

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
OCTOBER 26, 2021 6:00 PM**

On October 26, 2021 at 6:00 p.m., the City Council meeting was called to order by Mayor Bill Blackburn at the Arcadia Theater, 717 Water Street. Councilmember Judy Eychner provided the invocation and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Roman Garcia	Councilmember Place 1
Judy Eychner	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF:

E.A. Hoppe, City Manager	Kyle Burow, Director of Engineering
Mike Hayes, City Attorney	Stuart Cunyus, Public Info Officer
Shelley McElhannon, City Secretary	Eric Maloney, Fire Chief
David Barrera, Asst Director Public Works	Chris McCall, Chief of Police
Stuart Barron, Director of Public Works	Kim Meismer, Exec Director General Ops
Julie Behrens, Chief Financial Officer	Drew Paxton, Chief Planner

VISITORS PRESENT: A list of the citizen speakers present during the meeting is on file in the City Secretary's Office for the required retention period.

1. ANNOUNCEMENTS OF COMMUNITY INTEREST: Mayor Blackburn provided a Mayor statement. Items of interest to the community were presented by Stuart Cunyus.

2. PRESENTATIONS:

2A. Proclamation recognizing October 2021 as Fire Prevention month.

Mayor Blackburn presented the October 2021 Fire Prevention month proclamation to representatives of the Fire Department, including Fire Chief Eric Maloney, and Fire Marshal Jason Lackey.

2B. Certificate of Recognition to the Public Works Streets Division on receiving the 2021 Texas Asphalt Paving Association "Quality Asphalt Pavement Award".

Mayor Blackburn recognized the Public Works Streets Division in receiving the 2021 Texas Asphalt Paving Association "Quality Asphalt Pavement Award". Members of the Public Works Streets Division and the Executive Director of Public Works and Engineering Stuart Barron accepted the Certificate of Recognition.

Mayor Blackburn provided meeting protocols.

3. VISITORS FORUM:

The following persons spoke:

- Lyndia Rector
- Bill Rector

- Susan Hunter
- George Baroody
- Jerry Wolff

E.A. Hoppe provided clarification.

4. CONSENT AGENDA:

Councilmember Roman Garcia requested to pull item 4A, citizen Jerry Wolff requested to pull item 4B, and citizens George Baroody and Jerry Wolff requested to pull item 4E from the consent agenda. Councilmember Kim Clarkson made a motion to accept items 4C, 4D, 4F, 4G, and 4H of the consent agenda as presented, and Councilmember Eychner seconded. The motion passed 5-0.

4C. Subscription License and Maintenance Agreement between the City and Tyler Technologies, Inc. in the amount of \$108,771.00 over three years, to support the Police Department's computer aided dispatch and records management systems.

4D. Memorandum of Understanding for the "Handle with Care Program" between the Kerrville Police Department and Kerrville Independent School District.

4F. Minutes for the City Council workshop held October 12, 2021.

4G. Minutes for the City Council meeting held October 12, 2021.

4H. Minutes for the City Council special-called meeting held October 12, 2021.

END OF CONSENT AGENDA.

4A. Resolution No. 44-2021. A Resolution amending Resolution No. 28-2021, which recreated the Kerrville Main Street Advisory Board; by revising the membership qualifications to authorize property or business owners within the Main Street area to submit the name of a representative for membership to the Board.

E.A. Hoppe provided information and responded to questions.

The following persons spoke:

- Lyndia Rector – declined when called
- Bill Rector – declined when called

Councilmember Garcia made a motion to approve Resolution No. 44-2021, seconded by Councilmember Clarkson. The motion was passed 5-0.

4B. Resolution No. 49-2021. A Resolution authorizing the filing of an application with the Alamo Area Council of Governments (AACOG) for a 2022/2023 Solid Waste Pass-Through Grant.

The following person spoke:

- Jerry Wolff

Stuart Barron provided information and responded to questions.

Councilmember Eychner made a motion to approve Resolution No. 49-2021, seconded by Councilmember Brenda Hughes. The motion was passed 5-0.

4E. Amendment to Economic Development Incentive Agreement between Kerrville's 4th on the River (dba Arcadia Live!) and the City of Kerrville, Texas, Economic Improvement Corporation.

The following persons spoke:

- George Baroody
- Jerry Wolff – declined when called

E.A. Hoppe provided information and responded to questions.

Councilmember Eychner made a motion to approve the amendment to the Economic Development Incentive Agreement between the 4th on the River and the City of Kerrville, seconded by Councilmember Clarkson. The motion was passed 4-1 with Mayor Blackburn, Councilmember Clarkson, Councilmember Eychner, and Councilmember Hughes voting in favor, and Councilmember Garcia opposed.

5. PUBLIC HEARING:

5A. Public Hearing for Knapp Force Main and Interceptor Improvements Project Environmental Information Document (EID) as required by the Texas Water Development Board Funding Application.

Shelley McElhannon read item 5A caption into record.

Kyle Burow and Ben Hagood with Freese and Nichols, Inc. presented information and E.A. Hoppe responded to questions.

Mayor Blackburn opened the public hearing at 6:37 p.m.

No one spoke.

Mayor Blackburn closed the public hearing at 6:37 p.m.

No action by Council.

6. ORDINANCE, SECOND READING:

6A. Ordinance No. 2021-27, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, such Chapter more commonly known as the City's Zoning Code; by changing the zoning of a .71 acre property currently addressed as 1478 State Highway 173 (Bandera Hwy): consisting of part of Lot 1 of the Overlook Hill Subdivision; within the City of Kerrville, Kerr County, Texas; from a neighborhood Commercial Zoning District (C-1) to a Single Family Residential Zoning District (R-1); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2021-27 caption into record.

Councilmember Hughes made a motion to approve Ordinance No. 2021-27 on second reading, seconded by Councilmember Eychner. The motion was passed 5-0.

7. CONSIDERATION AND POSSIBLE ACTION:

7A. Street Maintenance Program update, and Professional Services Agreement with 6S Engineering, Inc. for the 2022 Fiscal Year Street Maintenance projects in the amount of \$89,000.00.

Shelley McElhannon read item 7A caption into record.

David Barrera provided information, and David Barrera, Kyle Burow, and E.A. Hoppe responded to questions.

Councilmember Eychner moved to approve the Street Maintenance Program update and the Professional Services Agreement with 6S Engineering for the 2022 Fiscal Year Street Maintenance projects in the amount of \$89,000, seconded by Councilmember Hughes. This motion was approved 5-0.

7B. Construction Agreement with M&C Fonseca Construction Co., Inc. for the Take-It-Easy RV Drainage project in an amount of \$1,768,775.00.

Shelley McElhannon read item 7B caption into record.
Kyle Burow provided information and responded to questions.

Councilmember Eychner made a motion to authorize the City Manager to finalize and execute a construction contract with M&C Fonseca Construction Company, seconded by Councilmember Clarkson. The motion was passed 5-0.

7C. Public Safety Facility update, and Resolution No. 48-2021. A Resolution creating a Public Safety Facility Bond Committee and appointing its members for the purpose of analyzing the feasibility of developing a Public Safety Facility and financing such through the issuance of General Obligation Bonds.

Shelley McElhannon read item 7C caption into record.
E.A. Hoppe provided information and responded to questions. Chief Eric Maloney and Chief Chris McCall were available for additional information.

Councilmember Garcia made a motion to amend Resolution No. 48-2021 by adopting amendment 1 presented: *Section Two: Each Councilmember may appoint two members to the Committee for a total of 10 Committee members. The Mayor shall appoint a chair from among the members of the Committee. All members shall serve without compensation and, must reside within the City limits, and each Council-appointed Committee member serves at the pleasure of the Council and may be removed or replaced at the discretion of Council. Each Councilmember may replace any one of his/her appointments by providing written notice to the City Secretary should an appointee resign, fail to attend or participate in meetings, or for any other reason, without Council approval.*
The following individuals are appointed to serve as members of the Committee:
Mayor called for a second, with no second. Motion failed due to lack of second.

The following persons spoke:

- Bill Morgan
- Jerry Wolff

Councilmember Garcia made a motion to amend Resolution No. 48-2021 by amending it with amendment 2 which is to strike Section Four in its entirety.
Mayor called for a second, with no second. Motion failed due to lack of second.

Councilmember Clarkson made a motion to adopt Resolution No. 48-2021 with the following amendment: *Section Four: Should City Council call an election, all Committee members are charged with urged to develop and carry out an informational strategy for the successful passage of a bond election. In conformance with law, upon calling an election to consider the possible issuance of Bonds, no public funds may be utilized to*

promote the successful passage of the bond election. Should the Committee engage in the political process by raising the funds and collectively participating in the election process, Committee members shall comply with state law.

The motion was seconded by Councilmember Eychner. The motion passed 5-0.

Council appointed members to the Public Safety Facility Bond Committee.

Councilmember Place 1: Steve Lehmann, Barbara Dewell

Councilmember Place 2: Gary Cochrane, Justin MacDonald

Councilmember Place 3: John Harrison, Sandra Yarbrough

Councilmember Place 4: T. Layng Guerriero, Glenn Andrew

Mayor: Jim Thomas, Tony Lenard

Mayor Blackburn appointed the Chair: John Harrison

7D. Professional Services Agreement with Randall Scott Architects in regards to facilitation of a citizen Public Safety Facility Bond Committee, and feasibility analysis of a potential Public Safety Complex.

Shelley McElhannon read item 7D caption into record.

E.A. Hoppe provided information and responded to questions.

The following person spoke:

Bill Morgan – declined when called

Councilmember Eychner made a motion to authorize the City Manager to finalize and execute a Professional Services Agreement with Randall Scott Architects, seconded by Councilmember Clarkson. The motion was passed 5-0.

8. INFORMATION & DISCUSSION:

8A. Financial report.

Julie Behrens provided information and responded to questions.

8B. City's ongoing preparedness and response to COVID-19 (Coronavirus), and review of Declaration of local state of disaster due to a public health emergency, March 20, 2020.

Chief Maloney provided information and responded to questions.

9. BOARD APPOINTMENTS:

9A. Appointment to the Main Street Advisory Board.

Shelley McElhannon read item 8A caption into record.

The following person spoke:

• Jerry Wolff – declined when called

Councilmember Garcia moved to appoint Michael Kelliher and Lanza Teague, seconded by Councilmember Hughes. This motion was approved 5-0.

10. EXECUTIVE SESSION: None

11. ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION: N/A

12. ITEMS FOR FUTURE AGENDAS: N/A

ADJOURN. The meeting adjourned at 8:05 p.m.

APPROVED BY COUNCIL: 11/09/21

APPROVED:



Bill Blackburn, Mayor

ATTEST:



Shelley McElhannon, City Secretary