

**MINUTES  
MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN SABA  
March 10, 2014**

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

Shawn Oliver, Alderman, was absent.

Others present were: Sabrina Maultsby – City Secretary  
Charlene Lindsay – Finance Director  
Sharon O’Neill- City Employee  
Al Hamrick – City Employee  
Wayne Yarbrough – City Employee  
Scott Glaze – City Employee  
Timothy Woerndell – City Employee  
Dwayne Shaw – City Police  
Misty Maldonado – City Police  
Tony Guidroz – City Employee  
Farrel Whitley – City Employee  
Alice Smith – San Saba News & Star  
Barney Knight – City Attorney

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

**PUBLIC HEARING**

A public hearing was opened to hear comments from the public on granting a zoning variance for property at 907 E. Cedar Street for Robby Johnson in order to move in a manufactured home. This property is currently zoned R-2. The Planning & Zoning Commission met in Open Session on February 25, 2014 to consider this Variance. They recommended on a vote of 5-0 to approve this Variance. No one was present for discussion.

Mr. Johnson is seeking a second variance to the requirement that all manufactured homes located within the city limits be no older than 3 years of age. This manufactured home to hopefully be located at 907 E. Cedar Street was built in 2006. The Planning & Zoning commission met in Open Session on February 25, 2014 to consider this variance. They recommended on a vote of 5-0 to approve this Variance. No one was present for discussion.

**PUBLIC COMMENTS:** Citizen signed up to speak to the City Council was Alice Smith. Mrs. Smith spoke to the Council regarding closing of the Joe Ragsdale RV Park. She spoke about her desire to reopen the RV Park. She explained that Mr. Ragsdale spoke to the Parks Committee on March 4<sup>th</sup> at their regular scheduled meeting and she and a few others attended the meeting in support

of reopening the park. Mrs. Smith explained, they have friends from Ohio who have visited San Saba for many years and have always stayed at the Joe Ragsdale Park for convenience and the amenities. She said the last trip her friend made to San Saba, he had to borrow an RV in order to stay at the RV park at the Golf Course due to the age of his RV. She also explained the individually owned RV park is no comparison to the Joe Ragsdale RV Park and their friends refuse to stay there. Mrs. Smith said they have another friend from Arizona that pulled their RV in their backyard because it was an older camper and could not stay at the Golf Course RV. She explained, summer is coming and people should be able to enjoy the ducks, fishing, beauty of the park, and the senior center. Mrs. Smith asked the Council to consider reopening the Joe Ragsdale Park.

**PRESENTATIONS:**

Timothy Woendrell, city employee working at the Transfer Site, was selected as the Employee of the Month for March. Scott Glaze and Alderman Oliver presented Timothy 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 Whitten, Council unanimously approved the following: minutes from the February 10, 2014 council meeting; payment of bills; approved changes to the Sick Leave Bank Policy; and approved Resolution No. 2014-06 waiving an ordinance defining noise nuisances for April 19, 2014 at Mill Pond Park.

**SICK LEAVE POOL POLICY**

3. If the Pool Administrators determine that the employee is eligible, the Administrators shall (1) approve the transfer time from the pool to the employee, and 2) accredit the time to the employee.

4. An employee may not withdraw time from the sick leave pool in an amount that exceeds the lesser of 1) one-third of the total time in the pool; or 2) 160 hours.

**(Change**

**4. An employee may not withdraw time from the sick leave bank pool in an amount up to 120 hours may be granted on a case by case basis determined by the Sick Leave Bank Pool Administrators.)**

5. Any unused pool leave granted to an employee shall be returned to the pool.

**E. Compensation and Benefits:**

An employee who has been granted Sick Leave Bank Loan will be treated the same as an active employee for purposes of compensation and benefits. The receiving employee is considered on paid leave and will continue to accrue vacation, sick leave and retirement benefits and retain eligibility in the City's insurance plan. These earned accrued hours must be used before applying for a sick leave loan renewal.

F. **Record Keeping:** The City Treasurer will administer the procedures for the reporting and recording of leave granted through the Bank.

G. **Reports and Policy Review:** The Board will provide periodic reports to the City Manager. The Board will review this policy at least annually and recommendations for revisions will be made when necessary. This policy may be revised or rescinded by the City Council at any time.

**RESOLUTION 2014-06**

**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**, **Ruby Cervantes, 1102 W. Pecan, San Saba, Tx**, 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 19<sup>th</sup>, 2014 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 19, 2014 at the Gazebo at Mill Pond Park.

Passed and approved this 10<sup>th</sup> day of March, 2014.

\_\_\_\_\_  
Kenneth G. Jordan, Mayor  
City of San Saba

ATTEST:

\_\_\_\_\_  
Sabrina Maulsby, City Secretary  
City of San Saba

**DISCUSSION/ACTION ITEMS:**

Items #1 and #2 together – No Action taken or Discussion due to Certain Stipulations. Council agreed to move back to the Planning and Zoning Commission for discussion and consideration to rezone the area for Manufactured Homes. The Manufactured Home is an 8 year old home and the Ordinance states a manufactured home can be no more than 3 years old. This would set precedence for future manufactured home variances. Council agreed to move back to P&Z for a Public Hearing.

1. Discuss and consider approving a zoning variance for Robby Johnson to move in a manufactured home to a property currently zoned R-2 located at Block 11, 907 E. Cedar Street.
2. Discuss and consider approving a variance for Robby Johnson to the requirement that all manufactured homes located within the city limits be no older than 3 years of age. Robby Johnson hopes to locate a 2006 manufactured home at Block 11, 907 E. Cedar Street.

The third item was to discuss and consider Ordinance No. 2014-03 approving sale of city owned property located at 302 E. Wallace Street, currently housing the San Saba Police Department, to Mike McHenry, Managing Partner of Wedding Oak Winery, LLC for the proposed bid amount of \$77,000. Mr. Weik explained, the building went out for bids and the minimum bid was set at \$77,000. and Mike McHenry, Managing Partner of Wedding Oak Winery submitted a bid for that amount. He also explained, they have agreed to lease the building back for one year to the Police Department for \$800. per month. The Chamber will be moving to the Burden Hotel, the Police Department is excited about the transition, and they are looking to close on April 15<sup>th</sup>. On a motion by Alderman Whitten, seconded by Alderman Peeler, Counsel unanimously approved Ordinance No. 2014-03 authorizing the sale of property located at 302 East Wallace Street to Wedding Oak Winery, LLC for the fair market bid of \$77,000.

**ORDINANCE NO. 2014-03**

AN ORDINANCE OF THE CITY OF SAN SABA, TEXAS CONCERNING THE SALE OF APPROXIMATELY 1,920 SQ. FT. OF LAND OWNED BY THE CITY OF SAN SABA, LOCATED AT 302 EAST WALLACE STREET, SAN SABA, SAN SABA COUNTY, LYING ON THE SOUTHEAST CORNER OF EAST WALLACE STREET (U.S. HIGHWAY 190) AND SOUTH CLEAR STREET; FINDING THAT THE LAND IS NOT SUBJECT TO THE NOTICE AND BIDDING REQUIREMENTS OF CHAPTER 272 OF THE LOCAL GOVERNMENT CODE; AUTHORIZING THE CONVEYANCE OF SAID PROPERTY BY WARRANTY DEED TO WEDDING OAK WINERY, LLC, UPON PAYMENT OF ITS FAIR MARKET VALUE AND PROVIDING FOR EFFECTIVE DATE AND PUBLICATION.

**WHEREAS**, the City of San Saba is the owner of approximately 1,920 sq. ft. of land lying located at 302 East Wallace Street (U.S. Highway 190) and South Clear Street; and

**WHEREAS**, the approximately 1,920 ft. is described in the plat (Exhibit "A") attached hereto and by this reference incorporated herein; and

**WHEREAS**, the land is described as rectangular in shape and consists of 0.066 of an acre or 1,920 square feet; 24 feet of frontage along the south side of East Wallace Street and 120 feet of frontage along the east side of South Clear Street; and

**CITY COUNCIL MINUTES**

**March 10, 2014**

WHEREAS, the City has obtained an independent appraisal of the fair market value of said property (Exhibit "B") in the amount of Seventy-seven Thousand and 00/100 Dollars (\$77,000.00) and has determined it is in the City's best to sell such property; and

WHEREAS, Wedding Oak Winery, LLC has proposed a bid to purchase such property for an amount equal to the fair market value; and

WHEREAS, the City, by duly authorized action at the Regular Meeting of the San Saba City Council, March 10 2014, has determined to sell and convey to Wedding Oak Winery, LLC the property described here, in exchange for payment of the appraised fair market value.

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

1. The City finds and establishes the fair market value of the property to be conveyed to be Seventy-seven Thousand and 00/100 Dollars (\$77,000.00).

2. The Mayor, upon payment to the City of San Saba of Seventy-seven Thousand and 00/100 Dollars (\$77,000.00), without deduction for costs of sale, is hereby authorized and directed to convey by execution of warranty deed, the property described herein to Wedding Oak Winery, LLC. Said warranty deed shall contain reservations and exceptions for existing restrictions, easements, covenants, conditions, and all other outstanding rights affection the property.

3. 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 Meeting Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on this the 10<sup>th</sup> day of March, 2014.

\_\_\_\_\_  
Kenneth C. Jordan, Mayor  
City of San Saba, Texas

ATTEST:

\_\_\_\_\_  
Sabrina Maultsby, City Secretary

The fourth discussion item was approving Resolution No. 2014-07 cancelling the City Council Election and accepting the Certification of Unopposed Candidates for the May 10, 2014 City Council Election declaring the unopposed candidates elected to office. On a motion by Alderman Peeler, seconded by Alderman Oliver, Counsel unanimously approved Resolution No. 2014-07 authorizing cancelling the City Council Election and accepting the Certification of Unopposed Candidates for the May 10, 2014 City Council Election declaring the unopposed candidates elected to office.

**RESOLUTION NO. 2014-07**

**A RESOLUTION CANCELLING THE CITY COUNCIL ELECTION CURRENTLY SCHEDULED FOR MAY 10, 2014 AND DECLARING KEN JORDAN REELECTED AS MAYOR, AND MARTHA LEIGH WHITTEN AND OLETA BEHRENS 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 10, 2014; and

WHEREAS, the San Saba City Secretary has certified in writing that Ken Jordan as Mayor, Martha Leigh Whitten and Oleta Behrens as Council Members 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 10, 2014 is hereby cancelled and that Mayor Ken Jordan, Martha Leigh Whitten, and Oleta Behrens are declared reelected to the office of San Saba City Council for two year terms, that a Certificate of Election be issued to Ken Jordan, Martha Leigh Whitten, and Oleta Behrens, 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 10<sup>th</sup> day of March, 2014.

\_\_\_\_\_  
Ken Jordan, Mayor

ATTEST:

\_\_\_\_\_  
Sabrina Maulsby, City Secretary

The fifth discussion item was to Issue Certificate of Election to reelect Mayor: Ken Jordan, City Council Aldermen: Martha Leigh Whitten and Oleta Behrens. The Certificate of Unopposed Candidates was read by City Secretary, Sabrina Maulsby to reelect Mayor: Ken Jordan, City Council Aldermen: Martha Leigh Whitten and Oleta Behrens. The Mayor and Aldermen were provided with certificates.



**CERTIFICATION OF UNOPPOSED CANDIDATES  
CERTIFICACION DE CANDIDATOS UNICOS**

**CITY COUNCIL MINUTES**

**March 10, 2014**

To: Presiding Officer of Governing Body

Al: *Presidente de la entidad gobernante*

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 10<sup>th</sup>, 2014.

*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 10<sup>TH</sup> h de Mayo, 2014.*

Ken Jordan - Mayor - *Concejales Urbanos de Consejo*  
Oleta Behrens - Alderman - *Concejales Urbanos de Consejo*  
Martha Leigh Whitten – Alderman - *Concejales Urbanos de Consejo*

\_\_\_\_\_  
Signature (*Firma*)

Sabrina Maultsby

\_\_\_\_\_  
Printed name (*Nombre en letra de molde*)

City Secretary

\_\_\_\_\_  
Title (*Puesto*)

3/10/14

(Seal) (*sello*)

\_\_\_\_\_  
Date of signing (*Fecha de firma*)

The sixth discussion item was to approve Resolution No. 2014-08 approving the Investment Policy for the City of San Saba and without changes to the Policy. City Manager, Stan Weik explained to council that there were no changes made to the existing policy. The Public Funds Investment Act requires cities to implement an investment policy that is reviewed annually. Council unanimously approved the Investment Policy with no changes on a motion by Alderman Oliver, seconded by Alderman Behrens.

**CITY MANAGER’S REPORT**

City Manager Stan Weik introduced Sebastian and Ashley, grandchildren visiting for Spring Break. Another great month; 80° weather is great; more broken pipes due to previous cold weather; the water tank is up and running; will leave the old tank for storage; the beach coming along, have hauled in 20 loads of free sand and will need at least that many more; and sales tax up.

**OTHER REPORTS**

Scott Glaze stated there were workers in town in ATV’s doing the infra red assessments; Chief Dwayne Shaw said they had submitted the JAG grant and were just waiting to hear, the grant presentation will be in April; Tony Guidroz stated he attended the Spring Conference, things are

**CITY COUNCIL MINUTES**

**March 10, 2014**

wonderful downtown, It's a Cowgirl will be opening up in two weeks, lots of attendees at skate night, in April Trade Days on the 5<sup>th</sup>, 11<sup>th</sup>-13<sup>th</sup> Way Out Wineries: Wild Flower Trail, Catkins Friday at Wedding Oak Winery, Catkins Ball on Saturday, Sunday Catkins Gospel Brunch; Sharon O'Neill the KSSB is trying to get recognition for the San Saba Garden Club by getting Certification as a Monarch Waystation, Education the First Graders are doing the Seed and Soil, Spring Cleanup is on April 5<sup>th</sup> and they have twenty-five prizes to give away, ATMOS is sponsoring and lunch will consist of hamburgers and French fries, Keep America and Troy Built is sponsoring the most unusual item contest, recruiting sponsors, and will let Stan explain the rest of the good news. Stan said KSSB had sent in their application and is highly convinced their score will be 90 or above to qualify for Sustained Excellence Award, Gale Bruner was recognized by Keep Texas Beautiful as an outstanding volunteer for the O.P. Schnabel Senior Citizen Award received third in the state, Al Hamrick received first place in the Keep Texas Beautiful Ed Davis Litter Law Enforcement category.

At 6:33 p.m., the City Council convened into Executive Session pursuant to Section 551.071, and Rule 1.05, Texas Government Code of Professional Conduct, to consider TCEQ issues, potential litigation, and attorney relations.

At 7:20 p.m., the City Council adjourned from Executive Session back into open session. Council discussed the need regarding the necessity to obtain a final, long-term resolution of this issue. Council voted unanimously to authorize the Mayor and City Manager to negotiate and execute the agreement so long as no substantive changes are made to the agreement before the Council.

The meeting adjourned at 7:25 p.m.

**ATTEST:**

  
Sabrina Maulsby, City Secretary

  
Kenneth G. Jordan, Mayor

**EXECUTIVE MINUTES  
MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN SABA  
March 24, 2014**

The City Council of the City of San Saba convened into a special called meeting on Monday, March 24, 2014 at 6.00 p.m. in the City's Council Chambers, 303 S. Clear Street, San Saba, Texas.

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

Others present were: Sabrina Maultsby, City Secretary  
Scott Glaze, City Employee  
Barbara Boulware-Wells, City Attorney

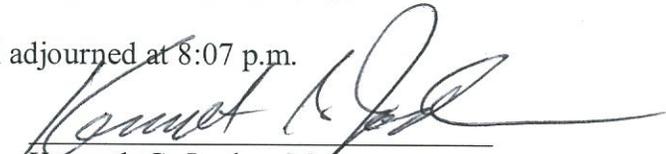
At 6:00 p.m. Mayor, Ken Jordan called the meeting to order and announced a quorum present, led the invocation and pledges.

At 6:03 p.m., as authorized by Section 551.071, Tex. Gov't Code, and Rule 1.05, Consultation with Attorney, the City Council of the City of San Saba entered into Executive Session to consider TCEQ issues, potential litigation, and attorney relations.

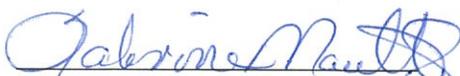
Mayor Jordan adjourned the Executive Session and reconvened back into open session at 8:03 p.m.

In the open meeting, a motion was made by Alderman Amthor, seconded by Alderman Peeler, to take forward as we discussed in Executive Session, to follow the direction that was suggested by the Management and City Attorney. The motion was unanimously approved.

There being no other business, the Council adjourned at 8:07 p.m.

  
\_\_\_\_\_  
Kenneth G. Jordan, Mayor

ATTEST:

  
Sabrina Maultsby, City Secretary