

MINUTES
MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN SABA
June 11, 2019

Members in attendance were: Ken Jordan – Mayor
Robert Whitten – Mayor Pro-Tem
Shawn Oliver - Alderman
Michael Nelson - Alderman
Marcus Amthor – Alderman
Stan Weik - City Manager

Alderman Oleta Behrens was absent.

Others present were: Sabrina Maultsby – City Secretary
Charlene Lindsay – City Treasurer
Scott Glaze – Public Works Supervisor
Bruce Stewart – City Employee
Chris Stewart – City Employee
Norman Pierce – City Employee
Denver Daniel – City Employee
Jason Vogel – City Employee
Ray Riggs – Police Chief
Luis Rios – City Employee
Ty Beasley – City Employee
Norman Pierce – City Employee
Chuck Jennings – City Employee
Jan Vanderburg – Chief Appraiser/San Saba County Appraisal Dist.
Becky Starr – Chief Jailer/Dispatcher
Matt Boswell – San Saba County Sheriff
Robert Stewart – San Saba County Deputy
Byron Theodosios – San Saba County Judge
Randall Robinson – San Saba County Attorney
Donna Webb – San Saba News & Star
Joanne Weik – Recipient of Resolution from the State of Texas
Leigh Johnston – Stan & Joanne Weik’s Daughter
Hope Johnston – Stan & Joanne Weik’s Granddaughter
Christopher Johnston - Stan & Joanne Weik’s Grandson
Nolan Johnston - Stan & Joanne Weik’s Grandson
Ethan Johnston - Stan & Joanne Weik’s Grandson
Javier Baez – Citizen

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

PUBLIC COMMENTS: None

PRESENTATIONS:

Chris Stewart, city employee working at the Golf Course was selected as the Employee of the Month for June. Mayor Jordan and Chuck Jennings, Golf Pro presented Chris with a plaque with his name on it and a gift certificate to a local restaurant.

Bruce Stewart, Code Enforcement Officer was selected as Supervisor of the Quarter for the second Quarter. Mayor Jordan, Scott Glaze, Public Works Director, and City Manager Stan Weik presented Bruce with a plaque with his name on it and a gift certificate to a local restaurant.

Rachel Hering with CTRA presented the award for Outstanding Recycling Accomplishments in 2018 and the 20-Year Achievement Award to the City of San Saba's Recycling Center and thanked Juan Montoya and his staff for their efforts. She gave a breakdown of the large amount of materials that have been recycled and Scott Glaze accepted the award on behalf of the Recycling Center. Rachel also congratulated Joanne Weik with her accomplishments in receiving the Lady Bird Johnson Award and how proud everyone is of her.

Mayor Kenneth Jordan read and presented a Resolution from the State of Texas to Joanne Weik signed by State Representative J.D. Sheffield for receiving the Lady Bird Johnson Award at the Annual Keep America Beautiful Conference held in Baltimore, Maryland on February 7, 2019. Joanne was recognized for her thirty years of dedication to community environmental education, beautification initiatives, and recycling programs in three Texas communities and two school districts and is active at the state level.

CONSENT AGENDA

On a motion by Alderman Oliver, seconded by Alderman Whitten, Council unanimously approved the following: Minutes from the May 14, 2019 Council Meeting; payment of bills; Approved Resolution No. 2019-26 waiving noise ordinance on June 15th, 2019 at Mill Pond Park Gazebo; Approved Resolution No. 2019-27 waiving noise ordinance on June 15th, 2019 at Joe Ragsdale Pavilion; Approved Resolution No. 201-28 waiving noise ordinance on June 22nd, 2019 at Mill Pond Park Gazebo; Approved Resolution No. 2019-29 waiving noise ordinance on June 22nd, 2019 at Joe Ragsdale Pavilion; Approved Resolution No. 2019-30 waiving noise ordinance on June 22nd, 2019 at Risien Park Pavilion;

RESOLUTION 2019-26

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, **Bridgett Macedo, 305 N. 9th Street, San Saba, Texas**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Mill Pond Park Gazebo on June 15th, 2019 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 15, 2019 at the Mill Pond Park Gazebo.

Passed and approved this 11th day of June, 2019.

RESOLUTION 2019-27

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, **Jennifer Stewart, 607 W. Dry Street, San Saba, Texas**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Joe Ragsdale Pavilion on June 15th, 2019 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 15, 2019 at the Joe Ragsdale Pavilion.

Passed and approved this 11th day of June, 2019

RESOLUTION 2019-28

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, **Laurie Turner, 115 W. Senterfitt Street, Lometa, Texas**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Mill Pond Park Gazebo on June 22nd, 2019 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 22, 2019 at the Mill Pond Park Gazebo.

Passed and approved this 11th day of June, 2019.

RESOLUTION 2019-29

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, **Alex Lopez, 907 N. 7th Street, San Saba, Texas**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Joe Ragsdale Pavilion on June 22nd, 2019 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 22, 2019 at the Joe Ragsdale Pavilion.

Passed and approved this 11th day of June, 2019.

RESOLUTION 2019-30

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, **Juan Montoya, 806 W. Martin, San Saba, Texas**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Risien Park Pavilion on June 22nd, 2019 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on June 22nd, 2019 at Risien Park Pavilion.

Passed and approved this 11th day of June, 2019.

DISCUSSION/ACTION ITEMS:

The first action item was to Discuss and Approve Resolution No. 2019-31, a Resolution of the City of San Saba approving the Central Appraisal District of San Saba County Real Estate Acquisition. Jan Vanderburg, Chief Appraiser of the San Saba County Appraisal District addressed the Council gave a brief history of the reason for the decision to move from the previous location at 423 E. Wallace to 601 W. Wallace, San Saba, Texas. During April, there was significant damage to the interior front of the building and an employee nearly fell through the floor. Subsequent testing identified the presence of both mold and asbestos. Jan also explained that one of the Employees had become severely ill with a bronchial illness, with no prior history of respiratory illness and the weekends and when she was in Austin getting her certification, the symptoms subsided. The significant noise and dust created while the front of the office was dismantled for inspection and damage evaluation along with the acknowledgement of staff illness, compelled her to make immediate, alternate arrangements for a new location. There was no plan addressed with my office

by San Saba County, owner of the building. At that point, Jan made the decision to move out. The only office ready to move in was the location at 601 W. Wallace. Jan contacted the Real Estate Agent and Lee Hoffpauir, owner of the building regarding a four-month Lease. After getting further into the remediation of the 423 E. Wallace location, finding mold and asbestos and making the changes for ADA compliance they were looking at least a year for completion. Jan spoke with the Real Estate Agent about approving a lease purchase due to the rent of the building over a year would be \$30,000.00 dollars and a portion of the rent would be applied to the purchase of the building, this was approved unanimously by the CAD board. The purchase price was \$260,000.00 and she applied through Government Capital and was approve for a fifteen-year loan @ 4.214% interest with no down payment. The CAD of San Saba County is badly in need of a permanent location and her top priority is the safety of the employees. Jan provided a packet that was included in the Council packets with options Budget A and Budget B. Jan plans to attend board meetings of each of the taxing entities in order to answer any questions. Mayor Jordan asked if they would be applying \$1,250.00 per month of the lease back to the purchase price and Jan explained, that is correct. Alderman Nelson asked what the plans were for the building at the previous location. Judge Byron Theodosis addressed the Council and said the County plans to continue to restore the building. Mayor Pro-Tem Whitten abstained from the vote due to a conflict of interest regarding the Real Estate Agent. On a motion by Alderman Oliver and seconded by Alderman Nelson, Council unanimously approved Resolution No. 2019-31.

RESOLUTION NO. 2019-31

WHEREAS, the Texas Property Tax code, Section 6.051, allows the acquisition of real property by purchase or lease, the conveyance of real property, and the construction or renovation of a building or other improvement by an appraisal district for the purpose of establishing and operating the appraisal office or a branch appraisal office; and

WHEREAS, Section 6.51 requires that the board of directors of an appraisal district must propose the property transaction by resolution which must be approved by the governing bodies of three-fourths of the taxing units entitled to vote on the appointment of board members; and

WHEREAS, the governing body of the City of San Saba received notification of the resolution adopted by the Board of Directors of Central Appraisal District of San Saba County as required by Section 6.051;

WHEREAS, \$652.00 will be the increase in the City of San Saba's annual apportion of the dedicated and budgeted reserves of the Central Appraisal District of San Saba County to purchase the real estate, and;

WHEREAS, purchase of the proposed real estate offers the most effective solution to provide the Central Appraisal District of San Saba County with a permanent location in which to provide service to the taxing units and taxpayers of San Saba County.

NOW THEREFORE BE IT HEREBY RESOLVED that on this date, the

City Council of San Saba approved by a majority vote taken in a public meeting the purchase, in the amount of \$260,000.00, of a building for San Saba CAD's office situated in San Saba County, Texas at 601 West Wallace, San Saba that is legally described as follows: a tract of land containing 0.23 acres out of the Northeast corner of Block 24 of the Harwood and Fentress Addition to the City of San Saba.

Also described in the resolution of the Board of Directors of the San Saba Central Appraisal District; and BE IT FURTHER RESOLVED that this document be filed with the Chief Appraiser of the San Saba Central Appraisal District on or before the 30th day after the receipt of notification of the aforementioned resolution.

SIGNED this 11TH day of June, 2019.

The second action item was to discuss and consider approving Ordinance No. 2019-04, an Ordinance of the City of San Saba, Texas Modifying the Duties of Owner or Occupant; Placement of Waste for Collection Set Out in Section 13.02.506, Article 13.02, Joint Utility Systems, Chapter 13, Utilities; Providing Regulations and Prohibitions; Providing for an effective date; Providing a Savings Clause, Severability Clause and Effective Date. City Manager Weik explained, this has been an ongoing problem and we have several customers that put open animal and human waste in the City's waste rollers. This is a health hazard for the City's employees and staff is asking for approval. On a motion by Alderman Amthor and seconded by Mayor Pro-Tem Whitten, Council unanimously approved Ordinance No. 2019-04.

ORDINANCE NO. 2019-04

AN ORDINANCE OF THE CITY OF SAN SABA, TEXAS, MODIFYING THE DUTIES OF OWNER OR OCCUPANT; PLACEMENT OF WASTE FOR COLLECTION SET OUT IN SECTION 13.02.506, ARTICLE 13.02, JOINT UTILITY SYSTEMS, CHAPTER 13, UTILITIES; PROVIDING REGULATIONS AND PROHIBITIONS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE AND EFFECTIVE DATE.

Whereas, the City Council has found that the provision of solid waste services within the City is necessary for the health, safety and welfare of the community; and

Whereas, there have been instances where refuse has been placed in, on or around the containers without properly bagging such refuse. By example, dog waste carries disease-causing bacteria that can be transmitted directly to humans and make them sick. Ringworm, roundworm, salmonella and giardia are examples of such bacteria, all of which are found in dog feces and are easily transferable upon contact. All such garbage, waste, refuse, including animal waste disposed of without bagging is unsanitary and poses risks for other residents and the sanitation workers; and

Whereas, the City Council desires to clarify that it is the duty of owners or occupants to dispose of all waste, garbage, and other forms of refuse, especially animal waste, to bag all waste prior to placement of waste, garbage or refuse in the containers to be collected by the sanitation workers to ensure the health, safety and welfare of both the residents and those who collect the waste.

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

Section 1. Amendment to Chapter 13, Utilities, Article 13.02, Joint Utility System, Division 5, Solid Waste Collection, Section 13.02.506, Duties of Owner or Occupant; Placement of Waste for Collection. The City of San Saba's Code of Ordinance, Chapter 13, Utilities, Article 13.02, Joint Utility System, Division 5, Solid Waste Collection, Section 13.02.506, Duties of Owner or Occupant; Placement of Waste for Collection, are hereby modified with the following provisions:

* * * * *

Sec. 13.02.506 Duties of owner or occupant; placement of waste for collection

- (a) The owner or occupant of every dwelling unit shall provide at his or her own expense a suitable container for the storage of solid waste as provided in this division.
 - (b) The owner or occupant of a commercial or industrial enterprise shall be provided bins by the city whenever customers request their use. Each bin shall be placed in an agreed outside location on a hard surface where it is accessible. All items shall be kept in good repair and appearance and in a sanitary condition at all times and will have appropriate signage.
 - (c) No owner or occupant shall permit to accumulate quantities of refuse or other waste materials within or close to any structure within the city unless the same is stored in approved containers and in such a manner as not to create a health or fire hazard.
 - (d) The owner shall place each container, bag and bundle at curbside for collection as close to the roadway as practicable without interfering with or endangering the movement of vehicles or pedestrians. Curbside refers to that portion of the right-of-way adjacent to paved or traveled city roadways.
 - (e) Verified handicapped customers may receive off-street pickup at no charge.
 - (f) When construction work is being performed in the right-of-way, the owner will place containers, bags, and bundles as close as practicable to an access point for the collection vehicle. The city may decline to collect any container, bag and bundle not so placed.
 - (g) The owner or occupant of every dwelling shall place all refuse in bags prior to being placed in any container which is provided for the collection of the solid waste, including but not limited to, kitchen refuse, putrescible items, any fecal matter from humans or animals, any items containing bodily fluids, blood, or excretions. When in doubt, bag it prior to placing in the collection container.
 - (h) No owner or occupant shall place or permit another to place any item that may pose a health risk in another dwelling unit's collection container. Example: Animal feces while walking your animal shall be picked up and disposed of by picking the feces up with a bag and disposing of in your own collection container.
 - (i) Failure to adhere to subsection (g) and (h) above shall be unlawful and constitute a public nuisance.
- (Ordinance 1999-5, sec. 5.01(d), adopted 6/8/99)

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Section 2. Amendment Of Ordinances. All ordinances of the City of San Saba 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 ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 3. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 4. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 5. 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.

PASSED AND APPROVED on this the 11th day of June, 2019.

CITY MANAGER'S REPORT

City Manager, Stan Weik reported on the following activities in the City of San Saba: A big thanks to Bruce Stewart for the new paint at City Hall; We will be replacing the sand at Mill Pond Beach, setting up accounts with the Company where we will be getting the sand from; still working with FEMA regarding the water damage from the extreme rains last year; Mill Pond has had several dead fish floating on the water and this is due to the pond turning over.

OTHER REPORTS

Scott Glaze, Public Works Director reported gave an update regarding the Water Project; Jacob & Martin, Engineering Firm keeps someone here at all times to watch over the Water Project to make sure the installation is of good quality; Scott and Bruce have raised \$5,275.00 for the Annual July 4th Fireworks Show and 9-Finger Fireworks will be doing the show.

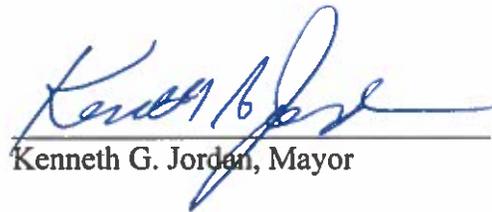
As there was no further discussion, the meeting adjourned at 6:40 p.m. to the Budget Workshop.

Council members took a brief recess before beginning the Budget Workshop began at 6:48 p.m. Ray Riggs presented the budget for the Police Department, Becky Star presented the Budget for the Dispatcher and Judge Byron Theodosios gave an additional presentation for the Dispatchers, Luis Rios presented the budget for the Street Department, Jason Vogel presented Animal Control Department budget the budget for Code Enforcement Department, Ty Beasley presented the budget for the Parks Department, and Norman Pierce presented the budget for the Shop Department, and Chuck Jennings, Golf Pro presented the Golf budget, revenue and expenses.

The next Budget Workshop is scheduled for Tuesday, July 9, 2019 following the Council Meeting that begins at 6:00 p.m.

The Budget Workshop adjourned at 8:09 p.m.

ATTEST:


Kenneth G. Jordan, Mayor


Sabrina Maulsby, City Secretary