

**MINUTES  
MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN SABA  
March 12, 2013**

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

Mayor Ken Jordan was absent.

Others present were: Gale Ivy – City Secretary  
Charlene Lindsay – City Treasurer  
Susie Jimenez – City Employee  
Sabrina Maulsby – City Employee  
Scott Glaze – City Employee  
Tony Guidroz – City Employee  
Juan Montoya – City Employee  
Jason Vogel – City Employee  
Richard Smith - Citizen  
Alice Smith – San Saba News & Star

At 6:00 p.m. Mayor Pro-Tem Oliver called the meeting to order and announced a quorum present. Alderman Peeler led the invocation and the pledges.

**PUBLIC COMMENTS:**

None

**PRESENTATIONS:**

Jason Vogel, city employee working for the Sanitation Department was selected as the Employee for the Month for March. Scott Glaze and Alderman Peeler presented Jason with a plaque with his name on it and a gift certificate to a local restaurant.

**CONSENT AGENDA**

On a motion by Alderman Amthor, seconded by Alderman Whitten, Council unanimously approved the following: minutes from the February 11<sup>th</sup>, 2013 council meeting; payment of bills; Resolution No. 2013-05 waiving noise ordinance for April 20, 2013 at the Gazebo at Mill Pond Park; and Resolution No. 2013-06 waiving noise ordinance for March 18, 2013 at the Gazebo at Mill Pond Park.

**RESOLUTION 2013-05**  
**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**, Janae Littrell, 2915 Tower Bridge Port, Pearland, Texas, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Gazebo at Mill Pond Park on April 20, 2013 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 April 20, 2013 at the Gazebo at Mill Pond Park.

Passed and approved this 12<sup>th</sup> day of March, 2013.

**RESOLUTION 2013-06**

**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**, Mirla Reyes, 806 S. Bluffton, San Saba, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Gazebo at Mill Pond Park on May 18<sup>th</sup>, 2013 til 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 May 18<sup>th</sup>, 2013 at the Gazebo at Mill Pond Park.

Passed and approved this 12<sup>th</sup> day of March, 2013.

**DISCUSSION/ACTION ITEMS:**

The first action item was to discuss and consider approval of Resolution No. 2013-07 canceling the City Council Election and accepting the Certification of Unopposed Candidates for the May 11, 2013 City Council election declaring the unopposed candidates elected to office. Alderman Behrens made

## CITY COUNCIL MINUTES

MARCH 12, 2013

a motion to approve Resolution No. 2013-07 cancelling the May 11, 2013 city council election and accepting the Certification of Unopposed Candidates. This motion was seconded by Alderman Whitten and passed unanimously.

### RESOLUTION NO. 2013-07

**A RESOLUTION CANCELLING THE CITY COUNCIL ELECTION CURRENTLY SCHEDULED FOR MAY 11, 2013 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 11, 2013; and

**WHEREAS**, the San Saba City Secretary has certified in writing that Mark Amthor, Charlie Peeler and Shawn Oliver 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 11, 2013 is hereby cancelled and that Mark Amthor, Charlie Peeler and Shawn Oliver 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, Charlie Peeler and Shawn Oliver, 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 12<sup>th</sup> day of March, 2013.



### CERTIFICATION OF UNOPPOSED CANDIDATES CERTIFICACION DE CANDIDATOS UNICOS

**To: Presiding Officer of Governing Body**

**Al: Presidente de la entidad gobernante**

## CITY COUNCIL MINUTES

MARCH 12, 2013

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 11<sup>th</sup>, 2013.

*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 11<sup>TH</sup> h de Mayo, 2013.*

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

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Signature (*Firma*)

Gale Ivy

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Printed name (*Nombre en letra de molde*)  
City Secretary

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Title (*Puesto*)  
3/12/13

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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 Manager Weik presented the Certificates to each reelected alderman.

The third discussion item was to approve Resolution No. 2013-08 amending the Investment Policy for the City of San Saba and listing changes to the Policy. City Secretary Gale Ivy explained to council the changes that were made to the existing policy. The Public Funds Investment Act requires cities to implement an investment policy that is reviewed annually. Council unanimously approved changes to the Investment Policy on a motion by Alderman Whitten, seconded by Alderman Peeler.

### RESOLUTION 2013-08

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA AMENDING THE INVESTMENT POLICY APPROVED ON JANUARY 9, 1996 AND AMENDED ON NOVEMBER 9, 2004; APRIL 13, 2010; AND MARCH 13, 2012; AND LISTING CHANGES TO POLICY.**

**WHEREAS**, the Public Funds Investment Act (**PFIA**) governs the investment of government funds in Texas and requires cities to implement an investment policy that is reviewed annually.

**WHEREAS**, the PFIA allows the City Council to delegate the authority and responsibility for investing, reinvesting, selling, or exchanging securities so purchased, using city surplus funds.

## **CITY COUNCIL MINUTES**

**MARCH 12, 2013**

**WHEREAS**, the City Council is required to appoint Investment Officers who are responsible for investment management decisions.

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

Section 1. The City Council approves the following changes made to the Investment Policy:

- a. Under Debt Service expenses from the 2009 Certificates of Obligation were added. The issuance of tax notes in November, 2012 was noted as well.
- b. Under Capital Projects, the reference to the 2008 Certificates of Obligation were deleted and the 2009 Certificates of Obligation were added.

**PASSED AND APPROVED** this the 12<sup>th</sup> day of March, 2013.

The final discussion item was to approve Resolution No. 2013-09 approving the terms and conditions of an Inter-local Agreement between The Region 4 Education Service Center and the City for a cooperative purchasing program. The city is changing copiers from the Kyocera to a Xerox. The Xerox chosen utilizes the TCPN bid contract. In order to get this price, the city must be a member of the TCPN. Membership is free and there are no other charges. Council unanimously approved joining the TCPN on a motion by Alderman Peeler and seconded by Alderman Behrens.

### **RESOLUTION NO. 2013-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BETWEEN THE REGION 4 EDUCATION SERVICE CENTER WHICH SPONSORS THE COOPERATIVE PURCHASING NETWORK (TCPN), PROVIDING FOR A COOPERATIVE PURCHASING PROGRAM FOR GOODS AND SERVICES; DESIGNATING STAN WEIK, CITY MANAGER, AS OFFICIAL REPRESENTATIVE OF THE CITY OF SAN SABA RELATING TO THE PROGRAM.**

**WHEREAS**, the City Council of the City of San Saba has been presented a proposed Interlocal Agreement by and between the Region 4 Education Service Center, which sponsors The Cooperative Purchasing Network, and the City of San Saba and found to be acceptable and in the best interests of the City of San Saba and its citizens, are hereby in all things approved.

**WHEREAS**, the City of San Saba of San Saba, Texas, pursuant to the authority granted under Sections 271.101 to 271.102 of the Local Government Code, desires to participate in the described purchasing program sponsored by the Region 4 Education Service Center which is known as The Cooperative Purchasing Network, and in the opinion that participation in this program will be highly beneficial to the taxpayers through the anticipated savings to be realized.

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

Section 1. The terms and conditions of the agreement having been reviewed by the City Council of the City of San Saba and found to be acceptable and in the best interests of the City of San Saba and its citizens are hereby in all things approved.

## **CITY COUNCIL MINUTES**

**MARCH 12, 2013**

Section 11. The City Manager Stan Weik of the City of San Saba is hereby designated to act for the City of San Saba in all matters relating to The Cooperative Purchasing Network including the designation of specific contracts in which the City of San Saba desires to participate.

Section 111. This resolution shall become effective from and after its passage.

**DULY PASSED AND APPROVED THIS THE 12<sup>TH</sup> DAY OF MARCH, 2013.**

### **CITY MANAGER'S REPORT**

City Manager Weik reported on the following activities in the City of San Saba: Mill Pond has been partially drained to repair retaining wall to the dam; new road is being constructed in Mill Pond to enlarge the shaded area for the children's playground; this idea came from the Parks Committee; KSSB received a 90+ on entry to KTB which is a Sustained Excellency and the Parks Department was entered into government category and placed second in the state.

### **OTHER REPORTS**

Susie Jimenez reported that the next clean up scheduled by KSSB will be April 6, 2013 with Atmos Energy offering to cook for all volunteers. Bluebonnet seed packets are being ordered again as handouts. Scott Glaze reported on work at the golf course. Tony Guidroz reported that the nursing home that was partially built before the owners declared bankruptcy has sold to a nursing home company.

As there was no further discussion, the meeting adjourned at 6:20 p.m.

**ATTEST:**

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Shawn Oliver, Mayor Pro-Tem

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Gale Ivy, TRMC, City Secretary