



CITY OF KEMPNER

**REGULAR MEETING AGENDA TUESDAY,
February 28, 2023, AT 6:00 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

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 the 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 for the minutes' purpose.

Reports

- City Manager/ Police Report - Presented by the City Manager or designee.
- Mayor's Report – Presented by the Mayor or designee.

3. CONSENT AGENDA

(All items on the Consent agenda are considered routine and may be approved by a single motion. The items listed below need not be approved independently, however any of the items may be removed and considered in an independent motion upon request of any member of the City Council)

- A. Approval of meeting minutes from the meeting held on February 14, 2023.
- B. Approval of Resolution No. 2023-02-28-001, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE AXON FLEET 3 CAMERA SYSTEMS GRANT**
- C. Approval of Resolution No. 2023-02-28-003, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE HANDHELD RADIOS GRANT.**
- D. **Approval of the Policy and Procedure Manual Title 2, Chapter 1- Hiring**
- E. **Approval of the Policy and Procedure Manual Title 3, Chapter 1- Hours of Operation relating to the Isenhour/ Clark Municipal Building**

4. ACTION ITEMS

The Council may discuss and/or take action on the following:

- A. Approval of Resolution No. 2023-02-28-006, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER(S) CONTRACTS FOR THE 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TxCDBG) FUND.**
- B. Approval of Resolution No. 2023-02-28-007, **A RESOLUTION OF THE CITY COUNCIL OF KEMPNER, TEXAS, AUTHORIZING THE SUBMISSION OF A 2023/2024 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND.**
- C. Approval of Resolution No. 2023-02-28-008, **A RESOLUTION OF THE CITY COUNCIL OF KEMPNER, TEXAS AUTHORIZING CITY REPRESENTATIVES IN MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**
- D. Approval of Resolution No. 2023-02-28-002, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE DRONES GRANT.**
- E. Approval of Resolution No. 2023-02-28-004, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE MENTAL HEALTH PEACE OFFICER GRANT.**
- F. Approval of Resolution No. 2023-02-28-005, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE CRIME VICTIMS ADVOCATE GRANT.**
- G. Discuss and approve the following drafted section of the personnel and policy manual:
Title 2, Chapter 2- Hours worked and Personal Time Off (council to make final determination of use or lose vacation hours {either 120 or 160hrs})
- H. Approval of revisions to Mr. French's City Maintenance Agreement.
- I. Approve the Certification of Unopposed Candidates.
- J. Approve the Order of Cancellation of the General Election for May 6, 2023.
- K. Replacement of printer/scanner/copier for administrative department.

5. WORKSHOP

- A. Discussion on a possible zoning ordinance.

6. NON-ACTION ITEMS

- A. Staff Comments
- B. Mayor/Council Comments
- C. Next Regularly Scheduled Meeting – Tuesday, March 14TH, 2023

7. 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 (512)932-2180 at least 48 hours in advance.

**Agenda Posted by Friday, February 24, 2022, on or before 5:00 pm.
Posted by: Tracie Martin, Assistant City Secretary**



CITY OF KEMPNER

REGULAR MEETING MINUTES TUESDAY, February 28th, 2023, AT 6:00 PM

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

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

- The quorum consisted of Place 1, David Richardson Place 2, Tom Combs, Place 3, Rob Green, Place 4 Dan Long, and Place 5, Debbie Hernandez (arrived at 6:12pm).
- Gene Isenhour led the invocation.

2. NON-ACTION ITEMS

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.

No Citizens Comments

3. CONSENT AGENDA

All items on the Consent agenda are considered routine and may be approved by a single motion. The items listed below need not be approved independently, however any of the items may be removed and considered in an independent motion upon request of any member of the City Council)

- Approval of meeting minutes from the meeting held on February 14, 2023.
- Approval of Resolution No. 2023-02-28-001, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE AXON FLEET 3 CAMERA SYSTEMS GRANT**
- Approval of Resolution No. 2023-02-28-003, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE HANDHELD RADIOS GRANT.**
- Approval of the Policy and Procedure Manual Title 2, Chapter 1- Hiring**
- Approval of the Policy and Procedure Manual Title 3, Chapter 1- Hours of Operation relating to the Isenhour/ Clark Municipal Building**

Discussion: Mayor informed the council all the grants listed in the consent agenda were grant opportunities brought to them by the city manager during the previous meeting, and this was the formal acceptance by the council to move forward with obtaining the funding, if awarded. Mayor also advised the council the two policy manual sections listed were presented to the council at the last meeting and the

recommended changes to them were made.

Council member Green (place 3) made the following motion: approval of the consent agenda.

Second by: Council member Combs (Place 2)

Motion passed by all present.

4. ACTION ITEMS

The Council will discuss, and MAY take actions on the following:

- A. Approval of Resolution No. 2023-02-28-006, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER(S) CONTRACTS FOR THE 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TxCDBG) FUND.**
- B. Approval of Resolution No. 2023-02-28-007, **A RESOLUTION OF THE CITY COUNCIL OF KEMPNER, TEXAS, AUTHORIZING THE SUBMISSION OF A 2023/2024 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND.**
- C. Approval of Resolution No. 2023-02-28-008, **A RESOLUTION OF THE CITY COUNCIL OF KEMPNER, TEXAS AUTHORIZING CITY REPRESENTATIVES IN MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Discussion: The Mayor advised a public hearing was required before the resolutions were adopted, however the public hearing was not properly posted and that he nor any of the Council knew of the public hearing. The Mayor informed the council that corrective action was taken to ensure this would not occur again and further advised the council would need to attend a special called meeting during the next week to meet the deadlines of the grant. The Mayor recommended all three of these resolutions be postponed, and to set the 9th of March for the public hearing during a special called meeting and the council unanimously agreed to this date.

Motion Made: To table action items 4 A through C until the special called meeting on March 9th 2023.

By: council member Green (Place 3)

Second by: council member Combs (place 2)

Motion passed by all present.

- D. Approval of Resolution No. 2023-02-28-002, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE DRONES GRANT.**

Discussion: City Manager advised the Council this grant would permit the police department to purchase a drone that could be used for law enforcement purposes. Mayor

advised the council that should the city be awarded the funds, there very strict statutory guidelines on when and how it could be used, and the police department would have an adopted policy on such.

Council member Richardson (place 1) made the following motion: approval of Resolution No. 2023-02-28-002.

Second by: Council member Long (place 4)

Result: Place 1,2,3 and 5 approved, Place 2 Abstained.

- E. Approval of Resolution No. 2023-02-28-004, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE MENTAL HEALTH PEACE OFFICER GRANT.**

Discussion: City Manager advised the council this position would be specific to addressing the mental health related calls for service the police department receives. Council member Tom Combs expressed concerns and asked questions about how the position would be properly funded, at what cost to the city and whether a vehicle would be needed. City Manager advised all costs would be included in the grant, with no cost to the city.

Council member Combs (place 2) made the following motion: approval of Resolution No. 2023-02-28-004.

Second by: council member Richardson (place 1)

Motion passed by all present.

- F. Approval of Resolution No. 2023-02-28-005, **A RESOLUTION OF THE CITY OF KEMPNER, TEXAS, FOR THE CRIME VICTIMS ADVOCATE GRANT.**

Discussion: Council member Tom Combs expressed concerns regarding how this position would be utilized in the City and he did not want to task our employees with more work. City Manager advised this would be an additional position. Council member Tom Combs inquired into what happens if the grant is not renewed, what would the schedule be like, what the pay level would be etc. Mayor informed the council that the approval of the resolution would be to move forward with the application of the grant. If the City was awarded the money, the City Manager would bring a detailed plan to the council so the council could approve such before the grant funds were accepted by the City. The City could in fact turn down the grant funds, if awarded, if the plan does not work for the City Council.

Council member Combs (place 2) made the following motion: approval of Resolution No. 2023-02-28-005.

Second By: Council member Long (place 4)

Motion passed by all present.

- G. Discuss and approve the following drafted section of the personnel and policy manual:
Title 2, Chapter 2- Hours worked and Personal Time Off (council to make final determination of use or lose vacation hours {either 120 or 160hrs})

Discussion: Mayor advised the council that the policy manual section had the changes recommended by the council from the February 14th 2023 workshop, with the exception of the number of hours an employee could have in their vacation time before the time was considered use or lose. Mayor conducted a straw poll of the council to determine the will of the majority of the council. The poll of the council determined a unanimous decision for the maximum number of hours would be 120.

Council member Green (place 3) made the following motion: To approve Title 2, Chapter 2 of the personnel and policy manual with 120 as the maximum number of vacation hours.

Second by: Council member Long (place 4)

Motion passed by all present.

- H. Approval of revisions to Mr. French's City Maintenance Agreement.

Council Member Green (place3) made the following motion: approval of the revisions to Mr. French's City Maintenance Agreement.

Second by: Council member Combs (place 2)

Motion passed by all present.

- I. Approve the Certification of Unopposed Candidates.

Discussion: Mayor advised the City Secretary is the person responsible for collecting applications for a place on the ballot. Mayor further informed the council no applications were turned in other than those currently occupying the seats, however the council needs to approve the receipt of the Certification.

Council Member Combs (place 2) made the following motion: approval of the Certification of Unopposed Candidates.

Second by: Council member Richardson (place 1)

Motion passed by all present.

- J. Approve the Order of Cancellation of the General Election for May 6, 2023.

Discussion: Mayor advised the Council may order the general elections cancelled due to there not being any opposed candidates under state law. The city would still have the special election on the special tax issue.

Council member Green (place3) made the following motion: approval of the cancellation of the General Election for May 6, 2023.

Second by: Council member Hernandez (place 5)

Place 1, David Richardson- For

Place 2, Tom Combs- For

Place 3, Rob Green- For

Place 4, Dan Long- For

Place 5, Debbie Hernandez- For

- K. Replacement of printer/scanner/copier for administrative department.

Discussion: City Manager advised the council that the copy/ fax/scanner used by city staff in the admin department has been malfunctioning. The machine is owned by the city and no longer on a service agreement plan. The City Manager advised the council of the efforts he took to look at different options, and the most cost-effective option is to renew a lease agreement for 60 months on a new printer and the council can decide later what they wanted done with the old printer.

Council member Green (place 3) made the following motion: to replace the printer/scanner/copier for administrative department on a 60 month lease program with Ricoh.

Second by: Council member Combs (place 2)

Motion passed by all present.

5. WORKSHOP

- A. Discussion on a possible zoning ordinance.

Discussion: Tom Combs (place 2) gave a presentation to the council on the benefits of a zoning ordinance. Some examples being property value, safety, protecting residential areas from commercial areas. The city council directed the City Manager to research potential grants to help alleviate costs for city projects such as zoning.

6. NON-ACTION ITEMS

- A. Staff Comments-none
- B. Mayor/Council Comments- none
- C. Next Regularly Scheduled Meeting – Tuesday, March 14th, 2023, at 6 PM
Special called meeting Thursday, March 9th, 2023, at 6 PM

7. ADJOURNMENT

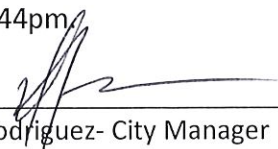
Mayor Pro Tem Long made the following motion: to adjourn the meeting.

Second by: Place 3, Rob Green

Motion passes by all present.

Mayor declared the meeting is adjourned at 7:44pm

APPROVED: 
John (JW) Wilkerson- Mayor

ATTEST: 
Heriberto Rodriguez- City Manager