

**MINUTES
MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN SABA
November 14, 2017**

Members in attendance were: Ken Jordan – Mayor
Oleta Behrens – Alderman
Charles Peeler - Alderman
Shawn Oliver – Alderman
Stan Weik – City Manager

Mayor Pro-Tem Amthor and Alderman Whitten were absent.

Others present were: Sabrina Maultsby – City Secretary
Charlene Lindsay – Finance Director
Scott Glaze – City Employee
Juan Montoya – City Employee
Gaston McCoury – City Employee
Donna Webb – San Saba News & Star
Linda Ragsdale – Citizen
Tony Jacobs - 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:

Gaston McCoury, Street Department Employee was selected as the Employee of the Month for November. Scott Glaze, Public Works Supervisor and Mayor Jordan presented Gaston with a plaque with his name on it and a gift certificate to a local restaurant.

Juan Montoya, Sanitation Department Supervisor was selected at the Supervisor for the Fourth Quarter. Scott Glaze, Public Works Supervisor and Mayor Jordan presented Juan with a plaque with his name on it and a gift certificate to a local restaurant.

CONSENT AGENDA:

On a motion by Alderman Oliver, seconded by Alderman Behrens, Council unanimously approved the following: minutes from the October 10, 2017 Council Meeting; payment of bills.

DISCUSSION/ACTION ITEMS:

The first action item was to discuss and consider approval of Resolution No. 2017-39 approving the budget amendments for FY 2016-2017. On a motion by Alderman Peeler, seconded by Alderman Behrens, Council unanimously approved Resolution No. 2017-39 approving the budget amendments for FY 2016-2017.

RESOLUTION 2017-39

STATE OF TEXAS	X
	X
COUNTY OF SAN SABA	X

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, APPROVING BUDGET AMENDMENTS FOR THE 2016-2017 FISCAL YEAR.

WHEREAS, in order to provide for the necessary functions and operations of all City departments, line item amendments were needed;

WHEREAS, Texas law provides for expenditure amendments to amend the budget;

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

That the City Council approves the budget amendments for the 2016-2017 fiscal year.

Passed and approved this 14th day of November, 2017.

The second action item was to discuss and consider approval of Ordinance No. 2017-13 an Ordinance of the City of San Saba, Texas, Amending Chapter 2, Animal Control; Amending Regulations Pertaining to Keeping of Livestock; Providing for an Effective Date; Providing a Savings Clause, Severability Clause and Effective Date. Mr. Weik explained to the Council that we feel this will solve the animal problem and no one will be able to have animals in the City limits except for those that are grandfathered in. However, the first complaint due to odor, noise, or a nuisance, the citizen will receive a warning. If the City receives a second complaint, they will have to move their animals outside the City limits or if they are an FFA or 4-H show animal they can be move to the Show Barns. On a motion by Alderman Peeler and seconded by Alderman Behrens, Ordinance No. 2017-13 was unanimously passed.

ORDINANCE NO. 2017-13

AN ORDINANCE OF THE CITY OF SAN SABA, TEXAS, AMENDING CHAPTER 2, ANIMAL CONTROL; AMENDING REGULATIONS PERTAINING TO KEEPING OF LIVESTOCK; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE AND EFFECTIVE DATE.

Whereas, the proper care, regulation and control of animals, fowl and livestock running at large is necessary for the health, safety and quality of life of the citizens of the City of San Saba, Texas (herein the "City");

Whereas, the establishment of reasonable requirements for the care and control of dogs, cats, animals, fowl and livestock is necessary to protect such animals and the general public;

Whereas, it is necessary for the City to amend such requirements and regulations which will enable the officers and employees of the City to respond in a manner consistent with State law to unusual

circumstances and conditions that arise from time to time with respect to certain animals, fowl and livestock for the protection of the public health, safety and welfare; and

Whereas, the rules, regulations and requirements established by ordinance may not be inconsistent with State law;

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

Section 1. Amendment of Chapter 2, Animal Control, Article 2.01, General Provisions, Section 2.01.009, Livestock. The City of San Saba’s Code of Ordinance, Article 2.01, Animal Control, Section 2.01.009, Livestock is hereby amended with the following provisions:

* * * * *

ARTICLE 2.01 GENERAL PROVISIONS*

Sec. 2.01.009 Livestock

(a) No person shall keep livestock within the corporate limits of the city, except in conformance with and in districts where permitted by the zoning ordinance of the city, as agriculture, open space or the like, or if the animals are kept at the Showbarn as part of a sanctioned FFA or 4H project, are city-approved horse and carriage operation or the like, or are horses, cows or cattle kept on tracts of land one-half acre per head of livestock (excluding building site) in size or larger. It shall be unlawful for any person who is the owner of any hog or pig of any kind, or any person who has any hog or pig under their management or control, to keep the same, or allow the same to remain in any pen or in any other place within the city limits. This does not include Vietnamese pot-bellied pigs, in which one per residence is permitted.

(b) No person shall keep on any tract or lot within the city limits any domestic fowl, such as, but not limited to chickens, turkeys, guinea fowl, geese and/or ducks, unless the fowl are securely penned or tethered on the property of the owner and not be allowed to roam free. Any fowl of any kind found to be roaming free by the animal control officer within the city limits will be considered to be un-owned and may be taken up or disposed of as may be deemed necessary to prevent the fowl from becoming a public nuisance. All owners or keepers of the fowl within the city limits will be held responsible for the cleanliness and upkeep of the tract of land or lot upon which the fowl are being kept so as not to allow it to become a public nuisance by the odor that may be created by the keeping of the fowl.

(c) Subsections (a) and (b) above shall not apply to animal shelters, veterinary establishments, animal hospitals operated by a licensed veterinarian, or commercial animal establishments located on property zoned for such purposes. Such establishments, however, must meet sanitation requirements and keep animals securely caged and penned.

(d) The only location for a student participating in a 4-H or FFA project to raise livestock or fowl for the purpose of showing them in a livestock show is at the Showbarn.

(e) Subject to subsection (f) below, any animal now being kept or harbored lawfully within the city as per the date of adoption of this article or at any location outside the city which may be annexed after the date, shall be grandfathered in as pertaining to the distance and number requirements of subsections (a) and (b) above from the date after the passage of this article or the date of annexation, respectively.

(f) Should any current location that houses any animal and that is grandfathered under subsection (e) above receive more than one complaint that such housing constitutes a public nuisance under Section 2.01.011, such animal shall be required to be relocated in conformance with all other provisions of this Section 2.01.009.

(Ordinance 2013-04, sec. 16, adopted 6/11/13, amended 11/14/17)

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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. All sections or parts of any ordinance which is being amended or modified and is not addressed hereby remains in full force and effect. 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 14th day of November, 2017.

The third action item was to Discuss and Consider approval of closing and sale of an unopened 10'x20' portion of an alleyway located behind G&R Grocery to Tony Jacobs to be signed, at a later date. Tony Jacobs addressed the Council and explained that JSPI Investments had purchased G&R Grocery and provided information on his plans for the store. He also updated the Council of future expansion plans and his reason for the need to close and purchase the portion of alleyway. On a motion by Alderman Oliver and seconded by Alderman Behrens, Council unanimously approved the closing and sale of the 10'x20' portion of an alleyway located behind G&R Grocery to Tony Jacobs to be signed at a later date.

The fourth action item was to Discuss and Consider approval of closing and sale of an unopened platted portion of Martin Street and Hope Street located in the Light Industrial Zoning District to Tony Jacobs to be signed at a later date, contingent on all abutting property owners being in agreement. Tony Jacobs addressed the Council and explained that he wants to purchase the unopened street so he can install a fence around the entire property due to individuals stealing. There would only be two entrances into the entire property. On a motion by Alderman Behrens and seconded by Alderman Peeler, Council unanimously approved the closing and sale of an unopened platted portion of Martin Street and Hope Street located in the Light Industrial Zoning District to Tony Jacobs, to be signed at a later date, contingent on all abutting property owners being in agreement.

The fifth action item was to Discuss and Consider approval of closing and sale of Vanderburg Street located in the Light Industrial Zoning District to Tony Jacobs to be signed, at a later date, contingent on all abutting property owners being in agreement. Tony Jacobs addressed the Council and explained that he has purchased the property owned by the Vanderburg's and plans to install very expensive marble cutting machines where they will be a supplier. If he is able to close and purchase Vanderburg Street, he will be able to fence the entire area. On a motion by Alderman Oliver and seconded by Alderman Peeler, Council unanimously approved the closing and sale of Vanderburg Street located in the Light Industrial Zoning District to Tony Jacobs to be signed, at a later date, contingent on all abutting property owners being in agreement.

The sixth action item was to Discuss and Consider changing the Council meeting date in December to second Monday; i.e. Monday, December 11, 2017. City Secretary, Sabrina Maulsby explained to the Council that Mayor Pro-Tem Amthor had asked that we also move the January and February meetings to the second Monday due to an unforeseen conflict. On a motion by Alderman Behrens and seconded by Alderman Oliver, Council unanimously approved to move the December, January, and February Council meetings from the second Tuesday of the month to the second Monday of the month.

CITY MANAGER'S REPORT

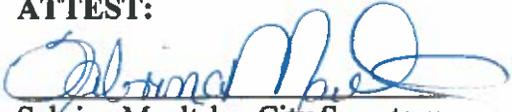
City Manager Weik gave a brief report on the following activities in the City of San Saba: 2017 Armadillos Get Involved Community Workday was a success, 25 project plus additional projects at the elementary school, approximately 900 Volunteers, 5500 Volunteer Hours, 8870 lbs. of trash and debris collected, 266 plants plus three trees planted, used 32 gallons plus 50 cans of paint; Made the front page of Keep Texas Beautiful Website; Visitor's Center coming along, Electricity and Floors not complete; Remodeling of the G&R Store is exciting, keeping the legacy; Record number of Christmas lights this year; attended the Texas Downtown Association Conference this last week; the San Saba Music series will be starting in April along with Cow Camp, Diggs, and non-profits will be receiving a portion of the proceeds; Community Unlimited Loan was approved; be sure to see the new ad Found Media put on the Visit San Saba website regarding Sip N Stroll.

OTHER REPORTS

Sabrina Maulsby, City Secretary, reminded the Council about the City's Christmas Party on December 6th at noon.

As there was no further discussion, the meeting adjourned at 6:58 p.m.

ATTEST:


Sabrina Maulsby, City Secretary


Kenneth G. Jordan, Mayor