

**CITY OF KEMPNER
P. O. BOX 660
KEMPNER, TX 76539**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL WILL CONVENE IN REGULAR SESSION AT 7:00 P.M., MAY 28, 2019, IN COUNCIL CHAMBERS, CITY HALL, 12288 E. HWY 190, KEMPNER, TEXAS.

AGENDA

1. Call meeting to order.

NON-ACTION ITEMS

2. Judge Isenhour to present plaques to Mayor, Bob Crane, and Clifton Morse.
3. Presentation of Certificate of Election for Mayor-Elect.
4. Present Mayor-Elect with the Statement of Elected Officer.
5. Mayor Crane will administer the Oath of Office for Mayor-Elect.
6. Citizen's Communication – three (3) minutes are allowed to address the council.
CITIZENS MUST SIGN IN WITH CITY SECRETARY PRIOR TO MEETING.

ITEMS FOR ACTION BY COUNCIL

7. Discussion and possible action of minutes from the regular meeting held May 14, 2019.
8. Discussion and possible action on the accounts payable for payment dated May 24, 2019.
9. Presentation by Fire Chief Dan Hause of the Kempner Volunteer Fire Department regarding ESD (Emergency Services District).
10. Discussion and possible action concerning Resolution R-2019-05-28-001. Fire Chief Dan Hause, Kempner Volunteer Fire Department will present information concerning the creation of a Lampasas County Emergency Services District # 1.
11. Discussion and possible action concerning TML (Texas Municipal League) training for new Council Members and Mayor.
12. Discussion and possible action concerning the removal of Carolyn Crane from all bank accounts for the City of Kempner.
13. Discussion and possible action concerning the addition of Dr. Keith L. Harvey as an additional signatory on all City of Kempner bank accounts excluding Police Forfeiture Account.
14. Discussion and possible action concerning the resignation of Bob Crane as Park Coordinator, effective 5/28/2019.
15. Discussion and possible action concerning the addition of Council Agendas and Minutes for the past two years being added the City's website.

NON-ACTION ITEMS

16. Items by Mayor:
 - a. The next meeting will be at 7:00 P.M., June 11, 2019, in council chambers.
 - b. Road issues at FM 2313 and the railroad tracks. TXDOT was notified on 05/15/2019 about the problem.

ITEM FOR ACTION BY COUNCIL

17. Adjourn.

If, during the course of the meeting, discussion of any item on the agenda should be held in closed meeting, the Council will conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551: Litigation and Attorney Consultation 551.071; Real Property 551.072; Contract for Gift to City 551.073; Personnel Matters 551.074; Deliberation regarding Security Devices 551.076; Before any closed meeting is convened, the presiding official will publicly identify the section or sections of the ACT authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

CERTIFICATION OF POSTING

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT KEMPNER CITY HALL, KEMPNER, TEXAS ON THIS THE 24TH DAY OF MAY, 2019, BEFORE 3:30 P.M.



Stacy Roberts, City Secretary



KEMPNER VOLUNTEER FIRE DEPARTMENT INC.

Kempner, Texas 76539

512-932-3993

05-14-2019

City of Kempner
Attn: Mayor and City Council
12288 E. Hwy 190
P.O. Box 660
Kempner, Texas 76539

Re: Petition for Creation of Lampasas County Emergency Services District No. 1 and request for City Consent

Dear Mayor Harvey and City Council Members:

Dan Hause, Richard A. Rowland, and Patrick Moore ("Petitioners") have filed the attached petition for creation of Lampasas County Emergency Services District No. 1 (the "District") with the Lampasas County Commissioners Court ("Court"). The District is proposed for the purpose of funding emergency medical services in the area by a constitutionally capped property tax not to exceed \$0.10 per \$100 of assessed valuation. The Court has accepted the petition and will hold a public hearing on July 16, 2019 to consider whether to grant the petition and call an election to allow the voters to decide whether to create the District. Because a portion of the proposed District is within the City of Kempner's city limits and extraterritorial jurisdiction ("Kempner Jurisdiction"), the City must consent to the inclusion of this area within the District before the Kempner Jurisdiction may be included within the District (Texas Health & Safety Code §775.014). This letter serves as a formal request that the City consent to creation of the proposed District and allow the District to include the Kempner Jurisdiction.

The Petitioners respectfully request to be placed on the City's agenda as soon as possible, and before July 12, 2019, at the latest, under an item titled, "Discuss and consider consenting to creation of the proposed Lampasas County Emergency Services District No. 1."

A map of the District and the metes and bounds description are included in the attached petition.

The Petitioners respectfully request that you consent to including the Kempner city limits and extraterritorial jurisdiction in Lampasas County Emergency Services District No. 1 by adopting a resolution similar to the attached and approving the request in writing.



KEMPNER VOLUNTEER FIRE DEPARTMENT INC.

Kempner, Texas 76539

512-932-3993

If you have any questions or concerns, please do not hesitate to contact me at (512) 525-2430.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Hause", written over a horizontal line.

Dan Hause

cc: John Carlton, The Carlton Law Firm, P.L.L.C.

Enc.

**PETITION FOR CREATION OF AN
EMERGENCY SERVICES DISTRICT**

THE STATE OF TEXAS

COUNTY OF LAMPASAS

§
§
§
§
§

IN THE COMMISSIONERS COURT

OF

LAMPASAS COUNTY, TEXAS

TO THE HONORABLE COUNTY JUDGE AND COMMISSIONERS OF THE COURT:

NOW COME 100 or more qualified voters who own taxable real property in Lampasas County, Texas, pursuant to Texas Health & Safety Code, Section 775.011, requesting the creation of an Emergency Services District and would respectfully show the following:

I. CREATION AND OPERATION

The proposed new Lampasas County Emergency Services District ("District") will be created and operated under the provisions of Article III, Section 48-e of the Constitution of Texas and Chapter 775 of the Health & Safety Code ("Code") of the State of Texas.

II. NAME AND NUMBER

The name of the proposed District is "LAMPASAS COUNTY EMERGENCY SERVICES DISTRICT NO. 1."

III. AREA OF DISTRICT

That the area of the District does not overlap with any existing emergency services district and will generally include all or portions of the city limits of the City of Kempner and portions of the extraterritorial jurisdiction of the City of Copperas Cove that is within the boundaries of Lampasas County. Incorporated cities in the District include the City of Copperas Cove and the City of Kempner. The boundaries of the District are more particularly described by the description

attached as Exhibit "A", which is attached hereto and incorporated herein for all purposes and generally shown on the attached sketch in Exhibit "B".

SERVICES TO BE PROVIDED

The District will provide emergency fire services in response to any emergency situation in accordance with the authority granted to emergency services districts under Chapter 775 of the Texas Health & Safety Code.

IV. COMPLIANCE WITH CODE

The creation of the District complies with Sections 775.025 of the Texas Health & Safety Code.

V. PETITIONERS

That Dan Hause, who resides at 162 County Road 4693 Kempner, Texas 76539, Richard A. Rowland, who resides at 1295 County Road 3300 Kempner, Texas 76539, and Patrick Moore, who resides at 615 County Road 3300 Kempner, Texas 76539, (collectively, "Petitioners"), agree and obligate themselves to pay the cost incident to the formation of the District, including the costs of publishing notices, election costs, and other necessary and incidental expenses, such cost not to exceed one hundred fifty (\$150.00) dollars for Lampasas County.

VI. CITIES AFFECTED

The Cities of Copperas Cove and Kempner are the only municipalities whose consent must be obtained under Section 775.014 of the Code.

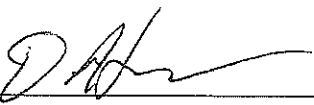
VII. SIGNATURES REQUIRED

The signatures required by Section 775.011(a) of the Code for the creation of the District are attached hereto as Exhibit "C" and are incorporated herein by reference.

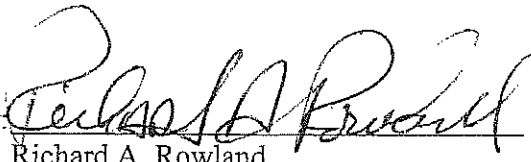
WHEREFORE, PREMISES CONSIDERED, Petitioners pray that such notices be issued by the County Clerk of Lampasas County as required by law; that a public hearing be held on this petition in the county; that a copy of this petition be sent to Lampasas County Emergency Services District No. 1 together with a request for a statement of services; and, that after the hearing, the Commissioners Court of Lampasas County grant this petition and call a special election regarding the creation of the new District.

RESPECTFULLY SUBMITTED this 12 day of April, 2019.


PETITIONERS:

By: 

Dan Hause

By: 

Richard A. Rowland

By: 

Patrick Moore

Exhibit "A"

Boundary Description of Proposed Lampasas County Emergency Services District No. 1

BEGINNING at the intersection of the boundaries of Lampasas County, Bell County and Coryell County.

THENCE westerly and southerly along the boundary line between Lampasas County and Bell County to a point of intersection the Burnet County Line

THENCE westerly along the boundary line between Lampasas County and Burnet County to a point of intersection with the east right-of-way line of Farm Road 3170

THENCE northerly along the eastern right-of-way line of Farm Road 3170 to a point of intersection with the eastern right-of-way line of County Road 4390

THENCE northerly and westerly along the eastern right-of-way line of County Road 4390 to a point of intersection with the southern right-of-way line of US-190

THENCE northerly and easterly along the southern right-of-way line of US-190 to a point of intersection with the eastern right-of-way line of Farm to Market Road 1715

THENCE northerly and westerly along the eastern right-of-way line of Farm to Market Road 1715 to a point of intersection with the eastern right-of-way line of County Road 3100

THENCE northerly along the eastern right-of-way line of County Road 3100 to a point of intersection with the southern right-of-way line of Farm to Market Road 580

THENCE easterly along the southern right-of-way line of Farm to Market Road 580 to a point of intersection with the eastern right-of-way line of Farm to Market Road 2527

THENCE northerly along the eastern right-of-way line of Farm to Market Road 2527 to a point of intersection with the southern right-of-way line of Farm Road 1690

THENCE northerly and easterly along the southern and eastern right-of-way line of Farm Road 1690 to a point of intersection with the southern right-of-way line of County Road 3665

THENCE northerly and easterly along the southern and eastern right-of-way line of County Road 3665 to a point of intersection with the eastern right-of-way line of Farm Road 1690

THENCE northerly and easterly along the southern right-of-way line of Farm Road 1690 to a point of intersection with the southern right-of-way line of County Road 3640

THENCE southerly and easterly along the southern right-of-way line of County Road 3640 to the eastern boundary line of Lampasas County.

THENCE southerly along eastern boundary line of Lampasas County to the point of beginning.

SAVE AND EXCEPT FOR

The areas located within the city limits of the City of Copperas Cove as they exist on the date the Lampasas Emergency Service District No. 1 Petition is approved by the Commissioners Court of Lampasas County, Texas.

Exhibit B
Map of Proposed
Lamparas County Emergency Services District No. 1

[ATTACHED]

Stacy Roberts

From: John Wilkerson <jwforkempnertx@gmail.com>
Sent: Sunday, May 19, 2019 11:01 AM
To: Stacy Roberts
Subject: Council Agenda item Request-Newly Elected.Official Training

Hello Stacy,

I am not sure if there are any resolutions in place by the council in the past regarding a policy or procedure in getting newly elected officials into some of the training offered by the Texas Municipal League (TML). If there is, would you be so kind as to send that to me please.

I located where TML is offering two upcoming training courses for newly elected officials. If there is nothing already in place by the City regarding getting newly elected Aldermen to these trainings, can we get an item placed on the next agenda for this coming meeting regarding the discussion and possible action taken on sending the newly elected officials to this training?

Thank you.

John Wilkerson
Alderman, City of Kempner TX.

Mr. Richardson has gone to training, he paid for it with his own money.

TML Newly Elected City Officials' Orientation

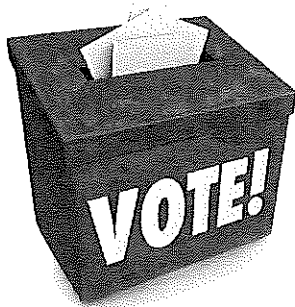
You've got questions...we've got answers.

July 18-19 • Round Rock

August 15-16 • San Antonio

Navigation

Welcome



Congratulations...you won the election! But NOW what?

The Texas Municipal League (TML) and the Texas Association of Mayors, Councilmembers and Commissioners (TAMCC) want to help you begin your public service with confidence. This program will guide you through the most fundamental areas of city government, help you side-step potential pitfalls, and give you the resources needed to maximize your impact as a city leader.

We applaud your decision to answer the call to public service, and look forward to helping you navigate your role and responsibilities as a Texas city councilmember.

To better accommodate the schedules of our members, we are offering this workshop twice.

TML Newly Elected City Officials' Orientation

All Rights Reserved



TML Newly Elected City Officials' Orientation

You've got questions...we've got answers.

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Navigation 

Program

Sessions are subject to change.

Day 1

7:30–8:00 a.m.	Registration and Continental Breakfast
8:00–8:10 a.m.	Welcome
8:10–9:10 a.m.	Keynote – Be an Inspired Leader!
9:10–9:30 a.m.	Break
9:30–10:30 a.m.	Parliamentary Procedure: Being Aware of the Key Rules
10:35–11:35 a.m.	Understanding Your Financial Oversight Responsibilities
11:35 a.m.–12:35 p.m.	Networking Lunch
12:35–1:35 p.m.	Governing Ethically: Understanding Your Influence
1:40–2:40 p.m.	Fundamentals of City Regulation
2:40–2:55 p.m.	Break
2:55–3:55 p.m.	Council-Staff Relations: Building an Effective Partnership
4:00–5:00 p.m.	Interacting Constructively with the Media

Day 2

7:30–8:00 a.m.	Continental Breakfast
8:00–9:00 a.m.	Your City's Revenue Sources and Economic Development
9:00–9:10 a.m.	Break
9:10–10:10 a.m.	Texas Public Information Act Required Training
10:10–10:20 a.m.	Break
10:20–11:50 a.m.	Texas Open Meetings Act Required Training



TML Newly Elected City Officials' Orientation

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Navigation ☰

Registration

The registration fee includes access to handouts online, refreshments, continental breakfast and lunch on the first day of training, and continental breakfast on the second day of training.

Click on your preferred date and location to register online.	Register Online	Register by Mail or Onsite	Non-Member Rate
July 18-19 ~ Round Rock	\$175	\$225	\$250
August 15-16 ~ San Antonio	\$175	\$225	\$250

To register by mail, click on [print registration form](#).

Guests: This event is open only to registered attendees and is not open to guests. If special circumstances require bringing a guest, please contact us at newlyelected@tml.org for more information and pricing.

Confirmations: Confirmations will be emailed to you if you provide an email address. Workshop badges will be mailed to all delegates registered up to one week before the workshop.

Cancellation and Substitution Policy

If you are registered and cannot attend, we encourage you to send a substitute. If you cannot send a substitute, a \$45 cancellation fee will be assessed if cancellation is emailed to acct@tml.org by July 4 for the orientation in Round Rock, or August 1 for the orientation in San Antonio.

Transfer Policy

If you cannot attend and need to transfer to the same event on a different date, your request must be received in writing to acct@tml.org by July 4. Transfers are only allowed once. Please note that no refunds or transfers to other events will be honored after the cancellation date. Substitutions are always accepted.

Questions: Please contact us at 512-231-7400 or newlyelected@tml.org.

TML Newly Elected City Officials' Orientation

All Rights Reserved

Round Rock
Austin Marriott North = \$99
TRAVEL \$68.21 = 342.21
+ evening meal

San Antonio
Hyatt Regency = \$159
TRAVEL 139.92 = 473.92
+ evening meal

total for 3 new - Approx - 1026.63

City of Kempner-General Fund
 Administrative Department
 Statement of Revenues and Expenditures
 For the One Month and Seven Months Ended
 April 30, 2019

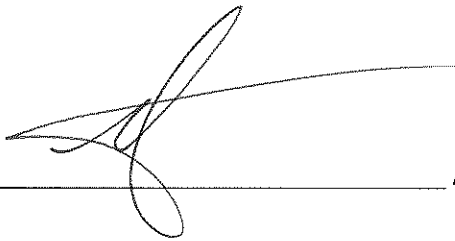
	CURRENT PERIOD	YTD ACTUAL	ANNUAL BUDGET	VARIANCE
Revenues				
Sales & Use Tax	6,275.68	46,384.04	83,000.00	(36,615.96)
Ad Valorem Tax	1,241.53	63,762.25	71,260.00	(7,497.75)
Delinquent Taxes	57.47	465.21	1,050.00	(584.79)
Franchise Fees	4,725.76	29,750.66	50,200.00	(20,449.34)
Interest Income	326.04	2,271.58	1,500.00	771.58
Building Permits	0.00	450.00	900.00	(450.00)
Miscellaneous Revenue	0.00	0.00	350.00	(350.00)
Total Revenues	<u>12,626.48</u>	<u>143,083.74</u>	<u>208,260.00</u>	<u>(65,176.26)</u>
Expenditures				
Salaries	3,806.08	23,483.26	52,550.00	29,066.74
Advertising	48.60	164.40	250.00	85.60
Website Fees	75.00	525.00	1,075.00	550.00
Bank Charges	0.00	0.00	50.00	50.00
Election Expense	0.00	0.00	4,200.00	4,200.00
Freight & Postage	27.50	86.70	130.00	43.30
Insurance	418.31	1,097.92	1,500.00	402.08
Professional Fees	7,400.00	12,014.23	19,065.00	7,050.77
Misc. Expense	16.00	217.59	400.00	182.41
Membership Fees	0.00	708.00	850.00	142.00
Office Supplies	196.82	426.66	730.00	303.34
Office Equipment	(181.43)	67.53	1,200.00	1,132.47
Lease Maintenance Contract	43.55	260.90	625.00	364.10
Janitorial	90.24	631.68	1,083.00	451.32
Janitorial Supply	3.35	29.13	90.00	60.87
Repairs & Maintenance	180.00	1,880.66	3,000.00	1,119.34
Payroll Taxes	406.29	2,014.10	3,414.00	1,399.90
Unemployment Taxes	10.93	137.48	383.00	245.52
Travel & Training	0.00	477.03	500.00	22.97
Travel Monthly Reimbursement	55.68	400.14	550.00	149.86
Fire School	0.00	0.00	2,200.00	2,200.00
Telecommunications	126.04	577.99	1,200.00	622.01
Utilities	118.45	887.63	1,833.00	945.37
Total Expenditures	<u>12,841.41</u>	<u>46,088.03</u>	<u>96,878.00</u>	<u>50,789.97</u>
Net Excess (Deficit)	<u>(214.93)</u>	<u>96,995.71</u>	<u>111,382.00</u>	<u>(14,386.29)</u>

ACCOUNTS PAYABLE MAY 24, 2019

<u>NAME OF COMPANY</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	
ADVANCED TERMITE & PEST SOLUTIONS	Pest Control	\$ 65.00	
AREA WIDE LOCKSMITH	Repair to Safe Door	\$ 79.00	
AWARDS GALLERY	Engraved Nametag	\$ 13.90	
BANK OF AMERICA	Gaby's Card - Gas for Police Vehicle and Training	\$ 262.92	
BANK OF AMERICA	Jesse's Card - Gas for Police Vehicle	\$ 158.37	
BANK OF AMERICA	Stacy's Card - Postage, Budget Training, Court Clerk Training, Notary, Office & PD Supplies and Adobe	\$ 669.47	
CAROLYN CRANE	Engraved Nameplate - Reimbursement	\$ 36.00	
DAVID BROWN CONSTRUCTION	Pothole Repair on Pecan Street	\$ 500.00	PAID
THE KNIGHT LAW FIRM, LLP	Court Matters	\$ 225.00	
LAMPASAS CENTRAL APPRAISAL DISTRICT	Third Quarter Payment	\$ 500.11	
MCCREARY, VESELKA, BRAGG & ALLEN PC	Collection Agency for Court	\$ 227.76	
SINGLETON, CLARK AND COMPANY, PC	Audit 2018	\$ 1,660.00	
TEXAS COLORADO RIVER FLOODPLAIN COALITION	2019 Membership Dues	\$ 250.00	
TOTAL		<u>\$ 4,647.53</u>	

Approved _____

Attested _____




STATE OF TEXAS *
COUNTY OF LAMPASAS *
CITY OF KEMPNER *

BE IT REMEMBERED that on May 28, 2019, the City Council met in a regular session with the following members present: Mayor Carolyn Crane, Council Members David Richardson, Don Casper, John Wilkerson, Mack Ruszkiewicz and Melba Vandever.

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

Judge Isenhour presented Clifton Morse, Bob Crane and Mayor Crane with plaques, thanking them for their service to the City of Kempner.

City Secretary Stacy Roberts presented Dr. Keith L. Harvey with his Certificate of Election.

Dr. Keith L. Harvey signed his Statement of Officer.

Judge Isenhour administered the Oath of Office for Mayor of the City of Kempner to Dr. Keith L. Harvey.

Mayor Harvey stated that the Citizens comments has been moved to the front of the meeting. He wants to hear from the Citizens first.

No Citizens signed in to speak.

The first item on the Agenda is the minutes from May 14, 2019. City Secretary stated that there was one change. On the last page, the Mayor's name was changed to Dr. Keith L. Harvey. Council Member Wilkerson made a motion to approve the minutes from the regular meeting held May 14, 2019, with one request. He would like to have page numbers, 1 of 1 on the bottom of the page. Council Member Richardson seconded the motion. Motion carried.

Council Member Casper made a motion to approve the accounts payable dated May 24, 2019. Council Member Vandever seconded the motion. Council Member Wilkerson had a question as to why the training on Officer Pena's card was not itemized and what training did Officer Pena attend? City Secretary said that it was bailiff training and all training would be itemized from now on. Motion carried.

Dan Hause from the Kempner Volunteer Fire Department spoke about the creation of the Lampasas County Emergency Services District # 1. He would like to ask the City Council for the City's consent to form an ESD. The creation of the ESD will allow the City to grow and continue to receive fire protection. The ESD will provide much-needed equipment and training. Chief Hause said that KVFD averages 300 calls a year. The response time can be up to 25 minutes. The KVFD will present this to the Lampasas County Commissioners Court then it will be decided by the voters.

Council Member Wilkerson made a motion to approve to Resolution R-2019-05-28-001, with the modification of adding the # 1 by the following the words Lampasas Emergency Service District # . The number one was left off. Council Member Casper seconded the motion. Motion carried.

Council Member Wilkerson made a motion that the Council adopts guidelines for the formal education of new and existing Council Members. Council Member Richardson seconded the motion. Council Member Casper asked where the funds this for training coming from. Mayor Harvey stated funds for the training would come from the current budget under the training section. At this time there are not funds available to send the Council and the Mayor. Mr. Richardson has been through the training (he paid for it himself) and

there could be a possibility that he help educate the other Council Members. Council Member Wilkerson asked it if Council Member Richardson was a certified trainer for the Texas Municipal League? Mr. Richardson is not a certified trainer. Council Member Ruskiewicz state that with the current budget, he will not be attending the training at this time. The vote was as follows: Place I - against, Place II – against, Place III-for, Place IV - against, Place V – against. The vote is 1 to 4. Motion failed.

Council Member Casper made a motion to remove Mayor Carolyn Crane from all City bank accounts. Council Member Ruskiewicz seconded the motion. Motion carried.

Council Member Wilkerson made a motion to add Mayor Keith Harvey to all City bank accounts excluding the Police Forfeiture Account. Council Member Vandever seconded the motion. Motion carried.

Council Member Richardson made a motion to accept the resignation of Bob Crane as the Sylvia Tucker Memorial Park Coordinator. Council Member Casper seconded the motion. Motion carried.

Council Member Wilkerson made a motion to amend possible action concerning the addition of Council Agendas and Minutes for the past two years being added to the City's website. The motion is amended to maintain two years of Agenda's and approved minutes, starting in May on the website. Council Member Vandever seconded the motion. Council Member Ruskiewicz asked how it would affect the budget? Mayor Harvey replied that if we were to put the past two years on the website, it would cost \$500.00. If we started now the cost would be \$50.00 at the end of the year. Council Member Casper asked why this was necessary? Council Member Wilkerson stated that this is to keep the Council accountable. This is so the Citizens of Kempner can go back and view the minutes and see how the Council voted. Council Member Casper asked the City Secretary how long the items are kept. The City Secretary replied that the information is kept for years and is available thru an open request. The vote was as follows: Place I - against, Place II – against, Place III - for, Place IV - against, Place V – against. The vote is 1 to 4. Motion failed.

Mayor Harvey made the following announcements:

- a. The next council meeting will be June 11, 2019, at 7:00 P.M. in council chambers.
- b. The road issues at FM 2313 and the railroad tracks was reported to TXDOT on May 15, 2019.

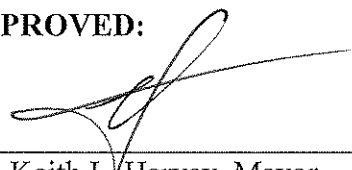
Council Member Casper made a motion to adjourn. Council Member Richardson seconded the motion. Motion carried. The meeting adjourned at 7:40 P.M.

ATTEST:



Stacy Roberts, City Secretary

APPROVED:



Dr. Keith L. Harvey, Mayor