

AGENDA
NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF KEMPNER, TEXAS
August 11, 2020
6:00 PM
12288 E. Hwy 190 Kempner, Texas 76539

NOTICE IS HEREBY GIVEN that the City Council of the City of Kempner, Texas will hold its regular meeting at the above-named date, time and location for the consideration and action on all the items listed below:

1. CALL TO ORDER, CALL OF ROLL/IDENTIFICATION OF A QUORUM
2. Invocation
3. Pledge of Allegiance/Pledge to the Texas Flag

NON-ACTION ITEMS

4. Citizens Comments – Must sign in and note whether Agenda or Non-Agenda items
5. Reports
 - Police Department
 - Mayor
 - Budget Workshop

ACTION ITEMS

6. Consent Items:

All items listed under the Consent Agenda are routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered separately

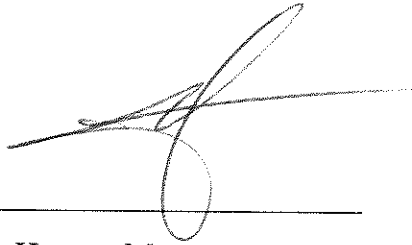
- a. Consider approval of the Accounts Payable for payment dated August 5, 2020.
- b. Consider approval of the Minutes of the Council meeting held on July 28, 2020.
- c. Consider approval of the additional \$2000.00 to the Kempner Volunteer Fire Department.

7. a. Convene into Executive Session pursuant to Section 551.071, Texas Government Code and section 1.05, Texas Disciplinary Rules of Professional Conduct on personnel matters involving former employee J. Cerda.

b. Convene into Executive Session pursuant to Section 551.074, Texas Government Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of TCOLE Certified Reserve Texas Peace Officer.

c. Reconvene from Executive Sessions with possible deliberation and actions on items discussed in the Executive Session.

8. Comments / Mayor's final comments.
9. Date of the next workshop will be August 18, 2020.
10. Adjournment



Dr. Keith L. Harvey, Mayor

I, Keith Harvey, Mayor of the City of Kempner do hereby certify that the above notice of the REGULAR Meeting of the City of Kempner City Council was posted at City Hall, 12288 East Highway 190, Kempner, Texas on the 6th day of August 2020 before 3:30 p.m.

The City council may convene into executive session on any matter related to any of the above agenda items for a purpose, such closed session is allowed under Chapter 551, Texas Government Code.

This building is wheelchair accessible. Any requests for Interpretive Services must be made 48 hours in advance of the scheduled meeting.

* The Citizen Comments: This portion of the agenda is reserved to provide citizens an opportunity to address the City Council on issues affecting the City. Citizens must sign in with City Secretary prior to meeting. Each citizen's comments are limited to a total of three (3) minutes; a total of 30 minutes has been allotted. You may speak on Agenda and Non-Agenda Items. Non-Agenda Items portion of the agenda is the citizen's opportunity to be heard at the City Council meeting and will be reserved for comments concerning city related issues not otherwise appearing on the meeting agenda.

STATE OF TEXAS *

COUNTY OF LAMPASAS *

CITY OF KEMPNER *

BE IT REMEMBERED that on August 11, 2020 the City Council met in City Hall with the following members present: Council Members Charlie Gipson, Betty Parker, John Wilkerson, Mack Ruskiewicz, Melba Vandever.

The meeting was called to order at 6:08 P.M. and the following business was conducted:

1. Roll Call – All Present
2. Mayor Harvey Led the Invocation
3. Pledge of Allegiance/Pledge to the Texas Flag

Non-Action Items

4. Citizen Comments – no comments
5. Reports

- Police Department
 - Two incidents of found property
 - One incident of harassment
 - Two incidents of theft – case closed
 - Indecency with a child – under investigation
 - Identity theft – under investigation
 - Theft over \$50 under \$500 – case closed
 - Harassment/Stalking – under investigation
 - Two cases illegal dumping – One in county, one under investigation
 - Theft of mail – under investigation
 - Disorderly Conduct – under investigation
 - 47 Calls for Service
 - Traffic Stops:
 - Total: 68
 - Violations: 58
 - Warnings: 24
 - Patrol vehicles driven 1,493 miles
 - 150.492 gallons of fuel

Any questions about the police department, direct to Chief Rodriguez

- Mayor
 - Back to school give away was a huge success. Pleasure to listen to testimonials of the people who came for them on how it was a blessing to them. Not funded by city. Mayor provided all materials. Everyone stayed within COVID-19 guidelines. Kempner memorial wall, cleaning still needs to be completed. The names will be posted on website for people to review and locate the names of those placed on the wall. Will be done this week. Several contacts by same individual about fixing the water in the city. The City Hall has no

jurisdiction over The Kempner Water Supply Company and cannot fix the water. Second question is can you clean up the city? I have been looking to give the city a facelift since elected and seated. The City will do everything in its power along with city council to aid in the clean-up of the city. The Mayor did not create a parody page for publicity. Those that did create it can think what they choose about the mayor all day long. Mr. Wilkerson, I did not create anything on your behalf. You are not that important to me. I do not go on social media; I do not play on social media. Before you go out and make false claims against me, fix yourself. My phone rings 24/7. Do not play games as council members, be professional. No one is on my mind when I leave this office. When someone takes the time out to be a keyboard warrior to go on a rampage about something that is just totally untrue you too have joined the ranks of those of false propaganda, falsehoods, evil, hatred, malice, all this crazy stuff that has filtered into the city. It is no coincidence that people that chime in with this mess are the same people that started all this other mess in 2017 which you, Mr. Wilkerson were a part of. You can come to me anytime, anywhere, and ask me anything.

- Budget Workshop

Action Items

6. Consent Items:

All items listed under the Consent Agenda are routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered separately.

- a. Consider approval of the Accounts Payable for payment dated August 5, 2020.
- b. Consider approval of the Minutes of the Council meeting held on July 28, 2020
- c. Consider approval of the additional \$2000 to the Kempner Volunteer Fire Department (KVFD).
 - Mr. Gipson made motion to discuss 6a and 6c individually, second by Mr. Wilkerson
 - Mr. Wilkerson made motion to approve 6b. Mrs. Vandever second. All in favor, none opposed.
 - Discussion of 6a.
 - Mr. Gipson questioned what was Bearcom services and GT Distributors. Chief Rodriguez stated Bearcom was for radio configurations and GT Distributors was for uniforms.
 - Mr. Wilkerson made a motion to approve 6a. Mr. Gipson second. All in favor, none opposed.
 - Discussion of 6c.
 - Mr. Gipson questioned this was the first time he heard of \$2000 being given to KVFD. Mayor informed it was based on the last budget meeting. All council members agreed to add it to the agenda to discuss.
 - Mr. Gipson questioned if the Mayor approved to put something on the budget in the last meeting.
 - Mayor clarified it was approved to be put on the agenda by himself, not the budget.
 - Mr. Gipson confirmed it was approved to be put on the agenda.
 - Mayor asked if Chief Dan Hause of KVFD reached out to Mr. Gipson.
 - Mr. Gipson stated he did receive something about it but ignored it as he was not sure it was approved to be sent by the Mayor.

- Mayor confirmed all things given to the city must go through him before it goes out to the council members. Council members confirmed Chief Hause contacted all but Mrs. Vandever. At the last meeting it was brought to the council's attention.
- Mrs. Parker stated the fire department is having trouble with trucks breaking down. It is the end of August when the department receives its annual budgeted \$2000 and wanted to note this was the third time the fire department has requested help from the city. Additional \$2000 was requested due to the new fire truck not being included in the budget.
- Mr. Wilkerson confirmed this and is in full support.
- Mayor questioned if both fire stations are manned and regarding the running of the second red engine at station 2. Discussed its use of compressed foam and if the fire department is dispatching from that station. Wants to make sure KVFD is utilizing all equipment to its full capacity as it cannot be assumed the city has the money. Everything must be accounted for per line item and currently one line item has tripled itself.
- Mrs. Parker asked if the money would be taken out of the city's savings account.
- Mayor assured her it would come from General Funds, not the savings account.
- Mr. Wilkerson made a motion to postpone until Chief Hause can attend and answer questions from the council. Mrs. Vandever second.
- Mr. Gipson asked if the action item was agreed upon at the last meeting to be placed on the agenda.
- Mayor stated three council members were approached by Chief Hause and asked to be placed on the agenda.
- Mr. Gipson was not aware that was an accepted procedure and had an additional concern if it was an exception to policy or a change to policy.
- Mayor indicated it was an exception as this is the time KVFD normally receives the budgeted \$2000.
- Mr. Gipson questioned if the Mayor was able to change the policy.
- Mayor confirmed it was an exception to policy and he has authority to place anything on the agenda as Mayor. If Mr. Gipson did not wish to have the item on the agenda, he was welcome to go through the channels to get it removed.
- Mr. Gipson wished to discuss if three or more council members were present and in agreement to add something to the agenda as opposed to emails becoming lost and confused.
- Mayor confirmed it was his choice to add it to the agenda and regretted Mr. Gipson's absence from the last meeting.
- Mr. Wilkerson stated a point of order, he agreed with Mr. Gipson further discussion was needed but that was not the current motion on the floor.
- Mayor confirmed a motion was made to postpone to next meeting. All in favor, none opposed.

7. a. Convene into Executive Session pursuant to Section 551.071, Texas Government Code and section 1.05, Texas Disciplinary Rules of Professional Conduct on personnel matters involving former employee J. Cerda.

b. Convene into Executive Session pursuant to Section 551.074, Texas Government Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of TCOLE Certified Reserve Texas Peach Officer.

c. Reconvene from Executive Sessions with possible deliberation and actions on items discussed in the Executive Session.

- Mr. Wilkerson made motion to move item 7b to the front of discussion so that he may recuse himself from discussion of item 7a. Mrs. Parker second.

Council convened to executive session at 8:02 P.M.

Council reconvened from Executive Session at 8:30 P.M.

7b. Mr. Gipson made motion to approve Chief Rodriguez recommendation to hire Mr. Rodriguez as a reserve officer. Mr. Ruskiewicz second, Mr. Wilkerson abstained. None opposed.

8. Comments/Mayor's final comments

- Mr. Wilkerson requested page numbers for future budget worksheets.
- Mayor indicated all corrections to proposed budget would be made that evening and emailed to council members.
- Mr. Ruskiewicz requested council members bring any future errors found in the proposed budget to the city's attention prior to the meeting.
- Mayor confirmed but cautioned while we want to expedite the process, we want to get it right.

9. Date of the next workshop will be August 18, 2020.

10. Motion to adjourn made by Mr. Wilkerson, Mrs. Vandever second, all in favor, none opposed. Meeting adjourned at 8:35 P.M.

ATTEST:



Tracie Martin – Court Clerk/Asst. City Secretary

APPROVED:

Dr. Keith L. Harvey – Mayor

