



CITY OF BANDERA  
**CITY COUNCIL REGULAR MEETING**

Bandera City Hall, 511 Main Street, Bandera, Texas  
Tuesday, May 17, 2022 at 6:00 PM

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## MINUTES

### 1. Call to order.

The meeting was called to order at 6PM.

#### PRESENT

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

### 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.*

At 6:04PM Councilmember Russe recused himself due to personal interest and stepped away from the dais and joined the audience.

Jerry Russe spoke in reference to problems he is having at his business Riverside RV park related to the sewer and the lines backing up.

Rilla Stephens spoke to remind Council that they are elected to take care of problems in the City and in support of Mr. Russe.

### 4. Consent Agenda.

*The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the consent Agenda upon the request of the Mayor or a Councilmember.*

#### A. Approval of minutes from the April 5, 2022 Public Hearing, April 5, 2022 Regular Meeting, April 19, 2022 Regular Meeting, and May 3, 2022 Regular Meeting.

Motion to approve made by Mayor Pro Tem Gibson, Seconded by Councilmember Hasty.  
Voting Yea: Mayor Pro Tem Gibson, Councilmember Hasty, Councilmember Kunz,  
Councilmember Morse  
Voting Abstaining: Councilmember Russe

**5. Discussion and possible action on the following items:**

**A. Presentation, discussion and possible direction/action regarding the wastewater main that services the Riverside RV Park.**

City Engineer Derek Naiser addressed Council with a summary report from March with issues about sewer backups at the park and see what the recommendation would be for solutions. He stated there was potholing done to get the elevation of the line, but unfortunately the sewer line is under the parking lot so they could only do about 65 feet. He also stated the line goes up and down and appears to be mostly flat with a few dips. They also determined the service for the RV park is about 2 inches lower than the City line. He further stated he does not have the history of the line or how it was originally placed. He spoke of 2 options, one being \$150,000.00 to replace the line from the existing manhole or \$109,000.00 if they did potholing to check the elevations to see what section of pipe could be replaced to get the line in slope.

There was discussion about how much of the issue is on the city side versus on the customer side and how some of the aforementioned solutions would solve the existing problems. There was also discussion over the responsibilities of the property owner and the city to get the entire problem fixed correctly and if there were any other properties connected to that service line.

Mayor Schauman recessed the regular meeting at 6:34PM to go into executive session as authorized by Texas Government Code §551.071, consultations with attorney.

Mayor Schauman reconvened the regular meeting at 7:27PM.

Motion to authorize the city engineer to provide an estimate up to \$10,000.00 to further the studies regarding the city main sewer line in the area in question for utility locators, lock down easements, survey data, scoping and estimating.

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

There was clarification about the motion giving the engineer more time and data to come up with a more accurate solution and accurate cost estimate.

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

Voting Abstaining: Councilmember Russe

Motion passed.

Motion to direct the Public Works Department to continue the routine flushing every two weeks of the wastewater main that services the Riverside RV Park.

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

There was discussion about the history of the flushing at this location and to clarify this action will be temporary. It was also discussed that PWD can be called in addition to the actions stated in the motion. There was also discussion about the potholing that would not be included in the proposal provided by the city engineer but at the time that work is done for the proposal, the PWD would be providing the work for the potholing.

The motion was amended to add a directive to the PWD to drill two potholes at the city engineer's locations.

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

Voting Abstaining: Councilmember Russe

Motion passed.

**B. Discussion and possible action on approving an ordinance changing the zoning classification from P3: Neighborhood to CS: Civic Space on the property located at 315 6th Street (Legal Description: Bandera Range 6, Lots 25-26 0.636 acres).**

Motion to approve request.

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.

**C. Discussion and possible action on approving an ordinance changing the zoning classification from P3: Neighborhood to P4: Mix on the property located at 315 10th Street (Legal Description: Bandera Range 9, Lots 34 41 PT 0.413 acres).**

Motion to approve.

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

There was clarification that it would take a super majority of council to approve this ordinance change as the recommendation from the Planning and Zoning Commission was to not grant this zoning change.

There was discussion about the owner of the property not being able to attend the P&Z meeting when the commission's recommendation was made. There was also discussion about sending this item back to P&Z for an additional public hearing and consideration.

Mayor Pro Tem Gibson amended her motion and requested that this item be postponed until the June 21st meeting, Seconded by Councilmember Morse.

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

Motion passed.

**D. Public hearing, discussion and possible action on an ordinance amending Chapter 5 Fire Prevention and Protection of the Bandera Code of Ordinance, adopting updated codes and local amendments.**

The public hearing was opened at 7:44PM.

There were no comments from the public. The public hearing was closed at 7:45PM.

Mayor Pro Tem Gibson commented she would like to see this ordinance be tailored more toward the Bandera community. There was discussion about involving the County Fire Marshal in a workshop.

There was no action on this item.

**E. Discussion and possible action on final invoice for Texas Land & Right of Way.**

It was explained that the contract was broken with Texas Land & Right of Way, they sent back all of the work product and they are requesting the final invoice be paid.

Motion to not pay the invoice and consult with the attorney about how to draft a statement as such.

Motion made by Councilmember Hasty, Seconded by Councilmember Russe.

There was discussion about the amount of money already paid to them with little to show for it. It was also stated that the city agreed to a certain amount for services and Texas Land & Right of Way incurred more than the agreed upon amount.

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

Motion passed.

**F. Approval of a resolution for a facility use agreement with Bandera 4H Shotgun Team for Riverfest 2022.**

Motion to approve.

Motion made by Councilmember Russe, Seconded by Councilmember Morse.

There was discussion about the blanks in the resolution. There was also discussion about previously hosted Riverfests and the rent charged to the vendor in comparison to the 2022 event, as well as guaranteed funds versus a percentage of the event profit. There was discussion about the level of city responsibility and the benefits for community organizations and businesses during and after the event, as well as the number of marshal deputies needed, the wristbands for BBQ cooks and vendors, the non-profit organizations sponsoring/hosting specific activities, how the car show will be managed, and waiving vendor permit fees.

A consensus was formed on the blanks that needed to be filled in.

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

Voting Nay: Councilmember Kunz

Motion passed.

**G. Discussion on funding opportunities for the wastewater treatment plant.**

There was no discussion on this item.

**H. Discussion and possible action on a logo for the new Mulberry elevated storage tank.**

There was discussion about putting BISD state championship achievements on the water instead of the proposed logo. There was also discussion about the timeline of the painting and logo design.

Motion to use the cowboy on a horse logo with a pony tail, and have the Mayor Pro Tem Gibson reach out the BISD and if they are agreeable to using the Mulberry tower, put that on the next agenda, as well as the blue SW4086.

Motion made by Councilmember Kunz, Seconded by Councilmember Russe.

Voting Yea: Councilmember Hasty, Councilmember Kunz, Councilmember Morse, Councilmember Russe

Voting Nay: Mayor Pro Tem Gibson

Motion passed.

**I. Discussion and possible action on a request to the BEDC for \$7,800.00 for the Heritage Park repairs.**

Motion to approve request.

Motion made by Councilmember Hasty, Seconded by Councilmember Russe.

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

Councilmember Russe  
Voting Nay: Councilmember Kunz

Motion passed.

**J. Update on 2021-2022 financials.**

Mayor Schauman summarized and explained the current financials. She also commented the audit is behind.

There was no action on this item.

**6. Requests and Announcements.**

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

Councilmember Hasty - going out for RFQs for a forensic audit

Councilmember Kunz - workshops from previous meetings

**B. Announcements by Council.**

Elections are happening, don't forget to vote and poll sites are being consolidated

Memorial Day parade has a new category for awards in the theme of "Never Forgotten"

Bandera Community Night at the San Antonio Missions tickets are still available

National Police Week luncheon for city staff

**7. Adjourn.**

The meeting was adjourned at 8:41PM

/s/ Jill Shelton

Jill Shelton, *City Secretary*