**MINUTES**

**REGULAR MEETING OF THE**

**CITY COUNCIL OF THE CITY OF BANDERA**

**APRIL 16, 2015**

**AT 6:00 PM IN THE MUNICIPAL BUILDING**

**AT 511 MAIN STREET, BANDERA, TX**

1. Meeting called to order by Mayor John Hegemier. Council members Glenn Clark, Suzanne Schauman, Sheila Pumphrey, Charlotte Browning, and Jim Hannah were present. City Administrator, Lamar Schulz, City Treasurer, Betty Brown, and Municipal Court Clerk, Jannette Pieper were also present.
2. Invocation given by Genie Strickland & All stood for the Pledge of Allegiance.
3. Visitors to be heard

Gary Trichter stated he has this idea for Bandera to be more of a venue for tourists. Mr. Trichter had a series of pictures of patriotic signs. What he wants to do is to get councils approval to approach different businesses on the street with the set of thirteen pictures. There is no cost to the city but it will inspire visitors when they are here. We are not just the cowboy capital but the patriotic capital of Texas. He also wants to get 50 American flags that can put up on weekends and give us that look and inter mingled the signs. Mr. Treich will come back at the next council meeting and answer any questions you might have.

1. Minutes of Previous Meeting

**Council member Glenn Clark made a motion to approve the minutes of the Regular Meeting of March 19, 2015 at 6:00 pm, seconded by Council Member Suzanne Schauman. All in favor none opposed. Motion carried.**

1. Discussion and Possible Action on the Following Topics:
2. Request to review the title and survey documentation of the Antique Mall property to determine the ownership and the future of the “street” adjacent to the Antique Mall

Mason Hunt owner of Antique Mall sold a ranch so he was looking for an investment. Mr. Hunt is asking in regards to an investment he wants to make here to maintain the rich heritage in Bandera. Mr. Hunt currently has a contract in escrow for the Western Antique building known as the Mohair Building, which has been used for many purposes. The alley and property has been used to cut through to skirt the light at Hwy 16 & 173. However, there is no easement the survey and platted road easement per the city maps that he has looked at. Mr. Hunt would like to own this property but first and foremost he is concerned with the safety of the people in the mall or building. As the employees and patrons enter and exit the building, the liability associated with that and he wants to be clear what he is asking for. Mr. Hunt wants to be able to stop the vehicle traffic for the safety of the pedestrians on the property. By enhancing the city’s master plan, by creating a Historic District on this end of town which he is extremely supportive of. Mr. Hunt has spoken to most of the surrounding neighbors which are aware of the meeting tonight and are supportive and are in agreement with stopping the drive through traffic. Mr. Hunt is here today as he was made aware of this when he was in acceptance of the title by Western Title. In order for the title underwriters to ensure the area which is currently being used as a pass through, they will need three things. The three things are a city ordinance passed which closes the public use of the property or alley, a quick claim deed from the city to the Ranchmen or Farmers Association of Bandera, and proof of the personal notice of the hearing to all of the property owners adjacent to the 12th Street going to 16th Street. Mr. Hunt wants to include what his intentions are. Mr. Hunt’s intentions are to promote and support the fine job that Mary Jane Crow and her employees are doing with the successful business there. With Mary Jane’s high energy to draw in great antique vendors, countless visitors, and tourists to a wonderful building. Mr. Hunt wants to invest in the clean up around the building including the side facing the river, the roof maintenance, and keeping with the integrity of the building. In closing and in support of Mr. Hunt’s plan is Mary Jane Crow, Charlie Baker, VFW, and Susan Baker, owner of the property, George Scharman, Head of the Historical Committee, and Genie Strickland. Mr. Hunt provided copies of the survey. Suzanne Schauman stated she is in support of the project but one resident lives on that street Rosalio Lopez and want to know how he is going to get in and out of his home. Mr. Hunt replied he is going to work that out with Mr. Lopez and Mr. Lopez has written Mr. Hunt a letter stating he was also in support of closing the alley or street as well. Mr. Hunt showed Suzanne Schauman the letter from Mr. Lopez stating his approval of closing the street in front of his house. Lamar Schulz added that Mr. Hunt has some good ideas about the property. Which Council should find beneficial. Glenn Clark stated he also supports this and was pretty excited when he heard about it but has not heard of anyone who has been opposed to it. John Hegemier stated the attorney had written up a process for the street closure that needs to be followed. Mr. Hunt stated he talked to Susan, his attorney, and she thought the city could do the documentation needed. Lamar Schulz added the city will get the attorney involved.

**Council member Glenn Clark made a motion to approve request to review the title and survey documentation of the Antique Mall property to determine the ownership and the future of the “street “ adjacent to the Antique Mall, seconded by Council Member Charlotte Browning. All in favor none opposed. Motion carried.**

1. Request from Martha Shoemaker, EDC President to present second reading of the resolution for the Silver Spur Park for approval

Martha Shoemaker, President of EDC, noted we are now in the final stages of a thirteen year project. On March 26, there was a Public Hearing on the Silver Spur Skate Park project. At the Public Hearing, there was unanimous support for the project from all present. Martha request a budget adjustment that evening and the City Council graciously approved it. Tonight is the second reading of the resolution. Martha Shoemaker is seeking support for the EDC to enter into a performance agreement with the City of Bandera and the Silver Spur Skate Park. Martha Shoemaker added the resolution is in the packet in anticipation that it will be approved. John Hegemier asked Ms. Shoemaker to bring it to him and he can read it. John Hegemier read the resolution for The City of Bandera, Bandera County Texas approving expenditure for $50,000 by the Bandera Economic Development Corporation to fund the cost of architectural, engineering and construction of the Silver Spur Skate Park: Whereas, the Bandera Economic Development Corporation, BEDC is a type B Economic Development Corporation and non-profit corporation created and operating under the Development Corporation Act of 1979 codified at Chapter 501. Whereas, the BEDC is authorized by sections 501.103, 505.152, 505.155, and 505.158 to expend funds for certain entertainment, tourist, convention, or sporting facilities projects. Whereas, the board of directors of BEDC has approved expenditures not to exceed $50,000 for assisting the Silver Spurs Skate Park with the cost of architectural, or engineering, and construction. Whereas, as required by law the BEDC published and advertised the Public Hearing on March 26, 2015. BECD hosted the Public Hearing which sought feedback from the community for the construction of the skate park. There was no opposition to the proposal and all in attendance supported the proposal. Whereas, the City Council of the City of Bandera at the Regular Council meeting on April 16, 2015 and voted unanimously that such expenditures be approved and authorized. Now be it therefore resolved by the City Council for the City of Bandera, Bandera County Texas that Section 1 the foregoing recitals are adopted and incorporated here for all purposes, Section 2 the City Council for the City of Bandera hereby approves the expenditure not to exceed $50,000 for the purpose of assisting the Silver Spur Skate Park construction of the facility, Section 3 the resolution shall become effective immediately upon passage.

**Council member Suzanne Schauman made a motion to approve the resolution for the Silver Spur Skate Park for funding up to $50,000, seconded by Council Member Charlotte Browning. All in favor none opposed. Motion carried.**

1. Request from Martha Shoemaker, EDC President for a budget adjustment for the Eleventh Street Improvement Project for additional engineering expenses

Martha Shoemaker, President of the EDC stated the budgeted amount for the engineering services for the Eleventh Street project which started out titled as the sidewalk project but now added drainage to the sidewalks. Thus, the initial amount budgeted in the EDC 14-15 budget year was $15k and to additionally request an additional $30k to be added to our budget for the engineering fees to incorporate the broader scope of the project. Glenn Clark stated this is definitely a project that needs to move forward and really a necessity. The area is really a dangerous situation around the school that needs to be fixed.

**Council member Glenn Clark made a motion to approve the budget adjustment for the Eleventh Street Improvement Project for additional engineering expenses, seconded by Council Member Charlotte Browning. All in favor but one opposed - . Motion carried.**

1. Request to transfer money from the General Fund to the Consolidated Pooled Cash account. A check will be issued to do the transfer that requires two signatures

Betty Brown stated this is due to the fact that we are trying to streamline some of the cash flow for the city and the implementation of the new software has gotten to the point where we are able to issue one check for all funds in the city. Betty Brown stated up until now we have not taken any money from the General Fund account because we had to make some changes in the way that the credit cards were hitting the account. Ms. Brown stated we have made some changes and we have gotten all to be directed into the Consolidated Cash account. Ms. Brown added we have a couple of things we still have to get moved which are the Sales Tax receipts and the rental receipts and that is just about it. Ms. Brown stated that these are the major changes. Ms. Brown stated we got the credit cards changed to be deposited into the Consolidated Cash account which happened about the third of the month. No more credit cards are going into the General Account. Ms. Brown pointed out from the papers given to council they can see the General Fund account has hit $761 thousand dollars and she would like to transfer approximately $500 thousand of that to the Consolidated Pooled cash account. The Consolidated Pooled account right now stands at about $209 thousand dollars but until everything has transpired and everything has been given to make sure that we have a good transition Ms. Brown would like to leave a little bit of money in the account.

**Council member Jim Hannah made a motion to approve the transfer of money from the General Fund to the Consolidated Pooled Cash account for $500,000, seconded by Council Member Glenn Clark. All in favor none opposed. Motion carried.**

1. Request to approve Will Dietrich moving from Interim Marshal to Marshal effective 04/22/2015

Lamar Schulz stated on that date he will have finished his 6 month probationary period and Mr. Schulz would like to remove the Interim from his title and effectively have him as the Marshal. John Hegemier asked if Will Dietrich is good with that and Mr. Dietrich agreed.

**Council member Charlotte Browning made a motion to approve Will Dietrich as the Marshal effective 04/22/2015, seconded by Council Member Glenn Clark. All in favor none opposed. Motion carried.**

1. Request to approve new salary figure for Marshal Will Dietrich

Lamar Schulz stated this is always the tougher part. Lamar Schulz handed out a paper with some information on it. On April 21, 2015 was the end of the probationary period as “interim” Marshal and on the 22nd Mr. Dietrich would make that switch to Marshal. What Lamar Schulz is proposing was to increase the salary to $48,500 which is a $1,740 increase and the certification pay of $3,000 which is $51,500 which is the same pay we have for our Public Works Director. The total increase from when he started this process as Deputy to Marshal now has included two raises for a total of $4,142.96. As a notation, when Charlie Hicks was Marshal his initial pay was $48,000 and the $3,000 certificate pay for a total of $51,000 which is $500 less then what we are talking about today. Mr. Schulz stated as City Administrator one of his duties is stewardship and the planning and management of City resources. The City has limited revenue and lots of needs or expenses. Thus, it is necessary to squeeze every penny as hard as possible. This year we are having a number of unplanned and unfunded expenditures. In the Marshal’s Department budget, it has been anticipated that, due to Marshal Hicks leaving and a new Marshal being appointed, there would be funds which would not be needed in the salary line. Mr. Schulz stated recently the Council approved a new network server, cloud storage and maintenance contract for City Hall. Part of that cost will be the responsibility of the Marshal’s Department approximately $4,429.50. Currently, we are needed to replace a Marshal’s vehicle for about $30-35 thousand dollars of that to purchase a vehicle. Any funds left in the salary line, which are not needed for the Network Server, could be earmarked for the purchase of the vehicle. Mr. Schulz added as we are looking at this we think the world of Will Dietrich but at the same time we are looking at our budget and what dollars we have and how to best use them. Suzanne Schauman stated Will Dietrich brought in $3,000 in the budget that we did not have and she is not sure where he came up with it but we have it. Currently, his department is running $18,401.55 to the good within six months and in a whole year that could be $36,000. When you break down the salaries and total expenses he is running $16,000 to the good, thus, in her opinion Ms. Schauman believes Mr. Dietrich should be brought to the same salary as what Charlie Hicks was making. Will Dietrich stated he loves Bandera and who he works with and he is willing to do whatever. Glenn Clark stated he fully supports Will Dietrich and all that he does but they struggled with the raises for the Public Works Department and not knowing where we stand with anything until we get into this budget in the next four or five months. Jim Hannah stated it is his understanding that he already has gotten a raise this year when he went to the Interim. He would prefer they go with a smaller raise now.

**Council member Suzanne Schauman made a motion to approve Marshal Will Dietrich with the salary of $51,000 plus the $3,000 in certification pay, seconded by Council Member Charlotte Browning. In favor are Sheila Pumphrey, Charlotte Browning, and Suzanne Schauman; opposed are Jim Hannah and Glenn Clark. Motion carried.**

1. Acceptance of the resignation of J.R. Higgins, Public Works Director effective 04/24/2015

Lamar Schulz stated we do not really need to take anytime on this as of 5:00 pm yesterday he was terminated due to abandonment of job.

1. Financial Reports
2. Permits Department Report
3. Public Works Department Reports
4. Finance Reports
5. Municipal Court Activity Report
6. Marshal’s Department Report

Betty Brown asked council if they had any questions about the **Financial Reports** that she included in the packet. Suzanne Schauman reminded that she does get the detailed report and stated a lot of our departments are in trouble but the Marshal’s office is running a $36,000 surplus and city council is running 99.5% already this year. City Council had $600 spent on memberships/dues and wanted to know what that is. Ms. Brown replied she does not have that information with her. Suzanne Schauman stated then in the Finance Department which is Ms. Brown which is at 80.54% and noticed it is mainly with the new copier. Suzanne Schauman asked if the copier is costing us this much more money. Ms. Brown stated yes ma’am it is. Suzanne Schauman stated she thought this was supposed to be some great tool. Jim Hannah stated it is a great expensive tool. Suzanne Schauman stated she is really concerned. Lamar Schulz stated we need to really find out and see what the readings for the copier are. Mr. Schulz asked are they making more copies now. Suzanne Schauman stated council has $134 and $166 more remaining this year. Ms. Brown stated she does not have the information and did not come prepared to answer those questions. Suzanne Schauman asked can we get a workshop and at least discuss some of these items. Lamar Schulz asked can you get a list of your questions together and then we can get the answers you are looking for. Suzanne Schauman stated we need to get some budget amendments done. Betty Brown stated that is one of the reasons that she did it like that is because when Lamar Schulz did the budget last year and then when they did charge accounts in the new system there are some lines that have an absorbent amount of money in them and others that do not have anything because they need to do line item transfers. Ms. Brown added now they are trying to break the items out even more to see how the items are being spent. Ms. Brown stated her salary is suppose to be split between the Utility and the General fund but up until three pay periods ago it was just going into the Finance as this is what was done in Quickbooks. Suzanne Schauman stated but I thought we changed that when we went to the new system. Ms. Brown replied we did but she needs to go back and make that change and split the salary out with journal entries and some fine tuning.

John Hegemier stated he noticed the certificate that Jerry Alcorta earned is included in the packet and Mr. Alcorta is here to answer any questions about the **Water Reports**. John Hegemier asked if there is any more progress on the Indian Waters well. Jerry Alcorta replied they took the well apart but they are ordering the material and they have not received it yet so they are still waiting. John Hegemier stated ok, thanks.

Suzanne Schauman stated she is happy to see the **Municipal Court** report with the number of cases opened, filed, and closed with the total amount collected they are making great strides. Jannette Pieper replied thank you.

Marshal Dietrich stated he doesn’t really have anything new and will answer any question council has. No questions were asked.

1. Adjourn - **Council member Glenn Clark made a motion to adjourn at 6:40 pm, seconded by Council Member Charlotte Browning. All in favor none opposed are Jim Hannah and Glenn Clark. Motion carried.**

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Karen Chesler John Hegemier

City Secretary Mayor