

**REGULAR MONTHLY MEETING
CITY OF KARNES CITY
AUGUST 23, 2016**

**STATE OF TEXAS)
COUNTY OF KARNES)
CITY OF KARNES CITY)**

On this 23rd day of August 2016, the City Council of the City of Karnes City, Texas convened in a **Regular Monthly Meeting** at 6:00 P.M. in the City Hall with the following members answering to "Roll Call":

Mayor - Leroy T. Skloss
Mayor Pro-Tem – Jimmy D. Loya, Sr.
Councilmembers: Lillian Lyssy, Helen Hernandez
Sherry Sommer arrived at 6:07pm and
Raymond Robinson arrived at 7:56

Councilmember absent:

Others present: City Manager (CM) Don Tymrak, City Development Manager/Finance Director (FD) Ray Kroll, City Secretary (CS) Veronica Butler, Chief of Police Roel Salas, Code Compliance Enforcement Officer (CCE) Kevin Moehrig, Director of Public Works (DPW) Fernando Rios, Fire Chief Charlie Malik, Accounting Administrator Haylee Sowell, Asst. Director of Public Works Eloy Rodriguez, Will Johnson, Bev Tymrak, Elisa Morales, Art Gutierrez, Hope Gutierrez, James Rosales, Lupe Rosales, Russell Jaskinia, Don Liska, Lavonne Murphy-Guzman, Buzi Holzer, Randy Holzer, Bobby Reyes, Scott Barrientez, Abe Castaneda, Frank Vera, Joey Salais, Jorge Gonzalez, Janice Branham, Robert Rodriguez, Michael McCracken, Paul Foley, Carlos Crawford, Alex Rodriguez, Gus Hernandez, Chris Ramirez, Ruth Soto, Domingo Lopez and Mike Ochoa

**C. U.S. Pledge of Allegiance and Texas Pledge of Allegiance
Moment of Silence/Prayer**

D. Consent Agenda:

(1) Minutes

- a. July 26, 2016 – Mayor Skloss stated item #7 was jumbled together; the second sentence can be removed due to it not being on subject. Councilmember Loya stated City Development Manager/Finance Director Ray Kroll needs to be added to the attendance.
- b. August 11, 2016

(2) Reports

- a. Administration
- b. Finance/Accounting
- c. Police
- d. Public Works
- e. Parks & Recreation
- f. Code Enforcement
- g. Municipal Court

h. Fire

After further discussion, a motion was made by Councilmember Loya and seconded by Councilmember Lyssy to approve the items listed under the Consent Agenda with corrections as stated above. The vote was 3-0 in favor and the motion was declared unanimously passed.

E. PUBLIC COMMENTS (“A” Session) – Chief of Police Roel Salas stated the KCPD is in conjunction with Texas Dept. of Transportation doing DWI patrols, started Aug 19th - Sept 5th for the Labor Day weekend.

F. UNFINISHED BUSINESS (CONSIDER AND ACT UPON):

(3) Park Improvements – CM Tymrak stated the only information we have is, as of 8/18 we have not heard from AEP so we can finish the electrical service. CM Tymrak stated DPW Rios spoke with him this morning and stated he was in touch with AEP and they sort of put it back on us and said to start trenching and to let them know when we are done and AEP will come to put the line in. The original agreement was the City would trench and they would come in right behind us to put the line in and the City would cover it right back up. No action taken.

(4) CDBG 2015-2016 for Elevated Ground Storage – CM Tymrak stated we have received the Environmental Review clearance and TDA “Authority to Use Grant Funds” Mark McInley with SAMCO is working to proceed with the Bond Debt Service via Certificates of Obligation to fund that project. Mayor Skloss asked who was handling the land purchase for the City, CM Tymrak stated he was, he is working with City Attorney Jesse Lopez on the final draft contract. No action taken.

G. NEW BUSINESS (CONSIDER AND ACT UPON):

(5) Founder’s Day 2016 Celebration – CM Tymrak stated the Council back in April approved to move forward with the event as a yearly celebration the only question is how do we want to conduct the Celebration, last year the City maintained responsibility for the event. Mayor Skloss stated “I think you guys did a great job last year putting it together, the weather wasn’t the best but the turnout was great”. Councilmember Sommer asked if we would have some co-committees to help with some of the other things. Councilmember Lyssy stated the Chamber would take care of Santa again this year. CM Tymrak stated the Council needs to decide if they want the City to be in charge, is there anything you want to add or subtract from the event. Councilmember Sommer stated the schedule went smooth last year; everyone loved the fireworks, parade and keeping the entire event at the park. No action taken.

(6) Audit services proposed by Beyer & Co – CM Tymrak stated we have received the engagement letter from Beyer & Co., also included in your packet is information about the pros and cons on whether to change or not to change auditors. CM Tymrak stated the City goes back to 2004 with Beyer & Co., since that time we have not had any issues. Councilmember Sommer asked if we have ever received any request from other Auditors, CM Tymrak stated we haven’t in the past. FD Kroll stated right now going into the last month of the FY is not the time to change, if the Council wants to look into alternatives we need to look into it at the 1st or 2nd quarter of this next FY, which would give myself and any member of the Council that wants to go over the qualifications to

be able to make a decision instead of trying to do something in the last 3 weeks of FY. Councilmember Sommer stated it's not that anyone of us thinks there is any wrong doing; it's just that having the same person look at your books for that many years may not be good. After further discussion, a motion was made by Councilmember Sommer and seconded by Councilmember Lyssy to retain the services of Beyer & Company in the amount of \$15,000. The vote was 4-0 in favor and the motion was declared unanimously passed.

(7) Drainage Project – Culvert replacement on E. Main & Calvert Ave - Russell Jaskinia with Intrepid Surveying & Engineering Corp. stated his recommendation on E. Main street are to upgrade from the 2 or 3 culverts that are there now with 36 inch CMP culverts, the reason for that size is it will work with the channel and is able to carry the capacity. The channels have been improved but with the current culverts are too small and it backs up water and water slowly starts going over the road. Upstream on E. Calvert Ave. the recommendation is the same to upgrade to 36 inch CMP culverts would help with the capacity and we could utilize the ones already in place. Councilmember Loya asked what about on Main St., pass Mr. Morales house are we going to clean that area. CM Tymrak stated CCE Moehrig has been looking into that area to see if we have City right- a- way. FD Kroll stated funds would come out of street drainage; we have the funds to do out of this year's budget. After further discussion, a motion was made by Councilmember Loya and seconded by Councilmember Sommer to proceed with the drainage project, estimated amount of \$47,500.00. The vote was 4-0 in favor and the motion was declared unanimously passed.

(8) City Policy regarding “burn-for-training” structure donation to Fire Dept. - CM Tymrak stated Fire Chief Malik was approached by property owner willing to donate their structure to do a controlled burn for training exercise. Chief would like to have a City policy that gives guidance to them to handle a situation so when it comes up again we won't have to bring it back before the Council. Mayor Skloss stated we would need to get a full release from property owner then we would need someone to follow up to make sure that they are the only property owner and there are no other parties involved. Fire Chief Malik stated the property owner would be responsible for cleanup. He stated the fire department rarely gets the opportunity to get a structure for training. The Council requested to draft a policy, have city attorney look over any paper work and bring it back to Council for approval.

(9) Ordinance 2016-007 AN ORDINANCE AMENDING ORDINANCE 2005-09 OF THE CITY COUNCIL OF THE CITY OF KARNES CITY, TEXAS, REVISING THE RATES CHARGED FOR WATER AND SEWER SERVICES; REVISING THE CHARGES FOR CONNECTIONS TO CITY LINES; REVISING OTHER FEES AND PROCEDURES TO MORE EFFECTIVELY CHARGE FOR SERVICES PROVIDED TO RESIDENTS AND THOSE OUTSIDE THE CITY LIMITS; REPEALING ORDINANCES IN CONFLICT; AUTHORIZING THE CITY TO FILE LIENS IN ORDER FOR THE CITY TO RECOUP ITS COST TO REMEDIATE HEALTH AND SAFETY HAZARDS REGARDING UNAPPROVED LINES INTO THE CITY'S WATER AND SEWER SERVICES; PROVIDING FOR A FINE NOT TO EXCEED \$500.00 PER DAY FOR VIOLATION OF SUCH ORDINANCE; AND SETTING AN EFFECTIVE DATE. – CM Tymrak stated the Ordinance was being reissued so the new rates approved at the July 26, 2016 meeting can be installed, but in doing that Mayor Skloss came across section 5; disconnect fees and wanted a better clarification of the tampering fee. Mayor Skloss stated section 13; Discretionary Authority has been

added. CM Tymrak stated section 13 has been added for the interest of the customers. Councilmember Loya stated we had some discussion on section 11 b. on the charges for multiple units, how would they be charged. CM Tymrak stated as of now they are still being charged under the moratorium that had been in place, now that the new structure has been given we can now redo the whole section. CM Tymrak stated we can make the changes now to conform to the new rate study. After further discussion, a motion was made by Councilmember Sommer and seconded by Councilmember Hernandez to adopt **Ordinance 2016-007 AN ORDINANCE AMENDING ORDINANCE 2005-09 OF THE CITY COUNCIL OF THE CITY OF KARNES CITY, TEXAS, REVISING THE RATES CHARGED FOR WATER AND SEWER SERVICES; REVISING THE CHARGES FOR CONNECTIONS TO CITY LINES; REVISING OTHER FEES AND PROCEDURES TO MORE EFFECTIVELY CHARGE FOR SERVICES PROVIDED TO RESIDENTS AND THOSE OUTSIDE THE CITY LIMITS; REPEALING ORDINANCES IN CONFLICT; AUTHORIZING THE CITY TO FILE LIENS IN ORDER FOR THE CITY TO RECOUP ITS COST TO REMEDIATE HEALTH AND SAFETY HAZARDS REGARDING UNAPPROVED LINES INTO THE CITY'S WATER AND SEWER SERVICES; PROVIDING FOR A FINE NOT TO EXCEED \$500.00 PER DAY FOR VIOLATION OF SUCH ORDINANCE; AND SETTING AN EFFECTIVE DATE** with the changes to Section 11 b. Multiple Units; to conform the rates with the new rate study. The vote was 4-0 in favor and the motion was declared unanimously passed.

(10) FY 2016 Employee Recognition – CM Tymrak stated FD Kroll was asked to come back with recommendations. FD Kroll stated last year the Council agreed to a lump sum equal across the board. FD Kroll stated he his recommendation is based off a percentage of salary. FD Kroll also presented to the Council the other 3 scenarios. CM Tymrak stated his argument last year was and still is, this was a team that did what the City needed done, it collectively was done by the group, the recognition we are asking for is, did the City accomplish what the Council put out to get done. Councilmember Loya stated we need to end out the year as a team and give a set amount across the board. After further discussion, a motion was made by Councilmember Loya and seconded by Councilmember Lyssy to give a one-time lump sum to be paid before September 30, 2016 of \$2000 to each employee that has been employed for at least 1 year, anyone less than 1 year and less than 6 months will be a prorated amount figured by the Finance Director. The vote was 4-0 in favor and the motion was declared unanimously passed.

(11) City Manager Appraisal and Contract - The Council will convene into executive session as authorized by Texas Government Code 551.074 – The Mayor and Council convened into executive session at 7:56 PM and reconvened into open session at 8:58 PM. Mayor Skloss stated CM Tymrak agreed to the contract. No Action Taken.

(12) FY 2017 Budget Workshop – FD Kroll presented to the Council a draft budget for FY 2016/2017. He discussed the different departments. Councilmember Loya asked about the laptop and cars for PD department and the clock in front of CH. FD Kroll stated he added funding to fix the clock outside the City Hall, for \$7,000 we can change the clock to digital, it will still look the same just have internal upgrades. After further discussion, a motion was made by Councilmember Lyssy and seconded by Councilmember Sommer to rescind the previous action on the August 11, 2016 meeting; the approval of the proposed budget, the proposed budget cannot be approved

or adopted without having a public hearing. The vote was 4-0 in favor and the motion was declared unanimously passed.

H. Public Comments (“B” Session) – Art Gutierrez stated he was sad to hear that CM Tymrak had been fired, he was glad to see he was not. He wants to recognize CM Tymrak for the job well done; he always follows through and helps with everything. Hope Gutierrez states she lives on W. Milam she stated she wants to thank City manager for his fast response on every issue they have experience in that area, she stated after the weekends rain storm, they started to get land erosion her husband texted the City Manager and within 10 minutes he was out there on a Sunday. She wanted to acknowledge the fact that the City Manager is always there to address the issues. Mrs. Holzer added to Mrs. Gutierrez comment and stated she agrees with everything, CM Tymrak is the man that has gotten something done, they have been fighting the problem for years and CM Tymrak is the only one that has finally worked to get the problem corrected.

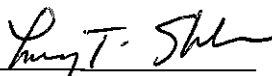
I. Officer Comments

a. Finance Director/City Development Manager Comments – None


b. City Manager Comments – None

c. Mayor and Council Comments – Councilmember Sommer stated on behalf of the Karnes City ISD Education Foundation, they would like to thank the City for all the work and effort put into the 1st annual street dance. Councilmember Lyssy wants to thank everyone for being at the meeting. Mayor Skloss stated he would like to thank the team for all the effort done in the budget process.

J. Adjournment: There being no further discussion, a motion was made by Councilmember Sommer and seconded by Councilmember Loya to adjourn the meeting. The vote was 5-0 in favor and the motion was declared unanimously passed.


Leroy T. Skloss
Mayor

ATTEST:


Veronica Butler
City Secretary

