



**CITY OF BANDERA
CITY COUNCIL REGULAR MEETING**

Bandera City Hall, 511 Main Street, Bandera, Texas
Tuesday, June 13, 2023 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.

Present

Mayor Rebeca Gibson

Mayor Pro Tem Jerry Russe

Councilmember Jeff Flowers

Councilmember Christine Morse

Councilmember Lynn Palmer

Councilmember Tony Battle

2. Invocation and Pledge. **Councilmember Flowers offered the invocation, and all stood for the pledge.**
3. Visitors to be heard (shall not exceed 30 minutes total).

There were no visitors to be heard.

4. Public Hearing. **There were 21 citizens present for the public hearing, there were several ideas about possible park projects to include a splashpad, pickleball court, dog park and additional playgrounds. This was an initial public hearing, and no action was taken.**
5. Awards. **Mayor Gibson presented Chief Deputy Heidelberg with a 10-year award and Public Works Employee Brian Gillaspay a 5-year award. She thanked them both for their service to the City of Bandera.**
6. Consent Agenda.
 - A. Approval of City Council meeting minutes from the regular meeting on May 2, 2023, special meeting on May 10, 2023 and regular meeting on May 16, 2023.

A motion was made by Councilmember Battle, and seconded by Councilmember Morse, to approve the consent agenda. The motion passed.

Voting Yea: Councilmembers Battle, Morse, Flowers, Russe and Palmer.

Voting No: None

7. Presentations.
 - A. Presentation by Financial Consultant Kevin Rule on the final financial report and new control policies. **Mr. Rule presented his control policies and provided Council a thorough report on the progress he made in finance in his 6-month contract with the City.**
8. Discussion and possible action on the following items:

- A. Discussion and possible action on Resolution 2023-018 of the City of Bandera approving updates to the following policies: Mayor Gibson
1. Account Payable Policy
 2. Credit Card Policy
 3. Fund Balance Policy
 4. Investment Policy
 5. Purchasing Policy

A motion was made by Councilmember Battle, seconded by Councilmember Palmer, to approve resolution 2023-018 with modifications to purchasing policy in section 5.2, that changes from \$3-\$5K to \$3,000.00-4,999.99. The motion passed.

Voting Yea: Councilmembers Russe, Flowers, Morse, Palmer, and Battle

Voting Nay: None

- B. Discussion and possible action on Resolution 2023-017 of the City of Bandera authorizing the Mayor to execute a HOT fund reimbursement agreement with Bandera ProRodeo Association for the Memorial Day Rodeos for \$7,000.00. Mayor Gibson

A motion was made by Councilmember Palmer, seconded by Councilmember Russe, to approve Resolution 2023-017. The motion passed.

Voting Yea: Councilmembers Russe, Flowers, Morse, Palmer, and Battle

Voting Nay: None

- C. Discussion and possible action on a service agreement with Simple City for a maximum of \$25,000.00 for 2040 updates to the BANDERA 2040: TRUE TO ITS ROOTS COMPREHENSIVE PLAN. - Mayor Gibson

A motion was made by Councilmember Russe, seconded by Councilmember Flowers, to disapprove of a service agreement with Simple City. The motion did not pass.

Voting Yea: Councilmembers Russe and Flowers.

Voting Nay: Councilmembers Palmer, Morse, and Battle.

A motion was made by Councilmember Battle, and seconded by Councilmember Palmer, to approve a service agreement for \$25,000.00 with Simple City to look at subdivision ordinance and any other errors in the plan. The motion passed.

Voting Yea: Councilmembers Battle, Palmer, and Morse.

Voting Nay: Councilmembers Russe and Flowers.

- D. Discussion and possible action on a request from Carey Reed to use a portion of the City Park from 8:00 am until 12:00 pm on July 4, 2023, for the Annual Pet Parade. - Mayor Gibson

A motion was made by Councilmember Palmer, seconded by Councilmember Russe, to approve a request by Carey Reed for partial use of the Bandera City Park on July 4, 2023 from 8:00 am to 12:00 pm.

Voting Yea: Councilmembers Russe, Flowers, Morse, Palmer, and Battle

Voting Nay: None

- E. Discussion and possible action on a shared services agreement between the City of Bandera and Bandera Economic Development Corporation for the following: - Mayor Gibson
A.) Bandera Economic Development Corporation and City of Bandera Administrative Staff.
B.) Bandera Economic Development Corporation and City of Bandera Public Works.

A motion was made by Councilmember Palmer, seconded by Councilmember Flowers, to approve agreements between the City of Bandera and the Bandera Economic Development Corporation for Administrative Staff shared services.

**Voting Yea: Councilmembers Russe, Flowers, Morse, Palmer, and Battle
Voting Nay: None**

A motion was made by Councilmember Battle, seconded by Councilmember Morse, to approve agreements between the City of Bandera and the Bandera Economic Development Corporation for Public Works shared services.

**Voting Yea: Councilmembers Russe, Flowers, Morse, Palmer, and Battle
Voting Nay: None**

- F. Discussion and possible action of approving a policy on advertising on message boards on City property. Mayor Gibson

A motion was made by Councilmember Palmer, seconded by Councilmember Battle, to approve a policy on advertising on message boards on City property.

**Voting Yea: Councilmembers Russe, Flowers, Morse, Palmer, and Battle
Voting Nay: None**

- G. Discussion and possible action on Resolution No. 2023-014 of the City Council of the City of Bandera authorizing the placement of wayfinding signs on City property. - Mayor Gibson

A motion was made by Councilmember Palmer, seconded by Councilmember Morse, to approve Resolution 2023-014 authorizing the placement of wayfinding signs on City of Bandera property. Motion passed

**Voting Yea: Councilmembers Morse, Palmer, and Battle
Voting Nay: Councilmembers Flowers and Russe**

- H. Discussion and possible action on appointments of BEDC nominees to fill two vacant seats. - Mayor Gibson

A motion was made by Councilmember Palmer to appoint Deanna McCabe to fill the vacancy, seconded by Councilmember Russe.

**Voting Yea: Councilmembers Flowers, Palmer, Russe and Battle
Voting Nay: Councilmembers Morse**

A motion was made by Councilmember Morse to appoint Doc Williams, no second, motion dies.

A motion was made by Councilmember Russe to appoint Tom McEachin, seconded by Councilmember Palmer.

Voting Yea: Councilmembers Flowers, Palmer, Russe

Voting Nay: Councilmembers Morse, Battle (abstain)

- I. Discussion and possible action concerning City maintenance and repair of the 700 block of the Hwy 16 TXDOT frontage road in front of the Bandera Villages strip center. Russe/Flowers

A motion was made by Councilmember Russe, seconded by Councilmember Palmer, to approve maintenance and repair of the 700 block of Hwy 16 TXDOT frontage road in front of the Bandera Villages shopping center.

City Attorney Santee addressed the Council and informed them that according to the Municipal Maintenance Agreement it is not the City's responsibility to maintain it and that the City cannot legally go out there without TXDOT's approval. TXDOT did not build it and will not maintain it, it is the property owner's responsibility. Councilmember Battle requested the Mayor to call for a vote. Motion fails

Voting Yea: Councilmembers Russe, Flowers

Voting Nay: Councilmembers Morse, Battle, Palmer

City Attorney Santee suggested the Council go into executive session under 551.071 (consultations with Attorney) The meeting was closed at 7:35PM

The meeting was reconvened at 8:05pm

- J. Discussion and possible action on the Municipal Maintenance Agreement with TXDOT regarding the right of way in front of Bandera Villages. - Mayor Gibson

Mayor Gibson explained that public funds cannot be used to improve private property and that the Council would be looking to update the Municipal maintenance agreement and look for other possible solutions like a 380 agreement. No action taken.

- K. Discussion and possible action on Resolution 2023-019 of the City of Bandera for the purpose of participating in the Local Park Grant Program by the Texas Parks and Wildlife Department. - Mayor Gibson

A motion was made by Councilmember Palmer, seconded by Councilmember Russe, to approve resolution 2023-019 approving participation in the TPWD Local Park Grant Program. Motion passed

Voting Yea: Councilmembers Russe, Palmer, Morse, Flowers, and Battle.

Voting Nay: None

- L. Discussion and possible action on Resolution 2023-020 of the City of Bandera approving a revision to the City of Bandera Personnel Manual regarding the holiday pay policy to reflect hours worked and place all nationally recognized holidays on the staff holiday calendar. - Mayor Gibson

No action taken.

- M. Discussion and possible action on a Change Order No. 1 to the City of Bandera Water System Improvement Contract for TWDB Project No. 62793 / Mulberry Well and Water Tower. - Mayor Gibson

A motion was made by Councilmember Battle, seconded by Councilmember Palmer, to approve Change Order No. 1 for the TWDB Project No. 62793 / Mulberry Well and Water Tower. Motion passed

Voting Yea: Councilmembers Russe, Palmer, Morse, Flowers, and Battle.

Voting Nay: None

- N. Discussion and possible action on filling vacancies on the Planning and Zoning Commission. - Mayor Gibson

A motion was made by Councilmember Palmer to post the vacancy and bring it back to Council with applications in a few weeks. Seconded by Councilmember Morse. Motion passed

Voting Yea: Councilmembers Russe, Palmer, Morse, Flowers, and Battle.

Voting Nay: None

- O. Discussion and possible action on Resolution 2023-021 ratifying an agreement regarding disposal of liquid waste from Camp OTX, LLC to prevent a public health crisis. Mayor Gibson

Removed from the agenda, no action needed.

9. Closed Session.

The City Council will meet in closed session pursuant to Texas Government Code Section 551.074 - Personnel Matters; Closed Meeting (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; City Administrator.

The City Council adjourned into executive session at 8:08 pm and reconvened into open session at 8:25 pm.

10. Action following Closed Session.

Motion to authorize Mayor Gibson to negotiate the interim service agreement with Richard Morton, Seconded by Councilmember Battle. Motion passed

Voting Yea: Councilmembers Russe, Palmer, Morse, Flowers, and Battle.

Voting Nay: None

Council Member Battle and Russe left the meeting at 8:26

11. Requests and Announcements.

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

Process for placing items on the agenda.

Review handicap accessibility sign on cable in the City Park

Outdoor Lighting Ordinance

No fraternization policy

WWTP letter

Accept resignation of Jerry Russe and accept applications, and appoint Mayor Pro Tem

- B. Announcements by Council.

Riverfest, Juneteenth

12. Adjourn.

Meeting was adjourned at 8:30

/s/ Jill Shelton
Jill Shelton, *City Secretary*