From: **Kyle Moring** [redacted]
Subject: Formal Ethics & Records Management Complaint Under Chapter 34 and Chapter 36 – Webster, Ankrum, Ramirez
Date: November 27, 2025 at 6:48 PM
To: Wesley Lyon Wlyon@mpcity.org, dcorbell@mpcity.org, kredfearn@mpcity.org, chinton@mpcity.org, Melanie.knight@mpcity.org, jhageman@mpcity.org
Cc: Rob Vine rvine@mpcity.org, Candias Webster cwebster@mpcity.org, Austin Beck abeck@dtrglaw.com, Lea Ream lream@dtrglaw.com, [redacted]

Good evening,

Please accept the attached letter as my formal ethics and records management complaint under Chapter 34 (Code of Ethics) and Chapter 36 (Records and Information Management) of the City of Mount Pleasant Code of Ordinances.

The complaint concerns the conduct of Assistant City Manager/City Secretary Candias Webster, Building Official John Ankrum, and Health Inspector/Code Compliance Officer Juan Pedro Ramirez, as detailed in the attached letter.

I respectfully request that the City Council and City Manager treat this as a formal complaint, initiate an independent and impartial investigation, and ensure preservation of all records relevant to the matters described in the attachment. I also request a written acknowledgment of receipt.

I further request that this complaint be placed on the agenda for a future open meeting of the City Council for discussion and appropriate action, to the extent allowed by law and by Council procedures.

Texas Open Meetings Act acknowledgement: I recognize that the Texas Open Meetings Act governs how the Mayor and City Council may discuss City business. By sending this complaint to all of you, I am not asking you to deliberate or take action by email. I am submitting a written ethics and records management complaint for your information and requesting that any discussion or action on this matter occur only at a properly posted open meeting or in another manner that complies with the Act.

Thank you for your attention to this serious matter.

2025-11-27 - City of Mount Pleasant - Formal Ethics ...

Respectfully submitted in good faith,

/s/ Kyle Douglas Moring

Kyle Douglas Moring, M.S., LPC-Associate

Former Asset Protection Investigator – Walmart Store #131

Designated Representative of Current Walmart Store #131 Employees

OSHA 11(c)/FSMA Whistleblower Complainant

[redacted] | [redacted]

Date: November 27, 2025

To:

The Honorable Mayor Wesley Lyon II and Members of the City Council

City of Mount Pleasant, Texas

Via: City Secretary/Records Management Officer

Re: Formal Ethics Complaint under Chapter 34 (Code of Ethics), Chapter 36 (Records and Information Management), and Related Ordinances – Assistant City Manager/City Secretary Candias Webster, Building Official John Ankrum, and Health Inspector/Code Compliance Officer Juan Pedro Ramirez

Mayor Lyon and Members of the City Council:

I respectfully submit this letter as a formal ethics and records management complaint under Chapter 34 (Code of Ethics) and Chapter 36 (Records and Information Management) of the Code of Ordinances of the City of Mount Pleasant, as well as related provisions governing public information practices, including recently adopted Ordinance 2025-24 (Public Information Requests).

This complaint concerns the conduct of three City employees:

1. **Candias Webster** – Assistant City Manager/City Secretary and Records Management Officer
2. **John Ankrum** – Building Official
3. **Juan Pedro Ramirez** – Health Inspector/Code Compliance Officer

The facts set out below are stated to the best of my knowledge, information, and belief, based on my direct interactions with the City, public records obtained under the Texas Public Information Act (TPIA), and regulatory correspondence from state and federal agencies.

I. Complainant Information

Complainant:

Kyle Douglas Moring, M.S., LPC-Associate

Phone: [redacted]

Email: [redacted]

Relationship to the City and to the underlying matters:

- Former Asset Protection Investigator at Walmart Store #131 (2311 S. Jefferson Avenue, Mount Pleasant, Texas 75455)
- Designated representative of current Walmart Store #131 employees in an OSHA enforcement inspection.
- Complainant in an OSHA 11(c)/FSMA whistleblower investigation
- Complainant in multiple safety, food safety, asbestos, permitting, and public records matters involving Walmart Store #131 and the City of Mount Pleasant

II. Respondents

Employee #1 – Candias Webster

- Full name: Candias Nickerson-Webster
- Job title: Assistant City Manager/City Secretary.
- Role: Records Management Officer (RMO) under Chapter 36
- Department/division: City Secretary's Office/City Administration
- Work location: 501 North Madison, Mount Pleasant, Texas 75455
- Supervisor: City Manager Rob Vine

Employee #2 – John Ankrum

- Full name: John Raymond Ankrum
- Job title: Building Official
- Department/division: Development Services/Building & Code Enforcement
- Work location: 500 North Madison, Mount Pleasant, Texas 75455
- Supervisor: Lynn Barrett, Director of Development Services

Employee #3 – Juan Pedro Ramirez

- Full name: Juan Pedro Ramirez Martinez
- Job title: Health Inspector/Code Compliance Officer I/Pretreatment Operator

- Department/division: Code Compliance/Development Services.
- Work location: City Hall and field locations
- Supervisor: Building Official/Development Services leadership

To the extent any of the above details differ from City personnel records, I request that they be confirmed and corrected as part of the investigation.

III. Legal and Ethical Framework

A. Code of Ethics – Chapter 34

Chapter 34 declares that proper city government requires:

- City officials and employees to be independent, impartial, and responsible only to the people of the City
- Governmental decisions and policies to be made using the proper procedures of the governmental structure
- City officials and employees to avoid any interest, transaction, or obligation that conflicts with the proper discharge of their duties in the public interest
- Public office not to be used for personal gain
- The City Council to be maintained as a non-partisan body
- City officials and employees to fully comply with state statutes and laws in order to maintain public confidence

Section 34.03 ("Unethical Activity") provides that no officer, official, or employee shall, among other things:

- Use his or her official position to solicit or secure special privileges or exemptions for himself, herself, or others (§34.03(B))
- Disclose information that could adversely affect the property, government, or affairs of the City, or use information gained by reason of his or her official position for personal gain or for the private interest of others (§34.03(C))
- Knowingly perform, or refuse to perform, any act in order to deliberately hinder the execution or implementation of any City ordinance, rule, regulation, or official City program (§34.03(J))

Violations of Chapter 34 are defined as misdemeanors and are grounds for discipline (§34.99).

B. Records and Information Management – Chapter 36

Chapter 36 states that:

- All municipal records are City property.
- Unauthorized destruction, removal, or use of municipal records is prohibited.
- The City Secretary is designated as the Records Management Officer (RMO)

- The RMO must administer the system for identifying, creating, maintaining, preserving, and disposing of records in compliance with state law and the City's Records Management Plan.
- Department heads must cooperate with the RMO and must adequately document the transactions, services, programs, and duties for which they and their staff are responsible.

IV. Background and Whistleblower Context

By way of background:

- I am a former Walmart Asset Protection Investigator and the designated representative for current Walmart Store #131 employees in an OSHA enforcement inspection.
- I am an active complainant in a federal OSHA whistleblower case under Section 11(c) of the OSH Act and the Food Safety Modernization Act (FSMA).
- Since early 2025, I have submitted multiple safety, environmental, and consumer protection complaints to OSHA, DSHS, TDLR, TCEQ, EPA Region VI, TDA, USDA-FSIS, the Texas Attorney General's Office, and other regulators. Several of these complaints have already been substantiated.

Many of my TPIA requests to the City and to MPPD relate directly to these whistleblower matters. I have used TPIA to:

- Preserve evidence regarding unsafe and unsanitary conditions at Walmart #131
- Compare local City responses with state and federal findings
- Document hazardous conditions and enforcement history
- Understand how permitting, inspections, and complaint handling have been carried out at the local level

When local inspections are under-documented or inaccurately summarized, and when the same officials then delay, restrict, or mischaracterize access to the underlying records, employees, citizens, and state agencies obtain a distorted view of actual conditions.

V. Allegations Concerning Assistant City Manager/City Secretary/RMO Candias Webster

A. Misstatements Regarding Complaints Involving Walmart #131

On August 4, 2025, in response to clarification of my July 30, 2025 records request regarding complaints specifically made against Walmart Store #131, Ms. Webster wrote to me that there had been "no complaints made against Walmart other than open records requests made by you and the phone call you made."

That statement was false or materially misleading for several reasons:

- I had already submitted two anonymous complaints through the City's online portal on July 25 and July 26, 2025.
- [redacted] placed a separate complaint call to the City on July 18, 2025, from (972) ***-2277 to (903) 575-4149. A Verizon bill and the City's own call detail records confirm this call.
- The City's July 2025 Code Enforcement Monthly Report reflects two food service complaints, contradicting Ms. Webster's assertion that there were no complaints except my call and records requests.

Despite receiving documentation of these complaints, Ms. Webster did not correct or retract her statement. In my view, this misrepresentation minimized legitimate health complaints and undermined accurate reporting to both the public and oversight agencies.

B. Questionable Certification to the Texas Attorney General (OR-25-034390-IC)

In August 2025, I filed a complaint with the Texas Attorney General's Open Records Division about the City's handling of my Walmart-related records requests. On October 22, 2025, the Attorney General's Office sent Ms. Webster a certification form after determining that the City had not timely requested an Attorney General ruling.

Based on subsequent communications and records, it appears that Ms. Webster certified that:

- All responsive information had previously been furnished; or
- No additional responsive information existed.

That certification appears inconsistent with:

- The July 25–26, 2025 portal complaints
- The July 18, 2025 complaint call
- Additional inspection and complaint documents that were produced later or obtained only from other entities

If Ms. Webster knowingly certified incomplete responses, that conduct appears to conflict with:

- The obligation not to misuse or misrepresent information (§34.03(C))
- The obligation not to hinder execution of ordinances and official programs, including TPIA compliance (§34.03(J))

C. TPIA Cost Estimate Practices that Impede Access

Over the course of multiple requests, Ms. Webster (and the City Attorney) has issued cost estimates that, in practice, discouraged or delayed lawful access to records. Examples include:

- A miscalculated copy cost where "58 × $0.10" was stated as $58.00 instead of $5.80, which was later corrected only after I pointed out the error.

- A cost estimate of approximately $1,791 for permit records, with 72 hours of labor plus overhead, even after I elected to inspect existing electronic records.
- Statements that inspection of records could only occur after prepayment, effectively conditioning basic inspection rights on advance fees.
- On June 27, 2025, in response to my June 25, 2025 records request, Ms. Webster sent a cost estimate letter on City letterhead that appears to be a partially unedited template from another city. The letter instructs that my written response under §552.2615 "may respond in writing to this itemized cost estimate by email to me at **pcimics@cibolotx.gov**," which is a City of Cibolo, Texas email address, not a City of Mount Pleasant address. It also contains template language such as "**Dear Mr./Ms. REQUESTOR LAST NAME: Moring**" and an incomplete "**VIA EMAIL TO: [redacted]**" heading. Directing a requester to an entirely different city's email account and leaving obvious placeholders uncorrected in an official TPIA notice undermines confidence in the City's records practices and creates a risk that a request could be treated as automatically withdrawn despite the requester's good-faith efforts to comply.

Every state and federal agency from which I have requested comparable records has either waived fees or provided the records electronically at minimal cost. The City of Mount Pleasant is the only entity that has repeatedly imposed substantial fees for information about asbestos, permitting, and food safety issues at Walmart #131.

In my view, these practices are inconsistent with:

- The requirement for economical and efficient records management under Chapter 36
- The spirit of §34.03(J), because inflated or unnecessary cost estimates can functionally hinder the implementation of TPIA and open-government duties

D. Incomplete Call Log Response for July 18, 2025

On November 13, 2025, I requested complete incoming and outgoing call data for (903) 575-4149 for July 18, 2025, including direction (incoming vs. outgoing), time, duration, and originating/destination numbers.

In response, for a fee of $15, I received a spreadsheet that:

- Did not include a field for call direction, even though it was specifically requested
- Listed (903) 575-4149 as both "Original Dialed Number" and "Terminating Number" for each entry
- Reflected only one call from (972) ***-2277, at 14:34:33, despite Verizon records showing an earlier call that same morning

Charging a fee for an incomplete call log, particularly when complaint records are already in dispute at the Attorney General's Office, raises serious concerns about Ms. Webster's adherence to Chapter 36 and to §34.03(J).

E. Role in Ordinance 2025-24 and Apparent Retaliatory Effect

On November 25, 2025, I wrote to the Council regarding Ordinance 2025-24, expressing concern that:

- The City's TPIA practices, including cost estimates and "previously furnished" certifications, were already under review by the Attorney General
- Serious permitting, valuation, and asbestos-related questions remained unresolved
- Multiple whistleblower and public integrity matters involving the City and Walmart #131 were still active

Given that context, the proposal of Ordinance 2025-24, added to the December 02, 2025 City Council agenda by Ms. Webster, risks appearing:

- Less like a neutral administrative tool
- More like a response to one whistleblower's lawful exercise of TPIA rights

If Ordinance 2025-24 is applied in a way that targets or discourages my requests while my OSHA and FSMA whistleblower matters are pending, that would, in my view, constitute:

- An attempt to secure special treatment or insulation from scrutiny (§34.03(B))
- A deliberate hindrance of open records laws and public safety oversight (§34.03(J))

VI. Allegations Concerning Building Official John Ankrum

A. Failure to Ensure Adequate Documentation of Inspections and Enforcement

As a department head under Chapter 36, Mr. Ankrum has a duty to ensure that his department:

- Adequately documents inspections and enforcement actions
- Maintains records in a manner that accurately reflects conditions observed and actions taken

However, records concerning Walmart #131 show that:

- Multiple inspection reports are minimally documented or largely blank
- "Measured observations" fields and narrative sections are often missing or incomplete
- Some inspections that resulted in "all clear" conclusions are inconsistent with photographic and video evidence of ongoing hazards

When state agencies defer to the "local health authority," but local files lack detailed and accurate documentation, significant hazards can effectively disappear from the record.

B. Permitting and Valuation Concerns (Including Permit ROOF-35226)

Permit and valuation records for major roof work and other construction at Walmart #131, including roof permit ROOF-35226, indicate:

- Use of a manual fee override, instead of the standard system-calculated fee
- A substantial increase in project valuation (from approximately $520,499 to approximately $959,950) without a corresponding fee adjustment
- No asbestos survey, "no-ACM" affidavit, or engineer's statement in the City's responsive file, despite applicable requirements for commercial projects

These issues raise questions about whether:

- Fees were correctly calculated and collected
- Required asbestos-related documentation was obtained or retained
- Appropriate enforcement or penalties were pursued for any unpermitted or non-compliant work

If the City's permit fee structure was selectively relaxed or under-applied to Walmart or its contractors without a lawful justification, this could be viewed as:

- Use of an official position to secure special privileges or exemptions (§34.03(B))
- A failure to document governmental transactions properly under Chapter 36

C. Misrepresentation to TDLR Regarding Mr. Ramirez's Employment Dates

TDLR records concerning Mr. Ramirez's Code Enforcement Officer-in-Training (CIT) registration show that:

- An "Officer in Training – Verification of Supervision" form listed a start date of August 14, 2024
- Mr. Ankrum signed this form, even though the City's personnel records indicate that Mr. Ramirez's employment in a code compliance capacity began in April 2023

If the HR record is accurate, then the start date and status certified to TDLR were materially misleading. Such a misrepresentation:

- Undermines the integrity of the state's licensing and supervision scheme
- Appears inconsistent with §34.03(C) (misuse of information) and §34.03(J) (hindering proper execution of state and local regulatory programs)

VII. Allegations Concerning Health Inspector/Code Compliance Officer Juan Pedro Ramirez

A. Inaccurate "No Violations / No Further Investigation Required" Letter

On August 25, 2025, Mr. Ramirez issued a letter to Walmart stating that:

- He conducted an inspection on August 20, 2025, in response to a food service complaint
- He walked through all areas of the store with management and found no items in violation
- Listed items had been corrected
- No further investigation was required

However, photographic and video evidence that I supplied to DSHS and TDLR shows ongoing hazards around that same period, including:

- Active roof and case leaks with pooled water and absorbent materials placed at display bases
- Persistent refrigeration and drainage issues
- Continued food safety concerns noted by state and local regulators earlier that summer

Issuing a "no violations/no further investigation required" conclusion under these conditions, with limited narrative documentation, appears inconsistent with professional health-inspection standards and with §34.03(B) and (J).

B. Incomplete Complaint and Inspection Reporting

The City's July 2025 Code Enforcement Monthly Report shows food service complaints. Yet I was told there were no complaints against Walmart beyond my own requests and call.

Combined with:

- Sparsely completed inspection reports
- The "all clear" letter
- Inconsistent documentation between City and state records

This suggests that:

- Food safety complaints and outcomes may not have been fully documented or correctly associated with Walmart #131
- Records that should exist may not have been preserved or disclosed

C. Pre-Credential Enforcement Activities and Documentation Concerns

TDLR's case file indicates that:

- Mr. Ramirez first received a CIT registration on July 5, 2025
- City inspection reports from January 2025 list him as inspector for El Bajio (01/16/2025) and Walmart #131 (01/30/2025)
- Those early 2025 inspection forms contain blank "Measured Observations" fields and sparse narrative notes
- The City issued "no violations" or passing conclusions that conflict with DSHS findings and my photographic evidence

Taken together, the record supports these concerns:

- Mr. Ramirez appears to have performed code enforcement inspections before holding any TDLR credentials
- His inspections, both before and after obtaining a CIT registration, were under-documented and inconsistent with state evidence
- There is no clear documentation of on-site supervision by a registered Code Enforcement Officer

These issues implicate professional competence, recordkeeping under Chapter 36, and ethical obligations under §34.03(B) and (J).

D. Uncertainty Regarding Employment Status and Transparency

In recent weeks, I have sought clarification from City Manager Rob Vine and Human Resources Director Hollie Motley regarding whether Mr. Ramirez remains employed by the City, and if so, in what capacity. Those inquiries have not been answered. At the same time, references to Mr. Ramirez reportedly have been removed from the City's Code Enforcement webpage.

Given the above concerns, the public has a legitimate interest in knowing:

- Who currently performs health inspection and code enforcement duties
- Whether those individuals are properly credentialed and supervised

The City's refusal to answer basic questions about Mr. Ramirez's status undermines transparency and, in my view, conflicts with the spirit of Chapter 34 and Chapter 36.

VIII. Evidence and Witnesses

A. Evidence in My Possession

I am prepared to provide the following materials to any investigator designated by the Council:

- Copies of my TPIA requests and the City's responses
- Cost estimates, "no complaint" statements, and "previously furnished" certifications.
- Verizon call log pages and the City's July 18, 2025 call detail spreadsheet for (903) 575-4149
- Screenshots and exports from the City's online complaint portal, including anonymous submissions
- DSHS, TDLR, OSHA, and other agency correspondence and inspection reports relating to Walmart #131 and associated hazards
- TDLR licensing records and complaint file materials relating to Mr. Ramirez
- City personnel records for Mr. Ramirez, including the April 2023 offer letter and personnel action forms, where legally obtainable
- Audio recordings and other supporting materials referenced in this complaint

B. Witnesses

Potential witnesses include, but are not limited to:

- [redacted] who placed a complaint call to the City on July 18, 2025
- Walmart Store #131 employees and managers who interacted with City inspectors
- City personnel involved in processing my TPIA requests and cost estimates
- Officials at DSHS, TDLR, OSHA, and other agencies familiar with Walmart #131 investigations and inspection records

IX. Impact and Harm

Based on the above, I believe the conduct described has caused or contributed to:

- Increased risk to public health and safety at Walmart #131, including risks related to asbestos, water intrusion, refrigeration failures, and food safety
- Erosion of trust in the City's inspections, complaint handling, and public records practices
- Potential financial harm to the City through under-collection of fees and exposure to future liability.
- Interference with my federal whistleblower investigation and related regulatory matters, by making it more difficult and expensive to obtain accurate records
- A chilling effect on other employees and citizens who might otherwise report hazards or use TPIA to seek accountability

X. Requested Actions and Remedies

Pursuant to Chapter 34 and Chapter 36, I respectfully request that the Mayor and City Council take the following actions.

- Accept this letter as a formal ethics and records management complaint against Candias Webster, John Ankrum, and Juan Pedro Ramirez Martinez.
- Open a formal, independent investigation (conducted by a third-party investigator who does not currently advise the City on these matters) to review at a minimum:
    - All Walmart-related complaints, inspections, permits, enforcement actions, and asbestos-related documents
    - Ms. Webster's statements to the Texas Attorney General and to me regarding record completeness and cost estimates
    - The completeness and accuracy of complaint logs, call logs, portal exports, inspection files, and monthly reports
    - The processing of roof permit ROOF-35226 and any related permits, including fee calculations, valuation changes, and asbestos survey or "no-ACM" documentation.

        - The handling of Mr. Ramirez's licensing, supervision, and inspection assignments, including discrepancies between TDLR forms and City personnel records
        - Any disclosures of my identity or other complainants' identities to Walmart or other regulated entities
- Direct the City Manager to exercise his authority under §34.99(C) to discipline employees found to have violated the Code of Ethics or records management duties
- Implement systemic corrective measures, including:
    - Accurate logging and retention of all complaints, including anonymous portal submissions and third-party calls
    - Complete narrative inspection reports with supporting measurements and photographs
    - Strict adherence to the Attorney General's TPIA cost rules, including inspection of electronic records at no charge where required by law
    - Transparent reporting of food safety, asbestos, permitting, and environmental inspections in City Manager reports and public agendas so that the Council and public receive an accurate picture of risk
- Provide a written report of findings and corrective actions, and present those findings in an open Council meeting to restore public confidence

I also request that the City immediately:

- Preserve all potentially relevant records, including emails, text messages (on City-issued and personal devices used for City business), inspection notes, and permit system audit logs (previously requested on November 03, 2025)
- Instruct all involved personnel not to destroy, alter, or conceal any records relevant to this complaint

XI. Confidentiality and Retaliation Concerns

I submit this complaint in good faith and request confidentiality to the extent allowed by law. I understand that some or all of this complaint may be subject to disclosure under the Texas Public Information Act.

Given my status as an OSHA/FSMA whistleblower, my prior experiences at Walmart #131 (including the issuance of a criminal trespass warning while I was engaged in protected activity), and the City's discussions about "vexatious" requestors, I have a reasonable concern about retaliation or interference.

I respectfully request that:

- No adverse action be taken against me in response to this complaint or my TPIA requests
- The City provide appropriate training and guidance to staff on interacting with whistleblowers and employee representatives in a lawful, non-retaliatory manner

XII. Verification and Closing

I affirm that the information contained in this complaint is true and correct to the best of my knowledge, information, and belief, based on the documents and communications available to me as of the date of this letter. I understand that further investigation may clarify or supplement certain facts, and I remain willing to cooperate with any appropriate inquiry by the City or external authorities.

Thank you for your attention to this matter and for your service to the citizens of Mount Pleasant. I respectfully request that the Council treat this complaint with the seriousness it warrants and act promptly to uphold the City's Code of Ethics, its Records Management Ordinance, and the public's trust.

Respectfully submitted in good faith,



Kyle Douglas Moring, M.S., LPC-Associate

Former Asset Protection Investigator – Walmart Store #131

Designated Representative of Current Walmart Store #131 Employees

OSHA 11(c)/FSMA Whistleblower Complainant

[redacted] | [redacted]