



**REGULAR CITY COUNCIL MEETING MINUTES
DECEMBER 14, 2021 – 6:00 P.M.
CITY AUDITORIUM IN THE RUHMAN C. FRANKLIN MUNICIPAL BUILDING
303 W. MAIN ST., KENEDY, TX 78119**

MEMBERS PRESENT:

Mayor Joe Baker
Cindy Saenz, Mayor Pro-Tem, District 1
Johnny Rodriguez, District 2
James Douglas, District 4
Saundra Schultz, District 5

MEMBERS ABSENT:

Christopher Parker, District 3

CITY PRESENT:

City Manager William Linn
City Secretary Ruby Mowles
Police Chief Richard Ashe
Director of Public Works Jerry Higgins
Assistant Public Works Director Gary Paredez
Director Parks & Streets Joe Hernandez, III
Building Official Jaime Albiar

CITY ABSENT:

Opening Agenda

1. Call Regular City Council meeting to order.

The Regular Meeting of the City of Kenedy was called to order by Mayor Baker at 6:00 p.m. on Tuesday, December 14, 2021, in the City Auditorium in the Ruhman C. Franklin Municipal Building, 303 W. Main St. Kenedy, TX and video streaming via Facebook live.

2. Call Roll and establish a quorum is present.

With Council Members present a quorum was established.

3. Prayer to be led by Pastor Matt Singleton with First Baptist Church of Kenedy.

Pastor Matt Singleton with First Baptist Church of Kenedy led the prayer.

4. Pledge of Allegiance.

Mayor Baker led the Pledge of Allegiance to the U.S. flag.

5. Citizen comment.

No comment cards presented.

Cody Bryan, City of Kenedy Employee, addressed the Council to express his concern for employee wages and lack of appreciation. Bryan stated that he has been an employee of the City of Kenedy now for over five (5) years and has recently found employment elsewhere. Bryan stated there are issues with wages and budgets. He stated that what he was told when he hired on has changed several times over the years. Bryan stated he has chosen to dedicate his self to Kenedy. At this point, he does not feel he is being appreciated. Councilman Parker and Councilwoman Saenz have been out to the job sites and shown appreciation. The department is currently down to four (4) operators and keep doing the job. Bryan stated he felt it should be known that he has given his two weeks' notice. Bryan went on to talk about the cost of living in Kenedy and how the community is operating on oilfield prices with apartment rates, etc., however, the employee wages are not comparable enough to sustain employees.

6. Proclamation: Kenedy Lions Football Day

Mayor Baker proclaimed December 14, 2021 as Kenedy Lions Football Day.

7. Proclamation: Kenedy Fair Housing Month

Mayor Baker proclaimed December as Fair Housing Month.

8. Departmental Reports.

Public Works Director Report

Public Works Director Jerry Higgins addressed the Council to report the Public Works report for November 2021.

Police Chief Report

Chief Ashe addressed the council to report the Police Chief report to include Animal Control and Police Department operations for November 2021.

Building Department & Code Compliance Reports

Building Official Jaime Albiar addressed the council to report the Building Department report and Code Compliance report for November 2021.

Streets & Parks Director Reports

Director of Parks & Streets addressed the council to report the Streets and Parks report for November 2021.

City Secretary Report

City Secretary Ruby Mowles addressed the council to report the City Secretary report to include the new Savvy Citizen community notification program, the Fire Department and Municipal Court report for November 2021.

9. City Manager Report.

Current Projects, Future Projects, Current Operations, and/or Future Operations.

City Manager Linn addressed the Council and presented an update on City operations to include a new line item on the agenda starting in January for Small Business of the Month recognition. In addition, presented an update on City projects to include East Main, TDA CDBG sewer line grant, Carrizo Water Line, Convention Center, and 8" water line extension.

Presentation of Financials.

City Manager Linn presented the financial statements.

10. Consent Agenda

This section shall provide for items that require action by the Council, but where little or no discussion is anticipated. By a single motion, second and affirmation majority vote. Items under this section are approved without further discussion or action.

- A. Consideration and approval of Regular City Council Meeting Minutes of October 12, 2021.
- B. Consideration and approval on Financials.

Motion: Councilman Douglas made the motion to approve the Consent Agenda as presented. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

Ordinance / Resolution / Other Action Items:

This section shall provide for all other official discussion and action items provided for consideration by the Council.

- 11. Consideration and possible action on a variance request of Ordinance Chapter 74 “Subdivisions”, Section 74-13 “Special provisions”, to allow the continued use of an Onsite Sewer System Facility (OSSF) to be located on said property in the Carlos Martinez 19 League Grant Abstract 6, location being known as 515 East State Hwy 72. With the stipulation the new Onsite Sewer System Facility be located within the plat the homestead resides on. (Presenter: Building Official Albiar)**

Building Official Albiar addressed the Council and discussed the owners request for a variance for 515 East State Hwy 72. Albiar stated this item has previously been approved by Planning & Zoning.

Motion: Councilman Rodriguez made the motion to approve a variance request of Ordinance Chapter 74 “Subdivisions”, Section 74-13 “Special provisions”, to allow the continued use of an Onsite Sewer System Facility (OSSF) to be located on said property in the Carlos Martinez 19 League Grant Abstract 6, location being known as 515 East State Hwy 72. With the stipulation the new Onsite Sewer System Facility be located within the plat the homestead resides on. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

- 12. Consideration and possible action on a variance request of Ordinance 11-11, Section 8 “SF” Single Family District; Section B “Use Regulations”, Article (a), “Permitted Uses” (1), Ordinance 08-9-2011; to allow the placement of a manufactured home to be located on said property in the JDN Addition of Kenedy Block 4 Lot East Part of 1 known as 249 Booe St. (Presenter: Building Official Albiar)**

Building Official Albiar addressed the Council and discussed the owners request for a variance for 249 Booe St. Albiar stated this item has previously been approved by Planning & Zoning.

Motion: Councilman Douglas made the motion to approve a variance request of Ordinance 11-11, Section 8 “SF” Single Family District; Section B “Use Regulations”, Article (a), “Permitted Uses” (1), Ordinance 08-9-2011; to allow the placement of a manufactured home to be located

on said property in the JDN Addition of Kenedy Block 4 Lot East Part of 1 known as 249 Booe St. Councilwoman Sanecz seconded the motion. Motion carried with all present voting in favor.

13. Consideration and possible action in regard to the City of Kenedy casting votes on the 2022-2023 TCAP Board Ballot for the TCAP Board of Directors. (Presenter: City Manager Linn)

City Manager Linn addressed the Council to discuss that Council needed to cast seven (7) votes for the TCAP (Texas Coalition for Affordable Power) Board of Directors for the 2022-2023 term.

Discussion held among the Council and the City Manager.

Motion: Councilman Douglas made the motion to cast seven (7) votes for the 2022-2023 TCAP Board Ballot for the TCAP Board of Directors, as listed below:

Darron Leiker, Wichita Falls - HC
Miles Riley, Corpus Christi – HC
William Linn, Kenedy – LC
Courtney Alvarez, Kingsville – MC
David Esquivel, Tomball – MC
Karen Manila, North Richland Hills – HC
Roy Rodriguez, McAllen – HC

Councilman Rodriguez seconded the motion. Motion carried with all present voting in favor.

14. Consideration and possible action in regard to Resolution 21-16, a resolution of the City Council of the City of Kenedy, authorizing participation with the State of Texas, through the office of the Attorney General, in the Global Opioid Settlement and approving the term sheet; and Authorizing the City Manager to execute all necessary related documents; and Providing for an effective date. (Presenter: City Manager Linn)

City Manager Linn addressed the Council to discuss the Global Opioid Settlement.

Motion: Councilman Douglas made the motion to approve Resolution 21-16, a resolution of the City Council of the City of Kenedy, authorizing participation with the State of Texas, through the office of the Attorney General, in the Global Opioid Settlement and approving the term sheet; and Authorizing the City Manager to execute all necessary related documents; and Providing for an effective date. Councilwoman Schultz seconded the motion. Motion carried with all present voting in favor.

15. Consideration and possible action in regard to Ordinance 21-19, an ordinance of the City of Kenedy, Texas, amending the Code of Ordinances, Chapter 62 Offenses adding Article IV Graffiti, Sections 62-125 through 62-136; Providing for a penalty as a Class C Misdemeanor and a fine in the amount not to exceed \$500.00; Providing a repealing clause; Providing for severability; and Providing an effective date. (Presenter: City Manager Linn)

City Manager Linn addressed the Council to discuss enacting a Graffiti Ordinance and stated if passed will need to run in the local newspaper for two consecutive weeks since there is a fine imposed.

Motion: Councilman Douglas made the motion to approve Ordinance 21-19, an ordinance of the City of Kenedy, Texas, amending the Code of Ordinances, Chapter 62 Offenses adding Article IV Graffiti, Sections 62-125 through 62-136; Providing for a penalty as a Class C Misdemeanor and a fine in the amount not to exceed \$500.00; Providing a repealing clause; Providing for severability; and Providing an effective date. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

16. Consideration and possible action in regard to Ordinance 21-20, an ordinance of the City of Kenedy, Texas, lifting Stage II Water Restrictions and implementing Stage I Water Restrictions; Providing a repealer; Providing for a severability clause; and Providing for an effective date. (Presenter: City Manager Linn)

City Manager Linn addressed the Council to discuss lifting Stage II water restriction and implementing Stage I.

Motion: Councilwoman Saenz made the motion to approve Ordinance 21-20, an ordinance of the City of Kenedy, Texas, lifting Stage II Water Restrictions and implementing Stage I Water Restrictions; Providing a repealer; Providing for a severability clause; and Providing for an effective date. Councilman Douglas seconded the motion.

In favor: Councilwoman Schultz, Councilwoman Saenz, Councilman Douglas

Opposed: Councilman Rodriguez

Motion Carried 3:1.

17. Consideration and possible action in regard to establishing a date and time to conduct a workshop for the purpose of discussing how to properly organize the Parks & Recreation Board and amending the City of Kenedy Code of Ordinances Chapter 66 – Parks and Recreation, Article II – Parks and Recreation Board, and adding Section 66-34. (Presenter: City Manager Linn)

Discussion held among the Council and City Manager for establishing a date and time for a workshop.

Motion: Councilwoman Schultz made a motion to establish Monday, January 10, 2022 at 6:00 pm for a workshop for the purpose of discussing how to properly organize the Parks & Recreation Board and amending the City of Kenedy Code of Ordinances Chapter 66 – Parks and Recreation, Article II – Parks and Recreation Board, and adding Section 66-34. Councilman Douglas seconded the motion. Motion carried with all present voting in favor.

18. Consideration and possible action in regard to Resolution 21-17, a resolution of the City Council of the City of Kenedy, regarding citizens civil rights; Adopting a citizen participation plan and grievance procedures; Adopting a job training, employment and contracting opportunities policy for Section 3 residents and businesses; Adopting an excessive force policy; Adopting a nondiscrimination and grievance policy; Adopting the Federal Grant Procurement Policy 2CFR 200.318 – 200.327 and Appendix II of 2 CFR 200; Adopting a limited English proficiency plan; Adopting a fair housing policy; Providing a repealing clause; Providing for severability; Providing for proper notice and meeting; and Providing an effective date. (Presenter: City Manager Linn)

City Manager Linn addressed the Council and stated the CDBG Grant from the Texas General Land Office requires the City of Kenedy to follow standard policies and procedures.

Motion: Councilman Douglas made the motion to approve Resolution 21-17, a resolution of the City Council of the City of Kenedy, regarding citizens civil rights; Adopting a citizen participation plan and grievance procedures; Adopting a job training, employment and contracting opportunities policy for Section 3 residents and businesses; Adopting an excessive force policy; Adopting a nondiscrimination and grievance policy; Adopting the Federal Grant Procurement Policy 2CFR 200.318 – 200.327 and Appendix II of 2 CFR 200; Adopting a limited English proficiency plan; Adopting a fair housing policy; Providing a repealing clause; Providing for severability; Providing for proper notice and meeting; and Providing an effective date. Councilman Rodriguez seconded the motion. Motion carried with all present voting in favor.

- 19. Consideration and possible action in regard to Resolution 21-18, a resolution of the City Council of the City of Kenedy, designating authorized signatories for contractual documents and documents for requesting funds pertaining to the General Land Office Community Development Block Grant Program-Mitigation Program (CDBG-MIT) Contract Number 2-085-006-D234; Providing a repealing clause; Providing for severability; Providing for proper notice and meeting; and Providing an effective date. (Presenter: City Manager Linn)**

City Manager Linn addressed the Council and stated the CDBG Grant from the Texas General Land Office requires the City of Kenedy to designate authorized signatories for contractual documents and documents for requesting funds.

Motion: Councilman Douglas made the motion to approve Resolution 21-18, a resolution of the City Council of the City of Kenedy, designating authorized signatories for contractual documents and documents for requesting funds pertaining to the General Land Office Community Development Block Grant Program-Mitigation Program (CDBG-MIT) Contract Number 2-085-006-D234; Providing a repealing clause; Providing for severability; Providing for proper notice and meeting; and Providing an effective date. Councilwoman Schultz seconded the motion. Motion carried with all present voting in favor.

- 20. Items to consider for placement on future agendas. (Governing Body, City Manager, City Attorney)**

Councilman Rodriguez suggested placing an item on the January agenda to discuss ideas on how to improve the block park in the Goliad and Nueces area North and South of St. Mary Street for potential lighting or walking trail

- 21. Announcements of Community interest and/or upcoming events. (Governing Body, City Manager, City Secretary)**

Councilman Douglas wished the best of luck to Falls City for State Championship.

City Manager thanked the Council for the TCAP vote.

Mayor Baker stated this was the last regular meeting for 2021 and wished everyone a Merry Christmas. Baker stated he has decided to file to run for Karnes County Judge and hopes that citizens give thought to becoming a Mayor.

City Manager stated the employee and council luncheon will be on Friday.

22. Adjourn.

Mayor Baker adjourned the meeting at 7:44 p.m.

APPROVED:



Joe Baker, Mayor

ATTEST:



Ruby Mowles, City Secretary