



CITY OF BANDERA CITY COUNCIL REGULAR MEETING

Bandera City Hall, 511 Main Street, Bandera, Texas
Tuesday, August 08, 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.

The meeting was called to order at 6:00PM

PRESENT

Mayor Rebeca Gibson
Mayor Pro Tem Lynn Palmer
Councilmember Jeff Flowers
Councilmember Christine Morse
Councilmember Tony Battle
Councilmember Manny Longoria

2. Invocation and Pledge.

Councilmember Longoria offered the invocation, and all stood for the pledges.

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

Patricia Moore was the only visitor to be heard and updated Council on the eclipse meeting.

4. Consent Agenda.

- A. Approval of minutes for the regular meeting on July 11, 2023, July 25, 2023 and the special meeting on July 31, 2023.

Motion made by Councilmember Battle to approve the consent agenda, Seconded by Councilmember Morse.

Voting Yea: Councilmember Morse, Councilmember Flowers, Councilmember Palmer, Councilmember Battle, Councilmember Longoria

5. Proclamation.

- A. Reading of a proclamation for August as "Texas Breastfeeding month".

Kim with DHMS was present as Mayor Gibson read the proclamation for "Texas Breastfeeding month".

6. Discussion and possible action on the following items:

- A. Approval of resolution 2023-026 extending the declaration of public health emergency.

Motion made by Councilmember Palmer to extend the declaration and post no swimming signs for resolution 2023-026, Seconded by Councilmember Flowers.

Voting Yea: Councilmember Morse, Councilmember Flowers, Councilmember Palmer,

Councilmember Battle, Councilmember Longoria

- B. Discussion and possible action on Ordinance 430 to request to change the zoning classification from P3: Neighborhood to P4: Mix on the property located at 9th & Maple (Legal Description: Bandera Range 9, Lots 46, 47 & 48, 0.954 acres).

Gail Stone spoke against the zoning change. She feels like there is enough commercial areas and does not want the property next to her house rezoned out of residential.

Motion made by Councilmember Palmer to deny the rezoning request for Bandera Range 9, Lots 46, 47 & 48, 0.954 acres, Seconded by Councilmember Longoria.

Voting Yea: Councilmember Morse, Councilmember Flowers, Councilmember Palmer, Councilmember Battle, Councilmember Longoria

- C. Discussion and possible action on Ordinance 431 to change the zoning classification from P3: Neighborhood to P4: Mix on the property located at 10th & Maple (Legal Description: Bandera Range 9, Lot 49, 0.318 acres).

Mayor Gibson called for a recess at 6:36PM

Mayor Gibson reconvened the meeting at 6:47PM

There was some discussion about if parking and food trucks were allowed in P-3 since that was the intent it was not clearly defined if it would be allowed or not.

Motion made by Councilmember Palmer to deny request for rezoning Bandera Range 9, Lot 49, 0.318 acres, Seconded by Councilmember Longoria.

Voting Yea: Councilmember Morse, Councilmember Flowers, Councilmember Palmer, Councilmember Battle, Councilmember Longoria

- D. Discussion and possible action on Ordinance 432 to change the public access regarding fence and signage around the Bandera City Park, Bandera Code of Ordinances 1.11.039 Marking of boundaries: access to park. - City Administrator Richard Morton

Motion made by Councilmember Battle to approve Ordinance 432, Seconded by Councilmember Palmer.

Voting Yea: Councilmember Morse, Councilmember Flowers, Councilmember Palmer, Councilmember Battle, Councilmember Longoria

- E. Discussion and possible action on Ordinance 433 to change Ordinance 412B Chapter 13 Utilities Article 13.08 entitled "Drought Contingency Plan". - Councilmember Battle

Councilmember Battle opened stating that he was shocked when contacted by the Mayor stating that we were in stage 5. He thinks that the original Ordinance was well written and the one that we follow with BACRAD is too restrictive. He does not think that people abuse water in our town. He thinks restricting people to take care of maintenance such as pools and the structural integrity, trees are also important, gardens, football field and foundations. He believes ordinance 412B is too restrictive and is over government. He would like to rescind Ordinance 412B and abate the enforcement of chapter 13 until we

can look at what the essential uses are. City Administrator Morton explains that we had the level wrong on our website, but we can straighten that out.

Motion made by Councilmember Battle to rescind Ordinance 412B to include abate the enforcement of chapter 13.09 for 60 days until we can sit down and look at the essential water section to determine what the essential watering rights should be for our City., Seconded by Councilmember Palmer.

Voting Yea: Councilmember Morse, Councilmember Flowers, Councilmember Palmer, Councilmember Battle, Councilmember Longoria

- F. Discussion and possible action on Ordinance 434 to update the City of Bandera Ordinance 1.02.001 Seal. - Mayor Gibson

Motion made by Councilmember Flowers to approve Ordinance 434 to update the City of Bandera Ordinance 1.02.001 Seal, Seconded by Councilmember Longoria.

Voting Yea: Councilmember Morse, Councilmember Flowers, Councilmember Palmer, Councilmember Battle, Councilmember Longoria

- G. Discussion and possible action on the approval of a new server for the City of Bandera in the amount of \$17,791.00. - City Administrator Richard Morton

Motion made by Councilmember Battle to approve the, Seconded by Councilmember Morse.

Voting Yea: Councilmember Morse, Councilmember Flowers, Councilmember Palmer, Councilmember Battle, Councilmember Longoria

- H. Update from Marshal De Foster on the Animal Control Facility. - Marshal DeFoster

Marshal DeFoster updated the Council stating that the County has refused to take animal calls in the City. She says the facility we have is very good and has a good design, it just needs a little TLC. She has trained her deputies and has the code enforcement truck with a nice kennel in the back if they need to pick up any dogs. She states Sandra has two volunteers to help with taking care of any animals that are there. She also wants to make some adjustments in the fee schedule.

7. Closed Session.

The council went into closed session at 7:39PM.

- A. The City Council will meet in closed session pursuant to Texas Government Code Section 551.072 deliberations about real property, to receive an update on the Waste Water Treatment Plan land acquisition.

8. Action following Closed Session.

The council reconvened in open session at 8:03PM.

There was no action.

9. Requests and Announcements.

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

Eclipse Workshop, Jerry and Jane Russe Reimbursement, Lighting Ordinance.

B. Announcements by Council.

No announcements.

10. Adjourn.

The meeting was adjourned at 8:07PM

/s/ Jill Shelton

Jill Shelton, *City Secretary*