

CITY OF KEMPNER

**REGULAR CALL MEETING
TUESDAY, JUNE 22, 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. Reports
- 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 June 8, 2021.
- B. Consider approval for City Manager Performance Review process.
- C. Consider updating the City Texpool account
 - 1) Remove Former Mayor Keith Harvey
 - 2) Remove Former Mayor Pro-Tem Mack Ruskiewicz
 - 3) Remove Former City Secretary Monica Pena
 - 4) Add City Manager David C. Williams II
 - 5) Add City Secretary Hayleigh Talasek

D. Consider approval of Replat of Lot 64, Indian Valley

Being 8.67 acers comprised of all of Lot 64 of Indian Valley, subdivision in Lampasas County, Texas as recorded in plat cabinet 1, slide 103 of the plat records of Lampasas County, Texas.

- 1) Public Hearing
- 2) Staff Comments and Recommendations

E. Consider approval of Savage Addition

Being a replat of Lot 11, Block 6 of Cheyenne Mountain Estates, Unit Two, A subdivision in Lampasas County, Texas, according to the plat of record in cabinet 1, slide 102, plat records of Lampasas County Texas.

- 1) Public Hearing
- 2) Staff Comments and Recommendations

4. NON-ACTION ITEMS

- A. Staff Comments
- B. Mayor/Council Comments
- C. Next Regularly Scheduled Meeting – July 13, 2021.

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 Friday, June 18, 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 June 22, 2021, the City Council met in City Hall with the following members present: Mayor John (JW) Wilkerson, Council Members Vance Rodgers, Jared Jones, Rob Green, Melba Vandever.

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

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

Roll Call conducted by Mayor John (JW) Wilkerson and the following members are present: Place 1 (Vance Rodgers), Place 2 (Jared Jones), Place 3 (Rob Green), and Place 5 (Melba Vandever).

Tammy Martin led the invocation.

Pledge of Allegiance/Pledge to Texas Flag by Martin.

2. Non- Action Items

Citizens Comments-

- Sammy Cude speaks regarding police presence at the Kempner Fest and City staff not answering his questions properly about the situation.
- Wayland Allen speaks regarding the R U Ok Program concerning a neighbor that is enrolled and has had no one within the program contact her. Also, he has another issue regarding the trees at the Sylvia Tucker Memorial Park They are hanging over the road and it makes it difficult to see vehicals coming down the hill on 190.

Reports by City Manager David Williams-

1. On 6/9/2021 I went to the KTMPO TAC meeting to discuss funding on major road projects for the Killeen Temple Metropolitan area of which Kempner is the far western edge. We had no projects specific to Kempner at this as this process is a multiyear process and I have just started attending these meetings, Kempner had not had a representative at these meetings before. I will be working with them to ensure that Kempner gets projects listed for future years and it is important that we have representation at these meetings to advocate for these projects. For your information at this meeting they distributed funds of \$43,220,723. The smallest project approved was \$462,160 larger than our entire annual budget.

2. The largest project that was approved, and the closest project that will have an impact on Kempner is the widening of the US 190 bypass around Coppers Cove to be a 4 lane divided highway. This project is estimated to cost \$67,200,000 in total and KTMPO has approved funding for \$30,250,000 of it. This project should begin in 2023 and should make it easier for people coming from Killeen and Fort Hood to get to Kempner and we should be prepared for this growth. There have been meetings going on between Coppers Cove and TXDOT for the past two years concerning the planning of this project. Kempner was invited to these meetings but chose not to go. I will be attending these meetings moving forward but as planning is generally finalized we have missed the opportunity to have much impact on this project but I will do my best to address any concerns citizens might have moving forward.

3. As for representation at the CTCOG KTMPO Meetings I am going to be attending next Monday's County Commissioners Court. With the support of County Commissioner's Rainwater and Carroll I will be asking the court to make me the alternate Lampasas voting representative both on the Technical Advisory Committee (TAC) and the Killeen-Temple Metropolitan Planning Organization (KTMPO) Transportation Planning Policy Board (TPPB) so if a County Commissioner is unable to make it, I can go and vote in their place. It is important that the city know that if I am doing this, I am going as a county representative and not a city representative, but with only a small section of the county barely larger than the city included in KTMPO this should be a good fit.

4. Also on 6/9/2021 I had my first board meeting with Habitat for Humanity for the Fort Hood Area as their newest board member. They have funding set aside to build a community center in a Rural Community. Kempner fits the requirements to potentially be the recipient of this community center funding and I will be working with them to try to bring as much funding as possible to Kempner and our surrounding Lampasas County Community.

5. On 6/10/2021 I offered the position of Interim Police Chief to Heriberto 'Eddy' Rodriguez and he accepted. As Interim Chief I have stressed the importance of balancing his duties as chief with finding an officer and continuing to patrol our streets. I have also stressed the importance of taking the bailiff class to assist our municipal court. Until this class is completed Chief Eddy and myself have already met with Lampasas County Sheriff Ramos and he has promised to provide our court with bailiffs for this upcoming Friday's court.

6. On 6/14/2021 it was reported that a tree had fallen in the city park covering a trail. This was removed quickly by Mr. French, our park maintenance man. I want to give Mr. French a shout out for his amazing work in preparing and helping clean up the park for Kempner Fest. He even showed up halfway through to help with trash removal during the event to keep it from overflowing and was a huge help.

7. I have started working with the USDA Rural Development Hillsboro office with trying to get the city SEARCH money. SEARCH stands for Special Evaluation Assistance for Rural Communities and Households. We meet the requirements to get \$30,000 in funding to pay for predevelopment planning costs, including:

- Feasibility studies to support applications for funding water or waste disposal projects
- Preliminary design and engineering analysis
- Technical assistance for the development of an application for financial assistance

There is no guarantee we get this money but I am hopeful and they have said we might also be eligible for an additional \$30,000 but we are in the very early stages of these discussions with the USDA.

8. CTCOG has asked that we encourage citizens and businesses etc. to fill out surveys about internet usage. Flyers are at the back of the room and available on our website as well as our facebook page. Please encourage those you know to complete the surveys as the more completed surveys we get the more likely we are to get funding for faster internet in our area.

9. Kempner Fest was a huge success with an estimated 300 – 500 guests. We are reaching out to all citizens and businesses that participated to please contact myself or City Hall with feedback. City hall will be closed Thursday morning so we can have an in depth staff meeting to discuss what went well, and what we can improve on for future events. We will report our in depth findings at the next city council meeting.

3. Action Items

A. Consider approval of the minutes from the council meeting held on June 8, 2021.

- Place 1, Vance Rodgers makes a motion to approve the June 8, 2021 Minutes.
- Place 2, Jared Jones seconds the motion.
- All in favor, motion carries.

B. Consider approval for City Manager Performance Review Process.

- Place 2, Jared Jones makes a motion to approve the City Manager Review Process.
- Place 3, Rob Green seconds the motion.
- All in favor, Motion Carries.

C. Consider Updating the City Texpool account.

1. Remove Former Mayor Keith Harvey
2. Remove Former Mayor Pro- Tem Mack Ruszkiewicz
3. Remove Former City Secretary Monica Pena

4. Add City Manager David C. Williams II
 5. Add City Secretary Hayleigh Talasek
- Place 1, Vance Rodgers makes a motion to approve to update account by removing Former Mayor Keith Harvey, Former Mayor Pro- Tem Mack Ruskiewicz, Former City Secretary Monica Pena. By replacing them with City Manager David Williams, City Secretary Hayleigh Talasek.
 - Place 3, Rob Green Seconds the motion.
 - All in favor, motion carries.

D. Consider approval of Replat of Lot 64, Indian Valley.

Being 8.67 acers comprised of all of Lot 64 of Indian Valley, subdivision in Lampasas County, Texas as recorded in plat cabinet 1, slide 103 of the plat records of Lampasas County, Texas.

1)Public Hearing

- Steven Boynton speaks regarding his support for the division of the property.

2)Staff Comments and Recommendations

- Place 1, Rob Green makes a motion to approve.
- Place 2, Jared Jones seconds the motion.
- All in favor, motion carries.

E. Consider Replat of Savage Addition.

Being a replat of Lot 11, Block 6 of Cheyenne Mountain Estates, Unit Two, A subdivision in Lampasas County, Texas, according to the plat of record in cabinet 1, slide 102, plat records of Lampasas County Texas.

1)Public Hearing

- Wayland Allen speaks regarding that this would be a great improvement for the city.
- Mayor Wilkerson: David, I have some questions for you that the City Council needs to hear:
- Mayor Wilkerson: In order for the developer to finalize the development and make the sale, he must obtain the approval for the plot- Correct?

- City Manager David Williams: Yes
- Mayor Wilkerson: Have you reviewed the ordinances adopted by the Kempner City Council on this issue?
- City Manager David Williams: Yes
- Mayor Wilkerson: Did you locate anything that would prevent the developer from obtaining the required approval tonight?
- City Manager David Williams: Yes, with this particular type of subdivision, the developer should have installed a fire hydrant at the end of the cul-de-sac.
- Mayor Wilkerson: Was this developer the same person that initially sought the annexation and approval to develop this land?
- City Manager David Williams: From my conversations with you, Mayor, and the review of the meeting minutes in the past, no.
- Mayor Wilkerson: So we have a new person that is taking over the property, who may have received word that the previous owner followed state law and the ordinances of the City?
- City Manager David Williams: That is possible Mayor.

Questions for developer:

- Mayor Wilkerson: Sir, can you speak your name and spell it for the record.
- Mike Kreagel
- Mayor Wilkerson: Sir, is it your intent to obtain approval from the Council tonight to meet the legal requirements needed for you to continue with your project?
- Kreagel: Yes
- Mayor Wilkerson: Sir: was it your understanding that the person who came before you on this project consulted with the former Mayor and obtained

all the guidance and understanding they needed in order to fulfill the requirements of this city?

- Kreagel: Yes
- Mayor Wilkerson: There is a public safety issue that has been brought up, which is the fact that this development does not have a fire hydrant at the end of the cul-de-sac. When you became involved in the property, were the water lines already installed on the property?
- Kreagel: No, the line was installed after discussions with Kempner City and Kempner Water.
- Mayor Wilkerson: What size are those water lines?
- Kreagel: It is a 3in main.
- Mayor Wilkerson: Is a 3 inch water line sufficient to provide ample water supply to a fire hydrant for the purposes of a fire department pumper truck to attach to it?
- City Manager David Williams: No, for this type of set up, the line should be a minimum of a 4 inch.
- Mayor Wilkerson: to negate any possible detriment to the public, are you willing to install, at your own cost, a fire hydrant at the entrance to the new subdivision?
- Kreagel: Yes, in discussion with Kempner Water they can install it at the entry.
- Mayor Wilkerson: David, will this suffice for the fire department?
- City Manager David Williams: Yes, my conversation with the fire Chief on this matter shows this would suffice for their needs.
- Mayor Wilkerson: If the Council approves of this variance, do you feel that is would negatively affect future subdivisions in the area?

- City Manager David Williams: No, it would actually improve them as this would put another fire hydrant in that could help to save someone else's property from fire.

2) Staff Comments and Recommendations

- The official vote, All for approval to authorize the variance according to the ordinance.
- Place 3 Rob Green makes a motion to approve the variance with the 3 caveats (Burm, Fire Hydrant, and Free standing homes), Place 5, Melba Vandever.
- All in favor, motion carries.

4. Non- Action Items

- Mayor Wilkerson makes a final comment regarding the link on the city website to take the poll.
- The next regularly scheduled meeting will be held on July 13, 2021.

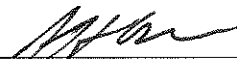
5. Adjournment

- Place 3, Rob Green makes a motion to adjourn.
- Place 2, Jared Jones seconds
- All in favor, meeting adjourned.

ATTEST:


Hayleigh Tatasek - city secretary

APPROVED:


John Wilkerson Mayor.

Hayleigh Robello –City Secretary

John (JW) Wilkerson- Mayor