



REGULAR CITY COUNCIL MEETING
THURSDAY JANUARY 19, 2023
COUNCIL CHAMBERS, KERMIT CITY HALL
MEETING ID#82036584984
PASSWORD#149446
6:30 P.M.

1. Call meeting to order.
 - A. Any citizen recognized by the Mayor may appear to present pertinent information before the Council. The Open Meeting Law, Article 6252-17, V.T.C.S., however, prohibits the Council from rendering a decision unless prior notice has been given and posted publicly seventy-two (72) hours in advance of the meeting and the person(s) name and subject appears on the posted Agenda. Exceptions may be considered, if the request is accompanied by a statement describing the nature of the urgent public necessity requiring the addition to the Agenda no less than four (4) hours in advance of the meeting.
2. Pledge of Allegiance to the Flag/Texas Flag.
3. Invocation
4. Discuss matters of business from the public – Council Members will not deliberate any comments which are made by the general public. The Public and Council are to follow rules of the Public Comment Period as set forth in Resolution 13-06.
5. Recognition of Visitors, Citizen of the Month and/or Presentation of Proclamation.
6. Discuss and consider approving Minutes for Regular City Council Meeting on December 15, 2022.
7. Discuss and consider ORDINANCE 22-10 on second and final reading **“AN ORDINANCE AMENDING CHAPTER 10 ENTITLED “STREETS, PARKS AND OTHER PUBLIC WAYS AND PLACES” OF THE CODE OF ORDINANCES OF THE CITY OF KERMIT, TEXAS BY ADDING 10.04 ENTITLED “RIGHT-OF-WAY MANAGEMENT”; PROVIDING FOR DEFINITIONS, PROVIDING FOR CRIMINAL PENALTIES, PROVIDING FOR AUTHORIZATION, REGISTRATION, COMPENSATION AND FEES; CONSTRUCTION PERMITS; PROVIDING FOR CONSTRUCTION AND MAINTENANCE STANDARDS; PROVIDING FOR PLANS OF RECORD; PROVIDING FOR CONFORMANCE WITH PUBLIC IMPROVEMENTS; PROVIDING FOR IMPROPERLY INSTALLED FACILITIES; PROVIDING FOR RESTORATION OF PROPERTY; PROVIDING FOR**

REVOCATION OR DENIAL OF PERMIT; PROVIDING FOR APPEAL FROM RESPORATION OR DENIAL OF PERMIT; PROVIDING FOR INSPECTIONS; PROVIDING FOR ABANDONED FACILITIES; PROVIDING THAT UNDERGROUND INSTALLATION PREFERRED; PROVIDING FOR AS BUILT MAPS AND RECORDS; PROVIDING FOR ALTERNATE MEANS OR METHOD; WAIVER; PROVIDING FOR ORDERLY USE OF THE RIGHT-OF-WAY BY MULTIPLE USERS; PROVIDING FOR A DESIGN MANUAL; PROVIDING FOR PROHIBITED OR RESTRICTED AREAS FOR WIRELESS FACILITIES IN THE RIGHT-OF-WAY; PROVIDING FOR PREFERRED LOCATIONS; PROVIDING FOR ORDER OF PREFERENCE REGARDING ATTACHMENT TO EXISTING FACILITIES; PROVIDING FOR PLACEMENT REQUIREMENTS; PROVIDING FOR CAMOUFLAGE REQUIRED WHEN POSSIBLE; PROVIDING FOR GENERAL REQUIREMENTS; PROVIDING FOR ELECTRICAL SUPPLY; PROVIDING FOR INSTALLATION AND INSPECTIONS; PROVIDING FOR REQUIREMENTS IN REGARD TO REMOVAL, REPLACEMENT, MAINTENANCE AND REPAIR; PROVIDING FOR REQUIREMENTS UPON ABANDONMENT; PROVIDING FOR GENERAL PROVISIONS; PROVIDING FOR INSURANCE, INDEMNITY, BONDING AND SECURITY DEPOSITS; PROVIDING FOR DESIGN MANUAL UPDATES; PROVIDING FOR ADMINISTRATIVE HEARING – REQUEST FOR EXEMPTION; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE”.

8. Discuss and consider adopting procedure and/or rules of decorum for City Council.
9. Hear response to questions asked in Public Comment Period of Regular City Council Meeting on December 15, 2022.
10. Discuss and consider variance on headstone on new cemetery. (Eric Prieto Garcia)
11. Discuss and consider nominating and approving citizens for Humane Committee.
12. Discuss and consider setting a day each month for workshop. (Per Judy Williams)
13. Discuss and consider contracting Whitleypenn to conduct an audit on citations according to Code of Ordinance; *Sec. 11.02.005*.
14. Discuss and consider three quotes from Entech Signs for Kermit Civic Center. (Paid through Hotel/Motel Funds)
15. Discuss and consider quote from Lakeway Security in the amount of \$36,103.71 for Kermit Civic Center also paid through Hotel/Motel Fund.
16. Discuss and consider Budget Amendments to move funds from current budget to purchase 1000-gallon tank trailer from Texas Patchers in the amount of \$35,800.00 and if funds become available in March 2023 also purchase Plazma Cutter in the amount of \$11,545.00.
17. Discuss and consider approving payment of bills for the month of January 2023.

18. Departmental Reports Presentations:

- A. City Manager Reports-
 - 1. Financial/Investment Report-City Manager Frankie Davis
 - 2. Sales Tax
 - 3. Hotel/Motel Report-City Secretary Diana Franco
 - 4. Recycle Center
- B. Water/WW –Director of Public Works Tony Barreraz
- C. Police Department Reports –Chief of Police Jaime Ramos
 - 1. Police Department Run Report
 - 2. Animal Control Report
 - 3. Code Enforcement Report
- D. Municipal Court/Judge Report-Sheryl Wright

19. Enter into EXECUTIVE SESSION: Council may convene into a closed session in accordance with the Government Code:


- 1. Section 551.071 Consultation with Attorney
 - a.) Gilbert Towns vs. City of Kermit
 - b.) Hoover vs. City of Kermit

20. Return to OPEN SESSION:

- a.) Consider and act upon items listed under Item **No. 19** Executive Session, as Necessary.

21. Adjourn Regular City Council Meeting.

The Mayor and City Council of the City of Kermit reserve the right to go into Executive Session on any of these items if discussion of said items falls under exceptions listed in the Local Government Code, Section 551. I certify that the above notice of meeting has been posted on the bulletin board in City Hall, on the front door of City Hall and the bulletin board in the Police Annex of Kermit, Texas on Monday January 16, 2023 by 5:00 P.M.


City Secretary, Diana Franco

City Council meetings are available to all persons regardless of disability. Individuals with disabilities who require special assistance should contact the City Secretary's office at (432) 586-3460, or 110 S Tornillo, Kermit, TX during normal business hours at least twenty-four hours in advance of the meeting.