

MINUTES OF A REGULAR CITY COUNCIL MEETING
MARCH 9, 2021- 6:00 P.M.
CITY AUDITORIUM IN THE RUHMAN C. FRANKLIN MUNICIPAL BUILDING
303 W. MAIN ST., KENEDY, TX. 78119

MEMBERS PRESENT: JOE BAKER (MAYOR), CINDY SAENZ (DISTRICT 1), JOHN RODRIQUEZ (DISTRICT 2), BRANDON BRIONES (DISTRICT 3), JAMES DOUGLAS (DISTRICT 4), LESLIE WYNN (DISTRICT 5)
CITY PRESENT: WILLIAM LINN (CITY MANAGER), JUDY MURPHY, RICHARD ASHE (POLICE CHIEF), JERRY HIGGINS (DIRECTOR OF PUBLIC WORKS)

1. Call Regular City Council meeting to order and announce a quorum is present.

Mayor Joe Baker called the meeting to order and announced a quorum was present at 5:58 P.M.

2. Roll Call.

All councilors were present.

3. Prayer.

4. Pledge of Allegiance.

5. Citizen Comment.

- Shelby Dupnik, Karnes County Commissioner, spoke in favor of our local fire department and said we are lucky to have what we have. He said it is not feasible to have to pay for a fire department staff. He added that right now is not the time to look at a paid fire department and said he agreed that the department does need training.
- Steven Hernandez, volunteer fire department member, said What is so beneficial to pay for something that is already free. He stated that the problem is when they ask for help. He asks council to take into account that they've never been a problem before.
- Alberto Balderramos mentioned that citizens are disappointed in the way open records requests are being filled.
- Don Staggs stated the City does not need a paid fire department but rather needs to spend funds on paving streets, caring for overgrown lots and address unoccupied buildings & homes.

6. Departmental Reports.

Public Works Director Report- Jerry Higgins reported on various projects and stated the amount of water loss for the month. He stated contractors are ready to start a project from Escondido to Nueces. Traffic control issues were discussed. Councilor Douglas complimented public works staff for the way they handled the freeze and also questioned use of the street sweeper.

Police Chief Report- Chief Ashe played a Zoom video of Chief Max Westbrook who was in charge of the recognition program for Texas Police Chiefs Association Best Practices Recognition Program. The program requires an entity meet 170 standards, is a voluntary program and required an inspection of City records/facilities in order to pass. The City of Kenedy was awarded a Certificate of Recognition and will be subject to another inspection in four years. Chief Ashe thanked Sergeant Elizondo for his work on this project. Chief also commented the shelter during the freeze accommodated 12 people.

7. **City Manager Report.** Mr. Linn addressed the street repair issues asked by Councilor Rodriguez. He discussed staffing and said the City had 8 potential candidates from the hiring event. He stated the RO Plant really needs supplemental staff. He gave a report on the winter weather event. He thanked the staff from AEP, Karnes Electric and ERCOT for addressing the electricity outages. He stated the need for emergency generators and said Mercer Construction estimated the cost to be near \$700,000. Mr. Linn reported that he forgave 18 residents their payment plan balances for their utility bills and gave all residents credit for there water and sewer bill for the month. Councilor Douglas stated he'd like to obtain the totals for the 18 forgiven customer amounts as well as the bonuses paid to employees for working the freeze and the amount of the water/sewer bills credited. The fire department report was given and it was reported a new non-profit organization was in process of being formed and they adopted new by-laws. Mr. Linn pointed out that the by-laws have not been approved by the City Council. Reports were given on code compliance activities, municipal court, and the restrooms at the Sports Complex. He mentioned that Langford will be assisting the City with the Texas Water Development Board grant application and a \$7,000 grant was awarded to the City by Conoco Phillips. The financial statements were presented and costs of building the Sports Complex from project inception amount to \$8.7 million. Total sports complex costs will be approximately \$10,965,000 after all bond interest and principal payments have been made. Councilor Douglas asked for Stage 2 Water Restriction Requirements to be placed on Facebook.

8. **Consent Agenda:**

- A. **City Council Minutes**
- B. **Approve Financials**

A motion was made by Councilor Douglas and seconded by Councilor Briones to approve the minutes and financial statements. All voted in favor and the motion passed.

Ordinances/Resolutions/Other Action Items:

9. **Consideration and possible action in regard to Ordinance 21-05, an Ordinance extending the juvenile curfew, offenses, defenses, and penalties found in Chapter 62, Article II, Division 2 of the City of Kenedy Code of Ordinances.**

A motion was made by Councilor Wynn and seconded by Councilor Saenz to consider the agenda item. After discussion of the details of the ordinance were discussed, a motion was

made by Councilor Douglas and seconded by Councilor Wynn to amend ordinance 21-05 to pertain to the following hours and to provide a defense to prosecution:

- Monday 11:00pm until Tuesday 3:00pm
- Tuesday 11:00pm until Wednesday 3:00pm
- Wednesday 11:00pm until Thursday 3:00pm
- Thursday 11:00pm until Friday 3:00pm
- Saturday 12:00am until Saturday 6:00am
- Sunday 12:00am until Sunday 6:00am
- Sunday 11:00pm until Monday 3:00pm

All voted in favor of the motion, and the motion passed.

10. Consideration and possible action in regard to Ordinance 21-04a Creating and Establishing the Kenedy Fire Department as a Career Fire Department; Ordinance 21-04b Crating and Establishing the Kenedy Fire Department as a Combination Fire Department; Ordinance 21-04c Creating and Establishing the Kenedy Fire Department as a Volunteer Fire Department; and directing the City Manager to take any and all measures necessary in creating and establishing the selected fire department type. (Laid on the Table at the February 9th Council Meeting to be picked up at the March 9th Council Meeting.

Councilor Saenz made a motion to pick up the agenda item off the table. Councilor Wynn seconded the motion. The City Manager stated this item is not about forcing anyone out. He stated the fire department was not set up properly from its origination. It needs to have the proper structure determined. Councilor Wynn stated the citizens want a volunteer fire department and the current volunteer firemen are trying to obtain 501c(3) status. He said the 3 choices were stated on the agenda. He asked that the focus stay on the agenda item and urged cooperation since the council merely is determining the structure. He added that he felt the City did not need a career fire department nor a hybrid. Mayor Baker stated the ordinances are quite lengthy and that is why he wanted to table the item until a workshop could be held. A motion was made by Councilor Briones and seconded by Councilor Wynn to create the ordinance 21-04c, a volunteer fire department with the caveat that the ordinance be amended and be date specific after a workshop can be held. All voted in favor of the motion and the motion passed.

11. Consideration and possible action in regard to Ordinance 21-06, an Ordinance canceling the May 1, 2021 regular election for Council Districts 3 and 5; and declaring each unopposed candidate elected to office; providing a severability clause and an effective date. A motion was made by Councilor Wynn to take action to cancel the election for districts 3 and 5. Councilor Rodriguez seconded the motion. All voted in favor of the motion and the motion passed.

12. Closed Session: City Council will meet in Closed Session in accordance with the Texas Open Meetings Act, Texas Government Code under Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- A. City Secretary
- B. City Manager

Amanda Hines, City Secretary spoke to Council and reported her resignation with an effective date of March 15, 2021. She thanked Council for allowing her to have served as City Secretary. Closed session began at 8:10 p.m. pursuant to Texas Government Code *Section 551.074* to discuss personnel matters.

13. Open Session: The regular open session city council meeting was reconvened at 10:42pm

Discuss action to be taken in regards to items discussed in executive session:

- a. **City Secretary:** Council decided to take no action on this item.
- b. **City Manager:** Councilor Douglas made a motion to accept the evaluation and score of 3.32 of City Manager William Linn. The motion was seconded by Councilor Briones. All voted in favor. Motion passed.

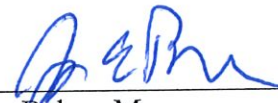
14. Adjourn.

Councilor Leslie Wynn made a motion to adjourn the meeting. Councilor Briones seconded the motion. All voted in favor. Motion passed.

Meeting adjourned at 10:44 P.M.



William Linn, City Manager



Joe Baker, Mayor

