

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
OCTOBER 24, 2023 6:00 PM**

On October 24, 2023 at 6:08 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
Roman Garcia, Councilmember Place 1
Jeff Harris, Councilmember Place 2
Joe Herring, Jr., Councilmember Place 3
Brenda Hughes, Councilmember Place 4

COUNCILMEMBER ABSENT:

None

CITY EXECUTIVE STAFF:

Kim Meismer, Interim City Manager
Mike Hayes, City Attorney
Michael Hornes, Asst City Manager
Shelley McElhannon, City Secretary
Stuart Barron, Exec Director Public Works
Julie Behrens, Director of Finance

Ashlea Boyle, Director of Parks & Rec
Stuart Cunyus, Public Information Officer
Yesenia Luna, Municipal Court Coordinator
Eric Maloney, Fire Chief
Chris McCall, Police Chief
Drew Paxton, Director of Planning/Zoning

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.

Karen Guerriero, Kerrville Pets Alive!

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Announcements of Community Interest provided by Stuart Cunyus and Mayor Eychner.

2. PRESENTATION(S):

2A. Proclamation recognizing November 6-10, 2023 as Municipal Court week.

Mayor Eychner presented a proclamation recognizing November 6-10, 2023 as Municipal Court week to Municipal Court Coordinator Yesenia Luna and personnel from the Kerrville Municipal Court including Nelton Spitzer, Judge Lucy Pearson, Rachel Ramirez, and Tracy Lewis.

2B. Kerrville Pets Alive! presentation.

Kim Meismer introduced the item and Karen Guerriero, who provided information and responded to questions.

Mayor Eychner requested the visitors forum speakers to limit comments to three minutes.

3. VISITORS FORUM:

The following person(s) spoke:

- George Baroody
- Barbara Dewell-Ferguson

4. CONSENT AGENDA:

Councilmember Roman Garcia requested to pull Consent Agenda item 4A, and made a motion to approve Consent Agenda items 4B, 4C, and 4D, seconded by Councilmember Hughes. The motion passed 5-0.

4B. Standard Rental Service Agreement with Cintas Corporation.

4C. City Council workshop minutes, October 10, 2023.

4D. City Council meeting minutes, October 10, 2023.

END OF CONSENT AGENDA.

4A. Resolution No. 37-2023. A Resolution authorizing the waiver of Parade and Park fees for the Veterans of Foreign Wars Post 1480 and the Hill Country Veterans Center pursuant to events it plans to hold on November 11, 2023 in and around the City's Louise Hays Park.

Dalton Rice presented information and responded to questions.

Councilmember Garcia made a motion to approve Resolution No. 37-2023, seconded by Councilmember Jeff Harris. The motion passed 5-0.

5. ORDINANCE(S), SECOND READING:

5A. Ordinance No. 2023-27, second reading. An Ordinance amending Chapter 58, Article III of the City's Code of Ordinances, titled "Smoking in Enclosed Public Places and Places of Employment"; to clarify various sections; revise regulations in accordance with State Law, to include the definition of a "Minor"; and to change defenses to affirmative defenses; ordering publication; and providing other matters related to the subject.

Shelley McElhannon read Ordinance No. 2023-27 caption into record.

Councilmember Hughes made a motion to approve Ordinance No. 2023-27 on second reading, seconded by Councilmember Joe Herring, Jr. The motion passed 5-0.

6. CONSIDERATION AND POSSIBLE ACTION:

6A. Interlocal Agreement for the improvement of Al Mooney Road from its intersection with Peterson Farm Road to its intersection with Memorial Boulevard (SH 27) and a portion of Peterson Farm Road from its 300 block to its intersection with Al Mooney Road.

Shelley McElhannon read item 6A caption into record.

Michael Hornes, Dalton Rice, and Mike Hayes provided information and responded to questions.

Councilmember Garcia made a motion to table the item until the next regular meeting subsequent to the County's approval the day right before, Mayor Eychner called for a second, with no second. Councilmember Harris noted that a speaker was signed up to speak, and Councilmember Garcia withdrew his motion.

The following person(s) spoke:

- Peggy McKay

Councilmember Garcia made a motion to table this item until the next regular meeting which will be right after the County's meeting to approve this and we will get that final version in front

of us the day after. Mayor Eychner called for a second, with no second forthcoming. Motion died for lack of second.

Councilmember Herring made a motion to approve the Interlocal Agreement for the improvement of Al Mooney Road with the minor changes noted previously, seconded by Councilmember Harris. The motion passed 4-1 with Mayor Eychner, Councilmember Harris, Councilmember Herring, and Councilmember Hughes voting in favor, and Councilmember Garcia opposed.

6B. Economic Development Grant Agreement between Lennar Homes of Texas Land and Construction, Ltd., and the City of Kerrville, Texas Economic Improvement Corporation.

Shelley McElhannon read item 6B caption into record.

Michael Hornes advised Council that staff requested this item be pushed until the November 14, 2023 City Council meeting, which was accepted by Mayor Eychner.

The four citizen speakers did not speak.

- Paul Harrison
- Barbara Dewell-Ferguson
- George Baroody
- Peggy McKay

6C. An Advance Funding Agreement (AFA) with the Texas Department of Transportation for Transportation Alternatives Set-Aside (TASA) Project.

Shelley McElhannon read item 6C caption into record.

Stuart Barron provided information and responded to questions.

Councilmember Herring made a motion to authorize the City Manager and Mayor to finalize and execute any actions necessary to satisfy TXDOT requirements, seconded by Councilmember Hughes. The motion passed 5-0.

7. INFORMATION AND DISCUSSION:

7A. Annular Solar Eclipse recap.

Chief Maloney and Chief McCall provided information and responded to questions.

7B. Financial update for month-ended September 30, 2023.

Julie Behrens provided information and responded to questions.

8. BOARD APPOINTMENT(S):

8A. Ad Hoc Animal Regulations Review Committee member.

Councilmember Hughes made a motion to appoint Reagan Givens, Director of Kerr County Animal Control, seconded by Councilmember Herring. The motion passed 4-1 with Mayor Eychner, Councilmember Harris, Councilmember Herring, and Councilmember Hughes voting in favor, and Councilmember Garcia opposed.

9. **EXECUTIVE SESSION:** Executive Session not called nor convened.

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

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

- Councilmember Harris requested Drew Paxton clarify and provide truth regarding the approval of platting information by the Planning & Zoning Commission versus Stage 4 Water Conservation prohibiting new permits for water connections.
- Councilmember Harris requested Stuart Barron clarify and provide truth regarding City water wells.
- Councilmember Garcia requested a presentation and action item at the next meeting regarding obtaining the City's Water Permit with Headwaters in executive session and an open meeting item, seconded by Councilmember Harris. Consensus to add item 5-0.

ADJOURN. The meeting adjourned at 7:31 p.m.

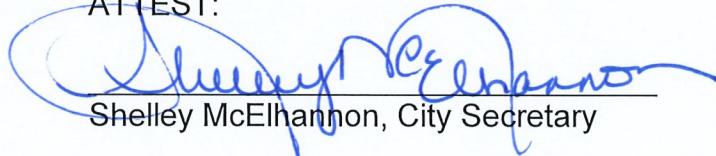
APPROVED BY COUNCIL: 11/14/23

APPROVED:



Judy Eychner, Mayor

ATTEST:



Shelley McElhannon, City Secretary