



**CITY OF BANDERA
CITY COUNCIL REGULAR MEETING**

Bandera City Hall, 511 Main Street Bandera, Texas
Tuesday, December 07, 2021 at 6:00 PM

511 Main St. • PO Box 896 • Bandera, Texas 78003 • P: (830) 796-3765 • F: (830) 796-4247

MINUTES

1. Call to order.

Mayor Schauman called the meeting to order at 6:00 pm.

PRESENT

Mayor Suzanne Schauman
Mayor Pro Tem Rebeca Gibson
Councilmember Darcy Hasty
Councilmember Toni Kunz
Councilmember Christine Morse
Councilmember Jerry Russe

Also present was the City Administrator David Jordan, City Secretary Jill Shelton, City Attorney Dan Santee and Marshal Will Dietrich.

2. Invocation and Pledge.

Marshal Dietrich offered the invocation and all stood for the pledge.

3. Visitors to be heard (shall not exceed 30 minutes total).

Citizens wishing to be heard may do so on all matters except personnel matters, matters listed on the agenda as a public hearing, and matters under litigation. Each person addressing the council must provide his/her legal name and current address for city records and meeting minute preparation. Each person will only be allowed to speak on matters on the agenda during citizen's forum/public comment. No rebuttals will be permitted. Each person addressing the governing body shall not exceed three (3) minutes. Section 551.042, Government Code, V.T.C.A. (i.e. Texas Open Meetings Act) permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting, but any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting. All remarks shall be addressed to the council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the council may be requested to leave the meeting.

There was one visitor to be heard.

Susan Junker - Spoke on behalf of the American Legion and wanted to express her gratitude toward the city and staff for their help on such a great event.

Shawn Fitzpatrick - Represented Willie Smith and spoke to council because he wasn't sure they would be asked to be in executive session. He commented that the circumstances surrounding Mr. Smith's termination had nothing to do with his job and reminded council that the city has a progressive discipline policy that wasn't followed with regard to Mr. Smith's termination.

City Administrator David Jordan - Introduced Lance Roy, the new Public Works Director, to council.

4. Consent Agenda.

A. Approval of minutes from meetings on October 19, 2021, November 9, 2021, and November 16, 2021.

Motion to approve the consent agenda.

Motion made by Councilmember Kunz, Seconded by Councilmember Russe.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

5. Presentations.

A. Presentation of Bandera Marshal's award to the Bandera Lions Club for a memorable and noteworthy Nightmare on Maple experience.

Marshal Dietrich presented the award to the Bandera Lions Club and announced that in the years to come it will be called the Lions Club award.

B. Presentation of a proclamation commemorating 100 years of non-stop service from the O.S.T. Restaurant.

Mayor Schauman read the proclamation.

C. Presentation by Community Council of South Central Texas on funding for Low Income Household Water Assistance Program.

Motion to table.

Motion made by Councilmember Kunz, Seconded by Councilmember Hasty.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

6. Discussion and possible action on the following items:

A. Discussion and possible action on approving an agreement with the Community Council of South Central Texas on funding for Low Income Household Water Assistance Program.

Motion to table.

Motion made by Mayor Pro Tem Gibson, Seconded by Councilmember Kunz.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

B. Discussion and possible action on approval of a \$2,500.00 contributions to Bandera County's Hazard Mitigation Action Plan.

Motion to approve.

Motion made by Mayor Pro Tem Gibson, Seconded by Councilmember Russe.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

C. Discussion and possible action on approving a resolution appointing the Mayor as the Chief Executive Officer and/or the City Administrator as the Chief Administrative Officer authorized representative for the FEMA Hazard Mitigation Grant Project (HMGP) and committing the city to provide matching funds.

Motion to approve.

Motion made by Mayor Pro Tem Gibson, Seconded by Councilmember Russe.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

D. Discussion and possible action on approving a resolution authorizing Langford Community Management Services the fund administrator contract for the American Rescue Plan Act fund.

Mayor Schauman explained council agreed to have Langford handle this contract and Ardurra will be bringing by a plan for the funds.

Motion to approve.

Motion made by Councilmember Hasty, Seconded by Councilmember Kunz.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

E. Discussion and action on moving forward with the itemized estimate for repairs from J&G tree service for Heritage Park.

Motion to approve.

Motion made by Councilmember Russe, Seconded by Mayor Pro Tem Gibson.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

F. Discussion and possible action on appointing applicants nominated by the BEDC Board of Directors to the Bandera Economic Development Corporation board.

There was discussion about the procedure in which to add or remove members of the EDC board.

There was no action on this item.

G. Discussion and possible action on approval of a request by the City Administrator for a moratorium on the commercial sale of city reclaimed water.

City Administrator David Jordan explained the reasons why he is making this request. There is no lab available for one of the TCEQ required tests and it is not cost effective for the city.

Motion to approve the recommendation.

Motion made by Mayor Pro Tem Gibson, Seconded by Councilmember Russe.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

7. Closed Session.

Mayor Schauman recessed the regular meeting into closed session at 6:14 pm.

- A. *The City of Bandera will meet in closed session as authorized by Texas Government Code §551.071 to consult with legal counsel on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to wit: 1) legal issues related to the appeal of termination by former employee William Smith.***

8. Action following Closed Session.

Consideration and possible action to accept or reject the appeal of termination by former employee William Smith.

Mayor Schauman reconvened the regular meeting at 7:34 pm.

Motion to reject the appeal.

Motion made by Councilmember Hasty, Seconded by Councilmember Russe.

Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Motion passed.

9. Requests and Announcements.

A. Requests by Council to place items on an agenda.

Darcy Hasty- add the Texas Pledge to the beginning of the agenda and address the use of city resources by city employees

B. Announcements by Council.

There were no announcements.

10. Adjourn.

The meeting was adjourned at 7:47 pm.

/s/ Jill Shelton

Jill Shelton, *City Secretary*