

AGENDA
NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF KEMPNER, TEXAS
February 23, 2021
7:00 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:

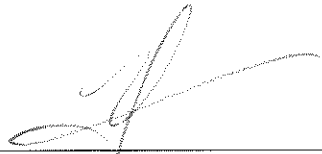
1. CALL TO ORDER, CALL OF ROLL/IDENTIFICATION OF A QUORUM
2. Invocation
3. Pledge of Allegiance/Pledge to the Texas Flag

NON-ACTION ITEMS

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

ACTION ITEMS

6. Consider approval of the minutes from the Council meeting held on February 9, 2021.
7. Comments / Mayor final Comments.
8. Date of the next regular meeting will be March 9, 2021.
9. 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 19th day of February 2021 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 February 9, 2021, the City Council met in City Hall with the following members present: Council Members Norm Parker, Jared Jones, John Wilkerson, Mack Ruskiewicz.

The meeting was called to order at 7:00 P.M. and the following business was conducted:

1. Roll Call- Melba Vandevveer - absent
2. Mack Ruskiewicz led the Invocation
3. Pledge of Allegiance/Pledge to the Texas Flag

Non-Action Items

4. Citizens Comments.

5. Reports

- Mayor's Report
- Mayor Presents Chief Rodriguez with the Cities participation in the annual Tri-County Toy Run.
- Mayor presents Sargent Major Charles Chappelle with his service to The City of Kempner by always going above and beyond at all the events we have at the Silvia Tucker Memorial Park.
- Presentation of the Purpleheart to become a Purpleheart City.
- Brian Parker presents a project for the Kempner Family Community Development Center to do at the Silvia Tucker Memorial Park.

ACTION ITEMS

6. Consider approval of the minutes for the Council Meeting held on January 26, 2021.

- Mr. Wilkerson moves to make a motion to approve the Minutes of January 26, 2021.
- Mr. Jones seconds that motion.
- Mr. Wilkerson amends his previous motion to approve the minutes with the addition that he was out due to a medical condition and that is why I missed the meeting.
- Mr. Jones seconds the amended motion.
- Three in favor of motion (Wilkerson, Jones, Parker), one against (Ruskiewicz)
- Motion Carries with the approved corrections.

7. Consider approval of accounts payable dated February 1, 2021.

- Mr. Wilkerson moves to bring it up for discussion.
- Mr. Jones seconds the discussion.
- Mr. Wilkerson states that looking at the numbers under the Bank of America- Mayor the numbers don't seem to total. So either the total is wrong or one of the bills is wrong.
- Mayor states that it was obviously a typo and will be fixed. You can still approve the Accounts Payable with the corrections and the corrections will be made and sent to all the council members.
- Mr. Ruskiewicz asks I see our audit service has been included. What is the charge on that?
- Mayor states that it was the initial payment of the thread of payments. They came out and pulled files and took interviews.
- Mr. Jones moves to approve the accounts payable with the corrections of Intuit usage and Adobe.
- Mr. Parker seconds the motion.
- Mr. Parker asks what the \$500 to Duey's Plumbing was for?
- Mayor states we had a flood at the park in the men's bathroom. The toilet broke and needed to be fixed properly.
- Mr. Wilkerson states I see we don't have the Knights Law Firm bill.
- Mayor states you will receive that tonight.
- Three in favor (Parker, Jones, Ruskiewicz), one opposed (Wilkerson)
- Motion Carries.

8. 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 Peace Officer.

9. Reconvene from Executive Session with possible deliberation and actions on item discussed in the Executive Session.

- Mr. Ruskiewicz moves to make a motion to approve Officer Rodriguez for the part-time temporary position of a Peace Officer.
- Mr. Parker seconds the motion.
- Mr. Wilkerson states I understand the need and what I would challenge the council to think about is cities all across the state have different categories of Peace Officers. In looking at the expenses that have come before the city, like having a city manager and having to put that in the budget, I think the more prudent thing to do is go ahead to pay him for his time but not as a full or part-time but pay all reserves that come in a comparable hourly rate decided by the council and get maximum participation from the

reserves and attract more reserves. We need to put that on the agenda item and approach it before we take any other action.

- Mr. Ruskiewicz states the understanding was the budget for our full-time officer is no longer with us and that has already been allocated in the budget and therefore we are talking about taking a small part of that and making it temporarily filled until we get a full-time officer. We are in a sense leaving Chief by himself and we need someone here to help him out. I hear what you're saying and I think that is something we could consider paying our reserves hourly. I'm looking at a solution that wouldn't hurt our budget at this point since we are taking a full-time position and turning it into a part-time one.
- Mr. Parker agrees with Mr. Ruskiewicz's statement.
- Mayor states like Mr. Ruskiewicz has already stated that the position is already allocated in the budget. You knew there would be challenges with hiring a city manager. The city manager has nothing to do with this position. Has nothing to do with the funds allocated. The reserves have a separate fund and we don't take it away from the full time to the reserves. The reserves have a line item and the full-time officers have a line item. We must understand how this city operates. Only two forms of revenue, sales tax and property tax. In reference to this position the funds are there and allocated as a part-time temporary position until a full-time officer has been evaluated.
- Mr. Wilkerson states that these are great comments and questions and I wanted to address a few concerns that I'm hearing. Mr. Ruskiewicz one thing you said was that we would be leaving Chief by himself and how that is unfair and what I'm challenging yall to think about is to face reality, we are not Copperas Cove or Lampasas, we do not have a big police force. I'm really concerned with us bringing on a city manager with the overages we have already seen over the past months I'm concerned where we will find ourselves in a situation where yes we have the money now it was allocated in the budget when we didn't have a city manager in the budget and now we are looking at overages and I would hate to bring in an employee and then in a couple of months tell them we have to lay them off. I think we need to utilize the reserves we already have and use the funds we have leftover to encourage the reserves to come in and work more. We have to think for the future the best we can.
- Mayor states our law enforcement is constantly running back and forth and working long hours and answer every call they get so please don't do that to our police officers. You being law enforcement I don't like that. Secondly, you knew there were going to be challenges when you voted for the city manager for the election. No one was looking into the future. No one had a plan and they still don't. There are still only two forms of revenue. Policing is a part of this city. They wanted it so now they are going to have to pay. I don't agree with looking into the future of the budget. The budget has always been tight in Kempner. When we make a decision we don't understand it is going to be challenging and don't throw any position and officer out of the way before you put your best foot forward. Let's be better.

- Mr. Ruszkiewicz states I know we did have a meeting, I believe you, Mr. Wilkerson were not at that meeting but unanimously four of the council members said we do not want to touch our police department regarding funding. The issue with the city manager isn't really an issue. The council has voted on a city manager and it has been allocated in the budget into the next budget year. That issue in a since has been resolved until the next budget year. Right now the Chief needs support he has lost a full-time employee and we have the funds for the full-time employee already. We are trying to hire a part-time employee to help with that situation. We are talking about a fix right now to help Chief.
- Three in Favor (Parker, Ruszkiewicz, Jones), One opposed (Wilkerson)
- Motion Carries.

10. Comments/ Mayor final comments.

- I want to thank the council for coming tonight and doing their due diligence. When there is no malice and only love for the city then and only then are you serving the city.

10. The date of the next regularly scheduled meeting will be February 23, 2021.

11. Adjournment. Mr. Jones moves to make a motion to adjourn, Mr. Ruszkiewicz seconds the motion.

All in Favor, Meeting adjourned.

ATTEST: _____

Hayleigh Robello –City Secretary

APPROVED: _____

Dr. Keith L. Harvey- Mayor

STATE OF TEXAS *

COUNTY OF LAMPASAS *

CITY OF KEMPNER *

BE IT REMEMBERED that on February 23, 2021, the City Council met in City Hall with the following members present: Council Members Norm Parker, Jared Jones, John Wilkerson, Mack Ruskiewicz, Melba Vandever.

The meeting was called to order at 7:10 P.M. and the following business was conducted:

1. Roll Call- Everyone was present.
2. Norm Parker Led the Invocation
3. Pledge of Allegiance/Pledge to the Texas Flag

Non-Action Items

4. Citizens Comments.

- To whom it may concern,

The Sylvia Tucker memorial park in Kempner, does not need a fence on the creek side! It will take away from the beauty that lies on the creek side! Please reconsider this!

Concerned Citizen of Kempner

Thank you & GOD bless,

Krystal Corley

5125406493

- Hello! I recently heard that theres a proposal to put a fence up at the city park in Kempner between the playground and creek. As people who love to visit the park and the creek, we'd hate to lose access. I would like to propose the idea of keeping the fence for wondering kiddos, etc., but add a gate for those that love going to the creek too. If there's no gate, we'd hate to see a fence be put up. I appreciate you taking the time to listen to my idea, and hope you guys decide to go with it

Lauren Ball

- Good morning ladies and gentlemen,

It was brought to my attention today that the city of Kempner is voting to fence off access to Taylor Creek in the Sylvia Tucker Memorial Park. Although not a current resident of Kempner, I grew up there and this park is named for my mother. As I'm sure you're all aware, the land for this park was donated by our good friend, the late Col Walter Prugh. Both my mother and Judge Prugh loved the natural beauty of our great city. I can't speak to what their wishes would be on this proposal, but I do know that much of what I learned about Texas flora and fauna, and some of my sweetest memories, are from

the time I spent as a child exploring Taylor Creek. It would be a shame to now restrict that experience from residents of Kempner, both young and old. As our cities and populations grow around the country, areas like this with access to the nature God has so richly provided for us are getting more and more scarce. It is for that reason that I respectfully ask the council to vote against restricting access to the creek within the park. If child safety is a concern, I believe a reasonable compromise would be to put a protective fence in place (a pretty one that adds to the beauty of the park), but add an access gate that would allow older children and adults to still enjoy the beauty of the creek while protecting their smaller children from unfettered access. Thank you for serving the City of Kempner, My mother was a member of the first Kempner City Council and she would be proud that we still have citizens and residents who care enough to serve their city. I am grateful to the City Council and the residents of Kempner for the upkeep of this park and for continuing to honor her memory in this way.

God bless you all,

Diane (Tucker) Pavelin

SMSGt (ret.), US Air Force

5. Reports

- Mayor's Report- The City park is currently closed due to a major water leak. Because of the ice storm, there have been several breaks in the plumbing at the park and at City Hall. We have a plumber coming to fix it and we are trying to do it as quickly and safely as possible. I also want to thank Chief Rodriguez for all his diligence during the ice storm he was out patrolling for numerous hours to ensure everyone was safe. I also thank him for the care along with others he provided to Mr. Robinson during his unfortunate accident.
- Presentation for a new business from David Thomas.

ACTION ITEMS

6. Consider approval of the minutes for the Council Meeting held on February 9, 2021.

- Mr. Wilkerson moves to make a motion to approve the meeting minutes from February 9, 2021.
- Mr. Jones seconds
- All in favor, motion carries

7. Comments/ Mayor's Final Comments.

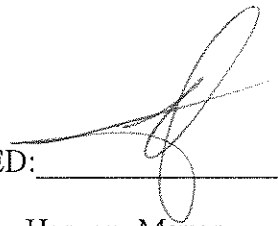
- Mayor states again please be patient as we work diligently to reopen the park I know many people love our park and we are doing our best to get it repaired right and open the park as soon as possible.

8. The date of the next regularly scheduled meeting will be March 9, 2021.

9. Adjournment. Mr. Wilkerson makes a motion to adjourn. Mr. Parker Seconds. All in favor, Meeting Adjourned.

ATTEST: 

Hayleigh Robello –City Secretary

APPROVED: 

Dr. Keith L. Harvey- Mayor

ACCOUNTS PAYABLE 1 March 2021

<u>NAME OF COMPANY</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
BANK OF AMERICA	City of Kempner- Chief Rodriguez Shell Oil - \$24.25 Shell Oil - \$24.00 Shell Oil - \$32.00 Shell Oil - \$29.50 Shell Oil - \$24.00 Shell Oil - \$8.00 Shell Oil - \$31.00 Shell Oil - \$27.00 Texaco - \$33.48 ExxonM - \$19.00 USPS - \$16.00 USPS - \$7.80 SIRCHIE- \$31.30 Discount Fire - \$283.75	\$591.08
BANK OF AMERICA	City of Kempner- Officer Sowder Shell Oil - \$33.04	\$33.04
BANK OF AMERICA	City of Kempner – Mayor Intuit usage - \$10.80 ADOBE \$16.00	\$26.80
CENTURYLINK	City Services	\$383.20
DUEY'S PLUMBING	Service Call	\$85.00
WELLS FARGO	Services	\$85.00
KEMPNER WATER SUPPLY CO.	City Services	\$199.36
HAMILTON ELECTRIC	City Services	\$465.25
BBVA	YTD Interest	\$3623.70
FIRSTNET	Services	\$165.74
KNIGHT LAW FIRM	City Attorneys	\$1169.00
<u>Total</u>		<u>\$ 6827.17</u>

APPROVED: _____
Dr. Keith L. Harvey-Mayor

ATTESTED: _____
Hayleigh Robello – City Secretary