



CITY OF BANDERA
CITY COUNCIL REGULAR MEETING

Bandera City Hall, 511 Main Street, Bandera, Texas
Tuesday, May 28, 2024 at 6:00 PM

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

AGENDA

- 1. Call to order.**
- 2. Invocation and 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.

4. Consent Agenda.

- A. Approval of the regular meeting minutes for April 23, 2024 and May 14, 2024.
- B. Approval of Resolution 2024-021 approving the Riverfest Facility Use Agreement.

5. Staff Reports.

- A. Code Enforcement Update

6. Discussion and possible action on the following items:

- A. Approval of promotional funding expenditure by the Bandera EDC for \$8,500.00 for Longhorns on Main for the Labor Day Parade.

7. Closed Session.

- A. *The City Council will meet in closed session pursuant to Texas Government Code Section 551.072 to deliberate the purchase, exchange, lease, or value of real property.*

A) Waste Water Treatment Plant

- B. *The City Council will meet in closed session pursuant to Texas Government Code Section 551.087 Economic Development.*

A) Discuss possible incentives for vacant property

- C. *The City Council will meet in closed session pursuant to Texas Government Code Section 551.071 to consult with legal counsel regarding the Dietrich F5*

8. Action following Closed Session.

9. Requests and Announcements.

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

B. Announcements by Council.

10. Adjourn.

/s/ Jill Shelton

Jill Shelton, *City Secretary*

The City Council for the City of Bandera reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matter listed above, as authorized by Texas Government Code §551.071 (Consultations with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices) and §551.086 (Economic Development). There may be a quorum of Economic Development Corporation/Planning and Zoning member at any regularly scheduled City Council Meeting. This facility is wheelchair accessible and handicapped parking is available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary at (830) 796-3765. This agenda is posted in accordance with the Texas Government Code, Chapter 551 on February 24, 2024.



CITY OF BANDERA CITY COUNCIL MEETING

Bandera City Hall, 511 Main Street, Bandera, Texas
Tuesday, April 23, 2024 at 6:00 PM

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MINUTES

1. Call to order.

The meeting was called to order at 6:00PM.

PRESENT

Mayor Rebeca Gibson
Councilmember Tony Battle
Councilmember Debbie Breen
Councilmember Jeff Flowers
Councilmember Brett Hicks
Councilmember Lynn Palmer

2. Invocation and Pledge.

Councilmember Flowers offered the Invocation and all stood for the pledges.

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

There were no visitors to be heard.

4. Consent Agenda.

Motion made by Councilmember Palmer to remove item C from the consent agenda, Seconded by Councilmember Flowers. All in favor none opposed.

Motion made by Councilmember Palmer to approve items A & B on the consent agenda, Seconded by Councilmember Flowers.

Voting Yea: Councilmember Battle, Breen, Councilmember Flowers, Hicks, Councilmember Palmer

All in favor none opposed.

Motion made by Councilmember Palmer to remove approve item C from the consent agenda, Seconded by Councilmember Flowers. All in favor none opposed.

A. Approval of minutes from the March 12, 2024 and March 26, 2024 regular meetings.

B. Approval of Resolution 2024-014 of the City of Bandera, Texas authorizing signatories for the Texas Department of Agriculture Rural Economic Development Grant (RED).

C. Approval of Resolution 2024-013 of the City of Bandera, Texas, adopting the required Texas Department of Agriculture Community Development Block Grant Civil Rights Polices.

5. Staff Reports.

A. Quarterly Investment Report - City Treasurer

B. Budget Update at 6months of the Fiscal year - City Administrator

City Treasurer Allyson Wright provided the Quarterly Investment Report to Council.

Cit Administrator Stan Farmer with Allyson Wright provided 6 month review of where the City stands on the budget so far for the year.

6. Presentations.

A. Presentation by Kneffendorf and Blocker of the 2022-2023 Audit.

Hayley Blocker with Kneffendorf and Blocker provided the 2022-2023 audit that was unqualified opinion. She also updated council that most of the problems from the previous years had been fixed over the last year and new policies were put into place.

7. Discussion and possible action on the following items:

A. Approval of Resolution 2024-013 to approve the 2022-2023 audit.

Motion made by Councilmember Palmer to approve Resolution 2022-2023, Seconded by Councilmember Breen.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

B. Approval of Resolution 2024-014 rescinding the Declaration of Local Disaster Resolution approved on August 8, 2023.

Motion made by Councilmember Flowers to approve Resolution 2024-014, Seconded by Councilmember Breen.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks

Voting Nay: Councilmember Palmer

Motion Passes

8. Closed Session.

Mayor Gibson closed the meeting into executive session at 6:52PM.

A. *The City Council will meet in closed session pursuant to Texas Government Code Section 551.072 to deliberate the purchase, exchange, lease, or value of real property.*

A) *Waste Water Treatment Plant*

B. *The City Council will meet in closed session pursuant to Texas Government Code Section 551.087 Economic Development.*

9. Action following Closed Session.

Mayor Gibson reconvened the meeting into open session at 7:07PM, There was no action taken.

10. Requests and Announcements.

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

Burn Ordinance Permit Process, Seasonal Vendor Application process.

B. Announcements by Council.

There were no announcements by Council.

11. Adjourn.

The meeting was adjourned at XXXX

/s/ Jill Shelton

Jill Shelton, *City Secretary*

DRAFT



**CITY OF BANDERA
CITY COUNCIL REGULAR MEETING**

Bandera City Hall, 511 Main Street, Bandera, Texas
Tuesday, May 14, 2024 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
Councilmember Tony Battle
Councilmember Debbie Breen
Councilmember Jeff Flowers
Councilmember Brett Hicks
Councilmember Lynn Palmer

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).** Richard Newman spoke about the speed issues on Cypress from 9th to the light and requested Council to consider putting in a stop sign and offered to cover the expense for safety for the children at play.
4. **Consent Agenda.**
Motion made by Councilmember Palmer to approve the consent agenda Seconded by Councilmember Breen.
Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer
All in favor, none opposed.
 - A. **Approval of Resolution 2024-024 authorizing the sale of surplus property.**
5. **Public Hearing.** There were no comments or discussion on the Public Hearing.
 - A. **Discussion of support for the upcoming TX Dot project on Hwy 173 / Hwy 16 (Main Street).**
6. **Presentations.**
 - A. **Presentation on the Texas Department of Agriculture Rural Economic Development Grant (RED).** Joe Beeler with Grant Works presented the information to Council about the upcoming procedures and process for the application process for the RED Grant.
 - B. **Presentation from Adurra Engineering on an updated Water Conservation Plan.** Jonathon Teafatiller with Adurra presented the updated Water Conservation Plan.
 - C. **Presentation of a Mental Health Awareness Month Proclamation.** Mayor Gibson read the Proclamation for Mental Health Awareness month.
 - D. **Presentation of a National Travel & Tourism Week Proclamation.** Mayor Gibson announced that she would be reading this at an event in the future.

7. Discussion and possible action on the following items:

A. Approval of Resolution 2024-017 the 2024 Water Conservation Plan.

Motion made by Councilmember Breen to approve Resolution 2024-017 Seconded by Councilmember Palmer.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

B. Approval of Resolution 2024-018 Awarding the bid for the Dallas Street Elevated Storage Tank Project.

Motion made by Councilmember Battle to approve Resolution 2024-018 Seconded by Councilmember Flowers.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

C. Approval of Ordinance 440 authorizing a Budget Amendment to the 2023-2024 budget to transfer funds from Waste Water Treatment Plant Fund to the American Rescue Plan Act Fund for the Dallas Elevated Storage Tank Project.

Motion made by Councilmember Battle to approve Ordinance 440 Seconded by Councilmember Palmer.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

D. Approval of the Facility Use Agreement with the BBA for Riverfest.

Motion made by Councilmember Hicks to approve a Facility Use Agreement with the BBA for Riverfest Seconded by Councilmember Breen.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

E. Approval of a Facility Use Agreement with the Bandera United Methodist Church.

This item was tabled.

F. Approval of Ordinance 441 Amending Article 8.04 Noise of the Code of Ordinances.

There was much discussion on the updated Noise Ordinance and what changes had been made, Council members voiced their opinions as well as citizens, business owners and staff. After there was not a real consensus Councilmember Battle moved forward with a Motion to approve Ordinance 441 Amending Article 8.04 Noise of the Code of Ordinances. Seconded by Councilmember Flowers.

Voting Yea: Councilmember Battle, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

Voting Nay: Councilmember Breen

Motion Passes with a 4 to 1 vote.

G. Approval of Ordinance 442 Amending Article 4.04 Temporary or Seasonal Businesses and add Article 4.09 Temporary Trades or Cottage Food Businesses to the Code of Ordinances.

There was some discussion on what all this change would do for the Ordinance and Councilmember Palmer explained it was just to make sure that Food Trucks that were not in service had to be moved and could not sit for more than 7 days. There were questions about whether the food trucks that are already in town would continue to be allowed and she explained that yes that change was not coming to Council yet.

Motion made by Councilmember Palmer to approve Ordinance 442 Amending Article 4.04 Temporary or Seasonal Businesses and add Article 4.09 Temporary Trades or Cottage Food Businesses to the Code of Ordinances Seconded by Councilmember Hicks.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

H. Approval of Resolution 2024-019 approving an Inventory Policy.

City Treasurer Wright explained to Council this was another Policy that the auditors recommended be put in place for compliance. She stated that it was approved by the City Attorney and the Auditors.

Motion made by Councilmember Battle to approve Resolution 2024-019 Seconded by Councilmember Hicks.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

I. Approval of Ordinance 444 updating the Code of Ordinances Chapter 14 Zoning and 14A Place Type Zoning.

City Administrator Farmer explained this was just to ratify what had already been approved in a previous meeting for the updates to Chapter 14 Zoning and 14A Place Type Zoning.

Motion made by Councilmember Palmer to approve Ordinance 444 updating the Code of Ordinances Chapter 14 Zoning and 14A Place Type Zoning Seconded by Councilmember Hicks.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

J. Approval of a Resolution of the City Council of the City of Bandera, Texas, opposing proposed amendments to Chapter 21: Regulation of Signs Along Interstate and Primary Highways of the State of Texas Administrative Code.

There was some discussion on what this resolution was for, Mayor Gibson explained that it was in reference to the signage along Interstate and highways in Texas and something that Texas Monthly would like to get Cities support on.

Motion made by Councilmember Hicks to approve Resolution 2024-021 opposing proposed amendments to Chapter 21: Regulation of Signs Along Interstate and Primary Highways of the State of Texas Administrative Code Seconded by Councilmember Breen.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

K. Approval of the use of the City Park by the Bandera Chamber of Commerce to hold a one-day fundraiser in October 2024 at no charge, and to direct City staff to develop a resolution and facility use agreement for City Council consideration within 30 days.

James with the Bandera Chamber of Commerce gave some information on the one-day Circus that they would like to bring to town on October 13, 2024, explaining that they have insurance and would do all the set up and clean up.

Motion made by Councilmember Palmer to approve the use of the City Park by the Bandera Chamber of Commerce to hold a one-day fundraiser on October 13, 2024, at no charge. Seconded by Councilmember Flowers.

Voting Yea: Councilmember Battle, Councilmember Breen, Councilmember Flowers, Councilmember Hicks, Councilmember Palmer

All in favor, none opposed.

8. Requests and Announcements.

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

Wastewater Treatment Plant

B. Announcements by Council.

There were no announcements by Council.

9. Adjourn. The meeting was adjourned at 8:26PM

/s/ Jill Shelton

Jill Shelton, *City Secretary*

RESOLUTION NO. 2024-021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS, APPROVING RIVERFEST IN THE CITY PARK EVENT AND FACILITY USE AGREEMENT BETWEEN THE CITY, AND THE BANDERA BUSINESS ASSOCIATION AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAME; DECLARING A PUBLIC PURPOSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City owns and maintains the Bandera City Park and facilities along the Medina River and makes said facilities available for rent for events; and,

WHEREAS, the City Park has traditionally been the site for an event at the river and the City has accepted a proposal from the Bandera Business Association for the festival in the City Park; and,

WHEREAS, the Mayor has negotiated terms and conditions that have been incorporated into the attached Facility Use Agreement between the City and the Bandera Business Association; and,

WHEREAS, the Bandera Business Association has requested the City’s participation in the event through, permit and fee waivers, and use of the park; and,

WHEREAS, the City Council must find a public purpose is served by the City’s participation in order to authorize the expenditure of public funds, and the City Council does hereby find that said participation is in the best interest of the City and its citizens, and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS THAT:

Section 1. The Facility Use Agreement between the City of Bandera and the Bandera Business Association, attached as Exhibit A, is hereby approved and the City Administrator is hereby authorized to execute same on behalf of the City.

Section 2. The City Council has determined that the event benefits the City and citizens of Bandera and therefore serves a public purpose and authorizes the provision of the following in-kind services for the event: 3 park employees and 2 security officers.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Bandera City Council.

Section 4. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Bandera Business Association hereby declares that this Resolution would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 28th day of February 2024.

Mayor Rebeca Gibson

ATTEST:

Jill Shelton, City Secretary

CITY OF BANDERA COUNCIL AGENDA
Regular Meeting: Tuesday May 28,2024

AGENDA ITEM: Approval of promotional funding expenditure by the Bandera EDC for \$8,500.00 for Longhorns on Main for the Labor Day Parade.

APPROVED FOR AGENDA: Stan Farmer

BACKGROUND:

Request from EDC President:

The EDC board approved a Promotional Funding request for \$8,500.00 for the Longhorns on Main at our April 16, 2024 Regular Meeting. We are requesting that this agenda item be put on City Council's May 28th meeting for their consideration.

FISCAL ANALYSIS: None

RECOMMENDATION: Just a vote on the expenditure is needed.