

CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
September 22, 2015

On September 22, 2015, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Pratt in the city hall council chambers at 701 Main Street. The invocation was offered by Reverend Allen Noah, Pastor of Barnett Chapel United Methodist Church, followed by the Pledge of Allegiance led by Police Chief David Knight.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Gary F. Stork	Mayor Pro Tem
Stephen P. Fine	Councilmember
Bonnie White	Councilmember

COUNCILMEMBER ABSENT:

Gene Allen	Councilmember
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CITY CORE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Day	Deputy City Manager
Cheryl Brown	Deputy City Secretary
Sandra Yarbrough	Director of Finance
Ashlea Boyle	Special Projects Manager
Kim Meismer	Director of General Operations
David Knight	Police Chief
Dannie Smith	Fire Chief
Stuart Barron	Public Works Director

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

**1. VISITORS/CITIZENS FORUM:**

1A. Robert Naman spoke regarding how helpful Ms. White was to him recently.

**2. PRESENTATIONS:**

2A Resolutions of Commendation for James Howard and Jeffrey Mitchel for serving on the Golf Course Advisory Board: Neither Mr. Howard nor Mr. Mitchel were present.

2B. Resolution of Commendation for Robert Irvin for serving on the Zoning Board of Adjustment: Mayor Pratt presented the Resolution of Commendation to Mr. Irvin.

**3. CONSENT AGENDA:**

Mr. Fine requested that the items on the consent agenda be considered separately.

3A. Resolution No. 27-2015 supporting the adoption of Proposition 7 at the November General Election as upon passage, Proposition 7 will provide a new, stable source of funding for the construction and maintenance of Texas roads as a way of improving transportation in this state.

The Councilmembers discussed the resolution and Proposition 7.

Mr. Stork moved to approve Resolution 27-2015. Mr. Fine seconded, and the motion passed 4-0.

3B. Resolution No. 28-2015 supporting the adoption of Proposition 6 at the November General Election which will affirm the right of Texans to hunt, fish, and harvest wildlife by the use of traditional methods.

Council reviewed the resolution and Proposition 6.

Mr. Stork moved to approve Resolution No. 28-2015. Mr. Fine seconded, and the motion passed 4-0.

3C. Resolution No. 29-2015 opposing newly proposed regulations by the Environmental Protection Agency regarding ground-level ozone which lowers current standards despite the 50% reduction in ozone emissions since 1980 and recognizing that the regulations are projected to be the most costly in this agency's history. Council reviewed the resolution.

Ms. White moved to approve Resolution 29-2015. Mr. Stork seconded, and the motion passed 4-0.

3D. Resolution No. 30-2015 opposing the new clean water rules adopted by the Environmental Protection Agency as such rules exceed the agency's authority under the Constitution and the Clean Water Act.

Council reviewed the resolution

Mr. Fine moved to approve Resolution No. 30-2015. Ms. White seconded, and the motion passed 4-0.

#### **4. ORDINANCE, SECOND AND FINAL READING:**

4A. Ordinance No. 2015-20, adopting the annual budget for the City of Kerrville, Texas, fiscal year 2016; providing appropriations for each city department and fund; containing a cumulative clause; and containing a savings and severability clause. Mayor Pratt read the ordinance by title only.

Mr. Stork moved for approval of Ordinance No. 2015-20 on second reading; Mr. Fine seconded the motion and it passed 3-1-0 on record vote as follows:

Mayor Pratt	For
Councilmember Fine	For
Councilmember White	Against
Councilmember Stork	For
Councilmember Allen	Absent

4B. Ordinance No. 2015-21, levying an ad valorem tax for the use and the support of the municipal government for the City of Kerrville, Texas, for the fiscal year 2016; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. Mayor Pratt read the ordinance by title only.

Mr. Fine moved for approval of Ordinance No. 2015-21 on second and final reading, and moved that the property tax rate be increased by the adoption of a tax rate of \$.5625, which was effectively a 2.2% increase in the effective tax rate. Ms. White seconded the motion and it passed 3-1-0 on record vote as follows:

Mayor Pratt	For
Councilmember Fine	For
Councilmember White	For
Councilmember Stork	Against
Councilmember Allen	Absent

**5. CITY COUNCIL RECESS:**

The Kerrville City Council recessed the regular city council meeting to convene a meeting of the City of Kerrville Health Facilities Development Corporation at 6:29 p.m. Following the City of Kerrville Health Facilities Development Corporation meeting, the Kerrville City Council reconvened into regular session at 6:43 p.m.

**6. CONSIDERATION AND POSSIBLE ACTION:**

6A. Resolution No. 26-2015, providing for the city's approval or disapproval of the Kerr Central Appraisal District's purchase of land on Oak Hollow Drive for the future construction of an office building.

Ms. White submitted an Affidavit of Conflict of Interest, recused herself from the dais, and left the Council Chambers.

Ray Orr, Secretary of Kerr Central Appraisal District (KCAD), summarized the purchase of the land. He stated that, if the purchase is approved, KCAD would come back at a later date with a design plan. He stated that the City had 30 days to approve or disapprove the resolution, and return it to KCAD.

Mr. Fine moved to approve Resolution 26-2015. Mr. Stork seconded and the motion passed 3-0-1, with Mayor Pratt, Mr. Stork, and Mr. Fine voting for the motion, no votes against, and Ms. White abstaining.

6B. Approval or public art project, "Guadalupe Bass," in an amount not to exceed \$10,000, to be paid through the fundraising efforts of the Main Street Advisory Board, Mardi Gras on Main project.

Terry Cook, City of Kerrville Main Street Manager, presented the project, and showed pictures of the chosen artwork. David Martin, Main Street Advisory Board member, answered questions from the Council.

Mr. Stork moved to approve the project, and to direct staff to draft a contract with the chosen artist. Mr. Fine seconded, and the motion passed 4-0.

6C. Resolution No. 23-2015 authorizing amendments to the Procedural Rules for Kerrville City Boards.

Mr. Parton reported that there were four changes made pursuant to the direction received at the prior Council meeting.

Ms. White moved to approve Resolution No. 23-2015. Mr. Fine seconded, and the motion passed 4-0.

6D. Direction to city staff to initiate the process to create an industrial development corporation to provide tax-exempt or taxable financing for eligible industrial or manufacturing projects.

Mr. Parton stated that staff worked with the Kerrville Economic Development Corporation regarding the creation of an industrial development corporation. He responded to questions from the Council regarding the timing and necessity of creating the corporation. Although there were no projects pending, the creation of this corporation would be a useful tool for KEDC in future negotiations with prospective businesses.

Mayor Pratt moved to direct City staff to proceed with the initiation process for an industrial development corporation, which upon creation would consist of City Councilmembers. Mr. Fine seconded and the motion passed 4-0.

**7. INFORMATION AND DISCUSSION:**

7A. Budget/economic update.

Ms. Yarborough gave the financial report year to date for the period ending August 31, 2015: general fund revenues totaled \$23,191,581.00 and expenditures \$21,166,815; water and sewer fund revenues totaled \$8,327,710 and expenditures \$10,199,977; hotel/motel fund revenues totaled \$990,260 and expenditures \$937,184; 58 permits for new residential construction and 24 for new commercial construction.

**8. APPOINTMENTS TO CITY BOARDS AND COMMISSIONS:**

8A. Golf Course Advisory Board. Ms. White moved to appoint Raymond Holloway, with term to expire July 1, 2017; Mr. Fine seconded. Mr. Fine and Ms. White voted for, and Mayor Pratt and Mr. Stork voted against. The motion failed with a vote of 2-2.

8B. Zoning Board of Adjustment. Mr. Stork requested this item be tabled until Mr. Allen was present at the next meeting to voice his recommendations as a member of the interview team for the Zoning Board of Adjustment.

**9. ITEMS FOR FUTURE AGENDA:**

- Consider advertising in both the Hill Country Community Journal and the Kerrville Daily Times newspapers.

**10. ANNOUNCEMENTS OF COMMUNITY INTEREST:**

- Kerrville Police Department planned to participate in “National Take-Back Day” on Saturday, September 26, 2015, during which citizens may bring unused medications to the Police Department for disposal.
- Kerrville’s 5<sup>th</sup> Annual Triathlon Event was scheduled for September 26-27.
- Entries for the Holiday Lighted Parade to take place on November 21, 2015 are being accepted.
- Citizens were encouraged to pick up their vouchers from the Water Office for use at the landfill. The vouchers expire on September 30, 2015.
- Mayor Pratt announced that he was looking into becoming a magistrate.
- “The Gathering” at Antler stadium for a common worship assembly was scheduled for October 3, 2015 at 6:30 p.m.
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**11. EXECUTIVE SESSION:**

Mayor Pratt moved for the city council to go into executive closed session under Sections 551.071 and 551.072 of the Texas Government Code; motion was seconded by Mr. Stork and passed 4-0 to discuss the following:

11A. Sections 551.071 and 551.072:

Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the City’s bargaining position with third parties.

At 7:29 p.m. the regular meeting recessed.

Council went into executive closed session at 7:29 p.m. At 7:59 p.m. the executive closed session recessed and council returned to open session at 7:59 p.m. Mayor Pratt announced no action was taken in executive session.

**12. ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION**

No action was taken in open session.

**ADJOURNMENT.** The meeting adjourned at 7:59 p.m.

APPROVED: 10-13/2015

/s/

ATTEST:

Jack Pratt, Jr., Mayor

/s/

Cheryl Brown, Deputy City Secretary