

MINUTES
MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN SABA
November 12, 2013

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

Aldermen Shawn Oliver and Oleta Behrens were absent.

Others present were: Gale Ivy – City Secretary
Charlene Lindsay – Finance Director
Sabrina Maulsby – City Employee
Susie Jimenez – City Employee
Sharon O’Neil – City Employee
Scott Glaze – City Employee
Denver Daniel – City Employee
James Yarbrough – City Employee
Al Hamrick – City Employee
Corey Sanderson - City Employee
Dwayne Shaw – Police Dept.
Misty Maldonado – Police Dept.
Jerrod Daniels – Police Dept.
Tony Guidroz – City Employee
Randy Reynolds, James Luther, & Bill Weaver – CrimeStoppers
Larry Smith – Citizen
Jackie Doner – Citizen
Les Dawson – Municipal Judge
Alice Smith – San Saba News & Star

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

PUBLIC COMMENTS: None

PRESENTATIONS:

Corey Sanderson, city employee working for the Electric Department, was selected as the Employee of the Month for November and Wayne Yarbrough was selected as Supervisor of the Quarter. Both employees were presented with a plaque with his name on it and a gift certificate to a local restaurant.

Susie Jimenez, executive director for Keep San Saba Beautiful, was present to draw a winner from all the volunteers who participated in clean ups for the past several months. Mayor Jordan drew the name of Dianna Furlan from Lometa as the winner of the television.

Joe Ragsdale, former city employee, was present to speak concerning the closing of the Joe Ragsdale R.V. Park. Mr. Ragsdale commended the city for our wonderful parks. He feels that the Joe Ragsdale Park has more amenities to offer than other parks in town and would like to see it reopened. He would also like to see it listed in the RV Travel Guide which he feels would hopefully bring more tourists to San Saba. Mayor Jordan told Mr. Ragsdale that the Parks Committee had made the recommendation to close the park due to long term improvements to be made to Mill Pond Park. The next meeting of the Parks Committee will be on February 4, 2014 and Mr. Ragsdale is welcomed to speak to the Committee concerning this.

CONSENT AGENDA:

Consent Agenda Item #5 was moved to action items.

On a motion by Alderman Amthor, seconded by Alderman Whitten, Council unanimously approved the following: minutes from the October 8, 2013 council meeting; payment of bills; approved Resolution No. 2013-35 waiving noise ordinance; Resolution No. 2013-36 appointing Charlie Peeler to a two year staggered term of the San Saba County Appraisal District Board of Directors and reapproving the City of San Saba Drug and Alcohol Abuse Policy.

RESOLUTION 2013-35

**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, Dena Vasquez, 601 W. Church, 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 November 30th, 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 November 30th, 2013 at the Gazebo at Mill Pond Park.

Passed and approved this 12th day of November, 2013.

RESOLUTION 2013-36

WHEREAS, the City of San Saba is an entity of the San Saba County Appraisal District, and

WHEREAS, the City Council members of the City of San Saba have the authority to cast the entities votes for the Board of Directors of the San Saba County Appraisal District, therefore,

BE IT RESOLVED, that on this 12th day of November, 2013, the City of San Saba Council Members adopt this resolution to appoint Charles Peeler to a two year staggered term for 2014 and 2015 of the San Saba County Appraisal District Board of Directors

**CITY OF SAN SABA
DRUG AND ALCOHOL ABUSE POLICY**

I. Policy Statement

The City of San Saba has a vital interest in maintaining a safe, healthful and efficient working environment. The use, sale, purchase, transfer, or possession of an illegal drug in the workplace, and the use, possession, or being under the influence of alcohol in the workplace poses unacceptable risks for safe, healthful and efficient operations.

The City believes it has the right and obligation to maintain a safe, healthful, and efficient workplace for all of its employees, and to protect the City's property, information, equipment, operations and reputation.

The City recognizes its obligations to its citizens for the provision of services that are free of the influence of illegal drugs and alcohol and will endeavor through this policy to provide drug and alcohol free services.

The City further expresses its intent through this policy to comply with Federal and State rules, regulations or laws that relate to the maintenance of a workplace free from illegal drugs and alcohol.

II. Persons Subject to Alcohol and Drug Testing

This policy applies to all employees, volunteers, applicants or transferees who perform, but not limited to, safety-sensitive functions for the City of San Saba or who must obtain a Commercial Drivers License (CDL) to operate a motor vehicle or equipment on behalf of the City and who are required to undergo drug and alcohol testing.

Safety-sensitive functions shall include the following duties:

- a. Operating a motor vehicle for which a CDL is required
 1. With a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight of more than 10,000 pounds;
 2. With a gross vehicle weight rating 26,001 or more pounds;
 3. Designed to transport 16 or more passengers;
 4. Of any size that is used to transport hazardous materials which require the vehicle to be placarded under hazardous material regulations.
- b. Mechanics who regularly maintain the motor vehicles described herein.

- c. Supervisors who routinely perform safety-sensitive functions, or whose job description includes the routine performance of any function listed as safety-sensitive are required to undergo drug and alcohol testing.

III. Prohibited Conduct – Employee performing safety-sensitive functions for the City shall not:

- 1. Report for or remain on duty performing a safety-sensitive function while having a blood alcohol concentration of .04 or greater.
- 2. Use alcohol or drugs while performing safety-sensitive functions
- 3. Abuse controlled substances
- 4. Be on duty or operate a commercial motor vehicle while possessing alcohol.
- 5. Consume alcohol within four hours prior to performing a safety-sensitive function.
- 6. Consume alcohol for eight hours following an accident unless the driver has been given a post accident test.
- 7. Refuse to submit to a required alcohol and/or drug test involving post accident, random, reasonable suspicion or follow up testing.
- 8. The use, sale, purchase, transfer, or possession of illegal drugs or alcohol by any employee while on City premises or while performing City business is prohibited.

IV. When a Driver Must be Tested

- 1. Pre-employment – drug testing only
- 2. Random
- 3. Reasonable suspicion
- 4. Post accident:
 - a. When an accident involves a fatality
 - b. When the driver receives a citation under state or local law for a moving violation arising from the accident.
 - c. When person injury and/or property damage is involved.

V. Testing Procedure

- 1. The testing program required by the City is limited to five drug types:
 - a. Marijuana
 - b. Cocaine
 - c. Opiates
 - d. Amphetamines
 - e. Phencyclidine (PCP)

All drug testing will be done from urine specimens collected under highly controlled conditions and will follow a chain of custody procedure that will be documented. The test will be conducted by certified laboratories.

VI. Consequence of Violations

- 1. An employee who tests .04 BAC or above for alcohol, or who tests positive for drugs:
 - a. Cannot perform a safety-sensitive function

- b. Will be made aware of the resources for solving alcohol and drug problems
 - c. Must be evaluated by the Medical Review Officer
2. The City will require disciplinary action including termination for an employee who produces a positive test.
 3. The City will refuse to hire any individual who produces a positive test.
 4. No employee who is found to have a BAC of .01 or greater but less than .04 shall not perform safety-sensitive functions until the start of the employees next scheduled duty period or twenty-four (24) hours following the test, whichever is greater.
 5. A refusal to submit to a drug or alcohol test will subject the employee who performs safety-sensitive functions to disciplinary action including termination.

VII. I hereby affirm that I have read the above Substance Abuse Policy and understand the provisions therein, agree to abide by its terms and conditions.

Signature of Employee

Date Signed

VIII. Passed and Reapproved this 12th day of November, 2013.

DISCUSSION/ACTION ITEMS:

Item No. 5 of the Consent Agenda was moved to action items.

Resolution No. 2013-37, which was moved from Consent Agenda, supports the Hill Country Area Crime Stoppers. Three representatives from the Crime Stoppers were present to speak to Council: Randy Reynolds, James Luther and Bill Weaver. Crime Stoppers was once very active in San Saba but has not been for several years. Sheriff Boyd had asked them to return to the City to help with solving crime in the city. Mr. Weaver spoke representing Crime Stoppers and discussed their Mission Statement and how the system works. Crime Stoppers is a 501 (c) (3) entity and commissioned by the State of Texas. They offer cash rewards for tips to solve crimes and will pay up to \$2000 reward. Resolution No. 2013-37 supporting Hill Country Area Crime Stoppers was unanimously passed on a motion by Alderman Amthor, seconded by Alderman Whitten.

The next item for discussion was to discuss and consider approval of Rules of Procedure for the City Council of the City of San Saba. These rules had been presented to Council Member previously to review. On a motion by Alderman Whitten, seconded by alderman Peeler, council unanimously approved the Rules of Procedure.

The next discussion item was to discuss and consider approval of Resolution 2013-38 approving the budget amendments for FY 2012-2013. On a motion by Alderman Peeler, seconded by Alderman Whitten, Council unanimously approved Resolution No. 2013-38 approving the budget amendments for FY 2012-2013.

CITY COUNCIL MINUTES

NOVEMBER 12, 2013

The next discussion item was to discuss and consider approval of Resolution No. 2013-39 electing not to require the remittance of a PEG fee for holders of a state issued certificate of franchise authority. During the last Legislative session, the Texas Legislature modified section 66.006 (b) of the Public Utility and Regulatory Act. Even though the city doesn't collect a PEG access fee, it is now required to pass a resolution stating that the city doesn't wish to further burden its citizens with an additional fee. On a motion by Alderman Amthor, seconded by Alderman Whitten, Council unanimously approved Resolution No. 2013-30 electing not to require the remittance of a PEG fee.

The final discussion item was to discuss and consider approval of Ordinance No. 2013-10 which permits the discharge of firearms and authorizes city staff to reduce number of wildlife damaging golf course greens and city farm area. When the golf course and city farm area was annexed into the city limits, it became illegal to use firearms to control the wild life population. This ordinance will now allow city staff to use firearms under controlled conditions to reduce number of wildlife damaging the golf course green and city farm area. On a motion by Alderman Peeler, seconded by Alderman Whitten, council unanimously approved Ordinance No. 2013-10 which permits the discharge of firearms and authorizes city staff to reduce number of wildlife damaging golf course greens and city farm area.

CITY MANAGER'S REPORT

City Manager Weik gave a brief report on the following activities in the City of San Saba: town is bustling with people in town; all the efforts to promote San Saba to visitors seems to be working; received many compliments on how everything is looking; businesses' sales tax revenues are up; new mercantile business has opened,

OTHER REPORTS

Denver Daniel, electric supervisor reported that his staff has finally completed the process of replacing the Christmas lights on all the buildings which were destroyed by the hail storm. Dwayne Shaw, Chief of Police, introduced new officer Jerry Daniels; a canine is being purchased to help with drug problem; Sgt. Misty Maldonado will be the dog handler and will be attending classes to get her certification to work with canine. Scott Glaze, Public Works Director, reported on the MSW report to TCEQ he has been working on. Wayne Yarbrough, water/wastewater supervisor, reported that water tank is almost complete; needs painting and piping and then will be switched over. Susie Jimenez introduced Sharon O'Neil who will joining the staff of the City and will become the Executive Director of KSSB. Sabrina Maultsby reported that the next Parks Committee meeting will be February 4, 2014. Gale Ivy, City Secretary, invited each of the Alderman to the Christmas Party being held on December 12 at the Civic Center.

The meeting adjourned at 7:15 p.m.

ATTEST:

Kenneth G. Jordan, Mayor

Gale Ivy, TRMC, City Secretary

Approved 12/10/13