

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
FEBRUARY 28, 2023 6:00 PM**

On February 28, 2023 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 Brenda Hughes 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
Mike Hayes, City Attorney
Michael Hornes, Asst City Manager
Kim Meismer, Asst City Manager
Shelley McElhannon, City Secretary
Stuart Barron, Exec Director Public Works
Julie Behrens, Director Finance
Donna Bowyer, Code Enforcement Officer

Kyle Burow, Director of Engineering
Stuart Cunyus, Public Information Officer
Yesenia Luna, Municipal Court Coordinator
Eric Maloney, Fire Chief
Chris McCall, Police Chief
Drew Paxton, Planning Director
Trina Sanchez, Asst Director Bldg Services

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, Councilmember Roman Garcia, Mayor Eychner, and Councilmember Joe Herring, Jr.

2. PRESENTATION(S):

2A. Kerrville Kindness Award recognizing Starkey Elementary fourth grader Cooper Smithson.

Mayor Eychner recognized Cooper Smithson for gifting Starkey Elementary Sausage Supper tickets to more than 70 families.

2B. Proclamation recognizing March 2023 as Texas History Month in Kerrville, Texas.

Mayor Eychner presented a proclamation recognizing March 2023 as Texas History Month in Kerrville, Texas, which was received by Daughters of the Republic of Texas, Joshua D. Brown Chapter members Betsy Drapela, Jan Engler, Nancy McLarry, and Nancy Wilson, and Chapter President Judy McVay.

2C. Commendations for outgoing Board members of the Recovery Community Coalition and the Senior Services Advisory Board.

Mayor Eychner presented commendations to outgoing Board members of the Recovery Community Coalition Randie Benno, LeighAnn Fitzpatrick, and Sabine Kuenzel, and outgoing Board member of the Senior Services Advisory Committee Karen Burkett.

2D. Kerrville Police Department Team Member recognition.

Police Chief Chris McCall presented the Kerrville Police Departments' 2022 Team Members of the Year: Civilian employee Jennette Dennis, Inventory Control Analyst; Officer of the Year Officer Dan Virdell; and Supervisor of the Year Detective Sergeant James Machetta.

3. VISITORS FORUM:

The following person(s) spoke:

- Tara Bushnoe, Upper Guadalupe River Authority General Manager
- George Baroody

4. CONSENT AGENDA:

Councilmember Garcia made a motion to approve the Consent Agenda, seconded by Councilmember Hughes. The motion passed 5-0.

4A. Resolution No. 08-2023. A Resolution of the City of Kerrville, Texas designating the City of Kerrville as a HIPAA Hybrid Entity in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA); and providing an effective date.

4B. City Council workshop minutes February 14, 2023.

4C. City Council meeting minutes February 14, 2023.

END OF CONSENT AGENDA.

5. ORDINANCE(S), FIRST READING:

5A. Ordinance No. 2023-09. An Ordinance amending Chapter 90 of the Code of Ordinances, City of Kerrville, Texas, titled "Streets, Sidewalks, and Other Public Places"; by adding a new Article titled "Right-Of-Way Management", to create regulations, including a permit requirement, for construction, maintenance, and repair work within the City's Rights-Of-Way; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2023-09 caption into record.

Drew Paxton, Stuart Barron, and E.A. Hoppe provided information and responded to questions.

Councilmember Garcia made a motion to adopt Ordinance No. 2023-09, seconded by Councilmember Kim Clarkson. The motion passed 5-0.

6. PUBLIC HEARING AND POSSIBLE ACTION:

6A. Request for variance from distance requirement pursuant to §30-17, City's Code of Ordinances, for a proposed boarding home facility at 316 Jefferson.

Shelley McElhannon read item 6A caption into record.

Drew Paxton and Donna Bowyer provided information and responded to questions. Applicant Brittney Andry provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:56 p.m.

The following person(s) spoke:

- Brian Brannan
- Nikki Caines
- Haley Gray
- Callie Crossley
- Casandra Austin

- Bruce Stracke
Mayor Eychner closed the public hearing at 7:08 p.m.

Councilmember Garcia made a motion to approve the distance requirement variance, seconded by Councilmember Hughes. The motion passed 5-0.

7. CONSIDERATION AND POSSIBLE ACTION:

7A. Resolution No. 07-2023. A Resolution in support of the submission of an application to the 2023 competitive housing tax credit (HTC) program through the Texas Department of Housing and Community Affairs (TDHCA) by Communities River Rock Partners, LLC, for the new construction of affordable senior housing.

Shelley McElhannon read Resolution No. 07-2023 caption into record.

Michael Hornes, and both April Engstrom and Matt Gillam with Overland Properties provided information and responded to questions.

The following person(s) spoke:

- Nikki Caines

Councilmember Hughes made a motion to approve Resolution No. 07-2023, seconded by Councilmember Clarkson. The motion passed 5-0.

7B. Authorization to negotiate a Design-Build contract for the Public Safety Facility.

Shelley McElhannon read item 7B caption into record.

Kyle Burow, Police Chief Chris McCall, and Fire Chief Eric Maloney provided information and responded to questions.

Councilmember Hughes made a motion to authorize the City Manager to negotiate and finalize contract for the Public Safety Facility, seconded by Councilmember Clarkson. The motion passed 5-0.

7C. Resolution No. 09-2023. A Resolution authorizing the approval of a contract for collection services for debts and accounts receivable with Linebarger Goggan Blair and Sampson, LLP: such services to include collections of unpaid fines fees, and court costs pertaining to the City's Municipal Court; making certain findings required by Section 2254.1036 of the Texas Government Code; authorizing the City Manager to execute the contract; and providing for an effective date.

Shelley McElhannon read item Resolution No. 09-2023 caption into record.

Yesenia Luna and Partner Sam Turner with Linebarger provided information and responded to questions.

Councilmember Garcia made a motion to approve Resolution No. 09-2023 and authorize the City Manager to finalize and execute a contract with Linebarger Goggan Blair & Sampson, LLP, for Fines and Fees Collection Services, seconded by Councilmember Herring. The motion passed 5-0.

8. INFORMATION & DISCUSSION:

8A. Finance update for month ending January 31, 2023, and Tax Increment Reinvestment Zone (TIRZ) Annual Report for year-ended September 30, 2022.

Julie Behrens provided information and responded to questions.

9. **EXECUTIVE SESSION:** Executive Session not convened.

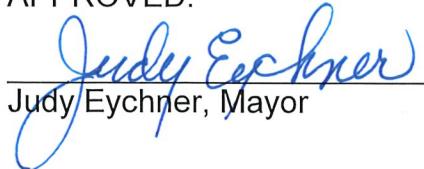
10. **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY.** N/A

11. **ITEM(S) FOR FUTURE AGENDAS:** None

ADJOURN. The meeting adjourned at 7:58 p.m.

APPROVED BY COUNCIL: 3/14/2023

APPROVED:


Judy Eychner

Judy Eychner, Mayor

ATTEST:


Shelley McElhannon

Shelley McElhannon, City Secretary