**MINUTES**

**FOR THE REGULAR MEETING OF THE**

**CITY COUNCIL OF THE CITY OF BANDERA**

**JULY 2ND, 2015**

**AT 7:30 PM IN THE MUNICIPAL BUILDING**

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

1. Meeting called to order by Mayor John Hegemier at 7:32 pm. Council members Glenn Clark, Suzanne Schauman, Sheila Pumphrey, Charlotte Browning, and Jim Hannah were present. City Administrator, Lamar Schulz, and City Treasurer, Trinity Burnes were also present.
2. Invocation given by Martha Shoemaker & all stood for the Pledge of Allegiance.
3. Visitors to be heard – no one signed up and no one spoke.
4. Discussion and Possible Action on the Following Topics:
5. Executive Session: City Council will convene in executive session in accordance with section 551.074 Consultation with Attorney, to consult with the City Attorney and receive legal advice regarding possible legal action to acquire title to 0.319 acres situation in Bandera out of lots 57 and 60 as recorded in the Bandera County property records which is owned by Della Bailey, deceased

John Hegemier stated they are going to convene into executive session at 7:35 pm.

John Hegemier stated they are going to reconvene into regular session at 7:46 pm.

1. Open Session: Reconvene in Open Session to take action on items discussed in Executive Session: Consider authorizing the City Attorney to proceed with filing suit to condemn approximately 0.319 acres situated in Bandera, Texas out of lots 57 and 60 as recorded in the real property records of Bandera County in order to complete parking and drainage public works projects in the downtown Bandera Area

**Council member Jim Hannah made a motion for the City’s Attorney’s office to proceed with filing a suit of condemning for an approximately .319 acres situated in lots 57 and 60 as recorded in the real property records of Bandera County, seconded by Council Member Charlotte Browning. All in favor none opposed. Motion carried.**

1. Request for replatting of remainder of lots no. 65, 66, 67, 68, 69, 70 and 71 in Range XIII in the City of Bandera between Cedar Street and Cypress Street & 12th Street and 13th Street

John Hegemier stated this is just to match what is already on the ground and has already gone before the Planning & Zoning Commission. William DuBose replied yes, it has. Lamar Schulz stated it does meet all the requirements of the ordinance.

**Council member Glenn Clark made a motion to accept the P&Z recommendation to replat the remainder of lots no. 65, 66, 67, 68, 69, 70 and 71 in Range XIII in the City of Bandera between Cedar Street and Cypress Street & 12th Street and 13th Street, seconded by Council Member Suzanne Schauman. All in favor none opposed. Motion carried.**

1. Update on utilities from Public Works Director, Roy Clayton

Roy Clayton stated council received a letter about three weeks ago and this was turned over to him. Mr. Clayton started making calls. The waste water plant is in violation of discharge of a greater degree of solids then our permit allows. The plant does not consistently handle the solids in accordance to the permits for the total dissolved solids. Charlotte Browning asked if she should not drink out of the faucet. Roy Clayton replied it is not the drinking water but a little bit strong discharge in the river from the sewer plant. Mr. Clayton stated he called and talked to the state and they are going to be sending us more letters. He is not sure if they are going to fine us or have an alternate course of action to run the plant, or increase the plant. A lot of the problem is due to the weather. When the plant was built in the 80’s it was not handling the sewer. We may need to increase our drying beds space. Mr. Clayton has not talked to Cope Engineering but they have added additional people and man hours at the plant since council received the letter. Mr. Clayton stated they are going to try everything humanly possible to get this fixed and to operate within the parameters. Mr. Clayton wants to contact Brian Cope as he is the City Engineer and environmentalist to get his thoughts on what to do about this. John Hegemier stated he thought they were always running around the 70 percent capacity but the rains changed it. Mr. Clayton stated it depends on how much rain we get and how many people we have in town. Mr. Clayton added when these plants are designed, they are designed in a twenty year window. Mr. Clayton is concerned about the cost and he is not going to sit here and tell council one thing but he wants to see what we have and need. Jim Hannah asked has there been a problem with paperwork and managing the plant. Roy Clayton replied no, we really have not been late on the documentation but he doesn’t know if it has gone out as quick as he would like to have it. Brian Cummings can be more on top of it now. We have another man in there working full time, two to three days a week plus a part-time person working at the plant learning the processes. Brian Cummings mentioned to Roy Clayton some things when he interviewed. Brian Cummings wanted to know about holding the solids longer to be able to treat it properly and not kick it out. Roy Clayton asked if he could increase the quantity or size of the drying bed area. Brian Cummings thought that could be another way to deal with it. Brian Cummings has worked at that plant for a long time by himself and it is more than a one man job. Mr. Clayton stated he is trying to steer other manpower towards that job to help Brian Cummings and get it fixed. Mr. Clayton does not believe this has to do with paperwork. Mr. Clayton believes it is just growth and increased volume. Jim Hannah asked so do we have space for additional drying beds. Mr. Clayton replied he does not know how much it is going to cost but he will work with Brian Cope to find out if this will work. Jim Hannah stated we are ok with letting you guide this. Mr. Clayton stated he wants to dig into this and get more information. Sheila Browning asked what kind of penalties we are talking about. Roy Clayton replied they did not specify but he talked to the man in Austin who has our file and stated we would be receiving another letter within six weeks but not sure if it is going to be a penalty or corrective action. Mr. Clayton replied he wanted to let council know this was going on. Lamar Schulz stated we were allowing a vendor to dump into our sewer up until a short time ago. Charlotte Browning stated they were dumping near them but they had them move further up. Glenn Clark stated it sounds like Roy Clayton knows what is going on and is working to get it fixed. Mr. Clayton stated he wants everyone to know they are having trouble and they had to barricade the well when lightning struck it. It was about $4,000 for the items burned out and replaced parts to the well. Mr. Clayton stated we found more problems with the well and we will need to get this fixed. Mr. Clayton asked for an estimate but the company was not willing to give an estimate before they pulled the well. Mr. Clayton stated he was quoted about $1,500 for other work from the vendor but was charged $3,910. Mr. Clayton stated he does not want to spend $12,000 or $15,000 without asking or actually getting a well pulled. Jim Hannah asked about coordinating the wells and if this has ever happened. Roy Clayton replied no it hasn’t but wants to talk to Brian Cope about it. Mr. Clayton stated they need to coordinate the wells to work together and if they can do that with some additional pipeline. Roy Clayton stated if we wait too long he does not want to be held hostage by a well driller. Suzanne Schauman stated she appreciates Mr. Clayton trying to reach out and find someone who can do this at reasonable rates. The competition can be better or cheaper in San Antonio, Hondo or neighboring communities. Mr. Clayton stated he wants to do everything locally but if the prices and service are not reasonable we need to find someone who is willing to at reasonable rates.

1. Proposed Budget Amendments for Fiscal Year 2014-2015

Lamar Schulz stated most of these are just moving the funds around except for the Code Compliance. City Council approved a move to 32 hours and certain benefits. Funding for these items had not been included in the FY 2014-2015 budget. John Hegemier asked are we within budget for Code Compliance. Lamar Schulz replied his hours are close but there are times when he is a little bit beyond. Jim Hannah asked if it is an average of 32 hours. Lamar Schulz replied overall but times when he is over and had to do things in off hours. CVS was working without a permit and Mr. Armstrong was called out to talk to the contractor. Suzanne Schauman asked if this is going to get us where they want to be for the budget. Lamar Schulz replied we have a bit more to work on and update. Lamar Schulz added he wants to go through more of the utility bills and phone bills. Lamar Schulz stated he wants to have the working budget by the beginning of August. Lamar Schulz wants to pass the FY 2015-2016 budget by September 17. Lamar Schulz stated he wants to promote the TML conference in San Antonio this year and he would like to see some of the council take the opportunity to go for a day or two to see some things he believes they would find beneficial. Thus, the goal is September 17 right now.

**Council member Suzanne Schauman made a motion to approve the proposed budget amendments for the fiscal year 2014-2015, seconded by Council Member Sheila Pumphrey. All in favor none opposed. Motion carried.**

1. Adjourn - Council member Glenn Clark made a motion to adjourn at 8:08 pm, seconded by Council Member Suzanne Schauman. All in favor none opposed. Motion carried.

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Karen Chesler John Hegemier

City Secretary Mayor