

**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., JUNE 25, 2019, IN COUNCIL CHAMBERS, CITY HALL, 12288 E. HWY 190, KEMPNER, TEXAS.

AGENDA

1. Call meeting to order.

NON-ACTION ITEMS

2. Citizen's Communication – three (3) minutes are allowed to address council.
CITIZENS MUST SIGN IN WITH CITY SECRETARY PRIOR TO MEETING.

ITEMS FOR ACTION BY COUNCIL

3. Discussion and possible action concerning the minutes from the workshop held June 11, 2019
4. Discussion and possible action concerning the minutes from the regular meeting held June 11, 2019.
5. Discussion and possible action concerning the accounts payable for payment dated June 21, 2019.
6. Discussion and possible action concerning the Financial Statements for the period ending May 31, 2019.
7. Discussion and possible action concerning approval of Resolution No. 2019-0424, Kempner Water Supply Corporation 2% franchise fee.
8. Discussion and possible action concerning the reimbursement to Bobby Carroll of 50% of a shared fence put up in 2015, the total cost is \$1250.00
9. Discussion and possible action concerning landscaping project of the memorial in Sylvia Tucker Memorial Park.
10. Discussion and possible action concerning landscaping project at City Hall.
11. Discussion and possible action concerning stonework to stop run off of mulch at City Hall.
12. Discussion and possible action concerning reconstruction of Welcome to Kempner signs.
13. Discussion and possible action concerning the resignation of e-Designs Plus as the website provider for the City of Kempner effective December 31, 2019.
14. Discussion and possible action authorizing Mayor and City Staff to look for a new website provider.
15. Discussion and possible action concerning Park Use Ordinance 2019-06-25-001, rules and regulations, amending Park Use Ordinance 2010-02-09-001 and any recommend revisions.
16. Discussion and possible action concerning the establishment and building of a Dog Park in Sylvia Tucker Memorial Park.
17. Discussion and possible action concerning purchase and installation of Dusk to Dawn lights for Sylvia Tucker Memorial Park.

NON-ACTION ITEMS

18. Items by Mayor:
 - a. Kempner Police Department May Report.
 - b. The next meeting will be at 7:00 P.M., July 9, 2019, in council chambers.

ITEM FOR ACTION BY COUNCIL

19. 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

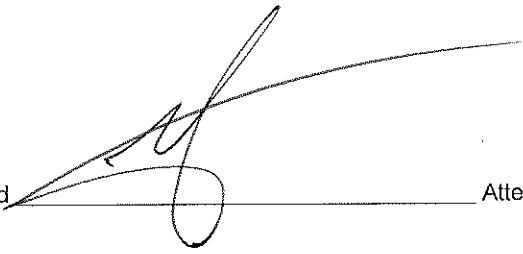
I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT KEMPNER CITY HALL, KEMPNER, TEXAS ON THIS THE 21ST DAY OF JULY, 2019, BEFORE 3:30 P.M.


Stacy Roberts, City Secretary

ACCOUNTS PAYABLE JUNE 21, 2019

<u>NAME OF COMPANY</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
BANK OF AMERICA	Gaby's Card - Gas for Police Vehicle (2015)	\$ 314.20
BANK OF AMERICA	Jesse's Card - Gas for Police Vehicle and Antifreeze for Police Vehicle (2012)	\$ 150.33
BANK OF AMERICA	Stacy's Card - Name Plates, Postage, Mail Box Rent 1 year, Business Cards, Adobe, Jackrabbit and Antelope Street Signs, Hard Drive for Revo Machine, Cleaning Supplies	\$ 676.93
CENTURYLINK	May and June Phone and Internet	\$ 583.79
CHERYL JOUETTE	Vendor Permit Refund	\$ 10.00 PAID
ELECTION SERVICES	May 4, 2019 Election	\$ 3,163.08
GARRETT BREWER	Storm Repair - Tree Removal From Peach St. and Street Sign Repair	\$ 300.00 PAID
HILL COUNTRY PUBLISHING CO. INC.	Ordinance 2019-05-14-001 Public Notice	\$ 29.40
KNIGHT LAW FIRM	City Matters: Kempner Water Franchise, City Council Appointments, & Final Gaming Ordinance	\$ 1,320.00
KNIGHT LAW FIRM	Court Matters	\$ 450.00
LISA HARVEY	Storm Repair - Removed Down Trees in Park	\$ 300.00 PAID
MCCREARY, VESELKA, BRAGG & ALLEN, PC	Collection Agency for Court	\$ 285.63
PB ELECTRONICS INC.	Radar for Police Department	\$ 2,415.00
TOTAL		\$ 9,998.36

Approved



Attested



STATE OF TEXAS
COUNTY OF LAMPASAS
CITY OF KEMPNER

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BE IT REMEMBERED that on June 25, 2019, the City Council met in a regular session with the following members present: Mayor Keith Harvey, Council Members David Richardson, John Wilkerson, Mack Ruskiewicz and Melba Vandever.

The meeting was called to order at 7:03 P.M. and the following business was conducted:

Mayor Harvey gave out several Certificates of Appreciation for the help with the Kempner Pickett Fest. Certificates were given to Ms. Campbell, Mr. Rodgers, Mr. Ruskiewicz, Mr. Richardson, Bryan Roberts, Stacy Roberts, and Stan Harvey.

Mayor Harvey gave out Certificates of Appreciation for help with the cleanup from the storm on June 9, 2019. Certificates were given to the Kempner Volunteer Fire Department, Mr. Wilkerson, Stan Harvey, Bryan Roberts, and Stacy Roberts. Mayor Harvey thanked Judge Isenhour for helping to clear trees in the park.

Wayland Allen of 515 CR 3350, Kempner signed in to speak. Mr. Allen stated that he was disturbed about the way that he was confronted by the Mayor. Mr. Wayland expressed his view about the Mayor not speaking to him regarding an item on the Agenda. He tried to call TML but was told that they could not give him advice on this issue because he was a citizen. He has further researched the issue and found that many elected officials met with the public. He stated that this community will no longer accept a government that does not listen to the people. Mayor Harvey said that he has spoken with TML and the City Attorney and he does not have to discuss anything with a citizen. It is his choice.

Vance Rodgers of 586 Pecos, Kempner signed in to speak. Mr. Rodgers said that he would like to donate his time to Anelicia Campbell.

Anelicia Cheney-Campbell of 586 Pecos, Kempner signed in to speak. Ms. Campbell said that she is addressing the Council representing the organization Citizens of Kempner. They are in the process of getting their non-profit status. Their mission is to bring the community together and to hold the elected officials accountable for their actions and to stop the City from just doing the bare minimum. Ms. Campbell has several concerns she would like to address.

1. She would like to request that microphones be purchased for the Council Chambers.
2. The Flea Market has been asked to hide behind trees and the City does not like the Flea Market.
3. Several residents have been defrauded from the storm cleanup. Can the City investigate an ordinance that would require a permit after a disaster or a least a list of reputable companies to deal with storm clean up?
4. Citizens have been offended by the City of Kempner Facebook page because it has a picture of one person as the profile picture, not pictures of the City.
5. Pictures on the Facebook page of a dog park and skate park are misleading.
6. City Officials are unavailable to the citizens of Kempner and they should not block residents on the City of Kempner Facebook page.

Council Member Wilkerson made a motion to approve the minutes from the workshop dated June 11, 2019. Council Member Vandever seconded the motion. Motion carried.

Council Member Richardson made a motion to approve the minutes from the regular meeting dated June 11, 2019. Council Member Ruskiewicz seconded the motion. Motion carried.

Council Member Richardson made a motion to approve the accounts payable dated June 21, 2019. Council Member Vandever seconded the motion. Council Member Wilkerson asked if the payment for the tree on Peach street was for the removal of the tree. Mayor responded that yes it was for the removal of the tree. Council Member Ruskiewicz said there are still a lot of trees cut up on the ground and asked if they are going to be removed. Mayor Harvey responded that it was cut up for firewood and would be removed if no one took it. Motion carried.

Council Member Wilkerson made a motion to approve the financial statement as presented. Council Member Richardson seconded the motion. Motion carried.

Council Member Ruskiewicz made a motion to approve the Kempner Water Supply Corporation Resolution No: 2019-0424. Council Member Vandever seconded the motion. The franchise fee is 2% and a continuation. This has been going on for a long time and this is the outcome. Council Member Wilkerson asked if we need to do an ordinance or if the Resolution will suffice? The City Secretary stated that the attorney said that if the Resolution is approved in the minutes that will be good. Motion carried.

Council Member Wilkerson made a motion to reimburse Bobby Carroll for \$1250.00. Council Member Richardson seconded the motion. Council Member Richardson said that he understood that this has been going on for a long time. Is this fence on the property? Was it put up to keep his cattle out of the park? Mayor asked Judge Isenhour to address the issue. Judge Isenhour said that the fence is on the other side of the creek on a steep hill. The fence was in place before the park was established. The main purpose of the fence is to keep Mr. Carroll's cows in. The vote was as follows: Place I – against, Place II –not present, Place III – for, Place IV - against and Place V - against. The vote was 1 for to 4 against. Motion denied.

Council Member Richardson made a motion to discuss and possible action concerning the landscape at Sylvia Tucker Memorial Park. Council Member Ruskiewicz seconded the motion. Council Member Richardson asked where the landscaping was to be done and what is it? Mayor Harvey said it is around the Memorial. River rock will be put in, removal of dead trees and new trees put in. Council Member Wilkerson asked if this was all the bids we received and were there any from Lampasas or Kempner? Mayor Harvey said that he had five bids and they were high. Council Member Wilkerson made a motion to postpone this item until the next meeting and Council has a been provided with other bid options. Council Member Vandever seconded the motion. Motion carried.

Council Member Richardson made a motion to discuss and possible action concerning landscaping at City Hall. Council Member Ruskiewicz seconded the motion. Council Member Richardson asked where the landscaping is going. Mayor Harvey said the landscaping will be put in to reduce maintenance of the areas. Council Member Richardson asked if it would be possible to walk the areas, so they know exactly what is going to happen. Council Member Ruskiewicz would like a more detailed estimate. Council Member Wilkerson made a motion to postpone this until the next meeting and the Council has been provided with more detailed information. Council Member Richardson seconded the motion. Motion carried.

Council Member Richardson made a motion to discuss and possible action concerning stonework at City Hall. Council Member Ruskiewicz seconded the motion. Mayor Harvey said that the stonework is in the front of City Hall. Council Member Wilkerson made a motion to postpone this item until the next meeting. Council Member Richardson seconded the motion. Motion carried.

Council Member Ruskiewicz made a motion to have a discussion and possible action on the reconstruction of the City of Kempner signs. Council Member Wilkerson seconded the motion. Council Member Wilkerson is concerned that there are no bids from anyone in Lampasas or Kempner. Mayor Harvey said that he not been able to find anyone in Kempner to do the stonework or signs in Kempner. He said that everything he desires for the City to be durable. The letters are black metal. Council Member Wilkerson made a motion to postpone this

item until the next meeting and more bids from the surrounding areas are obtained. Council Member Richardson seconded the motion. Council Member Wilkerson asked if the item had been placed in the Lampasas newspaper. The City Secretary, Stacy Roberts said it had not been placed in the paper. Council Member Ruskiewicz asked for a more detailed bid and a picture of what the sign will look like. Council Member Richardson asked if this is something, they could help him get bids. Mayor Harvey said his main concern is quality.

Council Member Wilkerson made a motion to accept the resignation of e-Designs Plus as the website provider for the City. Council Member Ruskiewicz seconded the motion. Council Member Wilkerson said that there is one line in the letter that concerns him. The line in the letter is "If in the future should circumstances change and the City could use my services, please do not hesitate to call." Council Member said that he spoke with Mr. Padgett. Council Member Wilkerson asked Mayor Harvey if he would tell the Council what lead to this situation. Mayor Harvey said during the storm the City needed to close the park due to damage. The City Secretary said that she did not have access to the website and would have to call Mr. Padgett to get that done. Mayor Harvey called Mr. Padgett to ask if the City owned the website. Mr. Padgett said that the City could not make changes on the site without calling him. Mr. Padgett said that it would be a couple of thousand dollars to revamp the site. Mayor Harvey said that the site needs to be under our control. It is common for a website to have an outside administrator but not for the not to be able to be changed by the owner. Council Member Ruskiewicz said that he consulted an expert on websites, and he said this site needs to go. Motion carried.

Council Member Wilkerson made a motion to accept approve authorizing the Mayor and City Staff to look for a new provider. Council Member Ruskiewicz seconded the motion. Motion carried.

Council Member Wilkerson made a motion to amend Park Use Ordinance 2010-02-09-001 replacing with Park Use Ordinance 2019-06-25-001 with a revision to removing section 2.13, probation of any alcohol beverages in the Park. Motion failed.

Council Member Wilkerson made a motion to discuss and possible action concerning the establishment and building of a Dog Park in Sylvia Tucker Memorial Park. Council Member Richardson seconded that motion. Council Member Wilkerson asked where exactly it would be and the dimensions. Mayor Harvey said:

- the dog park will be by the 5th picnic table
- it will be 54 X 68 for small dogs, 30 pounds or less
- signs will be installed with the dog park rules
- a trash can and a bag dispenser will be installed
- 2 benches in the dog park
- dogs will have to be on a leash until they reach the dog park

The only way we will be able to do a large dog park is to acquire more land. A lot of people in the City would like to be able to take their dogs to the park. The cost is for the construction and the continued cost of bags. The insurance for the fencing will go up about \$9.00 a year. The liability is on the owner of the dog. Council Member Ruskiewicz is concerned that the dog park is too small and now may not be the right time for the City to do this. Council Member Wilkerson said that in his experience with law enforcement that most dog owners are responsible. Council Member Richardson asked if something happened, what responsibility would we have personally. Mayor Harvey said that the responsibility is on the owner. We have a person who will keep the park looking good. It is the responsibility of the owner to follow the rules of the park. Council Member Wilkerson asked if the bid was just for materials and who was constructing the park. Mayor Harvey said that Menouz construction will donate their time to build the dog park. Council Member Richardson would like to have a detailed description of the dog park. Council Member Ruskiewicz wants to know where the access point to the dog park will be? There was no motion to postpone.

Council Member Wilkerson made a motion to discuss and possible action concerning purchase and installation of Dusk to Dawn lights. Council Member Richardson seconded the motion. Council Member Ruskiewicz asked how many lights and the location? Mayor Harvey said 4-6 the lights would be by the bandstand, restrooms, basketball, and the Memorial. Council Member Wilkerson amended his motion to the purchase of 6 Dusk to Dawn lights for use in Sylvia Tucker Memorial Park. Council Member Richardson seconded the motion. Motion carried.

Mayor Harvey went over the May Kempner Police Department Report.

The next council meeting will be July 9, 2019, at 7:00 in Council Chambers.

Mayor Harvey announced that there is an opening for Place 2. The city will be accepting resumes with 3 references. The resumes can be dropped off at the City in a sealed envelope addressed to Mayor Harvey.

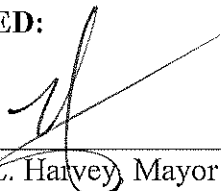
Council Member Wilkerson made a motion to adjourn. Council Member Vandevveer seconded the motion. Motion carried. The meeting adjourned at 8:37 P.M.

ATTEST:

APPROVED:



Stacy Roberts, City Secretary



Dr. Keith L. Harvey, Mayor