

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 Meismar	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 to Acme Bridge Company (Beep! Beep! Zoom!)

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: 05/08/2018

ATTEST:

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Bonnie White, Mayor

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Brenda G. Craig, City Secretary