



**CITY OF BANDERA
CITY COUNCIL REGULAR MEETING**

Bandera City Hall, 511 Main Street, Bandera, Texas
Tuesday, October 19, 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 Pro Tem Rebeca Gibson called the meeting to order at 6:00PM

PRESENT

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

ABSENT

Mayor Suzanne Schauman

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.

Rilla Stephens: She wanted to address she had not been to many meetings lately but she was not happy with Council or City Attorney about previous situations and she hopes they will make better decisions.

4. Presentations.

A. Introduction presentation by Natalie Gonzalez of GrantWorks.

Natalie Gonzalez with GrantWorks gave her presentation stating they have been around since 1979 and are one of the number one administrators in the state. She updated Council on some possible funding on some upcoming projects.

5. Consent Agenda.

A. First reading of Resolution 2021-021, approving a project of the Bandera Economic Development Corporation for approving disbursement of \$65,000 for the purchase of real property.

Resolution was read and approved as so.

Motion made by Councilmember Kunz, Seconded by Councilmember Hasty.

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

6. Discussion and possible action on the following items:

A. Discussion and possible action on Ordinance # 394 amending the Bandera Code of Ordinances to better define the roles, responsibilities and reporting chain of command for the City Administrator, City Marshal and City Treasurer.

City Administrator stated he asked for this ordinance to be updated to clarify the hierarchy of the city so that the City Marshal and City Treasurer would report to him instead of the Mayor. Attorney Dan Santee explained that anything with lines through are deletions, but some stuff was added. There was some discussion about the purchase limit of the City Administrator. City Attorney stated we just need to have cross reference on changes and recommended the wording for the changes.

Motion made by Councilmember Kunz to put final review on a future agenda item with changes as discussed . Seconded by Councilmember Hasty.

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

B. Discussion and possible action on Ordinance # 395 amending the Bandera Code of Ordinances regulating the membership, roles and responsibilities of the Planning & Zoning Commission.

It was discussed that this is changing the ordinance to open it up to county residents and that it will follow the state statute in the Local Government Code.

Motion made by Councilmember Hasty to approve Ordinance 395 as read. Amended motion to add that the applicants must be a registered voter of Bandera County. Seconded by Councilmember Kunz.

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

C. Discussion and possible on approving a recommendation from Planning & Zoning on the replat request from Kevin Meier for properties 167004 and 147789 at Pecan and Main.

Motion made by Councilmember Hasty to approve the recommendation from P&Z, seconded by Councilmember Kunz.

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

D. Discussion and possible action on the removal and or/ appointment of members of the Bandera Economic Development Corporation.

Councilmember Russe stated that it was discussed that certain members would be resigning and he would like to consider other applicants. Councilmember Morse stated she was asked to stay on until the land acquisition was completed.

Motion made by Councilmember Kunz for EDC to review and make recommendation to Council as done in the past, seconded by Councilmember Morse.

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

E. Proposal for setting an application deadline from businesses to request for HOT tax reimbursement.

Motion made by Councilmember Hasty to table, seconded by Councilmember Russe.

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

F. Discussion and possible action on nominating between 1 and 5 members of the Board of the Central Appraisal District.

Councilmember Hasty stated that she is heavily involved in the appraisal district and would like to request that the Council make nominations with their 63 votes.

Motion by Councilmember Hasty to nominate Ernie DeWinnie, Don Giles, Rene Leith, and Conrad Stregle for CAD. Rebeca stated that she wanted to point out that two are on a taxing entity the BCRAD that Hasty said was unethical. Although she does appreciate her bringing it to Council. Seconded by Councilmember Kunz.

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

Voting Nay: Councilmember Russe

G. Discussion and possible action on allowing the current liaison to the Bandera County Central Appraisal District to receive any and all communications between the City and the Bandera Central Appraisal District to ensure future deadlines are met.

Councilmember Hasty stated that the email was sent out and never placed on an agenda. She would like permission from the Council to be the liaison and be able to talk to the Chief appraiser on behalf of the City and included on emails.

Motion made by Councilmember Kunz, seconded by Mayor Pro Tem Gibson for the administrator to convey to the CAD that Darcy is the liaison and to make sure she is abreast of any CAD issues or City deadlines.

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

7. Closed Session.

- 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) Best Western 380 agreement; 2) legal issues related to discussion of the City Treasurer, if necessary.*

Council went into closed session at 6:05PM

Council reconvened at 6:57 PM with no action

- B. The City of Bandera will meet in closed session pursuant to Texas Government Code Section 551.074, personnel matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Treasurer, Amber Kinsey. (Ms. Kinsey may request that non-privileged deliberation occur in open session).*

No Action

- C. The City of Bandera will meet in closed session pursuant to Texas Government Code Section 551.072, deliberations about real property, to wit: an update from Rob Brown of Texas Land and Right-of-Way on land acquisition for the wastewater treatment plant location.*

8. Action following Closed Session.

After deliberation in closed session, the City Council will re-convene in open session to take any final action necessary for item discussed in closed session.

No Action.

9. Requests and Announcements.

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

Hasty requested to add the Texas Pledge to the beginning of the meeting.

B. Announcements by Council.

Kunz announced meet the candidates at 11th street on October 27th

10. Adjourn.

Meeting was adjourned at 9:29PM

/s/ Jill Shelton

Jill Shelton, *City Secretary*