

**MINUTES
MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN SABA
March 10, 2015**

Members in attendance were: Ken Jordan – Mayor
Martha Leigh Whitten – Mayor Pro Tem
Mark Amthor – Alderman
Charlie Peeler – Alderman
Shawn Oliver - Alderman
Stan Weik – City Manager

Oleta Behrens, Alderman, was absent.

Others present were: Sabrina Maultsby – City Secretary
Charlene Lindsay – Finance Director
Sabrina Berryhill – City Employee
Susie Jimenez- City Employee
Al Hamrick – City Employee
Wayne Yarbrough – City Employee
Scott Glaze – City Employee
Dwayne Shaw – City Police
Tony Guidroz – City Employee
Farrel Whitley – City Employee
Jake Lackey – City Employee
Jarrod Beck – City Employee
Jose Rocha – City Employee
Alice Smith – San Saba News & Star
Leigh Ann Glaze – San Saba ISD Superintendent

At 6:00 p.m. Mayor Jordan called the meeting to order, announced a quorum present, and led the invocation and pledges.

PUBLIC COMMENTS:

Leigh Ann Glaze, San Saba ISD Superintendent signed up to present to Farrel Whitley, Parks Department Supervisor and Parks Department Employees Jake Lackey, Jarrod Beck, and Jose Rocha a special Thank You card made by the San Saba Lady Dillos Softball League and Caps for each of the Parks Department Employees. Mrs. Glaze explained what a great partnership San Saba ISD and the City of San Saba have while working together and how excited the girls were that they now have concrete floors in the dugouts.

PRESENTATIONS:

Sabrina Berryhill, city employee working in accounts payable, was selected as the Employee of the Month for December. Charlene Lindsay, Finance Director, and Mayor Jordan presented Sabrina with a plaque with her name on it and a gift certificate to a local restaurant.

CONSENT AGENDA:

On a motion by Alderman Oliver, seconded by Alderman Amthor, Council unanimously approved the following: minutes from the February 9, 2015 council meeting; payment of bills; approved Resolution No. 2015-04 requesting and supporting an amendment to the definition of “municipality” in the Texas Local Government Code; and approved Proclamation declaring April 7th Mayor’s Day of Recognition for National Service.

THE CITY OF SAN SABA, TEXAS

RESOLUTION NO. 2015-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, REQUESTING AND SUPPORTING AN AMENDMENT TO THE DEFINITION OF “MUNICIPALITY” IN THE TEXAS LOCAL GOVERNMENT CODE.

WHEREAS, the City of San Saba has been made aware that a recent court of appeals decision interprets the word “municipality,” as used throughout the Texas Local Government Code, as excluding general-law cities; and

WHEREAS, the erroneous interpretation of the definition of “municipality” to exclude general-law cities would have a significant detrimental impact on all general-law municipalities in the State of Texas and would be inconsistent with the historic application of numerous statutory provisions; and

WHEREAS, the City Council of the City of San Saba, Texas (the “City Council”) has determined that requesting the Legislature to clarify the definition of “municipality” is in the best interest of the City and its citizens.

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

SECTION 1. The findings set forth above are incorporated into the body of this resolution as if fully set forth herein.

SECTION 2. The City Council hereby requests and supports an amendment to Section 1.005(3) of the Texas Local Government Code to provide a clarification that the definition of “municipality” includes all municipalities, whether general-law, special-law or home-rule, unless specifically and clearly differentiated.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, ON THIS THE 10TH DAY OF MARCH, 2015.

PROCLAMATION



**MAYOR’S DAY OF RECOGNITION
FOR NATIONAL SERVICE**

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WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation’s mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to meet city needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our cities and counties, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 60,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, City of Service, and mayors across the country to recognize the impact of service on the Mayors Day of Recognition for National Service on April 7, 2015.

THEREFORE, BE IT RESOLVED that I, Ken G. Jordan, Mayor of City of San Saba, do hereby proclaim April 7, 2015, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our city; to thank those who serve; and to find ways to give back to their communities.

DISCUSSION/ACTION ITEMS:

The first action item was to discuss and consider approval of Resolution No. 2015-05 canceling the City Council Election and accepting the Certification of Unopposed Candidates for the May 9, 2015 City Council election declaring the unopposed candidates elected to office. Mayor Pro-Tem Whitten made a motion to approve Resolution No. 2015-0 cancelling the May 9, 2015 City Council Election and accepting the Certification of Unopposed Candidates. This motion was seconded by Alderman Peeler and passed unanimously.

RESOLUTION NO. 2015-05

A RESOLUTION CANCELLING THE CITY COUNCIL ELECTION CURRENTLY SCHEDULED FOR MAY 9, 2015 AND DECLARING MARK AMTHOR, SHAWN OLIVER, AND CHARLIE PEELER REELECTED AS

SAN SABA CITY COUNCIL MEMBERS FOR TWO YEAR TERMS, DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE.

WHEREAS, A San Saba City Council election is currently slated for Saturday, May 9, 2015; and

WHEREAS, the San Saba City Secretary has certified in writing that Mark Amthor, Shawn Oliver, and Charlie Peeler as Council Members are the only three candidates on the ballot for the three open positions and thus unopposed; and

WHEREAS, the Election Code provides for the cancellation of an election and the declaration of the unopposed candidates as elected to office; and

WHEREAS, it is desired to not incur public expense by conducting an unopposed election.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS:

The City Council election slated for Saturday, May 9, 2015 is hereby cancelled and that Mark Amthor, Shawn Oliver, and Charlie Peeler are declared reelected to the office of San Saba City Council for two year terms, that a Certificate of Election be issued to Mark Amthor, Shawn Oliver, and Charlie Peeler, and that a copy of this resolution be posted on election day at each polling place that would have been used in the election.

An emergency is declared so that this resolution may become effective to cancel the election prior to the slated election date and this resolution shall become effective immediately upon passage.

PASSED, APPROVED AND ADOPTED on this 10th day of March, 2015.



**CERTIFICATION OF UNOPPOSED CANDIDATES
CERTIFICACION DE CANDIDATOS UNICOS**

To: Presiding Officer of Governing Body
Al: *Presidente de la entidad gobernante*

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 9th, 2015.

Como autoridad a cargo de la preparacion de la boleta de votacion oficial, por la presente certifico que los siguientes candidatos son candidatos unicos para eleccion para un cargo en la eleccion que se llevara a cabo el 9TH de Mayo, 2015.

**Mark Amthor - Alderman - Concejales Urbanos de Consejo
Shawn Oliver - Alderman - Concejales Urbanos de Consejo
Charlie Peeler - Alderman - Concejales Urbanos de Consejo**

Signature (*Firma*)

Sabrina Maultsby

Printed name (*Nombre en letra de molde*)

City Secretary

Title (*Puesto*)

3/10/15

(Seal) (*sello*)

Date of signing (*Fecha de firma*)

The second action item was to issue Certificates of Election to reelected City Council Aldermen: Mark Amthor, Shawn Oliver, and Charles Peeler. City Secretary Sabrina Maultsby presented the Certificates to each reelected alderman.

The third item was to discuss and consider approval of Resolution No. 2015-06 approving a Contract for the purpose of financing "SCADA System" for the Water Department. Wayne Yarbrough explained that the current system we have now is over twenty years old and if it goes down, the City will be saving money in the long run due the fact that someone will have to be on site twenty four hours a day. He also explained they will be able to operate the new system off site by phone or computer. On a motion by Alderman Amthor, seconded by Mayor Pro-Tem Whitten, Counsel unanimously approved Resolution No. 2015-06 authorizing the Contract for the purpose of financing "SCADA System" for the Water Department.

RESOLUTION # 2015-06

A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE
OF FINANCING "SCADA SYSTEM".

WHEREAS, contingent upon the approval of the Attorney of City of San Saba (the "Issuer"), the Issuer desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "SCADA System". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SAN SABA:

Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing "SCADA System".

Section 2. That the Finance Contract by and between the City of San Saba and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer will designate the City Manager as an authorized signer of the Finance Contract by and between the City of San Saba and GCC.

PASSED AND APPROVED by the Council for the City of San Saba in a meeting held on the 10th day of March, 2015.

The fourth discussion item was to discuss and consider approval to burn the large pile of woody debris at the back of the LCRA Park. Mr. Jordan explained that in June of last year Jimma Byrd attended the Parks Department Committee meeting requesting something be done and I suggested burning the woody debris and the Committee was in agreement. On a motion by Mayor Pro-Tem Whitten, seconded by Alderman Peeler, Counsel unanimously approved to burn the large pile of woody debris at the back of the LCRA Park.

The Final discussion item was to discuss and consider approving Ordinance No. 2015-01 Modifying Chapter 3, Building Regulations, Article 3.02, Technical and Construction Codes and Standards, Division 2, Building Codes, Code of Ordinances of the City of San Saba in order to Adopt 2015 Editions of the International Building Code, The International Residential Code for One and Two-Family Dwellings, The International Mechanical Code, The International Plumbing Code, The International Fuel Gas Code, The International Existing Building Code, The International Property Maintenance Code, and The International Swimming Pool Code; Adopting The 2014 Edition of The National Electrical Code; and Chapter 5, Fire Prevention and Protection, Article 5.02, Fire Code, Section 5.02.001, In Order to Adopt The 2015 Edition of The International Fire Code; Providing a Savings Clause; Providing a Severability Clause; and, Provide an Effective Date. Al Hamrick explained to the Council that due to the fact that the City's adopted Building Codes were in excess of five years old, the City of San Saba was in the process of updating the Building Codes prior to the visit from ISO. He also explained that ISO is really cracking down on Cities that have Building Codes in excess of five years. Mr. Hamrick stated that he met with Daniel Cortez, ISO Field Representative last week for a three hour inspection and felt good about the outcome. On a motion by Alderman Oliver, seconded by Alderman Amthor Ordinance No. 2015-01 was unanimously approved.

ORDINANCE NO. 2015-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, MODIFYING CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.02, TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 2, BUILDING CODES, CODE OF ORDINANCES OF THE CITY OF SAN SABA IN ORDER TO ADOPT 2015 EDITIONS OF THE *INTERNATIONAL BUILDING CODE*, THE *INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO-FAMILY DWELLINGS*, THE *INTERNATIONAL MECHANICAL CODE*, THE *INTERNATIONAL PLUMBING CODE*, THE *INTERNATIONAL FUEL GAS CODE*, THE *INTERNATIONAL EXISTING BUILDING CODE*, THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*, AND THE *INTERNATIONAL SWIMMING POOL CODE*; ADOPTING THE 2014 EDITION OF THE *NATIONAL ELECTRICAL CODE*; AND CHAPTER 5, FIRE PREVENTION AND PROTECTION, ARTICLE 5.02, FIRE CODE, SECTION 5.02.001, IN ORDER TO ADOPT THE 2015 EDITION OF THE *INTERNATIONAL FIRE CODE*; PROVIDING A SAVINGS CLAUSE; PROVIDING A SERVERABILITY CLAUSE; AND, PROVIDE AN EFFECTIVE DATE.

WHEREAS, the City of San Saba ("City") has already adopted and approved minimum building, plumbing, electric, fire, and property maintenance code standards within the above referenced sections of the City's Code of Ordinances; and

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WHEREAS, the City Council has been made aware that each of these codes have been updated through its respective code writers and updating such codes for the City will provide updated information in line with building standards and code enforcement, bring them in line with other cities throughout the state, as well as impact the City's ISO rating;

WHEREAS, the City Council therefore desires to consider such updates for adoption.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS THAT:

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Modification. The City Council hereby adopts the suggested updates to Chapter 3, Building Regulations, Article 3.02, Technical and Construction Codes and Standards, Division 2, Subsection 3.02.051, International Building Code (2015); Subsection 3.02.101, International Building Code for One and Two-Family (2015) Dwellings; Subsection 3.02.151, International Mechanical Code (2015); Subsection 3.02.201, International Plumbing Code (2015); Subsection 3.02.251, International Fuel Gas Code (2015); 3.02.381, National Electrical Code (2015); Subsection 3.02.401; Subsection 3.02.451, International Existing Building Code (2015); Subsection 3.02.501; Subsection 3.02.551, International Property Maintenance Code (2015); Subsection 3.02.601, International Swimming Pool Code (2015); and Chapter 5, Fire Prevention and Protection, Article 5.02, Fire Code, Subsection 5.02.001, International Fire Code (2015).

Section 3. Amendment of Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

Section 4. Severability. If any section, subsection, sentence or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected. It is the intent of the City Council in adopting this Ordinance, that no provision or regulation contained herein shall become inoperative, or fails by reason of the unconstitutionality or invalidity of any other section, subsection, sentence or phrase of this Ordinance.

Section 5. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City Charter.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 10th day of March, 2015.

CITY MANAGER'S REPORT

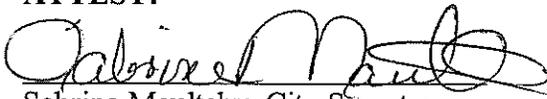
City Manager Stan Weik gave a brief report on the following activities in the City of San Saba: Another great month; Perry Been of the WAY Companies and his staff was here for two days gathering information to present an analysis to the City of San Saba on their findings. He left a very appreciative letter regarding the City staff and how he enjoying working with them; Jason Vogel, Animal Control Supervisor is doing a great job, he picked up 58 animals this past month of which 33 being wildlife animals such as skunks, raccoons, and possums. Jason had a full pound this last month and is working well with the Friends of Animals; Large water line break on both sides of the road last week and the Water Department worked on it until about 7:30 or 8:00 p.m. losing about 300,000 gallons of water; and Sidewalk project is moving along.

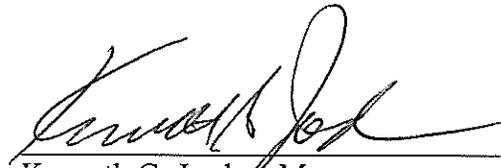
OTHER REPORTS

Scott Glaze, Public Works Supervisor reported due to the winter weather there are more breaks in the pavement and the Street Department is staying busy, had to get two loads of cold mix from Kempner today; Chief Dwayne Shaw gave an update on the progress of the Police department and thanked the City guys for doing a great job, he also reported the new Police Officers Adam and Elessandra are working out well and the Community seems to be really pleased with both of them, Chief Shaw also reported there is still an ongoing investigation regarding the recent death of a young woman in our community; Tony Guidroz, Economic Development Director reported there is a Calendar of Events enclosed in the Council packets to include 57 events this year and look to add seven or eight next year, updated report regarding the closure of the ALCO store stating he speaks with the owner of the building two to three times per week and he is very motivated to lease the building, the owner of the building recently put a For Lease sign in the window and has continued to keep the electricity on for showing.

The meeting adjourned at 6:55 p.m.

ATTEST:


Sabrina Maultsby, City Secretary


Kenneth G. Jordan, Mayor