



**REGULAR CITY COUNCIL MEETING MINUTES**  
**JANUARY 11, 2022 – 6:00 P.M.**  
**CITY AUDITORIUM IN THE RUHMAN C. FRANKLIN MUNICIPAL BUILDING**  
**303 W. MAIN ST., KENEDY, TX. 78119**

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**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

Christopher Parker, District 3  
Saundra Schultz, District 5

**CITY PRESENT:**

City Manager William Linn  
City Secretary Ruby Mowles  
Police Chief Richard Ashe  
Assistant Public Works Director Gary Paredes  
Director Parks & Streets Joe Hernandez, III  
Building Official Jaime Albiar  
Administrative Assistant Amy Desharnais  
City Attorney Alessandra Gad (Joined at 6:28 pm)

**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, January 11, 2022, 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 Trey Hill with The Word Fellowship Church.**

Pastor Trey Hill with The Word Fellowship Church led the prayer.

**4. Pledge of Allegiance.**

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

**5. Citizen comment.**

No Citizen Comments.

**6. Proclamation: Frontier Pharmacy**

Mayor Baker proclaimed Frontier Pharmacy Small Business of the Month for January 2022.

**7. Presentation: Small Business of the Month Award**

Mayor Baker presented David Franke with a Small Business of the Month Award for January 2022 for Frontier Pharmacy.

**8. Presentation: The Senate of The State of Texas Proclamation Number 148 recognizing Randy Garza for twenty-two (22) years of service to the City of Kenedy as a Mayor and a Councilman.**

Mayor Baker stated Randy Garza was not able to make attendance, but Garza will receive the proclamation.

Mayor Baker read The State of Texas Proclamation Number 148 recognizing Randy Garza for twenty-two (22) years of service to the City of Kenedy as a Mayor and a Councilman.

**9. Presentation: The Senate of The State of Texas Proclamation Number 149 recognizing Ken Reiley for fifteen (15) years of service to the City of Kenedy as Councilman.**

Mayor Baker stated Ken Reiley was not able to make attendance, but Reiley will receive the proclamation.

Mayor Baker read The Senate of The State of Texas Proclamation Number 149 recognizing Ken Reiley for fifteen (15) years of service to the City of Kenedy as Councilman.

**10. Presentation: The Senate of The State of Texas Proclamation Number 150 recognizing Felipe Leal for eighteen (18) years of service to the City of Kenedy as Councilman.**

Mayor Baker read and presented Felipe Leal with The Senate of The State of Texas Proclamation Number 150 recognizing Leal for eighteen (18) years of service to the City of Kenedy as Councilman.

**11. Presentation: The Senate of The State of Texas Proclamation Number 151 recognizing Brandon Briones for ten (10) years of service to the City of Kenedy as Councilman.**

Mayor Baker stated Brandon Briones has indicated that he will try to be in attendance for the presentation. Agenda item 11 will be moved to the end of the agenda.

Mayor Baker returned to this item and stated Brandon Briones was not able to make attendance, but Briones will receive the proclamation.

Mayor Baker read The Senate of The State of Texas Proclamation Number 151 recognizing Brandon Briones for ten (10) years of service to the City of Kenedy as Councilman.

**12. Departmental Reports.**

City Manager Linn addressed the Council and explained there has been a leadership change in the Public Works Department with Jerry Higgins relocating and Gary Paredez promoting up from the Assistant Public Works Director. Linn introduced Paredez to Council.

#### **Public Works Director Report**

Public Works Director Gary Paredez addressed the Council to report the Public Works report for December 2021.

#### **Police Chief Report**

Chief Ashe addressed the council to report the Police Chief report to include Animal Control and Police Department operations for December 2021. In addition, Chief Ashe presented the 2021 year-end review for the Police Department.

#### **Building Department & Code Compliance Reports**

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

#### **Streets & Parks Director Reports**

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

#### **City Secretary Report**

City Secretary Ruby Mowles addressed the council to report the City Secretary report to include the Fire Department and Municipal Court report for December 2021.

City Secretary Mowles introduced Administrative Assistant Amy Desharnais to present the city event planning.

Administrative Assistant Amy Desharnais addressed the Council to report the event planning report for December 2021.

### **13. 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 Omicron and Grants. 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.

### **14. 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 Special City Council Meeting Minutes of October 18, 2021, Workshop City Council Meeting Minutes of October 18, 2021, Regular City Council Meeting Minutes of November 09, 2021, and Regular City Council Meeting Minutes of December 14, 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.*

15. **Consideration and possible recommendation for a request to vacate and re-plat in the City of Kenedy, Karnes County, Texas an being a plat creating Lot 1 and Lot 2 in the Cardona Subdivision of the City of Kenedy, Texas, Karnes County, Texas a subdivision plat of .40 acres of land within the City limits of Kenedy out of the Carlos Martinez 15 League Grant, Abstract No. 6, Karnes County, Texas and being the land described in a conveyance to Antonio Cardona in the deed of record in document 20180002797 of the official records of Karnes County, Texas to be further know as 412 Mixon St. and 416 Mixon St. (Presenter: Building Official Jaime Albiar)**

Building Official Jaime Albiar addressed the Council and discussed the owners request to vacate and re-plat to place a manufactured home on the property. Albiar stated the vacate and re-plat was approved by the Planning and Zoning Board.

**Motion:** Councilman Douglas made the motion to approve a request to vacate and re-plat in the City of Kenedy, Karnes County, Texas an being a plat creating Lot 1 and Lot 2 in the Cardona Subdivision of the City of Kenedy, Texas, Karnes County, Texas a subdivision plat of .40 acres of land within the City limits of Kenedy out of the Carlos Martinez 15 League Grant, Abstract No. 6, Karnes County, Texas and being the land described in a conveyance to Antonio Cardona in the deed of record in document 20180002797 of the official records of Karnes County, Texas to be further know as 412 Mixon St. and 416 Mixon St. Councilman Rodriguez seconded the motion. Motion carried with all present voting in favor.

16. **Consideration and possible recommendation for a request to vacate and re-plat in the City of Kenedy, Karnes County, Texas an being a parcel of land in Block 4 Lot A7-1 and Lot A7-2 in the Levi Pullin New Mexican Subdivision of the City of Kenedy, Texas, Karnes County, Texas out of the Carlos Martinez 15 League Grant, Abstract 6, Karnes County, Texas as shown on the plat of record in Volume 122, Page 106 of the deed records of Karnes County, Texas and to be further known as 100 Snocum St. and 102 Snocum St. (Presenter: Building Official Jaime Albiar)**

Building Official Jaime Albiar addressed the Board and discussed the owners request to vacate and re-plat. Albiar stated the vacate and re-plat was approved by the Planning and Zoning Board.

**Motion:** Councilman Rodriguez made the motion to approve a request to vacate and re-plat in the City of Kenedy, Karnes County, Texas an being a parcel of land in Block 4 Lot A7-1 and Lot A7-2 in the Levi Pullin New Mexican Subdivision of the City of Kenedy, Texas, Karnes County, Texas out of the Carlos Martinez 15 League Grant, Abstract 6, Karnes County, Texas as shown on the plat of record in Volume 122, Page 106 of the deed records of Karnes County, Texas and to be further known as 100 Snocum St. and 102 Snocum St. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

17. **Consideration and possible recommendation for a request to vacate and re-plat of Lot 4A Block 34 in Kenedy Addition of the Carlos Martinez 15 League Grant Abstract No. 8 in the City of Kenedy, Texas, Karnes County, Texas as shown on the plat of record in Cabinet A, Page 149 of the deed records of Karnes County, Texas and to be further know as 202 S. 6th. St. (Presenter: Building Official Jaime Albiar)**

Building Official Jaime Albiar addressed the Board and discussed the owners request to vacate and re-plat. Albiar stated the vacate and re-plat was approved by the Planning and Zoning Board.

**Motion:** Councilwoman Saenz made the motion to approve a request to vacate and re-plat of Lot 4A Block 34 in Kenedy Addition of the Carlos Martinez 15 League Grant Abstract No. 8 in the City of Kenedy, Texas, Karnes County, Texas as shown on the plat of record in Cabinet A, Page 149 of the deed records of Karnes County, Texas and to be further know as 202 S. 6th. St. Councilman Douglas seconded the motion. Motion carried with all present voting in favor.

18. **Consideration and possible action on a variance request of the Code of Ordinance Chapter 90 “Zoning”, Section 90-10 (c) Height and area regulations (2), to allow the encroachment of four (4’) foot into the twenty-five (25’) front building setback as established by the City of Kenedy, location being known as 124 Karnes St. (Presenter: Building Official Jaime Albiar)**

Building Official Jaime Albiar addressed the Board and discussed the owners request for a variance request. Albiar stated the variance request was approved by the Planning and Zoning Board.

**Motion:** Councilman Rodriguez made the motion to approve a variance request of the Code of Ordinance Chapter 90 “Zoning”, Section 90-10 (c) Height and area regulations (2), to allow the encroachment of four (4’) foot into the twenty-five (25’) front building setback as established by the City of Kenedy, location being known as 124 Karnes St. Councilman Douglas seconded the motion. Motion carried with all present voting in favor.

19. **Consideration and possible action in regard to Ordinance 21-01, an ordinance of the City of Kenedy, Texas ordering the May 7, 2022, General Election for the Mayor and Council Member for Districts 2 and 4; Providing for Early Voting; Providing for other matters relating to the Election; Providing a Repealing Clause; Providing for Severability; and Providing an Effective Date. (Presenter: City Manager Linn)**

City Manager Linn addressed the Council stating the Ordinance is to order the May 7, 2022 General Election for the Mayor and Council Member for Districts 2 and 4.

**Motion:** Councilman Douglas made the motion to approve Ordinance 21-01, an ordinance of the City of Kenedy, Texas ordering the May 7, 2022, General Election for the Mayor and Council Member for Districts 2 and 4; Providing for Early Voting; Providing for other matters relating to the Election; 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.

20. **Consideration and possible action in regard to awarding the construction contract pertaining to the TxCDBG Sewer Project No. 7220229 at Waco & Live Oak, to Dirt Boys, Inc for the not-to-exceed bid amount of \$245,655.00 to be completed not later than 90 calendar days from issuance of the notice to proceed; directing and authorizing the Mayor to sign and effect the contract between the City of Kenedy and Dirt Boys, Inc. (Presenter: City Manager Linn & Mr. Jess Swaim)**

City Manager Linn addressed the Council stating the lowest bid for the Waco & Live Oak Sewer Project was Dirt Boys in the amount of \$245,655.00. City Manager Linn introduced Jess Swaim with 6S Engineering.

Jess Swaim addressed the Council and stated there were three bids and Dirt Boys was the lowest bidder. Swaim stated he did vet the bidders and do background checks on each one.

**Motion:** Councilman Douglas made the motion to approve awarding the construction contract pertaining to the TxCDBG Sewer Project No. 7220229 at Waco & Live Oak, to Dirt Boys, Inc for the not-to-exceed bid amount of \$245,655.00 to be completed not later than 90 calendar days from issuance of the notice to proceed; directing and authorizing the Mayor to sign and effect the contract between the City of Kenedy and Dirt Boys, Inc. Councilman Rodriguez seconded the motion. Motion carried with all present voting in favor.

21. **Consideration and possible action for the City of Kenedy to sponsor a table for the Designer Bag Bingo benefiting the Escondido Creek Park to be held on February 03, 2022. (Presenter: City Manager Linn)**

City Manager Linn addressed the Council about the request for the City to sponsor a table for the Designer Bag Bingo benefiting the Escondido Creek Park to be held on February 03, 2022. Linn stated the city cannot donate money because it is illegal.

City Attorney Gad confirmed if the city purchased a table this would be considered a donation and donations are illegal.

**Motion:** Councilman Douglas made the motion to take no action. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

22. **Consideration and possible action regarding allocating the remaining unused American Rescue Plan Act funds to City personnel as premium pay for working during the coronavirus pandemic. (Presenter: City Manager Linn & Councilman Rodriguez)**

City Manager Linn addressed the Council stating American Rescue Plan Act Funds have been approved for the generators for \$681,000. Linn recommends the difference be reallocated as premium pay to 46 active employees as of today. The funds are available to payout this week to each employee in the amount of \$3,200.

Councilman Rodriguez stated employees are going through a hard time and this is a good way to show the current employees that we appreciate them.

Discussion held among the Council with City Manager Linn about generators, amount to employees, and leftover amount after premium payout.

**Motion:** Councilman Rodriguez made the motion to approve allocating the remaining unused American Rescue Plan Act funds to City personnel as premium pay for working during the coronavirus pandemic in the amount of \$3,200 for each active employee. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

**23. Consideration and possible action to ratify the appoint of an Emergency Management Coordinator as of October 01, 2021. (Presenter: Chief Ashe).**

Chief Ashe addressed the Council stating that the appointment of the Emergency Management Coordinator (EMC) needed to be ratified to October 01, 2021 and the Police Chief was previously designated as the EMC for the City.

**Motion:** Councilman Douglas made the motion to ratify the appointment of an Emergency Management Coordinator as of October 01, 2021 designating the Police Chief. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

**24. Consideration and possible action regarding ratifying acceptance of donations for the City of Kenedy Employee Christmas Luncheon and issuing Thank-you Letters to the donors. (Presenter: City Manager Linn)**

City Manager addressed the Council stating we wanted to show appreciation and thanks to the many donors who helped make a success for the City of Kenedy Employee Christmas Luncheon by issuing thank-you letters and the donation value to the donors.

**Motion:** Councilman Douglas made the motion to ratifying acceptance of donations for the City of Kenedy Employee Christmas Luncheon and issuing Thank-you Letters to the donors. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

**25. Consideration and possible action to discuss ideas regarding St. Mary's Park enhancements. (Presenter: Councilman Rodriguez)**

Councilman Rodriguez stated he wanted to discuss ideas about enhancing St. Mary's Park to make it look more like a park. Rodriguez stated citizens have made concerns about no lights to walk at night.

Director Parks & Streets Joe Hernandez addressed the Council and discussed St. Mary's Park explaining the park currently has trash receptacles, picnic tables, walking trails, and the horned toads have a thoroughfare through the park.

Discussion held among the Council, Director Parks & Streets Joe Hernandez, and City Manager Linn about safety lights, playground equipment, bar-b-que pits, horned toad designated section, potential tourist attraction, and potential donations.

No action taken.

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

No items added.

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

City Manager Linn thanked the City Council, Kenedy Economic Development (4B), and Kenedy Chamber of Commerce for being supportive for the Small Business of the Month program.

The 2<sup>nd</sup> Friday Breakfast being hosted at Runge has been cancelled.

28. Adjourn.

Mayor Baker adjourned the meeting at 8:30 p.m.

**APPROVED:**

  
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Joe Baker, Mayor

**ATTEST:**

  
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Ruby Mowles, City Secretary