



THE CITY OF BANDERA

511 MAIN ST. P. O. BOX 896 BANDERA, TEXAS 78003-0896

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

DECEMBER 15, 2016, 6:00 PM
IN THE MUNICIPAL BUILDING AT
511 MAIN STREET, BANDERA, TEXAS

I. Call to order. The meeting was called to order at 6:02 pm by Mayor Suzanne Schauman. Mayor Pro Tem Rebeca Gibson and Council Members Glenn Clark and Toni Kunz were in attendance. Council Members Cindy Coffey and Sheila Pumphrey were absent. City Administrator Mike Garr and Acting City Secretary Diana Edwards were also present.

II. Invocation and Pledge of Allegiance. The invocation was given by Lynne Palmer and all stood for the Pledge of Allegiance.

III. Visitors to be heard. No visitors signed up to speak.

IV. Approval of Minutes from meeting held on December 1, 2016.

Mayor Pro Tem Rebeca Gibson made a motion, with a second from Council Member Toni Kunz, to approve the minutes from the December 1, 2016 meeting. All in favor, none opposed. Motion to approve the minutes passed.

V. Staff Reports:

The Municipal Court Report for October and November 2016 was distributed in the packet. There were no questions or discussion. City Administrator Mike Garr stated that generally no representative from Municipal Court appears for City Council meetings and he asked if they would like the Court Clerk present at future meetings to answer questions. The response was that any questions could go to the City Administrator to be answered at the next meeting.

VI. Consideration, discussion and possible action on the following items:

- a. Revisit Item VII(h) from the 12/1/16 meeting regarding the awarding of the engineering services contract for the preparation of the 2017-2018 TxCDBG grant.

City Administrator Mike Garr reported that Margaret Hardin from Langford Community Management Services was unable to attend this meeting due to a family emergency. It was her

intention to be here to explain why the city needs to make a decision on a firm in order to meet the target date of February 9, 2017. At the request of Council Member Glenn Clark, Ms. Hardin had provided a timeline of steps to be taken and Mr. Garr distributed that to Council. Mr. Clark also thought it would be useful to Council to have a representative from each of the three firms that are under consideration for this Community Development Block Grant for 2017-2018 be present at tonight's meeting to answer questions. Mr. Garr asked the representatives to stand and identify themselves:

1. Derek Naiser, LNV Engineering, San Antonio.
2. Brian Cope, Klein and Cope Engineering, San Antonio
3. Eddie Bogard, TRC Engineering, Austin

Mayor Schauman asked Mr. Clark to start. He stated that he wanted to know from each representative is how their company functions once they get a project and how specifically the engineers stay in contact with the project going on, i.e., the internal workings.

Mr. Naiser responded that some of that information is in their Statement of Qualifications for project management, but basically the project manager is the individual that will maintain contact with the city and Langford, the grant administrator. There is a design staff and administrative staff, along with CAD support to complete plans and specs, and also to do the construction administration.

Mr. Cope responded that he has been working with the City of Bandera almost his whole career and is familiar with what the city has here. He said that it's not too different from what Mr. Naiser stated, and that he, along with another licensed engineer, Nadia Sanchez, would come to Bandera, do the inspections and meet with Langford for the milestones. They have a team of technicians and designers, Engineers in Training (EITs) back in the office who do most of the work, but the person on site from Klein and Cope on site would be Mr. Cope.

Mr. Bogard said that the general layout is project manager, EITs, CAD personnel and secretarial staff, all acting as a team, but he would be the project manager. He stated that it is better that questions or problems come through a single point of contact because you don't want a city not knowing who to contact on their project. He has worked on over 50 CDBG projects and with Langford. He gave project examples, talked about the bid process, and how things are organized.

Council Member Toni Kunz asked City Administrator Mike Garr for clarification on the grant paperwork. Mr. Garr stated that the project is in the pipeline but we will need an engineering firm to write the project once we're accepted. Ms. Kunz discussed her thoughts on the different proposal packets that were submitted.

Mr. Naiser clarified that it was his understanding that with this process the city is selecting an engineering firm to complete the application package, put it together by February 9th, the exhibits, the scopes, the layouts, the budgets, and then that same engineer would do the design for it once it's granted and awarded, or handed out with a contract to the city a year or two out. Mr. Garr stated that was correct.

Mayor Pro Tem Gibson asked the engineering representatives to tell about an experience where difficulties were encountered and how they overcame those challenges. Each representative discussed examples of challenges they had on past projects.

Ms. Kunz asked for Mr. Garr's recommendations and Mr. Garr stated that each firm was scored. In addition, the process of CDBG has changed in terms of selecting an engineering firm, applying for the grant, and how then the selected firm would put the project together. That was not previously the case. Engineering firms will be solicited again in January for a project that's ahead of the 2017-2018 CDBG.

Council Member Kunz made a motion to move forward with LNV out of San Antonio, with a second from Council Member Clark. All in favor, none opposed. Motion passed.

- b. Remove John Hegemier as a check signer on the City of Bandera bank accounts.

Mayor Schauman stated that the Council previously omitted removing the former mayor from the accounts. Mayor Pro Tem Gibson made a motion to remove John Hegemier as a check signer and Council Member Clark seconded the motion. All in favor, none opposed. Motion passed.

- c. Remove John Hegemier as a check signer and add Suzanne Schauman as a check signer to the Economic Development Corporation's (EDC) bank accounts.

Council Member Clark made a motion to remove John Hegemier as a check signer and add Suzanne Schauman as a check signer to the EDC bank accounts. Mayor Pro Tem Gibson seconded the motion. All in favor, none opposed. Motion passes.

- d. Approve amended EDC Budget for 2016-2017.

EDC Director Art Crawford asked that this item be removed from the agenda tonight and be tabled until the next meeting. Council Member Kunz made a motion to table this item until the next meeting, with a second from Council Member Clark. All in favor, none opposed. This item will be moved to the next meeting in January.

- e. Appoint a Bandera County resident to serve as a member of the EDC.

Mayor Schauman asked EDC Director Crawford if he had reviewed the applications of the three candidates and he stated that he had. The only requirement is that the vacant seat be filled by a county resident with a business in the city limits. He also stated that it is not EDC's job to recommend or qualify, that EDC defers to the Council. Mayor Schauman said that it looks like all three candidates own a business in the city and Council Member Kunz agreed that all three qualify. One of the candidates, Cindy Beckham, is in attendance at tonight's meeting and Mayor Pro Tem Gibson asked if Cindy would like to address Council.

Ms. Beckham stated that she has been in the county for 17 years, that she is a San Antonio native and recently retired from USAA after 36 years. She led teams at USAA on sales and service. Her focus would be to develop the community so that it continues to grow and prosper so that the main downtown area and all of the city benefits from the activities and projects that are implemented. She owns SB Western Silver and Knives on Main Street and they've been in business for five years.

Council Member Kunz indicated that Lia Cloudt, owner of Thelma and Louize, had a death in the family and was unable to attend the meeting. Council Member Clark stated that the only applicant he had met was Larry Haddad, but he thinks that any one of the three would be a good choice. Mayor Pro Tem Gibson said that she thought having a Main Street business on EDC would be valuable and made a motion to appoint Cindy Beckham to the Economic Development Corporation, with a second from Council Member Kunz. There was no further discussion and all were in favor, none opposed. Motion passes. Welcome Cindy Beckham to the EDC.

- f. Consider candidate for appointment to the Planning and Zoning Commission.

Mayor Pro Tem Gibson made a motion to appoint Robert Koimn to the Planning and Zoning Commission, with a second from Council Member Clark. Mayor Schauman asked if there was any further discussion and Mr. Clark responded by asking P&Z Member Tom Laxson the current status of the Commission. Mr. Laxson said that Candace Darden and Jason Williams are in the city limits, and Mr. Laxson is in the county. It is just the three of them, and they can have up to five members with two alternates. After a little more discussion, Mr. Clark stated he was ready to vote. Mayor Schauman asked if all were in favor, and they were, none opposed. Robert Koimn is appointed to the Planning and Zoning Commission.

- g. EDC Funding of up to \$50,000.00 to support construction of a Skate Park located at 8th and Maple Streets in the City of Bandera.

At the request of Mayor Schauman, EDC Director Art Crawford reported that the EDC voted to finalize the funding of the skate park project that already has been funded in the amount of \$76,000. This additional amount of \$50,000 from EDC will bring the total up to \$126,000 which will complete the skate park to be located at 8th and Maple. They picked a contractor at last night's meeting, they've had their public hearings and waited the requisite 60 days, so they are asking that City Council approve this funding request.

Council Member Glenn Clark made the motion to approve \$50,000 in funding, with a second from Mayor Pro Tem Rebeca Gibson. Mayor Schauman asked if there was any further discussion, and there was not. All were in favor, none opposed. Motion passed. There was applause from the audience. This project has been in the works for over 15 years.

- h. EDC Funding of up to \$75,000.00 at the rate of \$25,000.00 per year to support construction of an early stage flood warning system in the City of Bandera.

Council Member Glenn Clark made a motion to approve \$75,000 in funding at the rate of \$25,000 per year for three years to support construction of the early stage flood warning system. The motion was seconded by Council Member Toni Kunz. There being no further discussion, Mayor Schauman asked if all in favor. All in favor, none opposed. Motion passed.

- i. Review designs and discuss two possible contractors for the Skate Park project.

EDC Director Art Crawford indicated that City Council gave the EDC authority to pick a contractor and they chose American Ramp Company out of Joplin, Missouri. ARC is checking their calendar to pick dates in January for design meetings with kids and parents. City Council will approve the final design and EDC hopes to break ground in March.

- j. Set dates for 2017 workshops on the following topics:

- Review City Park ordinances, rules and Master Park Plan.
- Council / EDC / P&Z joint workshop.
- Other workshop topics.

Mayor Schauman stated that she would like to see the Council, EDC and P&Z hold a joint workshop and Council Member Kunz said that the date of January 7, 2017 came up as a possibility. Discussion followed on this date and a possible time. Council Member Kunz suggested that everyone come to the table with their ideas, issues and concerns to discuss and prioritize. After more discussion, Council Member Kunz made a motion to have a workshop starting at 10 am on January 7, 2017 with all three groups. Mayor Pro Tem Gibson seconded the

motion. Council Member Clark asked if agenda items would be set, but Mayor Schauman stated that the agenda would be posted 72 hours prior to the workshop. She also said that all three groups are welcome to submit agenda items.

EDC Director Art Crawford reported that EDC hired a consultant at last night's meeting. He said they are willing to participate or facilitate these workshops. Mayor Pro Tem Gibson responded that in the workshops she has attended, not enough is getting done. She thinks having the consulting firm attend the workshop would be a smart move. Mayor Schauman indicated that there are plans other than the economic development part of the master plan that need attention.

EDC Member Patricia Moore recommended that the meeting not be held at City Hall. She suggested that perhaps the Silver Sage or BEC meeting room would be better so that everyone can have a work table and not have their backs to each other. The other item Ms. Moore brought up was the master plan for the park and she thinks that will have to be taken in chunks because it is too much for one workshop. Assigning work duties makes more sense to her. More discussion followed on the consulting firm and economic development.

Council Member Kunz stated that her motion was to combine it, come together with everything and prioritize. She appreciates the offer of facilitating and thinks that it is crucial to all be moving forward toward one goal. There may need to be follow up workshops.

Newly appointed P&Z member Robert Koimn suggested that it would be superfluous to have a consultant come in at this point and thinks it would be great to just get the in-house community together and have a general discussion before it is opened up to outside consultants who come in and start acting on what hasn't even been discussed yet.

EDC Member Pat Moore said that she thought EDC Director Crawford said that the consultant had offered to be a facilitator, not coming into a consultant role. Facilitating is more of a listening role.

There was more discussion between Council Member Kunz and P&Z Member Koimn. Council Member Glenn Clark asked to vote on the motion. At the request of Mayor Schauman, Council Member Kunz restated her motion for a workshop at 10 am on January 7 for the Council, EDC and P&Z. Mayor Pro Tem Gibson seconded. In addition, it was determined that the location and agenda items would be posted appropriately according to the Open Meetings Act. Additional discussion followed. All were in favor of the combined Council, EDC, and P&Z workshop at 10 am on January 7, 2017. None opposed.

- k. Review, amend, and/or approve budget adjustments for FY2015-2016 for all fund accounts.

City Treasurer Rose Garr clarified with the auditors that any budget amendments to increase or decrease department funds had to be done by September 30, 2016, the end of the fiscal year. She said that CPA Randy Hollar does not necessarily agree with that, but we have to go with what the auditors are saying. That doesn't mean that we can't make corrections to the budget where entries are posted incorrectly. Ms. Garr and Mr. Hollar just today finished all eight bank reconciliations through September 30, 2016. Ms. Garr also discussed the "Operating Account" which was the same bank account as "Pooled Cash" but had a different fund number. There is also a third account called "Consolidated Account" and all three were going into the same bank account, but under different names and fund numbers. Ms. Garr distributed a hand out showing the overview of 2015-2016 budget by general fund, hotel tax, utility fund and CDBG fund. She discussed the budget overage for the 2015-2016 year. Her focus now is to get all the money that has been posted incorrectly into the right accounts so that going into 2016-2017 we have a better

understanding of how we're really spending money, so that when we start doing 2017-2018, we actually have valid figures of what should go into the different departments and funds.

At this point City Council Member Toni Kunz asked about the personnel expenses incurred in May with the flood and if state reimbursements would help with some of the budget overage. Ms. Garr responded that Court Clerk Jannett Pieper has been working with City Administrator Mike Garr on the FEMA reimbursement and we have been approved for the first \$10,000; however, that doesn't mean we're going to get the money any time soon. Since 2015-2016 is already closed, any money received will go into the 2016-2017 budget which will help offset some of those expenses. Ms. Garr stated that there's nothing really to vote on, but she didn't find out about that until this afternoon. Council Member Kunz said that she appreciated the progress and report, and thanked Ms. Garr.

- I. Accept the resignation of City Administrator Michael R. Garr effective December 30, 2016.

Council Member Glenn Clark made a motion to accept the resignation of Michael Garr, with a second from Mayor Pro Tem Rebeca Gibson. Mayor Schauman asked if there was discussion. Council Member Kunz stated that she had a meeting with Mr. Garr on Monday and thanked him for saying that he will do whatever it takes to assist in the transition of a new City Administrator. She appreciates his dedication to the job and the city. Council Member Clark wished Mr. Garr good luck with his new job. All in favor, none opposed. Motion passed.

VII. Requests and announcements.

- Council Member Toni Kunz reported that early voting is still in progress, so city residents are encouraged to vote. So far, only 30 voters have showed up.
- Council Member Toni Kunz asked City Administrator Mike Garr if he had an update on Council Member Sheila Pumphrey's condition. He stated that he saw her a week ago and she is still very tired. She's been going through some strenuous rehabilitation exercises. Sheila's friend continues to visit her every day. Council Member Kunz asked if the Council can appoint someone temporarily to fill in and Mayor Schauman responded that the position either needs to be filled or remain vacant.

VIII. Executive Session. Pursuant to Section 551.074 of the Texas Government Code, the City of Bandera will consult in closed session regarding Personnel Matters to consider and discuss the process of hiring a City Administrator.

Mayor Schauman recessed the meeting at 7:23 p.m. to go into Executive Session pursuant to Section 551.074 of the Texas Government Code to consult in closed session regarding personnel matters to discuss and take the necessary action to hire a City Administrator.

IX. Reconvene in Open Session. Following the Executive Session, the City of Bandera will reconvene in open session to consider, discuss and take the necessary action to hire a City Administrator.

Mayor Schauman reconvened the Open Session at 7:27 p.m. to take the necessary action to hire a City Administrator. Mayor Pro Tem Rebeca Gibson made a motion for the City of Bandera to post an advertisement for City Administrator in both of our local papers, the San Antonio Express News, and the TML website. For the Bandera newspapers, print for two consecutive weeks. For the San Antonio Express News, print only on Sunday, not daily. Council Member Toni Kunz seconded the motion.

Mayor Schauman commented that she will be reviewing the applications we already have and contacting those people to see if there are still interested or available. Council Member Glenn Clark stated that he was ready to vote. Mayor Schauman asked if all were in favor. All in favor, none opposed. Motion passed.

X. City Administrator's Comments.

City Administrator Mike Garr stated that we did in fact get our first communication from FEMA that a \$10,000 reimbursement is in the pipeline covering about 85% of our costs for brush. An additional \$10,000 may be forthcoming to help reimburse for the \$14,000 that we spent for outside contractors.


There are additional projects also in the pipeline related to repair of property and Indian Waters well, but it is a long process. He commended Court Clerk Jannett Pieper who was the lead on much of the paperwork.

AT&T contacted us and said they would be providing training on the new phones in early January. We should be up and running by the second week of January. The new phones are internet based so even if the power is down, we'll be able to use the phones. Another project in the works is the City's new website which may be up and running by the end of January. We will receive training on it.

Election Day is December 20. Also, RX Technology will be here to do some of the final technological upgrades which includes putting in Ethernet connections in order to provide a worksite for the future Code Enforcement Officer and laptop capability in the Council room. In addition, they will be installing Microsoft Office 365. There was more discussion on laptop capabilities in the Council room. Mayor Pro Tem Gibson asked about email for Council members, EDC and P&Z, instead of having them use their personal emails. Mr. Garr stated that a fee is involved for each email address. The city has recently whittled down some of those email addresses to reduce costs.

XI. Motion to Adjourn.

Council Member Toni Kunz made a motion to adjourn, seconded by Council Member Glenn Clark. All in favor, none opposed. Meeting adjourned at 7:45 p.m.


Diana Edwards
Acting City Secretary