

**MINUTES**  
**MEETING OF THE CITY COUNCIL**  
**OF THE CITY OF SAN SABA**  
**September 10, 2013**

Members in attendance were: Ken Jordan – Mayor  
Charlie Peeler - Alderman  
Oleta Behrens - Alderman  
Mark Amthor – Alderman  
Shawn Oliver - Alderman  
Stan Weik – City Manager

Alderman Whitten was absent.

Others present were: Gale Ivy – City Secretary  
Charlene Lindsay – Finance Director  
Sabrina Maulsby – City Employee  
Susie Jimenez – City Employee  
Scott Glaze – City Employee  
Denver Daniel – City Employee  
Tony Guidroz – City Employee  
Dwayne Shaw – Police Dept.  
Ray Riggs – Past Chief of Police  
G.T. Meador – City Employee  
Kate Beck – Friends of Animals  
Alice Smith – San Saba News & Star

At 6:00 p.m. Mayor Jordan called the meeting to order, announced a quorum present, and Alderman Oliver gave the invocation and pledges.

**PUBLIC HEARING:**

A public hearing was opened to consider adopting a proposed budget for FY 2013-2014 and tax rate for 2013 tax year. The proposed tax rate remains the same, \$.31942 per \$100 evaluation. Property taxes collected in 2013 will be \$2,823 more than what was collected in 2012 due to an increase in the total tax roll. No citizens were present to express their views on either the budget or tax rate.

The public hearing was closed at 6:02 p.m.

**PUBLIC COMMENTS:** None

**PRESENTATIONS:**

G. T. Meador, city employee working for the Electric Department, was selected as the Employee of the Month for September. Denver Daniel, Electric Department Supervisor and Alderman Oliver presented G.T. with a plaque with his name on it and a gift certificate to a local restaurant.

A special presentation was made to outgoing Chief of Police Ray Riggs. Mayor Jordan presented him with a crystal award thanking him for his 27 years as Chief of Police of San Saba and for his dedication to the city for so many years. He will be missed.

**CONSENT AGENDA:**

On a motion by Alderman Oliver, seconded by Alderman Behrens, Council unanimously approved the following: minutes from the August 13, 2013 council meeting; payment of bills; Approved Resolution No. 2013-29 waiving noise ordinance for October 12 in Risien Park; approved Resolution No. 2013-30 waiving noise ordinance for October 11-12 at Risien Park; approved Ordinance No. 2013-06 approving a request by St. Mary's Catholic Church to temporarily close a portion of North Sixth Street on October 6, 20123 and approving updated contract with Municipal Judge Leslie Dawson.

**RESOLUTION 2013-29  
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, Maria Cisneroz, 800 N. 9<sup>th</sup>, San Saba**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Slab at Risien Park on October 12<sup>th</sup>, 2013 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 October 12<sup>th</sup>, 2013 at the Slab at Risien Park.

Passed and approved this 10<sup>th</sup> day of September, 2013.

**RESOLUTION 2013-30  
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, Dennis Westmoreland, 350 CR 206, Comanche, TX**, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Pavilion at Risien Park on October 11<sup>th</sup> and 12<sup>th</sup>, 2013 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 October 11<sup>th</sup> and 12<sup>th</sup>, 2013 at the Pavilion at Risien Park.



**CITY COUNCIL MINUTES**

**SEPTEMBER 10, 2013**

**NOW, THEREFORE**, this agreement is made and entered into this 10<sup>th</sup> day of September, 2013 between CITY, COUNTY, and LESLIE DAWSON, for the purpose of filling the position of Municipal Judge of the City of San Saba, Texas, the parties agree that said position may be filled by LESLIE DAWSON and that the COUNTY offices and employees of the Justice of the Peace may be jointly employed for purposes of municipal business, for a term beginning October 1, 2013 and extending until September 30, 2014.

For and in consideration of the sum of Twenty Thousand and Twenty-Eight Dollars and no/100 Dollars (\$20,028.00) per annum, payable to COUNTY and LESLIE DAWSON, JUSTICE OF THE PEACE, as salaries and the mutual covenants hereinafter promised or agreed to be undertaken, LESLIE DAWSON, CITY and COUNTY agree that LESLIE DAWSON shall assume the duties of Municipal Judge of San Saba, Texas; administer the filing, hearing, collection, and reporting of cases relating thereto; provide an accounting of receipts and disbursements relating to the operation of said office; and be housed in the San Saba County Courthouse in San Saba, Texas, while performing said duties. Executed this the 10<sup>th</sup> day of September, 2013.

**CITY OF SAN SABA, TEXAS**

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

**SAN SABA COUNTY, TEXAS**

By: \_\_\_\_\_  
Byron Theodosis, County Judge

By: \_\_\_\_\_  
Leslie Dawson, Individually, and  
As Justice of the Peace, San Saba  
County, Texas, and Municipal  
Judge, San Saba, Texas

**DISCUSSION/ACTION ITEMS:**

The first item for discussion was to approve Resolution No. 2013-31 approving the proposed budget for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014. Alderman Amthor made the motion to approve Resolution No. 2013-31 which was seconded by Alderman Oliver. A record vote was taken with council members unanimously approving Resolution No. 2013-31 to approve the proposed budget for FY 2013-2014.

**RESOLUTION 2013-31**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, APPROVING THE PROPOSED BUDGET FOR THE 2013-2014 FISCAL YEAR.**

**WHEREAS**, an annual budget for the fiscal year beginning October 1, 2013 and ending September 30, 2014, has been duly created by the budget officer of the City of San Saba, Texas, in accordance with Chapter 102 of the Texas Local Government Code; and

**CITY COUNCIL MINUTES**

**SEPTEMBER 10, 2013**

**WHEREAS**, the budget officer for the City has filed the proposed budget in the office of the City Secretary and the proposed budget was made available for public inspection in accordance with Chapter 102 of the Local Government Code; and

**WHEREAS**, a public hearing was held by the City in accordance with Chapter 102 of the Local Government Code, following due publication of notice thereof, at which time all citizens and parties in interest were given the opportunity to be heard regarding the proposed budget; and

**WHEREAS**, after full and final consideration, it is the opinion of the City Council that the 2013- 2014 fiscal year budget as hereinafter set forth should be approved and adopted. Now, Therefore

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

**SECTION 1.** That the proposed budget of the revenue and expenditures necessary for conducting the affairs of the City of San Saba, Texas for the fiscal year beginning October 1, 2013, and ending September 30, 2014, as submitted to the City Council, attached hereto as Exhibit "A", be and the same is hereby adopted and approved as the budget of the City of San Saba, Texas for the fiscal year beginning October 1, 2013, and ending September 30, 2014.

**SECTION 2.** That the expenditures during the fiscal year beginning October 1, 2013, and ending September 30, 2014, shall be made in accordance with the budget by departmental allocation approved by this resolution unless otherwise authorized by a duly enacted resolution of the City of San Saba, Texas.

**SECTION 3.** Upon approval of the budget, the budget officer shall file a true and certified copy thereof with the County Clerk of San Saba County, Texas.

**SECTION 4.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Resolution as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional.

**SECTION 5.** That this Resolution shall take effect immediately from and after its passage as the law in such cases provides.

**DULY PASSED** by the City Council of the City of San Saba, Texas on the 10<sup>th</sup> day of September, 2013.

The second discussion item was to approve Resolution 2013-32 ratifying the increase in property tax revenues reflected in the budget. Adoption of a budget that requires raising more revenue from property taxes than in the previous year also requires a separate vote of the governing body of a city to ratify the property tax increase reflected in the budget. Alderman Peeler made a motion to approve Resolution No. 2013-21 which was seconded by Alderman Behrens and unanimously approved.

**RESOLUTION NO. 2013-32**

**AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN SABA RATIFYING INCREASE IN BUDGET FOR THE FISCAL YEAR 2013-2014**

**WHEREAS**, Section 26 of the Texas Property Tax Code provides that a separate vote must be taken on the portion of the budget that proposes to raise more in property taxes than last year; and

**WHEREAS**, the proposed tax rate remains the same, \$31942 per \$100 evaluation. Property taxes collected for 2013 will be \$2,823 more than what was collected in 2012 due to an increase in the total tax roll.

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

- 1. That the increase in property taxes is ratified as reflected in the budget.

**PASSED, APPROVED AND ADOPTED this the 10<sup>th</sup> day of September 2013.**

The third action item was to approve Ordinance No. 2013-07 adopting the tax rate as presented. The property tax remains \$.31942 which is effectively .01% increase in the tax rate based on the increase in property values. Alderman Oliver made the motion to approve Ordinance No. 2013-07 which was seconded by Alderman Behrens. A record vote was taken with Council members unanimously approving Ordinance No. 2013-07 adopting the tax rate for 2013.

**ORDINANCE NO. 2013-07  
AN ORDINANCE LEVYING A TAX RATE  
FOR THE CITY OF SAN SABA  
FOR THE TAX YEAR 2013**

**WHEREAS**, Section 26.05 of the Texas Property Tax Code provides that by September 30, or the 60<sup>th</sup> day after the date the certified appraisal roll is received by the City, whichever is later, the governing body of each taxing unit shall adopt a tax rate for the current tax year; and

**WHEREAS**, the proposed tax rate for the current tax year of the City of San Saba, Texas consists of two such components (\$0.06375) needed for the purpose of maintenance/operations and (\$0.25567) needed for the purpose of debt service.

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

**Section 1.** We, the Council of the City of San Saba, do hereby levy or adopt the tax rate of \$.31942 on \$100 valuation for the City for tax year 2013 as follows:

**Section 2.** \$ 0.06375 is for the purpose of maintenance/operation, and  
 \$ 0.25567 is for the purpose of debt service

**Section 3.** The tax assessor-collector is hereby authorized to assess and collect the taxes of the City of San Saba effective the 1st day of October 2013,

**Section 4.** All ad valorem taxes levied hereby, in the total amount of \$.31942 on each one hundred dollars (\$100) of assessed valuation, shall be due and payable on or before January 31, 2014. All ad valorem taxes due the City of San Saba, Texas, and not paid on or before January 31, 2014 shall bear penalty and interest as prescribed in the Property Tax Code of the State of Texas.

**PASSED, APPROVED AND ADOPTED this the 10<sup>th</sup> day of September 2013.**

The final discussion item was to approve Ordinance No. 2013-08 amending Ordinance No. 2009-03 Manufactured Home District Ordinance to include skirting on individual homes.

**Ordinance No. 2013-08**

**AN ORDINANCE AMENDING ORDINANCE NO. 2009-03, ARTICLE X ““MH” MANUFACTURED/MOBILE HOME PARK RESIDENCE DISTRICT”, IN THE CURRENT ZONING ORDINANCE 1991-13 SECTION 10.1 DEFINITION OF “MANUFACTURED HOME”**

**ARTICLE X  
“MH” MANUFACTURED/MOBILE HOME RESIDENCE DISTRICT**

**SECTION 10.1 DEFINITION OF “MANUFACTURED HOME”**

A “HUD-code manufactured” or manufactured house or housing as a structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities, transportable in one or more sections. Each home shall comply with the wind and safety provisions and bear a seal certifying that it is built in compliance with the Texas manufactured Housing Construction and Safety Standards Act and shall include the plumbing, heating/air conditioning and electrical systems to be contained in the structure. **Each home shall be skirted in accordance with the 2006 International Residential Code, Section AE503 Skirting and Perimeter Enclosures.** The placement of a manufactured home shall be no older than three years old.

**SECTION 10.2 PURPOSE**

The “MH” Manufactured/Mobile Home Residence District is established as a district in which the principal uses of the land are for manufactured/mobile home dwellings. It is the intent of this Article to encourage the development and the continued use of the land for mobile home dwellings to accommodate primarily permanent occupants with not more than ten percent (10%) or less than five percent (5%) of the manufactured/mobile home stands devoted to purely transient purposes and to prohibit commercial and industrial uses or any other use which would substantially interfere with the development or continuation of manufactured/mobile home dwellings in the District. Transient stands are to be located in one area of the park so they will in no way interfere with the permanent residents. This Article also discourages any use which would generate traffic or create congestion on neighborhood streets other than normal traffic which serves the manufactured/mobile home dwellings or similar residences in this District. It also encourages only those uses which, because of character or size, would not create additional requirements and costs for public services which are in excess of such requirements and costs if the District were developed solely for manufactured/mobile homes or other similar residential uses.

**SECTION 10.3 PERMITTED USES**

In the “MH” Manufactured/Mobile Home Residence District, no building, structure, land or premises will be used and no building or structure shall hereafter be erected, constructed, reconstructed, or altered, except for one or more of the permitted uses as listed as in this section. Residential use of temporary structures, trailers, mobile homes, manufactured homes, in any other residential district is prohibited.

- A. The following uses shall be permitted as principal uses:
1. Single family detached dwellings
  2. Two-family dwellings
  3. Manufactured/Mobile/Modular home dwellings
  4. Golf courses (not including miniature or par-three commercial courses)
  5. Temporary structures which are incidental to the construction of the main building and will be removed when the main structure is completed.
  6. Public Playgrounds
  7. Elementary schools, public and private where the curriculum is similar in nature and preparation of course work to the public school.
  8. Agriculture uses of the garden type that are not intended for commercial purposes.
- B. The following uses are permitted when they abut and have their main access on a major street, and provide a minimum yard on all sides of fifty (50) feet.
1. Arboretum or botanical garden
  2. Churches, convents and monasteries
  3. Fire and public stations
  4. Public Libraries
  5. Schools, both public and private with curriculum similar in nature and preparation of course work to the public school.
  6. Swimming pools, private where no public sale or goods are promoted

7. Country Clubs

**SECTION 10.4 MH” PARK SIZE**

No “MH” Park shall be constructed or commenced in the “MH” District which does not conform with the following minimum requirements for lot size.

Minimum Lot Area	2.5 Acres
Minimum Front Footage	200 ft.
Minimum Lot Depth	200 ft.

1. A manufactured home park or parks shall be designed, constructed and operated and maintained in compliance with any and all ordinances of the city and regulations of the state regulating manufactured home parks.
2. No land, or premises shall be used for the parking of a manufactured home or for the development or operations of a manufactured home park except after submittal to the Building inspector of plans, plates, maps and specifications setting forth the proposed streets or circulation, utilities, manufactured home spaces or lots, and other improvements, and such shall have been approved by other applicable ordinances of the city and regulations of the State.

**SECTION 10.5 MAXIMUM DENSITY**

The maximum density in the “MH” District shall be fifteen (15) manufactured/mobile homes per acre.

**SECTION 10.6 YARD REQUIREMENTS**

The following minimum requirements for yards shall apply to any use that is constructed or commenced on a parcel of land in the “MH” District.

Front Yard	40 ft. (from corner of line of any mobile/manufactured home stand to the street of the park)
Side Yards	15 ft. *
Rear Yard	15 ft. *

\*From any solid fencing or wall of six (6) feet in height, or forty (40) feet where only a screen planting is provided.

**SECTION 10.7 REQUIRED SCREENING**

Any proposed manufactured/mobile home park site in the “MH” District shall be screened or buffered on all sides with a solid wall fence six (6) feet in height, or a well-trimmed, screen planting which is not under three (3) feet or over six (6) feet in height.

**SECTION 10.8 OFF STREET PARKING**

All permitted uses in the “MH” District shall comply with the minimum requirements for off-street parking as contained in ARTICLE XVII Off-street Loading and Parking of this ordinance.

**SECTION 10.8 SIGNS AND BILLBOARDS**

All permitted uses in the “MH” District shall comply with signage regulations as contained in ARTICLE XVI Sign and



Billboards Regulations.

**SECTION 10.9 SITE PLAN REQUIREMENT**

A detailed site plan locating all planned manufactured/mobile home stands, screening or fencing, and plans and specifications for the proposed manufactured/mobile home park must be submitted prior to the issuance of a building permit or certificate of occupancy for said manufactured/mobile home park.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS**, this the 10<sup>th</sup> day of September, 2013 at which meeting a quorum was present and voting.

**CITY MANAGER’S REPORT**

City Manager Weik gave a brief report on the following activities in the City of San Saba: sidewalk project at the courthouse is almost complete; flowers need to be planted; golf course looks great; great reviews from visitors; work on tourism is proving successful as San Saba has many visitors to town.

**OTHER REPORTS**

Wayne Yarbrough, water/wastewater supervisor reported that work should begin on replacing water tower in the next week or so; Denver Daniel, electric supervisor reported that a power outage occurred recently from squirrel on a line; city has had few electrical problems this summer; Dwayne Shaw, Chief of Police, reported more burglaries this year; has been a very busy year; Scott Glaze, Public Works Director, reported that 18 blocks had been paved this summer; lots of break downs; no major water leaks; Tony Guidroz reported on activities being held this fall; San Saba will be featured in Edible Austin publication and American Profile Magazine as well as Texas Highways in October. Susie Jimenez, KSSB Director, reported that an electronic recycling event was scheduled for September 28 and the next city-wide clean up was October 19, 2013 at which time the television will be given away. Sabrina Maultsby reported that the next Park Committee meeting is scheduled for October 1. Gale Ivy, City Secretary, shared with Council members an article on payday loans from TML. The payday loan business has very little statewide regulation and has caused many seniors, students, single mothers and other Texans to get caught in a vicious cycle of debt. Many cities are passing ordinances regulating these loans. Because of that, these companies are moving into smaller cities. San Saba doesn’t currently have one of these businesses; however, council needs to be aware just in case.

At 6:40 p.m., the City Council convened into Executive Session pursuant to Section 551.074, Texas Government Code, to evaluate the City Manager’s Performance.

At 7:52 p.m., the City Council adjourned from Executive Session back into open session. No action was taken.

The meeting adjourned at 7:53 p.m.

**ATTEST:**

\_\_\_\_\_  
Gale Ivy, TRMC, City Secretary

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

Approved 10/8/13