

The Bandera PROPHEET

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Noise ordinance causes big commotion

By Jessica Nohealapa'ahi Goode
The Bandera Prophet

Standing room only was left for the crowd of 150-plus people, who gathered at the Mansfield Park recreation hall in response to speculation that Bandera City Council members were considering banning live music at local bars. The overwhelming and unanimous opinion of those who spoke was that ending live music in Bandera would be beyond detrimental; council members said that was never their objective.

The confusion stemmed from an agenda item stating, "City Council discussion of options and possible amendments to Bandera Code of Ordinances Article 8.04 Noise."

"I don't believe anyone is trying to stop live music. The rumor mill is strong in Bandera County," Darcy Hasty said, adding she does believe the ordinances need review and revision so the hours may be extended on weekends, protections are incorporated during crises such as a global pandemic, and those who file complaints may be taken seriously. "Please put something in effect to insulate bar and restaurant owners. They've taken a big enough hit."

Person after person stepped up to the podium expressing similar views. Taking most of the heat for the controversial agenda item, Council Member Jerry Russe said he originally asked the noise ordinance to be placed on the agenda to "clarify and review." He said his wording was changed, and the agenda item did not reflect his intent.

"I never wanted to shut down the music...I hope people will respect that I was only trying to do what I felt was best for the city. There was a lot of confusion," Russe said, adding many of his customers at his RV park

come to Bandera to enjoy the entertainment and nightlife. “A lot of people jumped to conclusions.”

Russe inferred issues with the noise ordinance, its enforcement and public reaction had simmered to a boiling point.

“We have had things go on so long that they finally exploded with an incident,” Russe said, referencing a recent act of violence at the former Bandera Lodge in response to a mistaken noise complaint. “If we had taken action sooner, we would have never gotten to that point.”

Acknowledging concerns regarding enforcement, City Marshal Will Dietrich said deputies don’t generally have problems or write citations when seeking compliance if the music gets too loud, and residents often misunderstand the ordinance.

“[Some people think] the music is supposed to stop at 10 p.m. That’s not what [the ordinance] means. That just means at that time, the decibel levels are to return to normal,” Dietrich said.

Realizing the community-wide panic the agenda item had caused, Russe said days before the meeting he asked Mayor Suzanne Schauman to remove it, however she stated on social media that she would leave the agenda item as worded.

“I owe you and [City Administrator] J [Horry] a public apology for my Facebook post that might have started this,” Schauman told Russe during Thursday night’s meeting.

Schauman said she considered recusing herself from the conversation, “because I may have fueled the fire... but with things clarified, I want to move forward with a discussion,” she said.

Former Bandera Mayor Denise Griffin suggested and volunteered for a committee to discuss the ordinance and decibel levels. Schauman also volunteered to be on the committee.

In other business, council members were expected to swear in Alan Calaway - whose nomination was approved during the last council meeting - to fill a vacant seat. Council Member Rebeca Gibson objected to the appointment.

“I prefer that this sitting council not make an appointment,” Gibson said, clarifying she wanted to wait until after the election so the newly elected council members would have input.

Her motion to postpone appointment was unanimously approved.

Following an executive session, during which council members discussed a complaint filed against Russe by City Secretary Jill Shelton, Russe was ordered to coordinate his presence in City Hall and formally request documents he needs to fulfill his duties as a council member from the city administrator for the next six months.

The sanction was based on alleged evidence indicating Russe was in violation of the code of conduct for city officials and employees. In her presentation, Shelton recited part of a transcript recorded during a meeting between herself, Russe, Council Member Don Clark and Schauman.

The Prophet has submitted an open records request for the recording.