



**REGULAR CITY COUNCIL MEETING MINUTES
FEBRUARY 08, 2022 – 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
Christopher Parker, District 3
Johnny Rodriguez, District 2
James Douglas, District 4
Saundra Schultz, District 5

MEMBERS ABSENT:

CITY PRESENT:

City Manager William Linn
City Secretary Ruby Mowles
Police Chief Richard Ashe
Director Parks & Streets Joe Hernandez, III
Administrative Assistant Amy Desharnais
City Attorney Alessandra Gad (Joined at 6:17 pm)

CITY ABSENT:

Assistant Public Works Director Gary Paredez
Building Official Jaime Albiar

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 6:01 p.m. on Tuesday, February 08, 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 Danielle Knapp with United Methodist Church.

Pastor Danielle Knapp with United Methodist 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: Barth's Restaurant**

Mayor Baker proclaimed Barth's Restaurant Small Business of the Month for February 2022.

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

Mayor Baker presented Sharon Rinehart with a Small Business of the Month Award for February 2022 for Barth's Restaurant.

8. **Departmental Reports.**

Public Works Director Report

City Manager Linn addressed the Council and explained the Public Works Director was working on a leak and the CM presented the January 2022 Public Works Director Report.

City Manager notified the Council there is a water leak over by the Cadillac Jacks area and there is a water boil notice.

Building Department & Code Compliance Reports

City Manager Linn addressed the Council and explained the Building Official is out and the CM will present the January 2022 Building Department & Code Compliance Reports.

City Manager Linn stated the department is working on a more aggressive cleanup path. Also, working with AOKA for virtual inspections.

Streets & Parks Director Reports

Director of Parks & Streets addressed the council to report the Streets and Parks report for January 2022.

Police Chief Report

Chief Ashe addressed the council to report the Police Chief report to include Animal Control and Police Department operations for January 2022.

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 January 2022.

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

Administrative Assistant Amy Desharnais addressed the Council to report the event planning report for January 2022.

City Secretary Mowles invited Jolene Terwilliger, Executive Director, with the Kenedy Chamber of Commerce to present an update on Bluebonnet Festival.

9. **City Manager Report.**

City Manager Linn addressed the Council and presented an update on City operations to include a food truck “pilot” program, San Antonion food bank, and EV charging stations. 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.

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 January 08, 2022.**
- B. **Consideration and approval on Financials.**
- C. **Consideration and approval on Amendment #1 for the Engineering Services contract to establish an amount of \$5,349,750.00 for infrastructure, per federal regulations, pertaining to the GLO Community Development Block Grant—Mitigation (CDBG-MIT) Program Contract Number #22-085-006-D234.**
- D. **Consideration and approval for Amendment to Administration & Environmental Services contract to include an amount of \$2,460,885.35 for infrastructure, per federal regulations, pertaining to the GLO Community Development Block Grant—Mitigation (CDBG-MIT) Program Contract Number #22-085-006-D234.**

Motion: Councilman Rodriguez made the motion to approve the Consent Agenda as presented. No council member seconded the motion. Motion died for lack of second.

Motion: Councilman Rodriguez made the motion to pull Consent Agenda Items A and B only to consider for approval for the Consent Agenda. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

Motion: Councilman Douglas made the motion to approve Consent Agenda Items A and B only. Councilman Parker seconded the motion. Motion carried with all present voting in favor.

Judy Langford, Lanford Community Development Services, addressed the Council to discuss consent agenda Items C and D and explained GLO requires the percentage to be shown as an actual number.

Motion: Councilman Rodriguez made the motion to pull Consent Agenda Items C and D only for consideration under the regular agenda. Councilwoman Saenz seconded the motion. Motion carried with four voting in favor and one abstention.

For Motion: Councilwoman Saenz, Councilman Parker, Councilman Rodriguez, Councilwoman Schultz

Abstained: Councilman Douglas*

*Councilman Douglas explained there is a conflict of interest with being married to one of Langford’s employees.

Discussion held among the Council, City Manager, and Judy Langford on Item C and D explaining how the percentage numbers were previously approved council and the GLO requires the actual number to be listed. This is just a formality for GLO requirements.

Motion: Councilman Rodriguez made the motion to approve Consent Agenda Items C and D only. Councilwoman Saenz seconded the motion.

In favor: Councilwoman Saenz, Councilman Parker, Councilman Rodriguez,
Councilwoman Schultz

Abstained: Councilman Douglas

Motion carried with four voting in favor and one abstention.

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 to re-appoint Suzanne Nunez and Alicia Sandoval to the City of Kenedy Parks and Recreation Board for a two-year term beginning March 1, 2022 to February 28, 2024. (Presenter: City Manager Linn)

Suzanne Nunez addressed the Council and stated she would look forward to serving on the Board.

Alicia Sandoval addressed the Council and stated she would like to continue to work on the Board.

Motion: Councilman Douglas made the motion re-appoint Suzanne Nunez and Alicia Sandoval to the City of Kenedy Parks and Recreation Board for a two-year term beginning March 1, 2022 to February 28, 2024. Councilwoman Schultz seconded the motion. Motion carried with all present voting in favor.

12. Consideration and possible action in regard to authorizing Kenedy Economic Development Corporation Chair Mr. Gary Richards to sign a contract between the Kenedy Economic Development Corporation and Drewa Designs for the purpose of creating and maintain a stand-alone website for the Kenedy Economic Development Corporation. (Presenter: City Manager Linn & Mr. Gary Richards)

Gary Richards, EDC 4B President, addressed the Council about EDC 4B obtaining a website to represent the community, events, etc. Richards stated this is to try and pull businesses together and will have a link to the City website. The EDC 4B will pay for the website expense.

Motion: Councilman Douglas made the motion to authorizing Kenedy Economic Development Corporation Chair Gary Richards to sign a contract between the Kenedy Economic Development Corporation and Drewa Designs for the purpose of creating and maintain a stand-alone website for the Kenedy Economic Development Corporation. Councilman Parker seconded the motion. Motion carried with all present voting in favor.

13. Consideration and possible action in regard to Ordinance 22-02, an Ordinance of the City of Kenedy, Texas, amending the Solid Waste Collection and Disposal Rates Fee Schedule;

Providing for collection of delinquent payment; providing a repealing clause; Providing for severability; and Providing an effective date. (Presenter: City Manager Linn)

City Manager Linn addressed the Council to explain Waste Connections has a contract that allows for rate adjustments annually. For the year 2021, the rates were not increased. Waste Connections has presented the City a request for rate adjustments to become effective February 01, 2022.

Councilman Douglas questioned what happens if we don't approve this ordinance.

City Manager Linn explained this is a contractual increase and the City is obligated to pay the increased invoice. If not approved, the City will be spending money out of the budget that was not approved by Council.

Discussion held among the Council and City Manager in regard to rates, other service provider options, and issues with increasing rates.

Motion: No action taken.

City Manager Linn explained that an action to approve the ordinance is needed, for the budget, since the City is contractually obligated to pay the increased invoice. Linn explained the ordinance can be approved where the City takes the responsibility for the increase not the residents.

Motion: Councilman Rodriguez made the motion to approve Ordinance 22-02, an Ordinance of the City of Kenedy, Texas, amending the Solid Waste Collection and Disposal Rates Fee Schedule; Providing for collection of delinquent payment; providing a repealing clause; Providing for severability; and Providing an effective date. The motion includes the stipulation that the City is not to pass this rate increase to either the residential or commercial accounts. Councilwoman Saenz seconded the motion. Motion carried 4:1.

For Motion: Councilwoman Saenz, Councilman Parker, Councilman Rodriguez,
Councilwoman Schultz

Against Motion: Councilman Douglas

14. Consideration and possible action in regard to issuing a one-time temporary variance on Chapter 66 Parks and Recreation, Article III Parks, Section 66-64 Prohibited acts within the parks, subsection (17) To possess or consume alcohol in the parks; to permit the sale and consumption of alcohol during the Bluebonnet Festival on Friday April 22, 2022 from 6:00 p.m. until 11:59 p.m. and on Saturday April 23, 2022 from 12:00 p.m. until 11:59 p.m. (Presenter: City Manager Linn)

Discussion held among the Council, City Manager, and Jolene Terwilliger, Executive Director, with the Kenedy Chamber of Commerce in regard to alcohol sales, TABC, consumption, security at the park for the Bluebonnet Festival, and changing the suggesting time frame for consumption of alcohol.

Motion: Councilman Parker made the motion to approve a one-time temporary variance on Chapter 66 Parks and Recreation, Article III Parks, Section 66-64 Prohibited acts within the parks, subsection (17) To possess or consume alcohol in the parks; to permit the sale and consumption of alcohol during the Bluebonnet Festival starting on Friday April 22, 2022 from

12:00 noon until Saturday April 23, 2022 at 11:59 p.m. Councilman Douglas seconded the motion. Motion carried with all present voting in favor.

15. **Consideration and possible action in regard to awarding a contract to Weisinger, Inc in an amount not to exceed \$62,111.00 for the replacement and repair of water well #14's pump; and authorizing the City Manager to sign all documents relating to the project. (Presenter: City Manager Linn and PWD Gary Paredes)**

City Manager Linn addressed the Council about well #14's pump.

Motion: Councilman Rodriguez made the motion to approve awarding a contract to Weisinger, Inc in an amount not to exceed \$62,111.00 for the replacement and repair of water well #14's pump; and authorizing the City Manager to sign all documents relating to the project. Councilman Douglas seconded the motion. Motion carried with all present voting in favor.

Executive Session

16. **Closed Session**

City Council will meet in Closed Session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- A. **Section 551.071 Consultation with Attorney. (Presenter: City Manager Linn)**
- B. **Section 551.074 Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager. (Presenter: City Manager Linn)**

At 7:56 p.m. Mayor Baker convened the Kenedy City Council into an executive session pursuant to provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.071 Consultation with Attorney and Section 551.074 Personnel Matters.

Motion: Councilwoman Saenz moved to go into closed session. Councilman Douglas seconded the motion. Motion carried with all present voting in favor.

17. **Open Session**

City Council will reconvene in Open Session at which time action on the matter(s) discussed in Closed Session may be considered.

- A. **Section 551.071 Consultation with Attorney. (Presenter: City Manager Linn)**
- B. **Section 551.074 Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager. (Presenter: City Manager Linn)**

At 9:35 p.m. Mayor Baker reconvened the Kenedy City Council into open session pursuant to provisions of Chapter 551 of the Texas Government Code to take any action necessary related to the executive session noted herein, or regular agenda items, noted above, and/or related items.

No action taken.

18. Consideration and possible action regarding scheduling a workshop relating to the Kenedy convention Center. (Presenter: City Manager Linn)

Motion: Councilman Parker made the motion to set the workshop date to February 17, 2022 at 7:00 p.m. to be held at the City Auditorium in the Ruhman C. Franklin municipal building for the purpose of discussing the Kenedy Convention Center. Councilwoman Saenz seconded the motion. Motion carried with all present voting in favor.

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

Councilman Rodriguez requested an agenda item to amend an ordinance for HWY 72 truck route to Houston St. to include truck signs.

Councilman Rodriguez requested a special meeting for business dealings with Langford.

Councilman Douglas requested an agenda item for the food bank presentation.

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

Mayor Baker stated the Coffee in the Park with the Mayor is the second Saturday of the month at the Escondido Creek Parkway Pavilion.

Councilman Douglas stated the Karnes City Gala will be held on February 19, 2022.

City Secretary mentioned the Karnes 2nd Friday Breakfast.

21. Adjourn.

Mayor Baker adjourned the meeting at 9:44 p.m.

APPROVED:



Joe Baker, Mayor

ATTEST:



Ruby Mowles, City Secretary