

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
JUNE 27, 2023 6:00 PM**

On June 27, 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 Jeff Harris provided the invocation and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

Judy Eychner, Mayor
Brenda Hughes, Mayor Pro Tem/Councilmember Place 4
Roman Garcia, Councilmember Place 1
Jeff Harris, Councilmember Place 2 Elect
Joe Herring, Jr., Councilmember Place 3

COUNCILMEMBER ABSENT:

None

CITY EXECUTIVE STAFF:

Kim Meismar, Interim City Manager
Mike Hayes, City Attorney
Michael Hornes, Asst City Manager
Shelley McElhannon, City Secretary
Julie Behrens, Director of Finance
Jacob Bogusch, Finance Coordinator
Ashlea Boyle, Director of Parks & Rec

Stuart Cunyus, Public Information Officer
Guillermo Garcia, Exec Director Innovation
Eric Maloney, Fire Chief
Chris McCall, Police Chief
Drew Paxton, Director of Planning/Zoning
Trina Rodriguez, Asst Director Finance
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 and Mayor Eychner.

2. PRESENTATION(S):

2A. Commendations for outgoing Board members of the Economic Improvement Corporation.

Mayor Eychner recognized Gregg Richards and Danny Almond service on the Economic Improvement Corporation board.

2.B Proclamation recognizing July 2023 as National Park and Recreation Month.

Mayor Eychner presented a proclamation recognizing July 2023 as National Park and Recreation month. Director of Parks & Recreation Ashlea Boyle along with Parks & Recreation staff Deidre Flores, Rosa Ledesma, and Jackie Van Heughton, and Parks & Recreation Advisory Board member David Bartels received the proclamation.

3. VISITORS FORUM:

Shelley McElhannon advised Mayor Eychner that five speakers had signed up to speak during the forum. Mayor Eychner announced each speaker be limited to two minutes. The following person(s) spoke:

- Kristin Mudry (did not appear when name was called)
- Lilly Beard
- Peggy McKay
- George Eychner

- Bruce Stracke

4. CONSENT AGENDA:

Shelley McElhannon noted an amendment to item 4B page 1 item 3 Visitors Forum insert citing "Rule 5.3 in the Procedural Rules". To read as: At 6:10 p.m., Councilmember Garcia called "point of order" citing Rule 5.3 in the Procedural Rules stating a speaker time can be extended but not reduced. Councilmember Joe Herring, Jr. made a motion to approve the Consent Agenda with amendment, seconded by Councilmember Brenda Hughes. The motion passed 5-0.

4A. Community Challenge Grant Memorandum (MOU) between the AARP and the City of Kerrville. (Mayor Eychner thanked the Senior Service Advisory Committee).

4B. City Council meeting minutes, June 13, 2023. (amendment to minutes page 1 item 3 Visitors Forum insert citing "Rule 5.3 in the Procedural Rules". To read as: At 6:10 p.m., Councilmember Garcia called "point of order" citing Rule 5.3 in the Procedural Rules stating a speaker time can be extended but not reduced.)

4C. City Council workshop minutes, June 20, 2023.

END OF CONSENT AGENDA.

5. PUBLIC HEARING AND ORDINANCES, FIRST READING:

5A. Ordinance No. 2023-17. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning of an approximate 15.92 acre property known as 199 Spur 100; from a Residential Mix Zoning District (RM) to a Public and Institutional Zoning District (PI); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2023-17 caption into record.

Drew Paxton provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:26 p.m.

No one spoke.

Mayor Eychner closed the public hearing at 6:26 p.m.

Councilmember Hughes made a motion to approve Ordinance No. 2023-17 on first reading, seconded by Councilmember Harris. The motion passed 5-0.

5B. Ordinance No. 2023-18. An Ordinance annexing a tract of land into the corporate limits of the City of Kerrville, Texas; such property consisting of approximately 111.806 acres and generally located adjacent to and northeast of Lower Turtle Creek Road; such property being used to further the expansion of the Comanche Trace Residential Subdivision; the property more specifically described in the Ordinance and being located within the Extraterritorial Jurisdiction of and adjacent to the City Limits; adopting a service agreement; establishing the zoning for the annexed property as a Medium Density Residential Zoning District (R-2); and providing other matters relating to this subject.

Shelley McElhannon read Ordinance No. 2023-18 caption into record.

Drew Paxton provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:28 p.m.

The following person(s) spoke:

- Jerry Wolff

- Bruce Stracke
- Peggy McKay

Mayor Eychner closed the public hearing at 6:36 p.m.

Councilmember Harris made a motion to approve Ordinance No. 2023-18 on first reading, seconded by Councilmember Hughes. The motion passed 5-0.

5C. Ordinance No. 2023-19. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning of an approximate 0.75 acre property known as 512 Yorktown; from a Medium Density Residential Zoning District (R-2) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2023-19 caption into record.

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

Mayor Eychner opened the public hearing at 6:44 p.m.

No person spoke.

Mayor Eychner closed the public hearing at 6:44 p.m.

Councilmember Herring made a motion to adopt Ordinance No. 2023-19 on first reading, seconded by Councilmember Harris. The motion passed 5-0.

6. INFORMATION & DISCUSSION:

6A. Monthly Financial Report for month-ended May 31, 2023.

Julie Behrens provided information.

7. ORDINANCES, FIRST READING:

7.A Ordinance No. 2023-21. An Ordinance amending the City's FY2023 budget to allocate funds from the American Rescue Plan Act (ARPA) to purchase Public Safety vehicles and equipment.

Shelley McElhannon read Ordinance No. 2023-21 caption into record.

Julie Behrens provided information and responded to questions.

The following person(s) spoke:

- George Baroody

Councilmember Hughes made a motion to approve Ordinance No. 2023-21 on first reading and authorize staff to proceed with purchase of vehicles and equipment outlined in Attachment A, seconded by Councilmember Herring. The motion passed 5-0.

7.B Ordinance No. 2023-20. An Ordinance amending Chapter 70 "Offenses and Miscellaneous Provisions", Article III "Electioneering at Polling Locations", of the City's Code of Ordinances to revise the Article as to regulations applicable to electioneering on City-owned or City-controlled property; 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.

Shelley McElhannon read Ordinance No. 2023-21 caption into record.

Discussion ensued among City Council. Mike Hayes provided information and responded to questions.

The following person(s) spoke:

- George Baroody
- Bruce Stracke

Amendment 1: Councilmember Herring recommended the eighth "Whereas" (page 2), to replace ~~City~~ staff with City Council. No objections given.

Amendment 2: On page 3, Section 70-43, item 2 leave the 240 feet boundary and designate the tents shall be staged at the property's eastern side/east end of the parking area along the fence from Jefferson Street to the Fellowship Hall, however based on unforeseeable conditions the City Manager has the authority to announce another location on the property if needed. No candidate or candidate representative vehicles or trailers are located in the tent staging area.

Amendment 3: Councilmember Herring directed staff provide a map with boundary lines drawn around the tent staging area on the property. Also, the map should indicate the 240 foot radius encircling the whole Cailloux.

Councilmember Harris made a motion to approve Ordinance No. 2023-20 first reading, with the (above) amendments/modifications, seconded by Councilmember Hughes. The motion passed 4-1 with Mayor Eychner, Councilmember Harris, Councilmember Herring, and Councilmember Hughes voting in favor, and Councilmember Garcia opposed.

8. CONSIDERATION AND POSSIBLE ACTION:

8.A Resolution No. 19-2023. A Resolution providing for the appointment of two alternate judges to assist the Presiding Judge of the City of Kerrville Municipal Court. (Item eligible for Executive Session 551.074).

Mike Hayes provided information and responded to questions.

Councilmember Hughes made a motion to approve Resolution No. 19-2023, seconded by Councilmember Herring. The motion passed 5-0.

8.B Discuss the City's Declaration of local state of disaster due to the COVID public health emergency, March 20, 2020.

Chief Eric Maloney and Mike Hayes provided information and responded to questions.

City Council consensus for City staff to present a Resolution at the July 11, 2023 City Council meeting to repeal the Disaster Declaration.

9. BOARD APPOINTMENTS:

9A. Appointment to the Building Board of Adjustment and Appeals. (Item eligible for Executive Session 551.074).

Councilmember Garcia and Councilmember Harris tabled the BBAA appointment until the July 11, 2023 City Council meeting.

9B. Appointment to the Planning and Zoning Commission. (Item eligible for Executive Session).

Councilmember Hughes made a motion to appoint Charles Swallow to the Planning and Zoning Commission, seconded by Councilmember Harris. The motion passed 5-0.

9C. Appointment to the Zoning Board of Adjustment. (Item eligible for Executive Session).

Councilmember Hughes made a motion to appoint Lynn Niles as a regular member to the Zoning Board of Adjustment, seconded by Councilmember Harris. The motion passed 5-0.

Councilmember Garcia made a motion to convene closed Executive Session for item 10E under 551.071 (consultation with attorney) and 551.087 (deliberation regarding economic development negotiations), seconded by Councilmember Hughes. The motion passed 5-0. The open meeting recessed, and closed Executive Session convened at 8:02 p.m.

10. EXECUTIVE SESSION:

10.A Appointment of Associate Municipal Court Judges. (551.074)

10.B Appointment to the Building Board of Adjustment and Appeals. (551.074)

10.C Appointment to the Planning & Zoning Commission. (551.074)

10.D Appointment(s) to the Zoning Board of Adjustment. (551.074)

10.E Economic Development projects: Project Mount Saddle, Project Winridge (551.071, 551.087)

The closed Executive Session adjourned and the open meeting re-convened at 9:01 p.m. Items 10A, 10B, 10C, and 10D were not discussed in Executive Session. No action was taken during Executive Session.

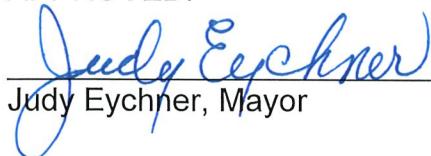
11. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY. None

12. ITEM(S) FOR FUTURE AGENDAS: None

ADJOURN. The meeting adjourned at 9:01 p.m.

APPROVED BY COUNCIL: 7/11/23

APPROVED:


Judy Eychner, Mayor

ATTEST:


Shelley McElhannon, City Secretary