

**KERRVILLE CITY COUNCIL AGENDA**  
**REGULAR COUNCIL MEETING, MAY 8, 2018, 6:00 PM**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**

**CALL TO ORDER**

**INVOCATION:**

By Warren Ferguson, Councilmember Place Four.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**1. ANNOUNCEMENTS OF COMMUNITY INTEREST:**

Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city officials or employees; and announcements involving imminent threats to the public health and safety of the city. No action will be taken.

**2. VISITORS/CITIZENS FORUM:**

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. City Council may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers will be limited to the first ten speakers and each speaker is limited to four minutes.

**3. PRESENTATIONS:**

3.A Resolution of Commendation to Greg Shrader, for serving on the Parks and Recreation Advisory Board.

[Res of Comm-Shrader.pdf](#)

3.B Proclamation designating May 13-19, 2018 as National Police Memorial Week.

[Police Officer Proclamation.pdf](#)

3.C Proclamation proclaiming May 6-12, 2018 as Public Service Recognition Week.

[Public Service Week.pdf](#)

3.D Proclamation proclaiming the month of May 2018 as Building Safety Month.

[Building Safety Month.pdf](#)

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The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-257-8000 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the City hall of the City of Kerrville, Texas, and said notice was posted on the following date and time: and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig  
City Secretary, City of Kerrville, Texas

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3.E Proclamation declaring May 18, 2018 as Put on Purple Day.

[Lupus Proclamation.pdf](#)

**4. CONSENT AGENDA:**

These items are considered routine and can be approved in one motion unless a Councilmember asks for separate consideration of an item. It is recommended that the City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:

4.A Minutes of the city council regular meetings held March 27, April 10, and April 24, 2018, and the city council workshop held April 17, 2018.

[2018 0327.docx](#)

[2018 0410.docx](#)

[2018 0424.docx](#)

[2018 0417 Workshop.doc](#)

**5. INFORMATION & DISCUSSION:**



5.A Presentation by The Retail Coach regarding a retail study for Kerrville.

[AB Retail Coach.docx](#)

**6. CITY MANAGER'S REPORT**

**7. ITEMS FOR FUTURE AGENDAS**

**8. EXECUTIVE SESSION:**

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code.

**9. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY**

**ADJOURNMENT.**



**City of Kerrville**

701 MAIN STREET • KERRVILLE, TEXAS 78028 • 830.257.8000 • KERRVILLETX.GOV

**RESOLUTION OF COMMENDATION**

**WHEREAS, GREG SHRADER** has served as a member of the Parks and Recreation Advisory Board with the date of service beginning March 22, 2016; and

**WHEREAS, GREG SHRADER** has served faithfully and dutifully on said board;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

That **GREG SHRADER** be recognized for outstanding service as a member of the Parks and Recreation Advisory Board, and that on behalf of the citizens of Kerrville, as well as for ourselves individually, we wish to express our sincere appreciation for contributions to the city and the community.

PASSED AND APPROVED, this the 8<sup>th</sup> day of May, 2018.

ATTEST:

Brenda G. Craig  
Brenda G. Craig, City Secretary

Bonnie White  
Bonnie White, Mayor

George Baroody  
George Baroody, Mayor Pro Tem

Vincent C. Voelkel  
Vincent C. Voelkel, Councilmember

Mary Ellen Summerlin  
Mary Ellen Summerlin, Councilmember

C. Warren Ferguson  
C. Warren Ferguson, Councilmember



# PROCLAMATION

- WHEREAS,** *In 1962, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week; and*
- WHEREAS,** *To honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting communities and safeguarding democracy; and*
- WHEREAS,** *There are more than 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Kerrville Police Department, Kerr County Sheriff's Department, Texas Department of Public Safety, and other surrounding agencies; and*
- WHEREAS,** *Since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and have been killed in the line of duty; and*
- WHEREAS,** *The names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C., and 360 names of fallen heroes are being added in 2018; and*
- WHEREAS,** *May 15, 2018 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;*

**NOW, THEREFORE,** *I, the Mayor of the City of Kerrville, Texas, do formally designate May 13 – 19, 2018, as*

## ***“NATIONAL POLICE MEMORIAL WEEK”***

*in the city of Kerrville, and ask all citizens to honor these men and women in the service of law enforcement in our community, and in communities across the nation.*

**IN WITNESS WHEREOF,** *I have Hereunto set my hand and caused the Seal of the City of Kerrville to be affixed hereto, the 08 day of May, 2018.*

*Bonnie White, Mayor*





# PROCLAMATION

- WHEREAS,** *Americans are served every single day by public servants at the federal, state, county, and city levels. These unsung heroes do the work that keeps the nation working; and*
- WHEREAS,** *Public service employees take not only jobs, but oaths; and*
- WHEREAS,** *Many public servants, including police officers, firefighters, emergency medical technicians, military, and others, risk their lives each day in service to the citizens of the City of Kerrville, the people of the United States and around the World; and*
- WHEREAS,** *Most efficiently and with integrity, public service employees provide the diverse services demanded by the citizens of Kerrville of their municipal government, daily; and*
- WHEREAS,** *Public service employees keep our municipality functioning, and help make Kerrville exceptional; and*
- WHEREAS,** *Public service employees place our city and our citizen first; and*
- WHEREAS,** *Without these public servants, continuity would be impossible in a democracy that regularly changes leaders and elected officials.*

**NOW, THEREFORE,** *I, Bonnie White, Mayor of the City of Kerrville, Texas, do hereby announce and proclaim the week of May 6–12, 2018 as*

## **“PUBLIC SERVICE RECOGNITION WEEK”**

*in the city of Kerrville, in honor of the millions of public employees at the federal, state, county, and city level. All citizens are encouraged to recognize the accomplishments and contributions of government employees at all levels  
– federal, state, county, and city.*

**IN WITNESS WHEREOF,** *I have hereunto set my hand and caused the Seal of the City of Kerrville to be affixed hereto, the 08 day of May, 2018.*

Bonnie White, Mayor





# **PROCLAMATION**

**WHEREAS,** *The City of Kerrville recognizes that a component of the City's growth and strength depends on the safety and economic value of homes, buildings, and infrastructure that serve our citizens; and*

**WHEREAS,** *The International Code Council and Texas are part of a diverse partnership involved in structure and building design, construction, sales, and inspections. Each year, the International Code Council and Texas dedicate the month of May as "Building Safety Month" to heighten awareness for resilient structures for Texans to live, work and play in; and*

**WHEREAS,** *Building Safety Month is a public awareness campaign celebrated by jurisdictions worldwide during the month of May for the past 38 years to help individuals, families, and businesses understand what it takes to create safe and sustainable structures; and*

**WHEREAS,** *"Building Codes Save Lives" is the theme for Building Safety Month 2018; and*

**WHEREAS,** *Building Safety Month reminds the public about the critical role of our local code officials – who promote safe, efficient and livable buildings that are essential to keep America great. These guardians work year-round ensuring the safe construction of buildings, and protecting us where we live, learn, work, worship and play; and*

**WHEREAS,** *Codes used by professional inspectors address not only structural soundness, but also electricity, plumbing, accessibility, fire safety and energy efficiency. Sensible codes, well-trained professionals and efficient enforcement systems are essential in creating and maintaining safe environments for individuals, families, and businesses; and*

**WHEREAS,** *Each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property;*

**NOW, THEREFORE,** *I, the Mayor of the City of Kerrville, Texas, do hereby proclaim the month of May 2018, as*

## ***BUILDING SAFETY MONTH***

*in the city of Kerrville, and encourage citizens to learn about the importance of building codes and high safety standards in minimizing risks wherever possible and creating a safe environment in our homes and our communities.*

**IN WITNESS WHEREOF,** *I have Hereunto set my hand and caused the Seal of the City of Kerrville to be affixed hereto, the 08 day of May, 2018.*

\_\_\_\_\_  
*Bonnie White, Mayor*





# PROCLAMATION

**WHEREAS,** *an estimated 1.5 million Americans suffer from Lupus, the chronic inflammatory, autoimmune disease that can affect various parts of the body, especially the skin, joints, blood and kidneys; and*

**WHEREAS,** *Lupus can be difficult to diagnose because its symptoms are similar to those of many other illnesses, and major gaps exist in understanding the causes and consequences; and*

**WHEREAS,** *the Lupus Foundation of America, Lone Star Chapter is part of a national force devoted to solving the cruel mystery of lupus while providing caring support to those who suffer from its brutal impact; and*

**WHEREAS,** *the Chapter rallied the Kerrville community to wear the color purple and to further unify the support for those living with the disease; and*

**WHEREAS,** *awareness is vital in raising funds for research for those affected by lupus, and it is our responsibility as a community to advocate on their behalf and to further encourage educational programs so everyone affected by lupus can have an improved quality of life;*

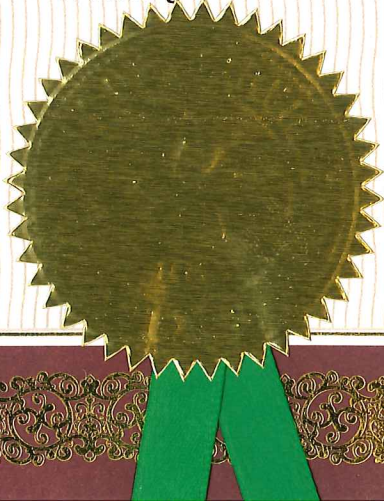
**NOW, THEREFORE,** *I, the Mayor of the City of Kerrville, Texas, do hereby proclaim May 18, 2018, as*

## **“PUT ON PURPLE DAY”**

*throughout the City of Kerrville and urge all citizens to support the cause of raising awareness of lupus, so that we can have a world with NO lupus.*

**IN WITNESS WHEREOF,** *I have Hereunto set my hand and caused the Seal of the City of Kerrville to be affixed hereto, the 08 day of May, 2018.*

\_\_\_\_\_  
*Bonnie White, Mayor*





CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
MARCH 27, 2018

On March 27, 2018, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Bonnie White in the city hall council chambers at 701 Main Street. The invocation was offered by Roman Garcia, followed by the Pledge of Allegiance led by Mario Garcia.

COUNCILMEMBERS PRESENT:

Bonnie White	Mayor
George Baroody	Mayor Pro Tem
Vincent Voelkel	Councilmember
Mary Ellen Summerlin	Councilmember
Warren Ferguson	Councilmember

COUNCILMEMBERS ABSENT:

CITY CORE STAFF PRESENT:

Mark McDaniel	City Manager
Mike Hayes	City Attorney
Brenda Craig	City Secretary
E.A. Hoppe	Deputy City Manager
Cheryl Brown	Deputy City Secretary
Amy Dozier	Director of Finance
Kim Meisner	Director of General Operations
Stuart Cunyus	Public Information Officer
Drew Paxton	Executive Director of Development Services
Dannie Smith	Fire Chief
Guillermo Garcia	Executive Director of Strategic Initiatives
Ashlea Boyle	Director of Parks and Recreation
Kyle Burow	Director of Engineering
Stuart Barron	Director of Public Works

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

1. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** were given.

2. **VISITORS/CITIZENS FORUM:**

2A. Richard Ferris requested the city change the signal lights to flash after 10:00 p.m.; and consider storm drainage in the 400 block of Main Street.

3. **PRESENTATIONS**

3A. Certificate of Recognition and Resolution of Commendation presented to Sandra Yarbrough for 34 years of service to the citizens of the City of Kerrville.



3B. Proclamation to declare March 27, 2018 as Our Lady of the Hills State Champion Girls Soccer Team Day.

3C. Proclamation declaring March 28, 2018 as Our Lady of the Hills State Champion Girls 50 Meter Freestyle Swim Ella Junker Day.

3D. Certificate of Recognition to the Our Lady of the Hills Hawks 2017-18 Boys Basketball Team for their 28-7 overall record. (Postponed)

#### **4. CONSENT AGENDA:**

Mr. Ferguson moved for approval of consent agenda Items 4A and 4B. Mr. Baroody seconded the motion and it passed 5-0:

4A. Minutes of the city council workshop held February 20, 2018, and the regular meeting held February 27, 2018.

4B. Project funding agreement between the City of Kerrville, Texas Economic Improvement Corporation and the City of Kerrville, Texas for an aquatics feasibility study.

#### **END OF CONSENT AGENDA**

#### **5. ORDINANCES, SECOND AND FINAL READING:**

5A. Ordinance No. 2018-07 amending Chapter 74 "Parks and Recreation". Article I "Rules and Regulations for City Park and Recreation Areas" of the Code of Ordinances of the City of Kerrville, Texas, by amending various sections to address the operation and use of the Kerrville Sports Complex; containing a cumulative clause; containing a savings and severability clause; providing a penalty; and providing other matters relating to the subject. Mayor White read the ordinance by title only.

Ms. Boyle noted no changes since first reading.

Mr. Baroody moved for approval of Ordinance No. 2018-07 on second and final reading; Mr. Voelkel seconded the motion and it passed 5-0.

#### **6. PUBLIC HEARING AND RESOLUTION:**

6A. Resolution No. 09-2018 granting a Conditional Use Permit for lot 3, Block 1, Sutton Addition, a subdivision within the City of Kerrville, Kerr County, Texas, and otherwise known as 3410 Memorial Boulevard (State Highway 27); said tract is located within the 29-E Zoning District; by permitting said property to be used for a manufactured home or manufactured housing; and making said permit subject to certain conditions and restrictions contained herein.

Mr. Paxton noted the applicant requested to place a manufactured home on the subject property. Staff had recommended approval of the CUP to the planning and zoning commission (PZC) because it met all requirements for a CUP. There was no public opposition at the PZC meeting, and PZC denied the request on a 3 to 2 vote. If the CUP is granted, the CUP would continue with the property even if it was sold; however, if the manufactured home was removed from the property, then the CUP would cease. If the owner wanted to amend the CUP in the future, it would have to go back through the CUP process.



Mayor White opened the public hearing at 6:30 p.m. and the following persons spoke:

1. Juan Carlos Ramirez stated his family owned property within 200 ft. of the subject property for over 53 years. He cited many positive changes and numerous events held in the area that were attended by visitors. He recommended that manufactured housing not be allowed in this area as it was a gateway corridor.

2. Charles Wickware stated he purchased the commercial property and intended to sell it as commercial real estate in the future so he did not want to invest a lot of money to build a mortar and brick structure, and when he was ready to sell the property, he would move the home. This was the gateway to the city and existing trees obstructed the view of the property from Memorial Boulevard. He would not be accumulating a lot of manufactured homes on the property, just one for his family, and he would paint the home. He stated he was aware of the sidewalk issue (Item 8F).

3. Bruce Stracke questioned if the property had been platted. He was concerned about the platting/replatting and subdividing of property without providing public infrastructure, streets, and access to properties by using private easements. He noted that the city set a precedent recently on Meeker Street where lots were created without public access. He opined that creating lots without establishing true right of way for streets and utilities was a mistake, especially on commercial property such as the subject property. He suggested the applicant ask TxDOT for a larger curb cut; in order to meet the city's right of way standards and provide access to both properties.

Mr. Paxton noted the replat, although not required, was in process and pending action by PZC following action on the sidewalk waiver request (Item 8F). Regarding access to the property, TxDOT previously allowed only one curb cut; therefore, both properties were sharing one driveway.

Council also discussed the following:

- Mr. Stracke's concerns should be addressed by PZC.

- What conditions would council place on a CUP that would make it compatible?

Mr. Paxton noted that staff did not propose any specific conditions.

- The integrity of this corridor should be protected.

Mayor White closed the public hearing at 6:48 p.m.

Ms. Summerlin moved to deny the request and deny Resolution No. 09-2018; the motion died for lack of a second.

Mr. Voelkel moved to approve Resolution No. 09-2018 with the conditions described by the landowner and that the landscape screening be 8 ft. at maturity; Mr. Baroody seconded the motion and it passed 3 – 2 with Councilmembers Voelkel, Baroody, and White voting in favor of the motion and Councilmembers Ferguson and Summerlin voting against the motion.

## **7. ORDINANCES, FIRST READING:**



7A. Ordinance No. 2018-11 adopting the "Design Manual for the Installation of Network Nodes and Node Support Poles pursuant to Texas Local Government Code, Chapter 284"; containing a cumulative clause; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. Mayor White read the ordinance by title only.

Mr. Paxton noted that the state legislature developed Chapter 284 to allow small cell towers to be placed in public right of ways. The proposed ordinance would adopt the design manual for the installation of network nodes or cell towers. The design manual was drafted from the TML guidelines and was consistent with Chapter 284. He stated that no existing towers were in violation; however, two applications were pending.

Mr. Ferguson moved for approval of Ordinance No. 2018-11 on first reading; Ms. Summerlin seconded the motion and it passed 5-0.

## **8. CONSIDERATION AND POSSIBLE ACTION:**

8A. Resolution No. 07-2018 requesting financial assistance from the Texas Water Development Board (TWDB) to finance certain improvements to the City's sewer system; authorizing the filing of an application for financial assistance, and making certain findings in connection therewith.

Mr. Hoppe noted that Legion lift station served one of the largest wastewater basins in the city, and it was at or near capacity; the project would greatly expand wastewater capacity. Staff proposed two methods of funding: TWDB loan (Item 8A) and EIC funding request (Item 8B) for \$2 million. The TWDB loan rate would be at 1.3% below market, and over the 30 year term, the city would save about \$1.4 million in interest, and staff proposed to apply for reimbursement of design cost. The debt capacity analysis included water and sewer rate increases. Staff had a pre-application meeting with TWDB and submitted initial information. If the resolution is approved, staff will move forward with the loan application in April, and request funding from EIC on April 16. He reviewed the project schedule and anticipated construction to begin in January 2019. The city's bond counsel and financial advisor recommended the project application be in the amount of \$10 million; however, the amount may be reduced as more details are known, i.e. funding from EIC, more accurate cost, bid estimate, etc.

Ms. Summerlin moved for approval of Resolution No. 07-2018; Mr. Voelkel seconded the motion and it passed 5-0.

8B. Authorization to proceed with a Funding Application to the Kerrville Economic Improvement Corporation for the enhancement of Legion Lift Station to encourage economic development.

Mr. Hoppe noted the Legion lift station project would provide 50% expansion of the existing wastewater basin thereby allowing potential for future development within that corridor, which otherwise might not occur without this infrastructure; therefore, the project was eligible for EIC funding. The project was on the east side of Loop 534 on property that had belonged to the city for many years.



Mr. Ferguson moved to authorize staff to submit the funding application to EIC for the Legion lift station project. Ms. Summerlin seconded the motion and it passed 5-0.

8C. Authorize the City Manager to finalize a scope of work for professional services and proceed with developing a Long-Range Water Supply Plan for the City.

Mr. Hoppe noted the city had previously engaged Lloyd Gosselink et al to assist the city in developing a long-range water supply plan that included an analysis of existing water rights, an evaluation of future water sources, and addressed related legal and proprietary issues. He recommended HDR Engineering for the engineering aspects of the long-range water plan.

Sarah Thorton, attorney with Lloyd Gosselink (LG), stated she had worked with the city on water supply and water rights issues for about 8 years. A scope of work had been prepared to identify the city's water supply needs and alternatives to address those needs, and LG had worked with HDR in the past. She noted possible potential legal issues that could occur in water supply planning, potential litigation in the permitting process, and the need to protect the city's information during the process.

Cory Shockly, engineer with HDR Engineering, discussed the scope of work. HDR would make a recommendation on how to develop a future water supply implementation plan for the city. He worked on several regional water plans in the state, but he did not see a conflict, as those plans were not in Kerrville's water plan area.

Mr. Baroody moved to authorize the city manager to proceed with the arrangement as presented. Mr. Ferguson seconded the motion and it passed 5-0.

8D. Resolution No. 05-2018 adopting the Water Conservation Initiative - Low Flow Rebate Program as part of the City of Kerrville Water Conservation Plan.

Mr. Barron reviewed a program whereby water customers could qualify for a \$75 rebate for replacement of older, pre 1994, high flow toilets as part of the city's water conservation program. He estimated 200-220 toilets would be replaced during a 12-month period at an estimated cost of \$16,785. He discussed other water conservation efforts including public education, drought conservation, and irrigation meters. He discussed a proposed 30,000 gallon tank and rainwater harvesting system at the pavilion in Louise Hays Park, estimated to cost \$35,000-40,000.

Mr. Ferguson moved to approve Resolution No. 05-2018, low flow rebate program; Ms. Summerlin seconded the motion and it passed 5-0.

8E. Waiver of perimeter sidewalk construction, per City Code Section 26-36(f), for property located at 410 Junction Highway adjacent to the north frontage of State Highway 27 and being located between Florence Street and Center Avenue.

Mr. Paxton discussed a request to waive the sidewalk requirement at the intersection of Center and Florence streets. Other properties in the area were developed prior to the subdivision ordinance; therefore, sidewalks had not been required. Based on the lack of



topographical restrictions, adequate width, and sidewalks in the area, staff recommended denial. Mr. Paxton reviewed the conditions by which council could grant a waiver. Mr. Burow stated that a sidewalk at this intersection would require relocation of the fire hydrant and power pole at city and KPUB expense.

Mr. Burow noted the sidewalk master plan designated Center and Florence streets as residential streets and the sidewalk ordinance would apply. The sidewalk master plan as written for these two sections were not proposed as sidewalks since the plan was only applied for major thoroughfares.

The following persons spoke:

1. Richard Ferris noted there were no sidewalks on Junction Highway from the bank to the subject property, and the property had a full concrete apron the entire length of the highway and 50 ft. of sidewalk on Florence Street. Jason Avery wanted to lease the property from him and he had invested \$6,000 in the property. He opined that a sidewalk was not necessary.

-The master sidewalk plan did not contemplate a sidewalk on this street and this would be an undo hardship.

-The city was going to pave over this corner.

2. Jason Avery estimated the project cost at about \$5,000.

Mr. Baroody moved to grant the sidewalk waiver based on undue hardship and lack of necessity for a sidewalk surrounding the subject property. Mr. Voelkel seconded the motion and it passed 4 – 1 with Councilmembers Baroody, Voelkel, Ferguson, and White voting in favor of the motion and Councilmember Summerlin voting against the motion.

8F. Waiver of perimeter sidewalk construction, per City Code Section 26-36(f), for property located at 3410 Memorial Blvd. adjacent to the northeast frontage of State Highway 27 and being located south of State Loop 534 in front of the VA Hospital.

Mr. Paxton noted this was the same property as discussed in Item 6A. Staff had denied the waiver as there was adequate right of way to accommodate a sidewalk; however, there were some topographical restrictions, i.e. a slope running into a drainage feature. Adjacent undeveloped properties had not been exempted and some were developed prior to the sidewalk ordinance. Recent developments had put in sidewalks, i.e. the Mini-Mart had sidewalks on both Hwy. 27 and Loop 534. In the future, if TxDOT allowed a curb cut to the property, as suggested in Item 6A, that section of sidewalk would have to be removed. Also, a sidewalk might affect the small shrubbery that was already in place on the property. Mr. Paxton and Mr. Burow noted there were no sidewalks at the VA Hospital to connect to the subject property, and they confirmed that commercial property east of Loop 534 was exempt. Staff recommended denial.



Council noted if the city was ever going to have any sidewalks, council would have to be more strict and consistent about enforcing the sidewalk master plan, for example, enforcing the requirement on Mini-Mart and not their neighbor was inconsistent.

Ms. Summerlin moved to deny the request for waiver; Mr. Ferguson seconded the motion and the motion failed 2 – 3 with Councilmembers Summerlin and Ferguson voting in favor of the motion; and Councilmembers Baroody, Voelkel, and White voting against the motion.

Mr. Baroody moved to grant the waiver; Mr. Voelkel seconded the motion and it passed 3 – 2 with Councilmembers Baroody, Voelkel, and White voting in favor of the motion; and Councilmembers Ferguson and Summerlin voting against the motion.

8G. Authorize the City Manager to initiate a process to develop a public-private partnership for the development of approximately 34 acres of City-owned property on Loop 534 for the primary purpose of providing new housing options.

Mr. Voelkel moved that the item be moved to executive closed session under Sections 551.087 and 551.072 with the city manager; Mr. Baroody seconded the motion and it passed 5-0.

## **9. INFORMATION AND DISCUSSION:**

9A. Budget and economic update for the month ended February 28, 2018.

Ms. Dozier gave the budget and economic update for the month ended February 28, 2018. Council questioned hotel/motel tax revenue being less than expenditures. Ms. Dozier noted this was a seasonal account and revenue should cover expenditures by the end of the year.

## **10. BOARD APPOINTMENTS:**

10A. Appointments to the Parks and Recreation Advisory Board.

Mr. Baroody moved to appoint Celeste Hammand, Matthew Thurlow, and Lynda Ables with terms to expire March 31, 2020. Ms. Summerlin seconded the motion and it passed 5-0.

## **11. ITEMS FOR FUTURE AGENDAS:**

- Food truck regulations.

Mr. McDaniel introduced Brian Hunt as the city's new building official.

## **12. EXECUTIVE SESSION:**

At 8:00 p.m. Mayor White recessed the regular meeting based on a previous motion. Council went into executive closed session at 8:03 p.m. At 8:29 p.m. the executive closed session recessed and council returned to open session at 8:31 p.m. No action was taken in executive session.

## **13. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY: None.**



8G. Authorize the City Manager to initiate a process to develop a public-private partnership for the development of approximately 34 acres of City-owned property on Loop 534 for the primary purpose of providing new housing options.

Mr. Baroody moved to authorize the city manager to initiate a process to develop a public-private partnership for the development of approximately 34 acres of city-owned property on Loop 534 for the primary purpose of providing new housing options. Mr. Voelkel seconded the motion and it passed 5-0.

**ADJOURNMENT:** The meeting adjourned at 8:32 p.m.

APPROVED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Bonnie White, Mayor

\_\_\_\_\_  
Brenda G. Craig, City Secretary

CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
APRIL 10, 2018

On April 10, 2018, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Bonnie White in the city hall council chambers at 701 Main Street. The invocation was offered by George Baroody, Councilmember Place Two, followed by the Pledge of Allegiance led by Eric Maloney.

COUNCILMEMBERS PRESENT:

Bonnie White	Mayor
George Baroody	Mayor Pro Tem
Vincent Voelkel	Councilmember
Mary Ellen Summerlin	Councilmember
Warren Ferguson	Councilmember

COUNCILMEMBERS ABSENT: None.

CITY CORE STAFF PRESENT:

Mark McDaniel	City Manager
Mike Hayes	City Attorney
Brenda Craig	City Secretary
E.A. Hoppe	Deputy City Manager
Cheryl Brown	Deputy City Secretary
Amy Dozier	Asst. Director of Finance
Kim Meisner	Director of General Operations
David Knight	Police Chief
Stuart Cunyus	Public Information Officer
Drew Paxton	Executive Director of Development Services
Guillermo Garcia	Executive Director of Strategic Initiatives
Charvy Tork	Director of Information Technology
Eric Maloney	EMS Coordinator
Ashlea Boyle	Director of Parks and Recreation
Stuart Barron	Public Works Director
Kyle Burow	Director of Engineering

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

1. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** were given.

2. **VISITORS/CITIZENS FORUM:**

2A. David Lipscomb applauded city staff for presenting incentives and discussing water conservation at a previous meeting.

3. **PRESENTATIONS**



3A. Proclamation proclaiming April 8-14, 2018 as "Kerrville Public Safety Telecommunicators Week."

**4. CONSENT AGENDA:**

Mr. Baroody moved for approval of consent agenda Items 4A, 4B and 4C. Mr. Ferguson seconded the motion and it passed 5-0:

4A. Memorandum of Understanding (MOU) between Baptist Children and Family Services (BCFS) and the City of Kerrville.

4B. Resolution No. 11-2018 supporting the construction of T-Hangars at the Kerrville-Kerr County Airport pursuant to a grant agreement with the Texas Department of Transportation.

4C. Resolution No. 12-2018 authorizing the waiver of various fees and ratifying a nonexclusive license and funding agreement regarding the use of a portion of the City's Butt Holdsworth Memorial Library Campus for the Kerrville Farmers Market to be held in Downtown Kerrville.

**END OF CONSENT AGENDA**

**5. ORDINANCES, SECOND AND FINAL READING:**

5.A Ordinance No. 2018-10 amending Chapter 102 "Traffic and Vehicles", Article IV "Operation of Vehicles", Division 1 "Generally", by adding a new Section 102-118 to regulate the use of hand-held portable electronic devices while operating a vehicle; providing exemptions; providing affirmative defenses; providing an increasing penalty for subsequent offenses; containing a cumulative clause; containing a savings and severability clause; ordering publication; providing an effective date; and providing other matters related to the subject.

Chief Knight noted at the February 13 council meeting the consensus of the council was to support the development of an ordinance containing regulations that were more restrictive than current state law, Section 545.4251 of the Texas Transportation Code. The proposed ordinance would provide a complete ban on the use of portable electronic devices while operating a motor vehicle unless the device was used in conjunction with a hands-free device.

Council also discussed the following:

-Establish a set fee and not a range of fees. Chief Knight noted a range would give the municipal court judge the latitude to increase the fine for first offense based on the specifics of the offense.

-Signage would be placed on I-10 and all gateways into the city. Mr. McDaniel stated that staff would work with TxDOT to meet sign requirements and placement.

-Citizens wanted to vote on the issue. Mr. McDaniel noted the council had the option to place the item on a ballot; however, it was too late for the May 2018 ballot.

Mr. Ferguson moved to approve Ordinance No. 2018-10 as stated; Ms. Summerlin seconded the motion and it passed 3-2 with Councilmembers Ferguson, Summerlin, and Voelkel voting in favor of the motion and Councilmembers Baroody and White voting against the motion. However, Mr. Voelkel stated he had intended to vote against the motion and accidentally voted for the motion. Mayor White called for a revote.

Mr. Ferguson moved to approve Ordinance No. 2018-10 as stated; the motion failed for lack of a second.

Mr. Baroody moved to approve Ordinance No. 2018-10 with amendment: Remove “and a maximum fine of \$500.00” from Section Six (a); thereby establishing the first offense at \$100.00; second offense at \$200; and third offense at \$500. Mr. Voelkel seconded the motion and it passed 5-0.

5B. Ordinance No. 2018-11 adopting the "Design Manual for the Installation of Network Nodes and Node Support Poles pursuant to Texas Local Government Code, Chapter 284"; containing a cumulative clause; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. Mayor White read the ordinance by title only.

Mr. Paxton noted there were no changes since first reading.

Mr. Baroody moved for approval of Ordinance No. 2018-11 on second and final reading; Mr. Summerlin seconded the motion and it passed 5-0.

## **6. CONSIDERATION AND POSSIBLE ACTION:**

6A. Authorize the execution of a construction contract with Acme Bridge Company, Inc. for the Singing Wind Drive Reconstruction project in an amount of \$791,734.40 and review the current street maintenance program.

Mr. Barron gave an update of the 2018 street maintenance program and activities.

Mr. Burow noted the project would reconstruct .75 mile of Singing Wind Drive. Acme Bridge Company was the low bidder and he recommended approval of the contract.

Ms. Summerlin moved to approve the contract as requested. Mayor White seconded the motion and it passed 5-0.

## **7. INFORMATION AND DISCUSSION:**

7A. Presentation from Impact DataSources regarding the impact of the Kerr Economic Development Corporation (KEDC) and various recent economic development projects. Mike Wittler, Chair of KEDC and CEO of KPUB, noted that KEDC’s executive director left in February. KEDC was working on a draft business plan and strategic plan. KEDC commissioned Jerry Walker of Impact DataSource to do a return on investment analysis.

Jerry Walker, Impact DataSource, reported on the economic and fiscal impact analysis prepared on KEDC’s activities during the past four years. KEDC’s major accomplishment was assisting four firms in locating and expanding in Kerrville: Mooney International, Fox Tank, James Avery, and Nature Blinds. He calculated the return on investment (ROI), based on data provided by KEDC, for each stakeholder based on revenues generated and anticipated to be generated, by these four firms over a four-year period at:  
-City of Kerrville investment \$912,783; return \$2,332,024; ROI 255%



- EIC investment \$2,879,653; return \$675,888; ROI 23%
- Total for all stakeholders: investment \$4,723,046; return \$5,936,156; and ROI 126%.

Mr. Walker noted that stakeholders would continue to receive future pay off and the ROI will continue to increase annually. He opined that a one-stop center for economic development services was critical to a community's economic growth and some activities of these firms may not have occurred without the efforts of KEDC.

Council also discussed the following:

-The report was not a report on the impact of the KEDC organization, rather it was an impact on the four businesses.

Mr. Walker stated that KEDC had no purpose other than to assist companies, create jobs, and add to tax rolls; the impact of KEDC was based on its results; therefore, the performance of the KEDC was based on the results of the four firms. He noted there were consultants who could do that type of study.

-The report did not include KEDC's budget and expenses over the four years; therefore, the annual return on investment was much less than presented. Mr. Walker agreed that those expenses may affect the ROI slightly.

#### **8. CITY MANAGER'S REPORT**

Mr. McDaniel presented the capital improvement program.

#### **9. ITEMS FOR FUTURE AGENDAS: None.**

#### **10. EXECUTIVE SESSION:**

Mr. Baroody moved for the city council to go into executive closed session under Sections 551.087 (deliberation regarding real property) of Chapter 551 of the Texas Government Code; the motion was seconded by Ms. Summerlin and passed 5-0 to discuss the following matter:

##### **10A. Section 551.072:**

Deliberate and consider the purchase of, exchange, lease or value of real property in accordance with Section 551.072, of the Texas Government Code for property consisting of approximately 34 acres.

At 7:23 p.m. the regular meeting recessed. Council went into executive closed session at 7:26 p.m. At 7:35 p.m. the executive closed session recessed and council returned to open session at 7:35 p.m. No action was taken in executive session.

#### **13. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY: None.**

**ADJOURNMENT**: The meeting adjourned at 7:36 p.m.

APPROVED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Bonnie White, Mayor

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Brenda G. Craig, City Secretary



CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
APRIL 24, 2018

On April 24, 2018, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Bonnie White in the city hall council chambers at 701 Main Street. The invocation was offered by Mary Ellen Summerlin, Councilmember Place Three, followed by the Pledge of Allegiance led by Fire Chief Dannie Smith.

**COUNCILMEMBERS PRESENT:**

Bonnie White	Mayor
George Baroody	Mayor Pro Tem
Vincent Voelkel	Councilmember
Mary Ellen Summerlin	Councilmember
Warren Ferguson	Councilmember

**COUNCILMEMBERS ABSENT:** None.

**CITY CORE STAFF PRESENT:**

Mark McDaniel	City Manager
Mike Hayes	City Attorney
Brenda Craig	City Secretary
E.A. Hoppe	Deputy City Manager
Cheryl Brown	Deputy City Secretary
Amy Dozier	Director of Finance
Amy Dozier	Asst. Director of Finance
Kim Meisner	Director of General Operations
David Knight	Police Chief
Stuart Cunyus	Public Information Officer
Dannie Smith	Fire Chief
Guillermo Garcia	Executive Director of Strategic Initiatives

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

**1. ANNOUNCEMENTS OF COMMUNITY INTEREST:** were given.

**2. VISITORS/CITIZENS FORUM:**

2A. Steve Stoutamire, archeologist and steward with the Texas Historical Commission, requested to be on the May 8 agenda to discuss archeological impacts regarding the thoroughfare plan in the Kerrville 2050 plan.

2B. Bruce Stracke noted the Kerrville Downtown Business Alliance was starting up and many downtown business people were attending the Kerrville 2050 meetings.

**3. PRESENTATIONS:**

3A. Resolution of Commendation to Jacklyn Kayne for service on the Parks and Recreation Advisory Board.

3B. Resolution of Commendation to Jay Munson for service on the Parks and Recreation Advisory Board.

3C. Certificate of Recognition to Bailey and Keely Geisel for their generous donation of \$795.00 for a new adaptive swing at Lehmann and Monroe Park.

3D. Proclamation celebrating the Museum of Western Art on their 35th Anniversary.

3E. Proclamation declaring the month of May as Williams Syndrome Awareness Month.

3F. Proclamation proclaiming April 30, 2018 as Tina Woods' Day.

3C. Certificate of Recognition for Bailey and Keely Geisel for their generous donation of \$795.00 for a new adaptive swing at Lehmann and Monroe Park.

#### **4. CONSENT AGENDA:**

Ms. Summerlin moved for approval of consent agenda Item 4A; Mr. Ferguson seconded the motion and it passed 5-0:

4A. Minutes of the city council regular meeting held March 13, 2018, and the workshop held March 20, 2018.

#### **END OF CONSENT AGENDA**

#### **5. CONSIDERATION AND POSSIBLE ACTION:**

5A. Resolution No. 13-2018 requesting financial assistance from the Texas Water Development Board (TWDB) to finance certain improvements to the City's water system; authorizing the filing of an application for financial assistance and making certain findings in connection therewith.

Mr. Hoppe noted the resolution would authorize staff to submit an application to TWDB to assist in financing a project to reduce trihalomethanes (TTHM) in the city's water system, which is a requirement of TCEQ. The project included a feasibility study, testing, design and construction for a new treatment process to be added on to the existing water treatment facility. The cost was estimated at \$4.1 million.

Mr. Hoppe noted the TWDB loan was a 30 year loan available to cities for water and wastewater infrastructure projects. The state would reduce the interest rate by 1.35% of market rate; however there were some additional requirements and environmental regulations. Also, the city could seek reimbursement of \$734,000 for engineering cost related to the Legion lift station project, and TTHM studies may also be eligible for reimbursement; however, the council must pass a resolution stating the city's intent to seek reimbursement (Item 5B). These costs were paid with cash on hand from the water and sewer fund. Mr. Hoppe proposed that the city request \$15 million total, to include \$9.85 million for the Legion lift station project, \$4.1 million for the TTHM project, and the cost reimbursement.

Ms. Summerlin moved for approval of Resolution No. 13-2018 on second and final reading; Mr. Baroody seconded the motion and it passed 5-0.

5B. Resolution No. 14-2018 expressing official intent to reimburse with tax-exempt obligation proceeds costs incurred to construct certain improvements to the City's water and wastewater system.



Mr. Hoppe noted that in order to seek reimbursement (Item 5A) the council must first pass a resolution declaring the city's intent to request reimbursement. The proposed resolution was recommended and prepared by the city's bond counsel.

Mr. Baroody moved for approval of Resolution No. 14-2018 on second and final reading; Mr. Ferguson seconded the motion and it passed 5-0.

5C. Authorize the execution of a construction contract with Viking Construction, Inc. for the 2018 Slurry Seal project in an amount of \$300,393.90.

Mr. Burow noted this part of the slurry seal maintenance plan would cover 42-44 street segments totaling 2.5 lane miles. The project should be completed by October 1.

Mr. Ferguson moved to approve the contract; Ms. Summerlin seconded the motion and it passed 5-0.

## **6. INFORMATION AND DISCUSSION**

6A. Budget and economic update for the month ended March 31, 2018.

Ms. Dozier presented the year to date budget update, reviewed capital projects, and highlighted the following:

- General fund revenues exceeded expenses by \$4.6 million. The sales tax revenue was coming in under budget with a potential shortfall of \$200,000 by year end. Staff proposed offsetting the shortfall with reduced expenditures from staff vacancies and delayed purchases.
- The city, with the help of Intermedix (EMS billing services provider), submitted an application to the state through the Ambulance Supplemental Payment Program, which would provide partial reimbursement to the city for losses associated with accepting Medicaid; estimated reimbursement may be almost \$200,000.
- The water and sewer fund revenue included a \$415,000 transfer related to debt refinancing.
- The water and sewer fund expenditures included increased transfers for capital project and asset replacement compared to FY2017 expenditures.

Council also discussed the following:

- Reduction in tax rate, against the advice of the city manager, may have prevented a potential for a shortfall. Ms. Dozier noted that property tax revenue was a very stable revenue resource.
- The staff vacancies and overturn in public safety may be related to non-competitive pay; pay packages should be re-examined during budget preparation.
- The potential shortfall in sales tax revenue had nothing to do with the effective property tax rate.
- Last year the surplus revenue was used to pay off one-time fees, not operational fees; it did not impact the effective tax rate.

## **7. CITY MANAGER'S REPORT**

- Hands free ordinance: staff was preparing public announcements and working on signage.

**8. ITEMS FOR FUTURE AGENDAS:**

- Archeological impact and cost associated with the proposed future thoroughfare plan.
- Sidewalk ordinance/sidewalk master plan and sign ordinance. Mr. McDaniel noted those items were on the future pending agenda list to take up after completion of the comprehensive plan. An item will be included in the budget to begin the code review, which would include those items.

**9. EXECUTIVE SESSION:**

Mr. Voelkel moved for the city council to go into executive closed session under Sections 551.087 (deliberation regarding real property) of Chapter 551 of the Texas Government Code; the motion was seconded by Mr. Barody and passed 5-0 to discuss the following matters:

9A. Deliberation regarding economic development negotiations in accordance with the Texas Open Meetings Act, Section 551.087, discussion regarding commercial or financial information received from a business prospect(s), and/or to deliberate the offer of a financial or other incentive to a business prospect(s).

At 7:11 p.m. the regular meeting recessed. Council went into executive closed session at 7:16 p.m. At 7:48 p.m. the executive closed session recessed and council returned to open session at 7:50 p.m. No action was taken in executive session.

**10. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY: None.**

**ADJOURNMENT:** The meeting adjourned at 7:50 p.m.

APPROVED: \_\_\_\_\_

ATTEST:

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Bonnie White, Mayor

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Brenda G. Craig, City Secretary

CITY COUNCIL MINUTES  
WORKSHOP

KERRVILLE, TEXAS  
APRIL 17, 2018

On Tuesday, April 17, 2018, the Kerrville City Council workshop was called to order at 10:00 a.m. by Mayor White at the H-E-B Municipal Tennis Center, 801 Tennis Street, Kerrville, Texas.

COUNCILMEMBERS PRESENT:

Bonnie White	Mayor
George Baroody	Mayor Pro Tem
Vincent C. Voelkel	Councilmember
C. Warren Ferguson	Councilmember
Mary Ellen Summerlin	Councilmember

COUNCILMEMBER ABSENT: none.

CITY STAFF PRESENT:

Mike Hayes	City Attorney
EA Hoppe	Deputy City Manager
Brenda Craig	City Secretary
Ashlea Boyle	Director of Parks and Recreation
Scott McDonough	Golf General Manager

**1. TENNIS CENTER IMPROVEMENT UPDATE**

James Williams and Larry Stone with SRA presented a site inventory and analysis of the H-E-B Tennis Center. They discussed accessibility to the courts, drainage, erosion, fencing, parking, condition of court surfaces, and condition of the pro shop and restrooms.

They presented a Master Plan for the Tennis Center. Phase 1 improvement plan was estimated at \$1.3 million and included: tennis court renovations, open space improvements (sidewalks, bleachers with shade structures, plazas with seating, limestone retaining walls, drinking fountains, landscaping and irrigation), emergency triage area, pro shop renovations, and parking improvements. Future phases would include covered tennis courts, concrete tennis courts, additional parking lot, trail and covered bleachers, practice court, renovations to the existing pavilion, construction of a new pavilion, and a monument sign.

Councilmembers were asked to contact Mr. Hoppe with any recommendations to be included in the engineering design. Donation opportunities would be available.

**2. GOLF OPERATION UPDATE**

Mr. McDonough took councilmembers on a tour of the golf course and discussed the projects completed and in progress.

The meeting adjourned at 11:49 a.m.



APPROVED: \_\_\_\_\_  
ATTEST:

\_\_\_\_\_  
Bonnie White, Mayor

\_\_\_\_\_  
Brenda G. Craig, City Secretary



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

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**SUBJECT:** Presentation by The Retail Coach regarding a retail study for Kerrville.

**AGENDA DATE OF:** 5/8/2018

**DATE SUBMITTED:**

**SUBMITTED BY:** Mark McDaniel, City Manager

**EXHIBITS:** None.

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<b>Expenditure Required:</b>	<b>Current Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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**SUMMARY STATEMENT:**

Presentation will be given by The Retail Coach regarding a retail study for Kerrville.

**RECOMMENDED ACTION:**

Discuss presentation; no action required.