



# CITY OF BANDERA

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## MINUTES FOR THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BANDERA

THURSDAY, FEBRUARY 20, 2020 AT 6:00 PM  
IN THE MUNICIPAL BUILDING AT 511 MAIN STREET, BANDERA, TEXAS

1. **Call to order.** Mayor Pro Tem Gibson calls the meeting to order at 6:00 pm. Councilmembers Clark, Russe and Palmer are present. Mayor Schauman and Councilmember Cavanaugh are absent. Also present is the City Administrator J Horry, City Secretary Jill Shelton, and Marshal Will Dietrich.
2. **Invocation and Pledge of Allegiance.** Marshal Dietrich offers the invocation and all stand for the pledge.
3. **Visitors to be heard. (Please hold comments to three (3) minutes.)**

**Darcy Hasty** - Ms. Hasty explains the process for recalling votes and removing board members from the Central Appraisal District.

**Rene Leith** – Ms. Leith thanks Council for attending the Central Appraisal District meeting.

### 4. Consent agenda.

- a. **Approval of minutes for the meetings held on February 6, 2019 2020.**

*Councilmember Clark makes a motion to approve the consent agenda, seconded by Councilmember Russe. All in favor, none opposed. Motion passes.*

### 5. Discussion and possible action on the following items:

- a. **Presentation by Marshal Dietrich of annual Racial Profiling Report.**

Marshal Dietrich presents the annual Racial Profiling Report. There is no action on this item.

- b. **Presentation by Marshal Dietrich and approval of memorandum of understanding between the City of Bandera and Bandera County regarding NIBRS (National Incident Based Reporting System).**

Marshal Dietrich presents the memorandum and explains this new system is more specific than the previous and is funded by a grant received a year and a half ago. He further explains both he and the Deputy Marshals have all been trained on this program and it must be in place by January 1, 2021. *Councilmember Clark makes a motion to approve the memorandum of understanding between the City of Bandera and Bandera County regarding NIBRS, seconded by Councilmember Palmer.* There is discussion about communicating with Commissioner Mosley regarding the memorandum. *All in favor, none opposed. Motion passes.*

- c. **Presentation by Camp Gladiator about fitness programs they would like to bring to Bandera City Park.**

This item will be moved to a future agenda. There is no action on this item.

- d. **Request for approval of the release of claim form for a refund to Leroy Brown for sewer billing that was incorrect in the amount of \$1,932.51.**

City Secretary Jill Shelton explains the customer has been billed for city sewer services when they have not been connected. This has happened previously, and the letter provided is from the attorney and was used in the previous refund case. *Councilmember Clark moves to approve, seconded by Councilmember Palmer. All in favor, none opposed. Motion passes.*

- e. **Approval of contract from LNV Engineering for \$12,000.00 for a street assessment proposal for a Capital Improvement Project for city streets with LNV Engineering.**  
*Mayor Pro Tem Gibson makes a motion to approve the contract pending possible changes that the City Administrator will discuss with LNV regarding separation of the street assessment between commercial streets and residential streets, seconded by Councilmember Clark. All in favor, none opposed. Motion passes.*
- f. **Approval for City Administrator to request \$12,000 from Bandera EDC for a street assessment proposal for a Capital Improvement Project for city streets with LNV Engineering.**  
 This item will be moved to a future agenda when the contracts are back and revised. There is discussion about separating commercial and residential streets. There is no action on this item.
- g. **Approval of amendment to fee schedule to charge a \$50.00 late fee for vendor permits turned in after the deadline.**  
 Ms. Shelton explains the issues the City has had with vendor permits and how customers do not follow the deadline. *Councilmember Russe makes a motion to approve an amendment to the fee schedule to charge a \$50.00 late fee for vendor permits turned in after the deadline, seconded by Councilmember Clark. All in favor, none opposed. Motion passes.*
- h. **Discussion and possible action on reserving the 20 cement picnic areas in the Bandera City Park on Holiday weekends.**  
 Ms. Shelton explains the thinking behind the reservations. There has been communication between the City Administrator, Public Works Director, City Secretary and the Marshal regarding the reservations. Marshal Dietrich explains people from all over camp out in the Boys & Girls parking lot to get these tables on busy holiday weekends. Councilmember Clark would like to postpone this item until the next regular meeting. There is discussion about getting the information out to people, if this were to become a policy. There is discussion about charging citizens the same reservations fees as visitors. There is no action on this item.
- i. **Recommendation from review committee on requesting an RFP for Master Planner from Simply City Design.**  
 City Administrator J Horry explains the committee felt Simple City Design submitted the superior RFQ. He continues to explain Simple City Design seemed more prepared than the other submittal. *Mayor Pro Tem Gibson makes a motion that the City Administrator request an RFP for Master Plan Proposals from Simple City Design, seconded by Jerry Russe. All in favor, none opposed. Motion passes.*
- j. **Consideration and possible action to place a 60-day moratorium on any future spending by the BEDC, with the exception of promotional marketing and advertising, in accordance with the BEDC Bylaws Sections 1 Administration, 1.05 Amendment of Bylaws and V Oversight by the Bandera City Council.**  
*Councilmember Russe makes a motion to postpone this item until the next regular meeting, seconded by Councilmember Palmer. Councilmembers Russe and Palmer and Mayor Pro Tem Gibson in favor, Councilmember Clark opposed. Motion passes.*
- k. **Discussion and possible action or recommendation regarding the various programs of the Bandera Economic Development Corporation to specifically include what constitutes a separate project under those programs as compared to what constitutes a project under state law to determine when the City Council should approve sequential projects or project elements that collectively total more than \$10,000.00 when said projects involve the same applicant, business or location.**  
 There is much discussion about the incentive programs including the process for changing them, the direction Council would like to see things go, and the power of Council over the BEDC. BEDC President Kunz discusses some upcoming changes for the BEDC. There is discussion about placing a specific deadline on the changes and what is currently stated in the BEDC Bylaws.

*Councilmember Palmer makes a motion for when the cumulative of all projects for the same applicant, business or location that it be considered one project, if the cumulative of it exceeds \$10,000 or more that it*

*has to come for approval before Council, seconded by Councilmember Russe. Councilmember Palmer amends her motion stating to be added to the policy and procedures page seven allowed project types or a combination of projects be awarded to an individual entity, owner, business or address, that that would be considered one project, seconded by Councilmember Russe. There is discussion about whether or not the motion is a directive or recommendation. There is clarification that the City Attorney stating the effect of the motion, if approved, would require an amendment to the appropriate documents. This is a recommendation for the amendment to the document, that then has to be put before the attorney and brought back to Council for final approval. It is merely a Council consensus or directive to make a change and that it does not actually have the effect of the change until the document is amended officially. Councilmembers Russe and Palmer and Mayor Pro Tem Gibson in favor, Councilmember Clark opposed. Motion passes.*

**6. Requests and Announcements.**

**a. Request be Council to place items on a future agenda.**

Councilmember Russe requests a Special Meeting on February 26, 2020 at 5:00pm to discuss EDC Bylaws, Policies and Procedures and possible action.

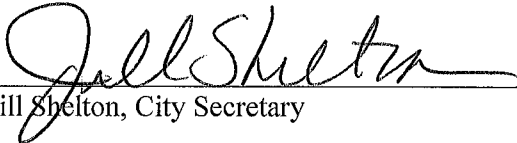
**b. Announcements by Council.**

Hill Country Alliance workshop on February 25, 2020

Elected Officials Conference during first regular meeting in March

Early Flood Warning System Training on February 26, 2020

**7. Adjourn.** The meeting is adjourned at 8:29 pm.

  
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Jill Shelton, City Secretary