



**CITY OF BANDERA
CITY COUNCIL REGULAR MEETING**

Bandera City Hall, 511 Main Street, Bandera, Texas
Tuesday, October 04, 2022 at 5:45 PM

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

MINUTES

1. Call to order.

Meeting was called to order at 5:45PM

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).

Lynn Palmer spoke in reference to activity on Oak Street and a potential food truck area, she is concerned with the zoning from the old zoning to the new zoning type. She thinks this type of use could be a health and safety risk.

4. Public Hearing

Public hearing was opened at 5:52 PM

A. The City Council will hold a Public Hearing for the purpose of hearing comments on a request to change the zoning classification from P3: Neighborhood to CS: Civic Space on the property located at 2nd Street between Hackberry & Cedar (Legal Description: Bandera Range 2, Lots 10-14 PT 1.573 acres).

One person spoke in reference to this item.

B. The City Council will hold a Public Hearing for the purpose of hearing comments on a request for a special use permit for a changeable electronic variable message sign at 603 Main (Legal Description Lot 47 and part of Lot 48, Bandera Range 11, 0.453 Acres)

There were approximately 25 people signed in for the public hearing portion of the meeting. Several people spoke in support of the special use permit. There were several that had concerns about the safety and the location to the traffic light.

The public hearing was closed at 6:05 PM

5. Consent Agenda.

A. Approval of resolution 2022-025 ratifying the property tax increase reflected in the adopted budget for fiscal year 2022-2023.

**Motion made by Councilmember Hasty to approve, Seconded by Councilmember Kunz.
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 approving a resolution appointing Allyson Wright as City Treasurer.

Motion made by Councilmember Hasty, Seconded by Councilmember Kunz.

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

- B. Oath of office and statement of officer for City Treasurer appointment Allyson Wright.

Judge Mike Towers swore in Allyson Wright as the City Treasurer and administered the Oath of office and statement of officer. There was a round of applause by the audience.

- C. Discussion and possible action on approving the BEDC 2022-2023 proposed budget.

Motion made by Councilmember Hasty to approve, Seconded by Councilmember Russe.

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

- D. Discussion and consideration on a recommendation from the planning and zoning commission on a request to change the zoning classification from P3: Neighborhood to CS: Civic Space on the property located at 2nd Street between Hackberry & Cedar (Legal Description: Bandera Range 2, Lots 10-14 PT 1.573 acres).

Motion made by Councilmember Hasty to approve, Seconded by Councilmember Morse.

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

- E. Discussion and consideration on a recommendation from the planning and zoning commission on a request for a special use permit for a changeable electronic variable message sign at 603 Main (Legal Description Lot 47 and part of Lot 48, Bandera Range 11, 0.453 Acres).

Property owner Kevin Meier presented his sign application for a special use permit and distributed a packet of information to Council. There were comments from Council and question and answers to Mr. Meier. There was much discussion about dark skies and Mr. Meier stated it is compliant with dark skies.

Motion made by Mayor Pro Tem Gibson to reject the recommendation from planning and zoning and decline the special use permit, Seconded by Councilmember Kunz.

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

Voting Nay: Councilmember Russe

7. Closed Session.

Mayor Schauman recused herself and left the building at 6:43 PM

Mayor Pro Tem asked Marshal Dietrich if he would like in open or closed session. He requested closed, Council recessed into closed session at 6:43 PM

- A. *The City Council will meet in closed session pursuant to Texas Government Code Section 551.074, personnel, to deliberate the evaluation and duties of a public officer or employee; to wit: City Marshal Will Dietrich as per employment contract.*

Mayor Pro Tem Gibson reconvened in open session at 8:13 PM.

8. Action following Closed Session.

- A. Any action necessary related to the performance evaluation of the City Marshal.

Motion made by Councilmember Kunz to request the City Administrator to continue his evaluation over the next 90 days and complete at that time, Seconded by Councilmember Hasty.

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

- B. Discussion and possible action to approve the retention of Public Safety Solutions, LLC to conduct a department performance audit on the City Marshal's Office.

City Administrator Cox discussed that he has looked through past emails and speaking to council and that he needs direction if they want to do a departmental review of the Marshals office. Mayor Pro Tem Gibson asked what the cost was and if he had a recommendation one way or the other. Cox stated prior City Administrator had reached out to Public Safety Solutions and they would do a turnkey review and that would be approximately \$5,000.00 plus expenses. It was asked if this was needed after the first item. Cox stated they are different as one is looking at a department and one is looking at an employee.

Motion made by Councilmember Kunz to have the City Administrator move forward with the retention of Public Safety Solutions LLC regarding expectations and scope and cost and come back for final approval, Seconded by Councilmember Hasty.

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

9. Requests and Announcements.

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

Sign Ordinance, Proclamation for Dark Skies, EDC Members.

- B. Announcements by Council.

Register to vote before the 11th, also on 11th candidate Forum at 6 PM Silver Sage. October 10th golf tournament for saving shelter strays at River Hill in Kerrville.

10. Adjourn.

Meeting was adjourned at 8:24 PM

/s/ Jill Shelton

Jill Shelton, *City Secretary*