

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
SEPTEMBER 27, 2022 6:00 PM**

On September 27, 2022 at 6:00 p.m., Mayor Judy Eychner called the Kerrville City Council meeting to order in City Hall Council Chambers, 701 Main Street. Councilmember Joe Herring, Jr. provided the invocation and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

Judy Eychner	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Roman Garcia	Councilmember Place 1
Joe Herring, Jr.	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF:

E.A. Hoppe, City Manager	Danielle Brigati, Library Director
Mike Hayes, City Attorney	Stuart Cunyus, Public Information Officer
Kim Meismer, Asst City Manager	Guillermo Garcia, Exec Dir Innovation
Shelley McElhannon, City Secretary	Eric Maloney, Fire Chief
Julie Behrens, Director of Finance	Chris McCall, Police Chief
Ashlea Boyle, Director Parks/Recreation	Drew Paxton, Planning Director

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: Announcements of Community Interest provided by Stuart Cunyus, Chief Maloney, Mayor Eychner, and Councilmember Roman Garcia.

The following person(s): William Rector who introduced the new Heart of the Hill Heritage Center (HHHC) Executive Director Angela Kennedy. In addition, HHHC Board members introduced themselves: Clifton Fifer, Marcus Goodyear, Joe Herring, David Jones, Charlie McIlvain, Bill Rector, Linda Stone, Kelly Vox.

2. PRESENTATIONS:

2A. Kerrville Kindness Award presented to JR Ramon and Sons for the use of the former Hal Peterson Middle School building for public safety training.

Mayor Eychner, Chief Eric Maloney, and Chief Chris McCall presented Joe Ramon and Sons the Kerrville Kindness Award, for allowing public safety training in the former Hal Peterson Middle School. Attending Fire personnel provided introductions: Jaren Floyd, Mark Lowe, Levi Mauldin, Daniel Patton.

2B. Proclamation recognizing October 5, 2022 as the City of Kerrville World Teachers' Day.

Mayor Eychner presented the City of Kerrville World Teachers' Day Proclamation to Kerrville Independent School District representatives KISD Superintendent Dr. Mark Foust, KISD Teacher of the Year – Early Childhood Center Dana Dunagan, and KISD Hal Peterson Middle School Amanda Baehre.

Mayor Eychner provided procedures of decorum and speaker protocol.

3. VISITORS FORUM:

The following person(s) spoke:

- Sarah Burkhardt - Big Fix Executive Director
- Jeff Harris/Mike Sigerman
- Bruce Stracke
- Glenn Andrew

E.A. Hoppe provided information.

4. CONSENT AGENDA:

Citizen Charles Hueber pulled Consent Agenda item 4A, and Councilmember Garcia pulled Consent Agenda item 4D.

Councilmember Kim Clarkson made a motion to approve items 4B, 4C, and 4E, seconded by Councilmember Garcia. The motion passed 5-0.

4B. Amendment to the Medical Director Contract for the City of Kerrville Fire Department, Emergency Medical Services.

4C. City Council workshop minutes, September 13, 2022.

4E. City Council workshop minutes September 20, 2022.

END OF CONSENT AGENDA.

4A. Resolution No. 56-2022. A Resolution adopting the Singing Wind Park Master Plan.

Charles Hueber representing the Parks and Recreation Advisory Board presented information.

Councilmember Garcia made a motion to adopt Resolution No. 56-2022, seconded by Councilmember Brenda Hughes. The motion passed 5-0.

4D. City Council meeting minutes, September 13, 2022.

Shelley McElhannon read Item 4D caption into record.

Councilmember Garcia made a motion to approve the meeting minutes for September 13, 2022 with the following four amendments: *Page 2 Item 4D - strike "4C" and replace with "4D"; Page 4 item 6B – strike the sentence "The motion was clarified by E.A. Hoppe to allow for by-right Short-Term Rentals within the R1A zones, RT zones, and the existing by-right zones; prohibiting R1, R2, and Commercial"; Page 6 item 8B – strike the "Abstained" section from the roll call votes; Page 6 item 8C – strike the "Abstained" section from the roll call votes; Page 5 item 8A – correct the sentence "Shelley McElhannon read Ordinance No. 2022-30 2022-23 caption into record", seconded by Councilmember Herring.* The motion passed 5-0.

5. ORDINANCES, SECOND READING:

5A. Ordinance No. 2022-29, 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 for an approximate 7.1 acre tract out of the Wallace

Survey No. 113, Abstract No. 347; said property more commonly known as 365 Clearwater Paseo Path; within the City of Kerrville, Kerr County, Texas; from a Multifamily Residential Zoning District (R-3) to a Public and Institutional Zoning District (PI); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2022-29 caption into record.

Councilmember Hughes made a motion to approve Ordinance No. 2022-29 on second reading, seconded by Councilmember Clarkson. The motion passed 5-0.

5B. Ordinance No. 2022-23, second reading. An Ordinance creating a "Planned Development District" (Zoning) for Light Commercial Uses and a Parking Lot on an approximately 1.49 acre property, consisting of Lot 21-R, Block G, B.F. Cage Addition; within the City of Kerrville, Kerr County, Texas; and more commonly known as 820 Sidney Baker and 829 Clay Street; adopting a concept plan and conditions related to the development and use of said lot; and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2022-23 caption into record.

Drew Paxton and Mike Hayes provided information and responded to questions.

The following person(s) spoke:

- JuLee Reeves
- Mike Sigerman
- George Baroody
- Patrick Cohoon

Mike Hayes provided clarification, and responded to questions.

Councilmember Garcia made a motion to deny Ordinance No. 2022-23, and further move that staff is instructed to issue the relevant permits to the property owner for a parking lot to be located on the Clay Street side of the property. Mayor Eychner called for a second, with no second. The motion died for lack of second.

Councilmember Herring made a motion to adopt Ordinance No. 2022-23 on second reading, seconded by Councilmember Clarkson. The motion passed 4-1 with Mayor Eychner, Councilmember Clarkson, Councilmember Herring, and Councilmember Hughes voting in favor, and Councilmember Garcia opposed.

5C. Ordinance No. 2022-28, 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 amending the Land Use Table as found within said Code by changing which Zoning Districts a Short-Term Rental Unit is authorized as a permitted use pursuant to a required Conditional Use Permit; a providing a cumulative clause; providing for severability; providing an effective date; ordering publication; providing an effective date; and providing other matters related to the subject.

Shelley McElhannon read Ordinance No. 2022-28 caption into record.

Drew Paxton provided information and responded to questions.

The following person(s) spoke:

- George Baroody
- Karen Sides
- Nikki Caines

- Jon Perrin (declined)
- Robin Perrin
- Michael Killeen
- Bruce Stracke
- Kim Richards

Councilmember Hughes made a motion to approve Ordinance No. 2022-28 on second reading, seconded by Councilmember Herring. The motion passed 3-2 with Mayor Eychner, Councilmember Herring, and Councilmember Hughes voting in favor, and Councilmember Garcia and Councilmember Clarkson opposed.

6. CONSIDERATION AND POSSIBLE ACTION:

6A. Resolution No. 55-2022. A Resolution creating a Short-Term Rental Committee as an Ad Hoc Committee of the City of Kerrville, Texas; the Committee to review operational issues of short-term rentals.

Shelley McElhannon read Resolution No. 55-2022 caption into record.

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

The following person(s) spoke:

- Robin Perrin
- Anna Ramirez

Councilmember Garcia suggested to add language on Page 3 Section F “*by sending a written notice to the City Manager and City Secretary*”.

Councilmember Clarkson made a motion to approve Resolution No. 55-2022, seconded by Councilmember Herring. The motion passed 5-0.

Councilmember Garcia appointed himself and Jim Caines.

Councilmember Clarkson appointed herself and Keri Wilt.

Councilmember Herring appointed Linda Stone and Kim Richards.

Councilmember Hughes appointed Robin Perrin and Karen Sides.

Mayor Eychner appointed Maggie Megee (Chair).

6B. Resolution No. 57-2022. A Resolution adopting the City of Kerrville’s 2023 State Legislative priorities for the 88th Texas Legislature.

Shelley McElhannon read Resolution No. 57-2022 caption into record.

Mike Hayes provided information and responded to questions.

The following person(s) spoke:

- George Baroody

Mike Hayes provided clarification and responded to questions.

Councilmember Hughes made a motion to approve Resolution No. 57-2022, seconded by Councilmember Clarkson. The motion passed 5-0.

7. INFORMATION AND DISCUSSION:

7A. Financial report for month ending August 31, 2022.

Shelley McElhannon read Item 7A caption into record.

Julie Behrens provided information and responded to questions.

Mayor Eychner recessed the meeting at 8:14 p.m.

Mayor Eychner reconvened the meeting at 8:20 p.m.

Mayor Eychner reviewed speaker and meeting protocols.

7B. The Butt-Holdsworth Memorial Library's participation in "Banned Books Week" from September 18, 2022–September 24, 2022, and the adopted BHML Collection Development policy.

Shelley McElhannon read item 7B caption into record.

Kim Meismer introduced the item and Library Staff. E.A. Hoppe summarized the point of the presentation. Danielle Brigati provided information and responded to questions.

The following person(s) spoke:

- Joy Molina (requested to speak first, Mayor permitted)
- Marnie Bethel
- Brandon Aery
- Marcia King
- Harley Belew
- Glenn Andrew
- John Harrison
- Barbara Ferguson
- Jaclyn Hall
- Kathy Diamond (did not appear at the microphone when called)
- Bethany Puccio
- Sean Boerner
- Elsa Lara
- Naomi Lara (passed when called)
- James McGiness
- Jennyth Peterson
- Ian Daugherty
- Jerry Wolff
- Bruce Stracke (did not appear at the microphone when called)
- Alicia Bell
- Mark Holden
- Jennifer Daschel and daughter Caroline
- Ruth Carlson
- Jesirae Kesler
- Adriana Escalar

Council provided comments. No action taken.

8. BOARD APPOINTMENTS:

8A. Appointment(s) to the Zoning Board of Adjustment. (This item is eligible for Executive Session 551.074).

Shelley McElhannon read Item 8A caption into record.

Councilmember Hughes made a motion to appoint Don Chute as an alternate member of the Zoning Board of Adjustment, seconded by Mayor Eychner. The motion passed 5-0.

9. **EXECUTIVE SESSION:** None

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

11. **ITEM(S) FOR FUTURE AGENDAS:**

- Councilmember Hughes – presentation by the Big Fix non-profit organization, sponsored by Mayor Eychner and Councilmember Herring.
- Councilmember Garcia – waiver of fees for permit for Veterans' Day Parade.
- Councilmember Garcia –Ordinance to cancel the second meetings in November and December.

ADJOURN. The meeting adjourned at 10:15 p.m.

APPROVED BY COUNCIL: October 11, 2022

APPROVED:

Judy Eychner
Judy Eychner, Mayor

ATTEST:

Shelley McElhannon
Shelley McElhannon, City Secretary