# NDA

# CITY OF KEMPNER

#### REGULAR CALL MEETING TUESDAY, MAY 11, 2021 AT 7:00 PM

#### Notice is hereby given:

THE CITY COUNCIL WILL CONVENE IN A REGULAR MEETING IN COUNCIL CHAMBERS, LOCATED AT 12288 E. Hwy 190 Kempner, Texas 76539.

#### 1. CALL TO ORDER, INVOCATION AND PLEDGES TO FLAGS

#### 2. NON-ACTION ITEMS

A. Citizen Comments. Any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

This is an opportunity for members of the public to suggest the addition of topics for the discussion or to address topics of interest, with presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. No profane or threatening language will be tolerated. All speakers will be recognized prior to speaking and will announce their name and address for the minutes purpose.

- B. Proclamation by the Mayor declaring May 10-15 as Police Week in the City of Kempner
- C. Reports
  - Chief of Police- Presented by the Chief or designee
  - Staff Report-Presented by the City Manager or designee
  - Mayor

#### 3. ACTION ITEMS

The Council will discuss and take possible actions on the following:

- A. Consider approval of the minutes from the Council Meeting held on March 23, 2021
- B. Consider approval of the minutes from the special called Council Meeting held on May 7, 2021
- C. Consider approval of the Accounts Payable dated April 1, 2021
- D. Consider approval of the Accounts Payable dated May 3, 2021

### City Council may enter into executive session under Texas Government Code 551.074 (Personnel Matters) on items E - L

- E. Discussion and possible action on accepting Council Member #1 Norm Parker's resignation and adoption of procedures to fill the vacancy.
- F. Discussion and possible action to appoint Mayor Pro Tem.
- G. Discussion and possible action concerning City Manager compensation.
- H. Discussion and possible action concerning the removal or retention of Associate Judge Marcus Stinson.
- I. Discussion and possible action to regarding the appointment of an Interim Municipal Court Judge
- J. Discussion and possible action on the appointment Mr. Jose Velazquez as a City of Kempner Police Officer.
- K. Discussion and possible action authorizing Jack Clark to have access to the financial records of the city to serve as an adviser to the city staff and council.
- L. Discussion and possible action authorizing Jack Clark to conduct a financial audit of the city finances for the previous two (2) years.
- M. Discussion and possible action on updating City financial accounts
  - a. Remove Former Mayor Keith Harvey from all financial accounts for the City of Kempner.
  - b. Remove Former Mayor Pro Tem Ruskowitz from all financial accounts for the City of Kempner.
  - c. Add City Manager, David Williams, to all financial accounts of the City of Kempner.
  - d. Add Mayor John Wilkerson as signatory on financial accounts for the City of Kempner.
  - e. Add the position of Mayor Pro Tem on financial accounts for the City of Kempner.
- N. Discussion and possible action on repealing, amending or sustaining Ordinance 2021-01-26

#### 4. NON-ACTION ITEMS

- A. Staff Comments
- B. Mayor/Council Comments

#### 5. ADJOURNMENT

All items on the agenda are for discussion and/or action. The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

The City of Kempner is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at (254)698-6335 at least 48 hours in advance.

Agenda Posted on Saturday, May 8, 2021 on or before 5:00 pm.

Posted by: David Williams, City Manager

STATE OF TEXAS

\*

**COUNTY OF LAMPASAS** 

CITY OF KEMPNER

BE IT REMEMBERED that on May 11, 2021 the City Council met in City Hall with the following members present: Mayor John (JW) Wilkerson, Council Members Jared Jones, Rob Green, Dan Long & Melba Vandeveer.

The Meeting was called to order at 7:00 pm and the following business was conducted:

#### 1. Call to Order, Invocation and Pledges to the Flags

Roll Call conducted by Mayor John (JW) Wilkerson – Place 1, Norm Parker was vacant as the council member has resigned. Place 2, Jared Jones was present, Place 3, Rob Green was present, Place 4, Dan Long was present, Place 5, Melba Vandeveer was present. The Mayor was present. A quorum was present

Tammy Carroll Martin led the invocation

Pledge of Allegiance to the US Flag was lead by Vivien Martin

Pledge of Allegiance to the Texas Flag was lead by Katlyn Martin

#### 2. Non-Action Items

#### A. Citizen Comments

Lloyd Smith came to promote the Tri-County Outlawz Football and Cheer Camp May 22. They are based in Cove and are for ages 4-12. Flyer attached to these minutes

Tammy Martin had signed in but clarified she did not wish to speak, was just signing in.

Chuck Gipson commented on that our minutes and motion records need to be done better. He also asked that we remove a gate in the park that was added to restrict access to the river. He asked for more exact wording in our minutes especially in reference to motions.

#### B. Reports

- a. Chief of Police presented his report (attached)
- b. Staff Report- City Manager informed the city council that the locks on city hall had been changed, that we would be getting the city hall searched professionally for electronic bugs and would be revising all policies over the upcoming months.

c. Mayor did not have a report but before moving into Action Items he asked for a motion to suspend normal meeting policy.

#### 3. Action Items

Motion made by Place 3, Rob Green to suspend meeting policies:

- 2<sup>nd</sup> by Place 2, Jared Jones
- Vote was Unanimous, motion passed

Motion made by Place 2 Jared Jones to move items 3J and 3H earlier in the agenda:

- 2<sup>nd</sup> by Place 3, Rob Green
- No Discussion
- Vote was Unanimous, motion passed
- j. Discussion and possible action on the appointment of Mr. Jose Velazquez as a City of Kempner Police Officer:

Mayor JW asked the chief of police Charles Rodriguez questions concerning our background policies and procedures.

Mayor Adjourns the meeting to Executive Session for agenda items 3J & 3H at 7:24 pm Mayor ends executive session at 8:39 pm

- j. Discussion and possible action on the appointment of Mr. Jose Velazquez as a City of Kempner Police Officer:
  - Motion by Place 2, Jared Jones to approve the hire of Mr. Jose Velazquez as a part time officer limited to 30 hours
  - 2<sup>nd</sup> by Place 3, Rob Green
  - Vote was unanimous, motion passed
- h. Discussion and possible action concerning the removal or retention of Associate Judge Marcus Stinson:
  - Motion by Place 3, Rob Green to remove Associate Judge Marcus Stinson
  - 2nd by Place 4, Dan Long
  - Vote was 2 in favor, Places 3, Rob Green and Place 4, Dan Long, 1 opposed, Place
     5, Melba Vandeveer, and 1 abstention by Place 2, Jared Jones. Motion passed
- a. Consider approval of the minutes from the Council Meeting held on March 23, 2021:
  - Motion made my Place 2, Jared Jones to approve with corrections made to the roll call to indicated that at the time Council Member John Wilkerson was present but was forced to leave the meeting by the former Mayor Keith Harvey.
  - 2<sup>nd</sup> from Place 5, Melba Vandeveer
  - Vote was unanimous, motion passed
- b. Consider approval of the minutes from the special called Council Meeting held on May7, 2021:

- Motion by Place 3, Rob Green to approve.
- 2<sup>nd</sup> by Place 2, Jared Jones to approve
- Vote was unanimous, motion passed
- c. Consider approval of the Accounts payable dated April 1, 2021:
  - Motion by Place 2, Jared Jones to approve
  - 2nd by Place 5, Melba Vandeveer
  - Vote was unanimous, motion passed
- d. Consider approval of the Accounts payable dated May 3, 2021:
  - Motion by Place 2, Jared Jones to postpone until the next regularly scheduled meeting
  - 2<sup>nd</sup> by Place 4, Dan Long
  - Vote was unanimous, motion passed
- e. Discussion and possible action on accepting Council Member Place 1, Norm Parker's resignation and adoption of procedures to fill the vacancy:
  - Motion by Place 2, Jared Jones to accept Norm Parker's resignation
  - 2<sup>nd</sup> by Place 3, Rob Green
  - · Vote was unanimous, motion passed
  - Mayor JW let the public know we would be posting an ad online and in the local newspaper asking the public, that is qualified, to apply for the position and that the council would make a decision at the next meeting
- f. Discussion and possible action to appoint Mayor Pro Tem:
  - Motion by Place 3, Rob Green to nominate Place 2, Jared Jones to be Mayor Pro
     Tem
  - 2<sup>nd</sup> by Place 4, Dan Long
  - Place 2, Jared Jones accepted the nomination
  - Motion by Place 4, Dan Long to appoint Place 2, Jared Jones as Mayor Pro Tem
  - 2<sup>nd</sup> by Place 5, Melba Vandeveer
  - Vote was unanimous, motion passed
- g. Discussion and possible action concerning City Manager compensation:
  - Motion by Place 3, Rob Green, to approve the city manager back pay and to approve it at the annualized rate of \$45,000.
  - 2<sup>nd</sup> by Place 5, Melba Vandeveer
  - · Vote was unanimous, motion passed
- Discussion and possible action regarding the appointment of an interim Municipal Court
   Judge:
  - Gene Isenhour presented himself to be considered

- Jamie Whitehead presented herself to be considered
- Motion by Place 3, Rob Green to appoint Gene Isenhour as Interm Municipal Court Judge
- 2<sup>nd</sup> by Place 5, Melba Vandeveer
- Vote was unanimous, motion passed
- k. Discussion and possible action authorizing Jack Clark to have access to the financial records of the city and to serve as an adviser to the city staff and council:
  - Motion by Place 2, Jared Jones to authorize Jack Clark to have access to the financial records of the city and to serve as an adviser to the city staff and council.
  - 2<sup>nd</sup> by Place 3, Rob Green
  - Vote was unanimous, motion passed
- I. Discussion and possible action authorizing Jack Clark to conduct a financial audit of the city finances for the previous two (2) years:
  - Motion by Place 2, Jared Jones to authorize Jack Clark to conduct a financial review of the city finances since the city founding to present.
  - 2<sup>nd</sup> by Place 3, Rob Green
  - · Vote was unanimous, motion passed
- m. Discussion and possible action on updating city Financial accounts:
  - a) Remove former Mayor Keith Harvey from all financial accounts for the City of Kempner:
    - Motion by Place 3, Rob Green to remove former Mayor Keith Harvey from all financial accounts for the City of Kempner
    - 2<sup>nd</sup> by Place 5, Melba Vandeveer
    - Vote was unanimous, motion passed
  - b) Remove Former Mayor Pro Tem Mack Ruszkiewicz from all financial accounts for the City of Kempner:
    - Motion by Place 4, Dan Long to remove former Mayor Pro Tem Mack Ruszkiewicz from all financial account for the City of Kempner
    - 2<sup>nd</sup> by Place 5, Melba Vandeveer
    - Vote was unanimous, motion passed
  - c) Add City Manager, David Williams, to all financial accounts of the City of Kempner:
    - Motion by Place 3, Rob Green to add City Manager David Williams to all financial accounts of the City of Kempner

- 2<sup>nd</sup> by Place 5, Melba Vandeveer
- Vote was unanimous, Motion passed
- d) Add Mayor John (JW) Wilkerson as signatory on financial accounts for the City of Kempner:
  - Motion by Place 4, Dan Long to add Mayor John (JW) Wilkerson as signatory on all financial accounts for the City of Kempner
  - 2<sup>nd</sup> by Place 3, Rob Green
  - Vote was unanimous, Motion passed
- e) Add the position of Mayor Pro Tem Jared Jones on financial accounts for the City of Kempner:
  - Motion by Place 3, Rob Green to add Mayor Pro Tem Jared Jones on all financial accounts for the City of Kempner.
  - 2<sup>nd</sup> by Place 4, Dan Long
  - Vote was Unanimous, motion passed
- n. Discussion and Possible action on repealing, amending or sustaining Ordinance 2021-01-26:
  - Motion by Place 3, Rob Green to repeal Ordinance 2021-01-26 in its entirety.
  - 2<sup>nd</sup> from Place 4, Dan Long
  - Vote was Unanimous, motion passed

#### 4. Adjournment

- Motion by Place 2, Jared Jones to Adjourn
- 2<sup>nd</sup> by Place 4, Dan Long
- All in favor, motion carries

City Secretary: Hayleigh Robello

#### ACCOUNTS PAYABLE 2021

\*Expenditures occurring in the month of April\*

NAME OF COMPANY	DESCRIPTION	<u>AMOUNT</u>
BANK OF AMERICA	City of Kempner- Chief Rodriguez Star Mart - \$41.75 Murphy-\$28.50 Murphy-\$26.00 Murphy-\$19.25 USPS-\$1.00 GT Distributors-\$53.99 GT Distributors-\$95.98 GT Distributors-\$1.99 GT Distributors-\$156.00 Murphy-\$34.50 Murphy-\$38.25 Murphy-\$24.25 USPS-\$8.25 Star Mart-\$44.50 Murphy-\$40.50 Stalker Radio-\$60.00 Murphy-\$35.25	\$793.21
BANK OF AMERICA  BANK OF AMERICA	City of Kempner- City Secretary Amazon-\$372.44 Amazon-\$37.57 Office Max-\$53.41 Texas Municipal Court-\$100 Dollar General-\$12.96 USPS-\$4.60  City of Kempner – Former Mayor Intuit usage - \$10.80	\$580.98
	ADOBE \$16.00 Domain Hosting-\$20.17	\$46.97
Total		<u>\$1421.16</u>

APPROVED: John (JW) Wilkerson - Mayor

ATTESTED: Hayleigh Robello - City Secretary

																4:05 PM 05/20/21
Check	TOTAL	Check	TOTAL	Check	TOTAL	Check	TOTAL	Check	TOTAL	Check	TOTAL	Check	ΤΟΤΑΙ	Check	Туре	
7212		7211		7210		7209		7208							Num	
04/05/2021		04/05/2021		04/01/2021		04/01/2021	•	04/01/2021		04/27/2021		04/19/2021		04/07/2021	Date	
Kempner Water Su		TMRS		Fans automotive		area wide locksmith		Wells Fargo		Walmart		ACH payment IRS		Texas Workforce C	Name	City o Che Aı
															ltem	City of Kempner Check Detail April 2021
108 · Nat'l Bank-Ge	791 - Health Insuran	108 - Nat'l Bank-Ge		108 · Nat'l Bank-Ge 827 · Veh Maintena		108 · Nat'l Bank-Ge 829 · Repairs & Mai		108 · Nat'l Bank-Ge 816 · Lease Mainten	C 1 - C 11 - C 2 -	108 · Nat'l Bank-Ge	OHIT FRANCO	108 · Nat'l Bank-Ge	04Z · Otterribroymen	108 · Nat'l Bank-Ge	Account	er
	-747.62 -747.62		-665.39	-665.39	-102.00	-102.00	-85.00	-85,00	-34.94	-34 04	4,505,95	-A 50.05.05.05.05.05.05.05.05.05.05.05.05.0	409.07	200	Paid Amount	
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# City of Kempner Check Detail April 2021

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		7217		1	7216			7215			7214			7213			Num
		04/09/2021			04/07/2021			04/06/2021			04/06/2021			04/06/2021			Date
		MARTIN, TRACIE B		,	Charles Rodriguez.			Hill Country Publis			Hamilton Electric			TML			Name
																	Item
	791A - Payroll Expe 300 - Payroll Liabilities 791A - Payroll Liabilities 791A - Payroll Liabilities 300 - Payroll Liabilities 300 - Payroll Expe 300 - Payroll Liabilities 300 - Payroll Liabilities 300 - Payroll Liabilities 791A - Payroll Expe 300 - Payroll Liabilities 791A - Payroll Liabilities 791A - Payroll Liabilities	108 · Nat'l Bank-Ge		832 · Vehicle Gas &	108 · Nat'l Bank-Ge		760 · Advertising	108 · Nat'l Bank-Ge		860 · Utilities	108 · Nat'l Bank-Ge		791 · Health Insuran	108 - Nat'l Bank-Ge		860 · Utilities	Account
-631.25	-753.92 65.00 -46.74 46.74 46.74 -10.93 10.93 10.93 -4.52 -12.06		-108.55	-108.55		-21.45	-21.45		-299.13	-299.13		-2,307.00	-2,307.00		-187.52	-187.52	Paid Amount
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05/20/21 4:05 PM City of Kempner Check Detail April 2021

TOTAL		Paycheck	TOTAL		Paycheck	TOTAL		Paycheck	Туре
		7220			7219			7218	Num
		04/09/2021			04/09/2021			04/09/2021	Date
		Rodrīguez, Eddie			RODRIGUEZ, CHA			ROBELLO, HAYLEI	Name
									Item
	791A · Payroll Expe 791A · Payroll Expe 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities	108 · Nat'l Bank-Ge		791A · Payroll Expe 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities 300 · Payroll Liabilities	108 · Nat'l Bank-Ge		791A · Payroll Expe 300 · Payroll Liabilities 791A · Payroll Liabilities 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities	108 · Nat'l Bank-Ge	Account
-363.77	-393.90 -24.42 24.42 24.42 -5.71 5.71 5.71 -2.36 -6.30 -6.30		-1,285.34	-1,572.65 167.00 -97.50 97.50 97.50 22.81 22.81 22.81		-784.08	-943_23 87.00 -58.48 58.48 -13.67 13.67 13.67 -2.38 -2.38 -15.09		Paid Amount
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# City of Kempner Check Detail April 2021

	Check	TOTAL		Check	TOTAL		Check	TOTAL		Check	TOTAL	Check	TOTAL		Check	TOTAL		Check	TOTAL		Check	Туре
	7228			7227			7226			7225		7224			7223			7222			7221	Num
	04/19/2021			04/19/2021			04/19/2021			04/16/2021		04/16/2021			04/13/2021			04/13/2021			04/12/2021	Date
	First Net			Bank of America			century link			Midwest Radar and		Emilio's Garage			OmniBase Services			Comptroller of pub			TMICCP	Name
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855 · Telecommunic	108 · Nat'l Bank-Ge		Bank of America	108 · Nat'l Bank-Ge		810 · Membership F	108 · Nat'l Bank-Ge		812 · Equipment	108 · Nat'l Bank-Ge		108 · Nat'l Bank-Ge		507 · Municipal Cour	108 · Nat'l Bank-Ge		810 · Membership F	108 - Nat'l Bank-Ge		845 · Travel & Traini	108 · Nat'l Bank-Ge	Account
-165,74		-1,457.79	-1,457.79		-384.40	-384.40		-80.00	-80,00		0.00		-120.00	-120.00		-8,204.61	-8,204.61		-175.00	-175.00		Paid Amount
165.74	-165.74	1,457.79	1,457.79	-1,457.79	384.40	384.40	-384.40	80.00	80.00	-80.00	0.00	0.00	120.00	120.00	-120.00	8,204.61	8,204.61	-8,204.61	175.00	175.00	-175.00	Original Amount

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Paycheck	TOTAL	Paycheck	TOTAL		Paycheck	TOTAL	Check	TOTAL	Туре	
7232		7231			7230		7229	and and the state of the state	Num .	
04/23/2021		04/23/2021			04/23/2021		04/19/2021		Date	
RODRIGUEZ, CHA		ROBELLO, HAYLEI			MARTIN, TRACIE B		Emilio's Mobile Aut		Name	City of Chec <sup>Ap</sup>
								ļ	Item	City of Kempner Check Detail April 2021
108 · Nat'l Bank-Ge	791A · Payroll Expe 300 · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Liabilities 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities	108 · Nat'l Bank-Ge		791A · Payroll Expe 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Expe 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities	108 - Nat'l Bank-Ge	827 · Veh Maintena	108 - Nat'l Bank-Ge		Account	er
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791A · Payroll Expe... 300 · Payroll Liabilities 791A · Payroll Expe... 300 · Payroll Liabilities

-1,572.65 167.00 -97.51 97.51

1,572.65 -167.00 97.51 -97.51

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## City of Kempner Check Detail April 2021

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7236		7235		7234		7233	Num
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rodriguez, charles e		robello, hayleigh		martin, tracie		Peacemakers Tech	Name
							ltem
108 · Nat'l Bank-Ge	791A · Payroll Expe 791A · Payroll Expe 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Expe 300 · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities	108 - Nat'l Bank-Ge	791A · Payroll Expe 791A · Payroll Liabilities 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities 300 · Payroll Liabilities 300 · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities 791A · Payroll Liabilities	108 - Nat'i Bank-Ge	812 - Equipment	108 · Nat'l Bank-Ge	Account  300 · Payrol! Liabilities 791A · Payrol! Expe 300 · Payrol! Liabilities 300 · Payrol! Liabilities
	-260.00 -16.12 16.12 16.12 -3.77 3.77 -1.56 -1.56 -4.16 4.16 -240.11		-260,00 -16.12 16.12 16.12 3.77 3.77 3.77 3.77 4.16 4.16 4.16 4.16		-12,925.00 -12,925.00		Paid Amount 97.51 -22.80 22.80 22.80 -1,285.34
-240.11	260.00 16.12 -16.12 -16.12 3.77 -3.77 -3.77 -1.56 -1.56 -4.16 -4.16	-240.11	260.00 16.12 -16.12 -16.12 -1.56 -1.56 -4.16 -4.16 -4.16 -4.16	-240.11	12,925.00 12,925.00	-12,925.00	Original Amount -97.51 22.80 -22.80 -22.80 1,285.34