbudgeted purchase of a new air condition unit at the Carl & Mary Welhausen Library to replace a malfunctioning unit. Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER the City Manager’s Report, information was provided regarding the Yoakum ISD’s Homecoming Parade scheduled for September 13, 2013 beginning at 6:00 PM. City crews will be located throughout town to provide traffic control to ensure safety. A pre-construction meeting has been scheduled with Mercer Construction for the Sanitary Sewer Improvement Project. Retiree Michael Bennett has been hired on a part-time basis as a Public Works Project Manager to assist with that project and others that will be implemented. The final herd of steers has arrived at the Chisholm Trail Memorial Park and will be put in place in the following week. The Bi-Annual Clean-Up Program is in progress and is scheduled for October 5, 2013. The two-year appointments for the DeWitt and Lavaca County Appraisal District Board of Directors will be presented to Council at the October 2013 meeting. Conyetta Gaus-Swaney has indicated that she will accept the DeWitt County position if re-appointed. Lavaca County incumbent John Fling has been unavailable for confirmation as of this date.

COUNCIL entered into Executive Session at 7:10 PM to discuss a wholesale power purchase agreement and electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:45 PM. No action resulted from Executive Session.

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

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

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

PRESENT:  Anita R. Rodriguez .......................................................... Mayor
          Elorine Sitka ............................................................... Mayor Pro-Tem
          Tim Faulkner ............................................................. Councilmember
          Rodney Jahn ............................................................... Councilmember
          Timothy L. McCoy ........................................................ Councilmember
          Kevin M. Coleman ........................................................ City Manager
          Kenneth E. Kvinta ........................................................ 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 meeting of September 10, 2013 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

A Public Hearing was opened to receive citizen comments regarding the renewal of the City of Yoakum Juvenile Curfew Ordinance. With no comments received from the public, the Public Hearing closed.

MOTION by Mayor Pro-Tem Sitka to adopt an ordinance on second and final reading (recorded as No. 2052) providing for the continuance of Juvenile Curfew Ordinance No. 1578 as amended. Second was made by Councilmember Faulkner. Motion carried unanimously.

STAFF provided information regarding proposed amendments to the City of Yoakum Purchasing Policy. After review and discussion, direction from the Council included the continuance of purchased of $25,000 and over being subject to the bidding process and raise other standard purchasing amounts as recommended by staff. The revised policy will be brought to the Council for action at a future meeting.

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 Faulkner seconded the motion; motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2013-18) nominating Conyetta Gaus-Swaney as a candidate for the DeWitt County Appraisal District’s Board of Directors and to adopt a resolution (recorded as No. 2013-19) nominating John Fling as a candidate for the Lavaca County Appraisal District’s Board of Directors. Second was made by Councilmember Faulkner and motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to appoint Melba Bucek and George Boecker to the Yoakum Oak Grove Cemetery Association Board of Directors for three-year terms. Motion was seconded by Councilmember McCoy and carried unanimously.
AFTER review of information provided regarding insurance and a previously budgeted re-codification project, Council gave direction to staff to self insure mobile equipment valued at $10,000 and under, insure equipment valued at $10,000 and over, do not purchase supplemental sewer insurance and lean on liability insurance for any sewer back-ups that the City is responsible for, to not institute flood insurance at this time, however, the City Manager is to get further details regarding flood insurance, and to request additional quotes for premiums for lower exposure for Public Employee Dishonesty Coverage. Councilmember Faulkner made a motion to amend the 2013-2014 budget moving unpaid funds for the re-codification project from the previous budget year. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

STAFF requested direction regarding having a cost of service analysis for the City’s Utility Funds performed. Council gave instructions to request Harrison, Waldrop & Uherek, L.L.P. to provide a breakdown of the cost for the service. Information will be provided at a future Council meeting for consideration.

UNDER the City Manager’s Report, the HOME Program that was approved by Council previously is underway. Information was provided; applications will be accepted on November 6, 2013 beginning at 9:30 AM at the Harry O. Gibson Center. An update was provided on the Sanitary Sewer Improvement Project; Mercer Construction will be done with the Texas Department of Agriculture portion of the project within the week (80% complete at this time). Once the TDA section is complete, the contractor will begin on the lift station project. Mercer Construction assisted the Yoakum Fire Department with a safety issue after the fire on Hickey Street, using available equipment, the contractor was able to abate an unstable portion of the building to alleviate the potential hazard. A meeting of the Parks and Recreation Advisory Board was held on October 2, 2013. Staff was provided final instructions on the Chisholm Trail Memorial Park from that Board, including: update of the landscaping, placing the rock inside the star outline, remove the sod, repair the fence, and place appropriate signage. Council suggested additional lighting, as well. A dedication program will be planned for the end of December. Information was provided on specific changes to the City of Yoakum Personnel Manual that are currently being reviewed by the City Attorney regarding the Drug and Alcohol Policy. The Quarterly Investment Report was provided for Council review. Details of the October 2013 Clean-Up Day were unavailable and will be provided at a later date. Volunteers were done around 12:30 PM. Mayor Rodriguez reminded the Council of the Grand Opening event to be held on October 9, 2013 at 5:00 PM for the Black Gold Inn.

COUNCIL entered into Executive Session at 7:00 PM to discuss a wholesale power purchase agreement and electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086), and to deliberate the appointment, employment, and duties of the Director of Public Works position (V.T.C.A., Gov. Code, Sec. 551.074). The meeting re-opened to the public at 7:35 PM. No action resulted from Executive Session.

THERE being no further business, the meeting adjourned at 7:35 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

Theresa A. Bowe, City Clerk
October 23, 2013
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 M. Coleman .................................................................. City Manager
Kenneth E. Kvinta ................................................................. City Attorney
Theresa A. Bowe ........................................................................ City Clerk

ABSENT: None

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

COUNCIL entered into Executive Session at 5:31 PM to discuss a wholesale power purchase agreement and electric utility-related matter with the Lower Colorado River Authority (V.T.C.A., Gov. Code, Sec. 551.086). The meeting re-opened to the public at 6:30 PM. No action resulted from Executive Session.

THERE being no further business, the meeting adjourned at 6:30 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

City of Yoakum, Texas
November 12, 2013
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

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

ABSENT: None

MAYOR Rodríguez 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 October 8 and October 23, 2013 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

THE following recommendations were received from the Planning and Zoning Commission: 1) the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at 102 O’Conner Street; 2) the approval of a Change in Zoning from Residential (R-2) to Residential (R-3) or from Residential (R-2) to Residential (R-4) at 215 & 217 Dayly Street; 3) the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) on property located at 1118-1124 Dunn Street; and 4) the approval of a Change in Zoning from Residential (R-3) to Residential (R-4).

MAYOR Rodríguez opened a public hearing to receive citizen comments on the Planning and Zoning Commission’s recommendations. The property owner was present for the property located at 102 O’Conner Street to answer questions and provide information; one written objection was received and no citizen comments were received during the Public Hearing. The property owner was present to answer questions for the property located at 215 & 217 Dayly Street. The Planning and Zoning Commission had approved the request for a change to Residential (R-4) contingent upon review by the City Attorney. The City Attorney’s opinion indicated that a change to Residential (R-4) could be considered spot zoning and the change to Residential (R-3) would be more appropriate. No objections were received for this property. The property owner for 1118 – 1124 Dunn Street was present to provide information and answer questions. No objections were received. The property owner was present and no objections were received for property located at 312 Mathew Street and 315 Bare Street. The requests recommended for approval are in compliance with the Future Land Use Plan. After discussion, the public hearing closed.

COUNCILMEMBER Faulkner made a motion to adopt the following ordinances on first reading: 1) an ordinance (recorded as No. 2053) granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lot 6 of Block 1258 in the Clifton Addition as shown on the official tax roll (for location reference only: 102 O’Conner St.); 2) an ordinance (recorded as No. 2054) granting a Change in Zoning from Residential (R-2) to Residential (R-3) for property described as Lots 6 and 7 of Block 1103 in the West End Addition as shown on the official tax roll (for location reference only: 215 & 217 Dayly St.); 3) an ordinance (recorded as No. 2055) granting a Change in Zoning from Residential (R-3) to Residential (R-4) for property described as
Lots 2 and 3 of Block 74 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 1118-1124 Dunn St); and 4) an ordinance (recorded as No. 2056) granting a Change in Zoning from Residential (R-3) to Residential (R-4) for property described as Lot 17 of Block 1122 in the Guchard Addition as shown on the official tax roll (for location reference only: 312 Mathew St. and 315 Bare St.). Motion was seconded by Councilmember Jahn and carried unanimously.

BLAISE Dietner was present representing the St. Joseph Catholic Church in a request for a Specific Use Permit to operate an institution of a religious, educational, or philanthropic nature for property located at 405 Orth St. The request has been approved by the Planning and Zoning Commission and the required public hearing will be held at the December 2013 Council meeting for citizen comments. After discussion, Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 2057) on first reading granting a Specific Use Permit as requested for property described as the south part of Lots 7 and 8 of Block 1216 of the Mahon Addition as shown on the official tax roll (for location reference only: 405 Orth St.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

CITY Manager Coleman provided information regarding proposed changes to the City of Yoakum Manual of Fees and Service Charges. Staff is proposing to remove policy and regulations from the Manual of Fees to be placed in a policy manual. Revised Manual of Fees and Service Charges include rate increases proposed by the Yoakum Area Chamber of Commerce for the use of the Community Center. After discussion, Councilmember Jahn made a motion to adopt an ordinance (recorded as No. 2058) on first reading repealing the City of Yoakum Manual of Fees and Service Charges in its entirety. Second was made by Councilmember McCoy; motion carried unanimously.

RECOMMENDATIONS on the City of Yoakum Purchasing Ordinance were reviewed, including the $25,000 threshold the City Manager is allowed to authorize and the public bidding requirements for that amount, over low-bid percentage allowed for vendors inside the City limits, and budget preparation timeframe. Upon conclusion of discussion, Councilmember Jahn made a motion to adopt an ordinance (recorded as No. 2059) on first reading amending the City of Yoakum Code of Ordinances, specifically Chapter 7. Finance and Taxation as presented. Motion was seconded by Mayor Pro-Tem Sitka and 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 6, 2013 for Christmas activities including the lighting of the Christmas Tree at the end of West Grand Avenue. After review of the requested street closures, Councilmember McCoy 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 6, 2013 omitting the closure of Front Street. Second was made by Councilmember Faulkner and motion carried unanimously.

A revised City of Yoakum Tax Roll was presented from the DeWitt County Tax Assessor-Collector for approval. After review, Councilmember Faulkner made a motion to approve the revised Tax Roll as presented. Second was made by Councilmember McCoy; motion carried unanimously.

INFORMATION was provided by City Manager Coleman regarding a request from Texas Gas Service for the approval of an Assignment of Franchise by the City of Yoakum from ONEOK, Inc. to ONE Gas, Inc. for natural gas distribution within the City limits. Mr. Terry Lane with Texas Gas Service was present to provide additional information and answer questions. Mr. Lange indicated that there would be no disruption of gas service to the customers and there is no plan for a reduction in employees. The local office closure was discussed; the closure was prompted by the retirement of the employee stationed in the Yoakum office. Upon conclusion, Councilmember
McCoy made a motion to adopt an ordinance (recorded as No. 2060) on first reading approving the request. Second was made by Councilmember Jahn. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2013-20) casting all of Yoakum’s votes for John Fling for the Lavaca County Appraisal District’s Board of Directors. Motion was seconded by Councilmember Faulkner and carried unanimously.

MOTION by Councilmember Faulkner to adopt a resolution (recorded as No. 2013-21) casting all of Yoakum’s votes for Conyetta Gaus-Swaney for the DeWitt County Appraisal District’s Board of Directors. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

REVIEW was held of the City of Yoakum Public Official Bond/Crime coverage through the Texas Municipal League as a continuance of the discussion held in October. Options were reviewed; Councilmember McCoy made a motion to approve staff’s recommendation to purchase the following coverages: Public Employee Dishonesty in the amount of $50,000 ($490 deductible); Forgery or Alteration (non-employee) in the amount of $50,000 ($82 deductible); Theft, Disappearance and Destruction (non-employee) in the amount of $50,000 ($135 deductible); and Computer Fraud (non-employee) in the amount of $100,000 ($100 deductible). Second was made by Councilmember Faulkner. Motion carried unanimously.

INFORMATION from the Yoakum Youth Football League was not available at the time of the meeting and was tabled until a later meeting.

AFTER an amended agreement with Harrison, Waldrop & Uherek, L.L.P. for auditing service to include a utility cost of services analysis was discussed, Councilmember McCoy made a motion to approve the agreement in an amount not to exceed $9,500. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCIL was presented information on three budgeted items for consideration: 1) the computer network enhancement for the Police Department from a sole source vendor; 2) a patrol vehicle for the Police Department; and 3) the replacement of a ¾ ton truck in the Wastewater Department. After discussion, Councilmember McCoy made a motion to approve the purchase of the computer network system for the Police Department from James Telco of Cuero, Texas as a sole source vendor in the amount of $24,000, the purchase of a Tahoe from Caldwell Country Chevrolet of Caldwell, Texas through the BuyBoard contract in the amount of $29,514, and the purchase of a 2014 F250 for the Wastewater Department from Sam Pack’s Five Star Ford of Carrollton, Texas through the Texas Smartbuy Contract in the amount of $18,894.91. All items were within budget. Second was made by Councilmember Jahn; motion carried unanimously.

A transformer at Eddy Packing, Inc. failed early in November leaving the business without power. The Electric Superintendent made contact with numerous entities and located a compatible transformer in the City of Seguin. The Administration at the City of Seguin allowed the City of Yoakum to take utilize that transformer with the understanding that an exact replacement would be provided. The use of transformer from the City of Seguin minimized the down-time for the company and allowed the City of Yoakum crew to restore power more quickly. Authorization is request to purchase an unbudgeted replacement electrical transformer from a sole source provider. Mayor Pro-Tem Sitka made a motion to authorize the City Manager to purchase an unbudgeted replacement electrical transformer from a sole provider. Second was made by Councilmember McCoy and motion carried unanimously.

UNDER the City Manager’s Report, the Christmas Parade is scheduled for Friday, December 6, 2013. The Police Department has initiated the Blue Santa Program; applications will be received until December 4, 2013. City facilities will be closed on Thursday and Friday, November 28th and 29th, 2013 in observance of the Thanksgiving Holiday. Garbage routes will be
on schedule Monday through Wednesday, Thursday and Friday's route will be picked up on Friday. The meeting on November 6, 2013 to receive HOME Program applications was a success. Sixteen applications were received; qualifying applicants may only be between 8 and 10. Improvements have begun at the Little League Fields: 260 linear feet of sidewalk has been replaced, and other improvements are scheduled. An update on the Sanitary Sewer Improvement Project was provided: funds remained from the Texas Department of Agriculture portion of the project and were utilized to replace a manhole on Pincham Street and additional concrete repair is being done. Mercer Construction has begun work on North South Street. The contractor anticipates being in that area for approximately two weeks before moving onto the branching streets. In October 2012, a rate change was initiated to attempt a zero rate increase to customers and revenue for the City. The Utility Power Cost Adjustment Report indicates that Yoakum customers were only overcharged $26,000. A rebate to the customers will be initiated for the December 2013 billing to return those funds.

COUNCIL entered into Executive Session at 6:50 PM to discuss a wholesale power purchase agreement and electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:10 PM. No action resulted from Executive Session.

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

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
December 10, 2013
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 M. Coleman ........................................................... City Manager
Kenneth E. Kvinta ............................................................... City Attorney
Theresa A. Bowe ................................................................. City Clerk

ABSENT: None

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 Councilmember McCoy to adopt the minutes from the meeting of November 12, 2013 as presented. Second was made Councilmember Jahn. Motion carried unanimously.

COUNCILMEMBER Jahn made a motion to adopt the following ordinances on second and final reading: 1) an ordinance (recorded as No. 2053) granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lot 6 of Block 1258 in the Clifton Addition as shown on the official tax roll (for location reference only: 102 O’Conner St.); 2) an ordinance (recorded as No. 2054) granting a Change in Zoning from Residential (R-2) to Residential (R-3) for property described as Lots 6 and 7 of Block 1103 in the West End Addition as shown on the official tax roll (for location reference only: 215 & 217 Dayly St.); 3) an ordinance (recorded as No. 2055) granting a Change in Zoning from Residential (R-3) to Residential (R-4) for property described as Lots 2 and 3 of Block 74 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 1118-1124 Dunn St); 4) an ordinance (recorded as No. 2056) granting a Change in Zoning from Residential (R-3) to Residential (R-4) for property described as Lot 17 of Block 1122 in the Guchard Addition as shown on the official tax roll (for location reference only: 312 Mathew St. and 315 Bare St.); and an ordinance granting a request from Texas Gas Service for the approval of an Assignment of Franchise by the City of Yoakum from ONEOK, Inc. to ONE Gas, Inc. for natural gas distribution within the City Limits. Motion was seconded by Councilmember McCoy and carried unanimously.

THE following recommendation was received from the Planning and Zoning Commission: 1) the approval of a Specific Use Permit to operate an institution of a religious, educational, or philanthropic nature at 405 Orth Street.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the Planning and Zoning Commission’s recommendation. Blaise Drietner was present representing the property owner, St. Joseph Catholic Church, to provide information and answer questions. No comments were received from citizens; no objections had been received. After discussion, the Public Hearing closed.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2057) on second and final reading granting a Specific Use Permit to operate an institution of a religious,
educational, or philanthropic nature as requested for property described as the south part of Lots 7 and 8 of Block 1216 of the Mahon Addition as shown on the official tax roll (for location reference only: 405 Orth St.). Motion was seconded by Councilmember Faulkner and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2058) on second and final reading repealing the City of Yoakum Manual of Fees and Service Charges in its entirety. Second was made by Councilmember McCoy; motion carried unanimously.

MOTION by Councilmember McCoy to adopt a resolution (recorded as No. 2013-22) adopting a revised City of Yoakum Manual of Fees and Service Charges as presented. Councilmember Jahn seconded the motion; motion carried unanimously.

DISCUSSION was held regarding engineering services needed for the replacement and upgrade of distribution breakers at the Yoakum Lower Colorado River Authority (LCRA) substation. LCRA provided a quote for the services at a cost not to exceed $40,380. At the completion of the engineering work, LCRA will provide a complete set of plans to be used to bid the project if approved. LCRA has also committed to provide a construction cost quote based on the final design to be presented to Council at a later date for consideration. After review, Councilmember Jahn made a motion to authorize the City Manager to enter into an Engineering Services Contract with the Lower Colorado River Authority for design work related to replacement of distribution breakers at the Yoakum Substation. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

FIRE/EMS Director Mark Herchek was present to provide information regarding a grant from the Lower Colorado River Authority Community Development Program to the Yoakum Fire Department. After review and discussion, Councilmember Faulkner made a motion to authorize the City Manager to execute a Letter of Agreement with the Lower Colorado River Authority for the acceptance of grant funds in the amount of $23,400 to the Yoakum Fire Department for the purchase of a LifePak-15 Defibrillator and authorizing a budget amendment allocating reserve funds to accommodate matching funds. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCILMEMBER McCoy made a motion to approve a sole source expenditure for the purchase of a LifePak-15 Defibrillator from Physio-Control, Inc. of Redmond, WA, for the Yoakum Fire Department. Seconded by Councilmember Jahn, motion carried unanimously.

A proposed Utility Rate Structure Outline was provided for review. The types of costs the City incurs was discussed. The tentative timeline was summarized: 1) the auditor's review to be completed in February to be presented in February or March, 2) Council consideration, then 3) implementation if approved. Action was not taken. Additional information will be reviewed at future meetings.

ECONOMIC Development Corporation Board President Faulkner provided information regarding the YEDC's Annual Report outlining the Enhancement Programs, grants to businesses, and a quarterly summation of the work done by the YEDC. Financial reports and Sales Tax Reports were presented for review. President Faulkner explained the Board's objectives of seeking ways to increase and assist retail outlets in the City, and commended the dedication and hard work of the Board Members. After discussion, Councilmember McCoy made a motion to accept the Yoakum Economic Development Corporation Annual Report as presented. Mayor Pro-Tem Sitka seconded the motion and it carried unanimously.

ECONOMIC/Community Development Coordinator Patrick J. Kennedy was present to provide information regarding a request from Precision Saddle Tree, Inc. of Yoakum, Texas and Circle Y Saddles, Inc. of Yoakum, Texas to the Yoakum Economic Development Corporation for
the allocation of Type B Sales Tax Funds. Presentations were received from both companies at the YEDC’s last Board meeting. At the conclusion of the YEDC meeting, the Board recommended approval of the program for Precision Saddle Tree, Inc. Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2013-23) on the first of two readings approving a project proposed by Precision Saddle Tree, Inc. of Yoakum, Texas with the Yoakum Economic Development Corporation for the allocation of Type B Sales Tax Funds. Motion was seconded by Councilmember McCoy and carried unanimously.

THE requested allocation for Circle Y Saddles, Inc. has not been recommended for approval by the YEDC at this time and may be brought back to the Council for consideration at a later date.

MOTION was made by Councilmember Faulkner to proclaim the month of January as School Board Recognition Month. Second was made by Councilmember McCoy; motion carried unanimously.

DUE to inclement weather, the Christmas Parade scheduled for December 6, 2013 was postponed. The Yoakum Area Chamber of Commerce asked Council approval for the same street closures for a rescheduled parade on December 20, 2013. Motion by Councilmember McCoy to approve the street closures as previously approved at the November Council meeting. Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER the City Manager’s Report, Council was invited to the Senior Citizen Christmas Party to be held at 11:00 AM December 11, 2013 at the Senior Citizen Center located on Kvinta Drive; a 5K run to benefit Coach Paula Berger is scheduled for December 14, 2013 beginning at the High School gym on McKinnon. Streets will not be closed; safety personnel will be monitoring and safety precautions are being implemented. Blue Santa distribution is scheduled for December 14, 2013 from 9:00 AM to 12:00 Noon at the Fire Station. City Manager Coleman provided information regarding City closures for the 2013 Christmas and New Year holidays. An update was provided on the Sanitary Sewer Improvement Project: the final inspection was completed on the Texas Department of Agriculture portion of the project. A punch list has been pulled together and is to be completed prior to the engineer’s acceptance of the project.

THERE being no further business, the meeting adjourned at 6:40 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk