

**MINUTES
SPECIAL CALLED MEETING
& BUDGET WORKSHOP
OF THE CITY COUNCIL
CITY OF SAN SABA
July 26, 2022**

The City Council of the City of San Saba, Texas convened into a Special Called meeting on Tuesday, July 26, 2022 at 6:00 p.m., in the City Hall Council Chambers located at 303 S. Clear Street.

Members in attendance were: Ken Jordan – Mayor
Robert Whitten – Mayor Pro-Tem
Shawn Oliver – Alderman
Oleta Behrens - Alderman
Marcus Amthor – Alderman
Michael Nelson – Alderman
Scott Edmonson – City Manager

Others present were: Sabrina Maulsby – City Secretary
Charlene Lindsay – Treasurer
Scott Glaze – Public Works
Michael Wadsworth – Code Enforcement Officer
John Bauer – Police Chief
Denver Daniel – Electric Department Supervisor
Eugene Bessent – Parks Department Supervisor
John Whitney – Parks Department Employee
Byron Theodosis – County Judge
David Jenkins – County Sheriff
Dwayne Shaw – Chief Deputy
Djuana Payton – San Saba News & Star
Kynda Jordan – Citizen – Public Hearing
Joanne Weik-Citizen

At 6:00 p.m. Mayor Jordan called the meeting to order, announced a quorum present, and Mayor Pro-Tem Robert Whitten led the Invocation and Pledges.

PUBLIC HEARING:

The City of San Saba held a public hearing at 6:00 PM on July 26, 2022, at City Hall, 303 S. Clear Street, San Saba, Texas, to receive comments from the Public regarding the following:

Mayor Jordan explained that the first item on the Public Hearing had been removed per the request of the owner of Napoli's Italian Restaurant. He also explained, he would be abstaining from the second Public Hearing item due to a conflict of owning the property and would be turning the Public Hearing over to Mayor ProTem Robert Whitten.

1. Ashleigh Broderick owner of Napoli's Italian Restaurant is requesting the Planning & Zoning Commission and the San Saba City Council approve a Variance to the Existing Alcohol Zoning requirements, Place of Business is within 300 ft. for a Church, Alcoholic Beverage Code 190.33 (a)1, for Property located at 210 E. Commerce Street, legal

description Block 25, Old Town San Saba, N 1/3 (Commerce and Clear) currently zoned Commercial (C-2).

2. Ken and Kynda Jordan are requesting a Variance to the 25' Set Back Building line for property located at 109 Westview Terrace currently zoned Residential (R-2), Legal description, Lot 4 and S 10 Lot 3, 109 Westview Terrace Dr.

The Planning and Zoning Commission met in Open Session on June 22, 2022 and voted 5 to 0 Vote in favor of approving a Variance to the 25' Set back Building line for property located at 109 Westview Terrace.

The City encourages citizens to make their views known at this public hearing.

The Public Hearing was closed at 6:03 p.m.

PUBLIC COMMENTS – None

PRESENTATIONS:

John Whitney, Parks Department Employee, was selected as the Employee of the Month for July. Mayor ProTem Robert Whitten and Eugene Bessent, Parks Department Supervisor presented John with a plaque with his name on it and a gift certificate to a local restaurant.

CONSENT AGENDA:

On a motion by Alderman Shawn Oliver, seconded by Alderman Marcus Amthor, Council unanimously approved the following: minutes from the June 14, 2022 council meeting and the June 21, 2022 Special Called Meeting and Budget Workshop; payment of bills; approved Resolution No. 2022-21 a Resolution to waive an Ordinance defining noise nuisances for Elsa Zepeda on July 30th, 2022 at Risien Park Pavilion; approved Resolution No. 2022-22, a Resolution which authorizes the City to enter into an agreement with TxDOT for the closure of Wallace Street for the closure of Wallace Street for the Rodeo Parade scheduled for August 20, 2022 at 10:00 a.m.; approved Resolution No. 2022-23 a Resolution closing the 300 and 400 blocks of E. Wallace Street to Parking one hour prior and during the annual Rodeo Parade scheduled for August and Christmas Parade in December; approved changing the Regular Scheduled City Council meeting scheduled for Tuesday, August 9, 2022 to Tuesday, August 16, 2022.

RESOLUTION 2022-21

**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, Elsa Zepeda, 450 W. US Hwy 190, 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 July 30th, 2022 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 July 30, 2022 at Risien Park Pavilion.

Passed and approved this 26th day of July, 2022.

RESOLUTION 2022-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, TO AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH (TXDOT) TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CLOSURE OF ONE OF THE STATE'S RIGHT-OF-WAY'S (HWY 190 OR WALLACE STREET); AND AUTHORIZING THE MAYOR AND/OR CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CONTRACT.

WHEREAS, the City of San Saba has requested the temporary closure of Wallace Street for the purpose of the Rodeo Parade on August 20th, 2022, at 10:00 a.m.; and

WHEREAS, the Parade will be located within the City's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Parade, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right-of-way will be performed within the State's requirements,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS: that the City Council authorizes the Mayor and/or City Manager to act as the City's Executive Officer and authorized representative in all matters pertaining to the contract with TXDOT.

APPROVED this the 26th day of July, 2022.

RESOLUTION NO. 2022-23

A RESOLUTION CLOSING THE 300 AND 400 BLOCKS OF EAST WALLACE STREET TO PARKING ONE HOUR PRIOR AND DURING THE ANNUAL RODEO PARADE IN AUGUST; PROVIDING FOR BARRIERS AND WARNING DEVICES; SEVERABILITY AND AN OPEN MEETING CLAUSE

WHEREAS, pursuant to Chapter 311 of the Texas Transportation Code, a general-law municipality such as San Saba has exclusive control over the highways, and streets of the municipality;

WHEREAS, City of San Saba Downtown business owners have asked the City Council to prohibit parking on the 300 and 400 blocks of East Wallace during a specific time frame;

WHEREAS, parking would be prohibited in this specific area for one hour prior and during the annual Rodeo Parade;

WHEREAS, prohibiting parking in this area during this time will not harm public right of way uses by the City nor hinder emergency services personnel from protecting the public;

WHEREAS, prohibiting parking in this area during the parades will serve and protect the public health and safety of all citizens and visitors to San Saba.

WHEREAS, City Police staff are authorized and empowered to install barriers to prevent parking in this area during this time.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, THAT: the 300 and 400 blocks of East Wallace Street will be closed to parking for one hour prior to and during the annual Rodeo Parade.

APPROVED this the 26th day of July, 2022.

DISCUSSION/ACTION ITEM:

The first action item was to Discuss and Consider approving Resolution No. 2022-24, a Resolution approving a Variance from Article 4.02, Alcoholic Beverages, Section 4.02.001, Sale Near School, Church, or Hospital to Allow Beer and Wine for a Texas Alcohol Beverage Commission and Other Related Matters for Property located at 210 E. Commerce Street, legal description Block 25, Old Town San Saba, N 1/3 (Commerce and Clear) currently zoned Commercial (C-2) for Ashleigh Broderick owner/applicant of Napoli's Italian Restaurant. Mayor Jordan explained that there would be no action on this item per the request of the Owner of Napoli's Italian Restaurant to be removed.

Mayor Jordan explained, he would be abstaining from the second item and turning the item over to Mayor ProTem Robert Whitten due to a conflict of ownership in the property.

The second action item was to Discuss and Consider approving Ordinance No. 2022-05 regarding a Variance to the 25' Set Back Building line for property located at 109 Westview Terrace currently zoned Residential (R-2), Legal description, Lot 4 and S 10 Lot 3, 109 Westview Terrace Dr. for Ken and Kynda Jordan. Kynda Jordan was available to answer any questions the Council might have. Alderman Shawn Oliver made a motion to approve Ordinance No. 2022-05, seconded by Alderman Michael Nelson, and was unanimously approved by all.

ORDINANCE 2022-05

AN ORDINANCE TO ISSUE A VARIANCE TO THE ESTABLISHED SET BACK BUILDING REQUIREMENTS WITHIN THE CITY OF SAN SABA, TEXAS CURRENT ZONING ORDINANCE

WHEREAS, Kenneth and Kynda Jordan, owners, have applied to the Planning and Zoning Commission requesting a Variance to the 25 foot frontage setback building line on their property located at 109 Westview Terrace Drive; and,

WHEREAS, the said Planning and Zoning Commission proceeded to hear said Variance to the zoning changes in accordance with the requirements of the Zoning Ordinance of the City of San Saba, Texas; and,

WHEREAS, the said Planning and Zoning Commission, after duly considering said Variance to zoning changes in accordance with the provisions of said Ordinance, did recommend to the City Council of the City of San Saba that such requested Variance to zoning changes be granted; and,

WHEREAS, the City Council of the City of San Saba did give notice as required by said Zoning Ordinance for a public hearing to be held on same in accordance with the said Zoning Ordinance, which hearing was set for Tuesday, July 26th, 2022 at 6:00 p.m.; and,

WHEREAS, after deliberation on the facts involved in the Variance to the zoning change, the City Council of the City of San Saba is of the opinion that such Variance to zoning change should be made.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS that the property located at 109 Westview Terrace Drive is hereby issued a Variance to the setback building line requirements of 25 foot on the frontage.

PASSED AND APPROVED this the 26th day of July 2022.

The third action item was Discuss and consider approval of Resolution No. 2022-25 a Resolution of the City Council of the City of San Saba regarding a Contract for the purpose of Financing a “Heavy Duty Truck” for the Garbage Department. Alderman Michael Nelson made a motion to approve Resolution No. 2022-25, seconded by Alderman Oleta Behrens, and was approve by a 5 to 0 vote.

RESOLUTION NO. 2022-25

A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING A
"HEAVY DUTY TRUCK".

WHEREAS, City of San Saba (the "Issuer") desires to enter into that certain Finance Contract No.9980, by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing a "Heavy Duty Truck". 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 CITY OF SAN SABA:

Section 1. That the Issuer will enter a Finance Contract with GCC for the purpose of financing a "Heavy Duty Truck".

Section 2. That the Finance Contract dated as of July 26, 2022, 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 appoints the City Manager or the City Manager's designee, as the authorized signer of the Finance Contract Number 9889 dated as of July 26, 2022, by and between the City of San Saba and GCC as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

Section 4. The Issuer will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

This Resolution has been PASSED upon Motion made by Council Member Michael Nelson, seconded by Council Member Oleta Behrens by a vote of 5 Ayes to 0 Nays and is effective this July 26, 2022.

Issuer: City of San Saba

Witness Signature

Ken Jordan
Mayor

Sabrina Maultsby
City Secretary

CITY MANAGER'S REPORT

City Manager Scott Edmonson gave a brief report on the following activities in the City of San Saba: John Whitney has his Vector and ROW Pesticide License current; the Railroad mowed the tracks and they will come back to spray; the City held the Bid Opening for the American Rescue Plan-Waterline Improvements Project on Thursday; the San Saba Little League baseball and the Soccer Association have merged and are now the San Saba Youth Association; the EDC Parking Lot in the 300 block of East Commerce will be closed for repairs starting August 9th and will be closed for one week; the City has two employment opportunities, one in the Police Department and one in the Electric Department; a Massage Therapist will be relocating to the Health Services Center this next month; there is a possibility a Pregnant Women and young Children service will be locating in the Health Services Center; Moving forward with the Splash Pad; Commerce Street has been paved, but there are issues with the first three blocks on this end and working to figure out what happened.

OTHER REPORTS

Scott Glaze, Public Works Supervisor reported: Michael Whitley opened up three or four holes with the new greens at the Golf Course.

Michael Wadsworth, Code Enforcement Officer reported: the burned house on Lewis Street, all the burned debris has been removed and the lot is cleaned up; the

As there was no further discussion, the meeting adjourned at 6:16 p.m. and took a brief recess before beginning the Budget Workshop. The Budget Workshop began at 6:21 p.m. Police Chief, John Bauer presented the 2022-2023 budget for the Police Department, (Expenses); Judge Byron Theodosis addressed the City Council regarding Dispatcher Budget matters; Denver Daniel presented the Electric Department, (Admin. and Distribution).


No final decisions were made regarding budgets at this meeting.

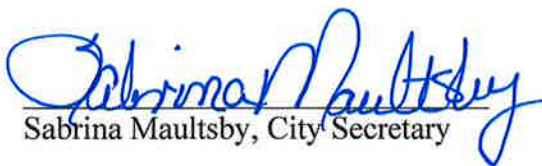
At 7:38 p.m., the City Council convened into Executive Session pursuant to Section 551.074, Texas Government Code, to evaluate the City Manager's Performance.

At 7:50 p.m., the City Council adjourned from Executive Session back into open session, action taken: After reviewing the City Manager's Evaluation, the City Council agreed to an increase in the City Manager's Annual Salary for the 2022-2023 fiscal year.

The meeting adjourned at 7:53 p.m.

ATTEST:


Kenneth G. Jordan, Mayor


Sabrina Maultsby, City Secretary