

**MINUTES  
MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN SABA  
March 20, 2023**

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

Others present were: Sabrina Maultsby – City Secretary  
Charlene Lindsay – Finance Director  
Scott Glaze – Public Works Director  
John Bauer – Police Chief  
Michael Wadsworth – Code Enforcement Officer  
Juan Montoya – Sanitation Department Supervisor  
Luis Rios - Street Department Supervisor  
Darrel Lacky - Street Department Employee  
Don Collelo - Citizen  
Brian Rogers - Citizen  
Ronald Sanderson – Citizen  
Janet Sanderson - Citizen  
Jim Farley - Citizen  
Don Collelo - Citizen  
Scott Glaze - Citizen  
Jimma Byrd - Citizen  
John Byrd - Citizen  
Sam Uli - Citizen  
Chris McWilliams - Citizen  
Javier Baez - Citizen  
Amanda Brand - Citizen  
Michael Brand – Citizen

At 6:00 p.m. Mayor Jordan called the meeting to order, announced a quorum present, and led the invocation and pledges. Mayor Jordan introduced Mason Danna, Texas A&M Rural Med Student, here visiting San Saba. He has previously visited Mason, here at San Saba, will go to Llano on Wednesday afternoon, and will visit Beeville next. Mayor Jordan provided a listed of scheduled event Mason will attend and has attended while here in San Saba. He also explained that Mason is staying with Dr. Craig Whiting and wife while here. Mason addressed the City Council and attendees thanking everyone and said he was excited to be here.

**PUBLIC HEARING:**

The public hearing was opened at 6:06 p.m. Michael and Amanda Brand are requesting the Planning & Zoning Commission and the San Saba City Council approve a Variance to the Existing Zoning requirements for Property located at 505 E. Church Street, legal description, the South 1/2 Block of 44 of Old Town San Saba, currently zoned One-Family Residential (R-2) to locate a Manufactured Home on said property. This is contingent on purchase of said property.

The Planning and Zoning Commission met in Open Session on March 16, 2023 regarding a Variance to the Existing Zoning requirements for Property located at 505 E. Church Street, legal description, the South 1/2 Block of 44 of Old Town San Saba, currently zoned One-Family Residential (R-2) to locate a Manufactured Home on said property. Planning and Zoning Board Member Joanne Weik made a motion not to approve the Variance, a second motion was not made, and died for lack of a second motion.

Mayor Jordan explained there were several signed up to speak regarding this variance and that each person signed up has three minutes to speak.

Jimma Byrd, John Byrd, and Janet Sanderson, all in opposition of the Variance and current property owners signed up to speak and presented their case regarding their reasons for not wanting a manufactured home located on the property at 505 E. Church.

Amanda Brand and Michael Brand requesting the Variance signed up to speak and plead their case as to why they should be allowed to locate a manufactured home on the property at 505 E. Church.

Sam Uli signed up to speak in favor of the Variance explaining that he plans to purchase one half of the 505 E. Church property and Michael Brand will be building a home for him on one half of the property.

Chris McWilliams signed up to speak as a character reference for the Brand's explaining his reasoning why the City Council should approve the variance.

Jim Farley, San Saba County resident signed up to speak on behalf of the Brand's and explained to the City Council his thoughts and reasoning for the City Council to approve the variance.

The public hearing was closed at 6:24 p.m.

**PUBLIC COMMENTS:**

Scott Glaze addressed the City Council on behalf of the Dove Project regarding their Annual Golf Tournament Fundraiser on April 1st, inviting them to attend.

Don Collelo addressed the City Council regarding a nuisance matter involving roosters in his neighborhood, giving documentation of the times and dates of the roosters crowing and an audio recording of the roosters. No action was taken at this time.

**PRESENTATIONS:**

Darrel Lackey, Street Department Employee, was selected as the Employee of the Month for March. Luis Rios, Street Department Supervisor, and Mayor Kenneth Jordan presented Darrel with a plaque with his name on it and a gift certificate to a local restaurant.

Luis Rios, Street Department Supervisor was selected as Supervisor of the Quarter for the first Quarter. Scott Glaze, Public Works Director and Mayor Kenneth Jordan presented Luis with a plaque with is 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 February 13, 2023, Council meeting; Payment of bills; approved Proclamation declaring April Child Abuse Prevention Month and April 13<sup>th</sup> "Go Blue Day" to support Child Abuse Prevention; and approved Resolution No. 2023-07 a Resolution to waive an Ordinance defining noise nuisances for March 25<sup>th</sup>,2022 at Risien Park Pavilion for Hector Paez.



# Proclamation

## Concerning Child Abuse Prevention Month

*Whereas*, every year in Texas there are nearly 200,000 reports of child abuse or neglect made in Texas (that's almost one report every 2 minutes); and

*Whereas*, more sadly, every day in America there are about 5 deaths from child abuse and neglect; and

*Whereas*, child abuse and neglect prevention is a community responsibility and finding solutions depends on involvement among all reasonable people; and

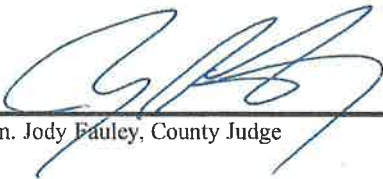
*Whereas*, effect child abuse prevention programs succeed because of partnerships among the public, social services agencies, schools, religious organizations, law enforcement agencies, and business/community leaders; and

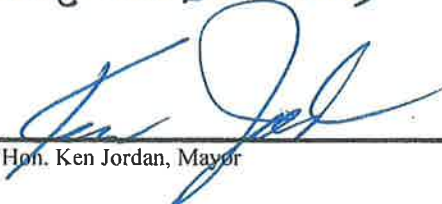
*Whereas*, everyone in San Saba County must become more aware of the child abuse crisis and consider helping raise children in a safe, nurturing environment;



*Now, Therefore*, the city of San Saba and the Commissioners Court of San Saba County so hereby jointly proclaim the month of April 2023 to be Child Abuse Prevention Month in San Saba County and the day of April 13<sup>th</sup>, 2023 to be "Go Blue Day" and urges all citizens to work together with out County Child Welfare Board, the Dove Project, and The Hill Country Children's Advocacy Center to help reduce child abuse and neglect significantly in the years to come.

**Dated the 13<sup>th</sup> day of March**

  
Hon. Jody Fauley, County Judge

  
Hon. Ken Jordan, Mayor

  
James Lebow, Commissioner, Pct. 1

  
Michael Keith Poe, Commissioner Pct. 2

  
Kenley Kroll, Commissioner, Pct. 3

  
Greg McGregor, Commissioner, Pct. 4

**RESOLUTION 2023-07**

**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**, **Hector Paez, 608 W. Pecan, 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 March 25<sup>th</sup>, 2023 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 March 25<sup>th</sup>, 2023 at Risien Park Pavilion.

Passed and approved this 20<sup>th</sup> day of March, 2023.

**DISCUSSION/ACTION ITEMS:**

**The first** action item was to discuss and consider approval of Resolution No. 2023-08 canceling the City Council Election and accepting the Certification of Unopposed Candidates for the May 6, 2023 City Council election declaring the unopposed candidates elected to office. Mayor Pro-Tem made a motion to approve Resolution No. 2023-08 cancelling the May 6, 2023 City Council Election and accepting the Certification of Unopposed Candidates. This motion was seconded by Alderman Behrens and passed unanimously.

**RESOLUTION NO. 2023-08**

**A RESOLUTION CANCELLING THE CITY COUNCIL ELECTION CURRENTLY SCHEDULED FOR MAY 6, 2023 AND DECLARING SHAWN OLIVER, MARCUS AMTHOR, AND MICHAEL NELSON 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 6, 2023; and

**WHEREAS**, the San Saba City Secretary has certified in writing that Shawn Oliver, Marcus Amthor, and Michael Nelson 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 6, 2023 is hereby cancelled and that Shawn Oliver, Marcus Amthor, and Michael Nelson are declared reelected to the office of San Saba City Council for two year terms, that a Certificate of Election be issued to Shawn Oliver, Marcus Amthor, and Michael Nelson, 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 20<sup>th</sup> day of March, 2023.



CERTIFICATION OF UNOPPOSED CANDIDATES
CERTIFICACION DE CANDIDATOS UNICOS

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 6<sup>th</sup>, 2023.

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 6<sup>id</sup> de Mayo, 2023.

- Shawn Oliver - Alderman - Concejales Urbanos de Consejo
Marcus Amthor - Alderman - Concejales Urbanos de Consejo
Michael Nelson - Alderman - Concejales Urbanos de Consejo

Signature (Firma)

Sabrina Maultsby

Printed name (Nombre en letra de molde)

City Secretary

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

3/20/2023

(Seal) (*sello*)

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

**The second** action item was to issue Certificates of Election to reelected City Council Aldermen: Shawn Oliver, Marcus Amthor, and Michael Nelson. City Secretary Sabrina Maulsby will present the Certificates to reelected Aldermen Shawn Oliver, Marcus Amthor, and Michael Nelson at the May City Council Meeting.

**The third** item was to discuss and consider approval of a variance to the City of San Saba's Zoning Ordinance from R-2 to MH for property located at 505 E. Church Street. No motion was made therefore the Variance died for lack of a motion.

**The fourth** discussion item was to discuss and consider approval of Ordinance No. 2023-02 an Ordinance of the City of San Saba, Texas, Amending Chapter 3, Article 3.08 Signs, Section 3.008.005 Prohibited Signs, to Prohibit the Painting of any Sign or Mural Directly on a Wall, Roof, or Fence. On a motion by Alderman Michael Nelson, seconded by Alderman Shawn Oliver, Council unanimously approved Ordinance No. 2023-02.

**ORDINANCE NO. 2023-02**

**AN ORDINANCE OF THE CITY OF SAN SABA, TEXAS, AMENDING CHAPTER 3, ARTICLE 3.08 SIGNS, SECTION 3.008.005 PROHIBITED SIGNS, TO PROHIBIT THE PAINTING OF ANY SIGN OR MURAL DIRECTLY ON A WALL, ROOF, OR FENCE.**

**WHEREAS**, the public health, safety and welfare, require the adoption and enforcement of regulations to promote effective communication and to prevent the placement of signs or murals that are harmful to the aesthetics, property values, business opportunities, and community appearance of the City of San Saba; and

**WHEREAS**, painted signs and murals do not support the aesthetics, property values, business opportunities, and community appearance of the City of San Saba because of the permanence, potential structural damage, and negative reception accorded to painted signs and murals.

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

**Section 1. Adoption of Findings of Fact.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this Ordinance are reasonable and necessary to protect the public health, safety and quality of life.

**Section 2. Amendment of Chapter 3, Article 3.08, Section 3.08.005(a).** The following section is hereby modified by adding the following as set forth in this ordinance.

(14) Signs or murals that are painted directly on a wall, roof, or fence. For purposes of this prohibition, paint shall include any medium, including paint or other dyes, applied to walls, roofs, or fences, with the intention of the application being permanent.

**Section 3. Conflicting Ordinances.**

All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern. Only those portions of the ordinance that have been addressed by this Ordinance shall be amended and all other portions of the City's ordinances shall remain in full force and effect.

**Section 4. Severability Clause**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

**Section 5. Savings Clause**

All rights and remedies of the City of San Saba are expressly saved as to any and all violations of the provisions of any ordinances affecting subdivision within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.



**Section 6. Effective Date**

This ordinance shall be in full force and effect from and after ten (10) days after its publication as provided in the Tex.Loc.Gov't Code.

**Section 7. 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, *Chapt. 551, Tex. Gov't. Code.*

**PASSED AND APPROVED** this the 20th day of March, 2023.

**ATTEST:**

**CITY OF SAN SABA, TEXAS**

**The fifth** discussion item was to Discuss, consider, and approve Resolution No. 2023-09, a Resolution of the City of San Saba, Texas, regarding a Contract for an Emergency Purchase for the Purpose of Financing a "Backhoe Loader" for the Garbage Department. On a motion by Alderman Shawn Oliver, seconded by Alderman Marcus Amthor, Council unanimously approved Resolution No. 2023-09 with a 5 to 0 vote.

**RESOLUTION NO. 2023-09**

**A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF  
FINANCING A  
"BACKHOE LOADER".**

WHEREAS, City of San Saba (the "Issuer") desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing a "Backhoe Loader". 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 into a Finance Contract with GCC for the purpose of financing a "Backhoe Loader".

Section 2. That the Finance Contract dated 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 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. That should the need arise, if applicable, the City of San Saba 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 Shawn Oliver, seconded by Council Member Marcus Amthor by a vote of 5 to 0 and is effective this 20th day of March, 2023.

**Issuer:** City of San Saba

Witness Signature

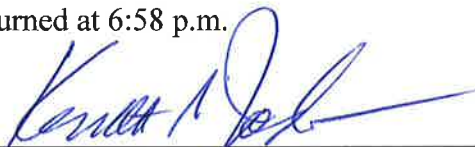
**CITY MANAGER’S REPORT**

City Manager Scott Edmonson gave a brief report on the following activities in the City of San Saba: Wayne has started on the Cart Sheds at the Golf Course and already making progress; the Waterline Project is complete; the small waterfalls by the Gazebo at Mill Pond park are being reconstructed and look great; Norman has been working on the Water Wheel installing new internal parts and has it about complete to reinstall; we will meet with PMI and Jacob & Martin tomorrow morning to kick-off the DRP grant regarding new sidewalks in a certain area in downtown and discuss the remainder of funds left from the ARPA grant and the CDBG grant with options where to allocated the remainder of the money; next month's City Council meeting will be back on schedule; still having meetings regarding the total eclipse that will occur in April of 2024, this should not affect our City as much since we are located on the outskirts, but we are concerned about safety and traffic issues.

**OTHER REPORTS**

Scott Glaze, Public Works Supervisor reported that the ATMOS crew installing the new gas line jumped over to the school to install the gas lines during Spring Break.

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

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

**ATTEST:**

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