

**CITY COUNCIL MINUTES  
REGULAR MEETING**

**KERRVILLE, TEXAS  
DECEMBER 12, 2023 6:00 PM**

On December 12, 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  
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:**

Dalton Rice, City Manager  
Mike Hayes, City Attorney  
Kim Meismer, Asst City Manager  
Michael Hornes, Asst City Manager  
Shelley McElhannon, City Secretary  
Stuart Barron, Executive Director

Stuart Cunyus, Public Information Officer  
Megan Folkerts, Sr Management Analyst  
Eric Maloney, Fire Chief  
Chris McCall, Police Chief  
Drew Paxton, Director of Planning/Zoning  
Trina Rodriguez, Asst Director Finance

**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.

Greg Richards, Chair of the Charter Review Committee  
Josh Holecomb, Byrne Construction Services  
Joel Kokemor, Freese and Nichols  
Mary Rohrer, Airport Manager

**1. ANNOUNCEMENTS OF COMMUNITY INTEREST:**

Community announcements provided by Stuart Cunyus and Councilmember Brenda Hughes.

**2. PRESENTATION(S):**

2A. Kerrville Kindness Award: Kerrville Christmas Lighting Corporation.

Mayor Eychner presented the Kerrville Kindness Award to the Kerrville Christmas Lighting Corporation board members and Kerrville Public Utility Board personnel.

2B. Proclamation recognizing the "Christmas in Kerrville" 2023 poem author.

Mayor Eychner recognized Lidia Goldthorn as the 2023 "Christmas in Kerrville" poem winner. Lidia Goldthorn read her poem.

2C. Proclamation recognizing the Major James Kerr Chapter of the Daughters of the American Revolution day.

Mayor Eychner presented a proclamation honoring the Major James Kerr Chapter of the Daughters of the American Revolution day. Representatives in attendance included Dawn Collum, Marcy Dunn, Catherine Gauldin, Gina Ireland, and Susie McCalla.

Mayor Eychner provided praise for items 4A and 4C.

Mayor Eychner shifted item 8B forward.

**CONSIDERATION AND POSSIBLE ACTION:**

8B. First Amendment to the Design-Build Contract with Thos. S. Byrne, Inc. dba Byrne Construction Services Corporation in the amount of \$7,026,421.00 for the Public Safety Facility Project.

Michael Hornes, Josh Holecomb, and Joel Kokemor provided information and responded to questions. Shelley McElhannon read item 8B caption into record.

Councilmember Hughes made a motion to authorize the City Manager to finalize the design-build contract amendment for the Public Safety Facility Project, seconded by Councilmember Joe Herring, Jr. The motion passed 5-0.

Mayor Eychner shifted item 6B forward.

**ORDINANCE(S), SECOND READING:**

6B. Ordinance No. 2023-32. An ordinance changing the zoning of a property known as 518 and 520 Lois Street, consisting of Lots 1-3, Block 25, of the Westland Addition, and within the City of Kerrville, Kerr County, Texas; from a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2023-32 caption into record.  
Drew Paxton provided information.

Councilmember Herring made a motion to approve Ordinance No. 2023-32 on second reading, seconded by Councilmember Hughes. The motion passed 5-0.

**5. PUBLIC HEARINGS AND RESOLUTIONS:**

5A. Resolution No. 39-2023. A Resolution granting a Conditional Use Permit to authorize a Building Contractor, General on property generally located adjacent to and east of the intersection of Woodlawn Ave. and Lois St.; consisting of Lots 1-3, Block 25, Westland Addition; and more commonly known as 518 and 520 Lois St.; said property is located within a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A); and making said permit subject to certain conditions and restrictions.

Shelley McElhannon read Resolution No. 39-2023 caption into record.  
Drew Paxton provided information and responded to questions.

Mayor Eychner opened the public hearing at 7:12 p.m.

No person(s) spoke.

Mayor Eychner closed the public hearing at 7:12 p.m.

Councilmember Harris made a motion to approve Resolution No. 39-2023, seconded by Councilmember Hughes. The motion passed 5-0. Councilmember Garcia requested to note that this land is now zoned C2 as Ordinance No. 2023-32 was just adopted.

5B. Resolution No. 40-2023. A Resolution granting a Conditional Use Permit to authorize a Dwelling Single-Family detached with Accessory Dwelling Unit on the property consisting of Lot 13, Block 3, Methodist Encampment Addition; more commonly known as 1312 Cedar

Dr.; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to certain conditions and restrictions contained herein.

Shelley McElhannon read Resolution No. 40-2023 caption into record.

Drew Paxton provided information and responded to questions.

Mayor Eychner opened the public hearing at 7:15 p.m.

No person(s) spoke.

Mayor Eychner closed the public hearing at 7:15 p.m.

Councilmember Hughes made a motion to approve Resolution No. 40-2023, seconded by Councilmember Herring. The motion passed 5-0.

5C. Resolution No. 42-2023. A Resolution granting a Conditional Use Permit to authorize a Dwelling Single-Family detached with Accessory Dwelling Unit on the property consisting of Lot 19, Block 4, Highlands Addition; more commonly known as 505 East Lane; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to certain conditions and restrictions contained herein.

Shelley McElhannon read Resolution No. 42-2023 caption into record.

Drew Paxton provided information and responded to questions.

Mayor Eychner opened the public hearing at 7:18 p.m.

The following person(s) spoke:

- George Baroody

Mayor Eychner closed the public hearing at 7:20 p.m.

Councilmember Herring made a motion to approve Resolution No. 42-2023, seconded by Councilmember Harris. The motion passed 5-0.

## **6. PUBLIC HEARING AND ORDINANCES, SECOND READING:**

6A. Ordinance No. 2023-31, second reading. An Ordinance amending Ordinance No. 2003-08, which created a Planned Development District on an approximate 798.7 acre tract of land generally located northeast of the intersection of State Highway 16 and Interstate Highway 10; said amendments to update the concept plan and the land use table included within Ordinance No. 2003-08, to combine various residential lot sizes into a single area (parcel) and to alter the layout of the golf course area and commercial areas; establishing a penalty and effective date; and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2023-31 caption into record.

Drew Paxton advised of revised wording in the ordinance and the contract plan, and Mayor Eychner provided additional information.

Councilmember Herring made a motion to adopt Ordinance No. 2023-31 on second reading, seconded by Councilmember Hughes. The motion passed 5-0.

6B. Ordinance No. 2023-32. An ordinance changing the zoning of a property known as 518 and 520 Lois Street, consisting of Lots 1-3, Block 25, of the Westland Addition, and within the City of Kerrville, Kerr County, Texas; from a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject.

Item 6B was shifted forward before item 5A. Item 6B was approved 5-0.

6C. Ordinance No. 2023-33. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning for the property known as 226 Harper Rd (FM 783); an approximate 1.71 acre tract out of the Fosgate Survey No. 120, Abstract 138; from a Single Family Residential Zoning District (R-1) to a Residential Transition Zoning District (RT); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2023-33 caption into record.

Councilmember Hughes made a motion to approve Ordinance No. 2023-33 on second reading, seconded by Councilmember Herring. The motion passed 5-0.

**7. ORDINANCE(S), FIRST READING:**

7A. Ordinance No. 2023-34. An Ordinance amending the City's Fiscal Year 2024 (FY2024 budget) to allocate funds to be used for expenses related to the City's preparation for and response to the Total Solar Eclipse event, which will take place April of 2024.

Shelley McElhannon read Ordinance No. 2023-34 caption into record.  
Trina Rodriguez provided information and responded to questions.

Councilmember Hughes made a motion to approve Ordinance No. 2023-34 on first reading, seconded by Councilmember Harris. The motion passed 5-0.

**8. CONSIDERATION AND POSSIBLE ACTION:**

8A. Resolution No. 43-2023. A Resolution casting votes of the City of Kerrville, Texas, for Kerr Central Appraisal District (KCAD) Board of Directors. (This item is eligible for Executive Session 551.074).

Shelley McElhannon read Resolution No. 43-2023 caption into record.

Councilmember Garcia made a motion to adopt Resolution No. 43-2023, and fill in the blanks with the following votes: Amy 1 vote, Jack 248 votes, Carter 1 vote, Wesley 248 votes, Eric 1 vote, Lary 248 votes, Rolinda 1 vote, and Jay 1 vote, totaling 749 votes, seconded by Councilmember Hughes. The motion passed 5-0.

8B. First Amendment to the Design-Build Contract with Thos. S. Byrne, Inc. dba Byrne Construction Services Corporation in the amount of \$7,026,421.00 for the Public Safety Facility Project.

Item 8B was shifted forward –after item 4 Consent Agenda. Item 8B was approved 5-0.

8C. Purchase Sale Agreement between the City of Kerrville, Economic Improvement Corporation (EIC) and Megaacrete Real Estate, LLC (Project Mount Saddle), which agreement provides for the EIC to convey property it owns along the 300 block of Peterson Farm Road, consisting of approximately 86.71 acres.

Shelley McElhannon read item 8C caption into record.

Michael Hornes and Dalton Rice provided information and responded to questions.

Councilmember Garcia motioned to postpone the item until the next regular meeting. Mayor Eychner called for a second, with no second forthcoming. Motion died for lack of second.

Councilmember Hughes made a motion to finalize the Economic Development Project Application to the City of Kerrville, Economic Improvement Corporation (EIC), from Litecrete, Inc. (Project Mount Saddle), for the Economic Improvement Corporation to convey property it owns along the 300 block of Peterson Farm Road, 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.

8D. 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 8D caption into record.

Michael Hornes and Mike Hayes provided information and responded to questions.

The following person(s) spoke:

- George Baroody

Councilmember Garcia made a motion to deny the Economic Development Grant Agreement between Lennar Homes of Texas Land and Construction, Ltd. Mayor Eychner called for a second, with no second forthcoming. Motion died for lack of second.

Councilmember Herring made a motion to approve the Economic Development Grant Agreement between Lennar Homes of Texas and the City of Kerrville, Texas Economic Improvement Corporation, 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.

8E. Approval of the offer letter from the Kerrville-Kerr County Airport Manager to the Carnegie Holding Company, LLC, for the Airport to purchase 54.95 acres of land adjacent to the Airport, such offer in the amount of \$824,250.00.

Michael Hornes and Mary Rohrer provided information and responded to questions.

Councilmember Hughes made a motion to authorize the Kerrville-Kerr County Airport Manager to submit an offer of \$824,250 to Carnegie Holding Company, LLC for 54.95 acres of land adjacent to the Airport, seconded by Councilmember Herring. The motion passed 5-0.

**9. BOARD APPOINTMENT(S):**

9A. Appointment(s) to the Library Advisory Board.

Councilmember Hughes made a motion to appoint Marnie Bethel and Jill Drake, seconded by Councilmember Herring. The motion passed 5-0.

9B. Appointment(s) to the Planning & Zoning Commission. (This item is eligible for Executive Session 551.074).

Councilmember Harris made a motion to reappoint John Bernhard and Abram Bueche, and appoint John Lovett, seconded by Councilmember Hughes. The motion passed 5-0.

9C. Appointment(s) to the Recovery Community Coalition.

Councilmember Garcia made a motion to appoint Randie Benno, Alan Peterson, Phil Taylor, and Dale Trees to the Recovery Community Coalition, seconded by Councilmember Herring. The motion passed 5-0.

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

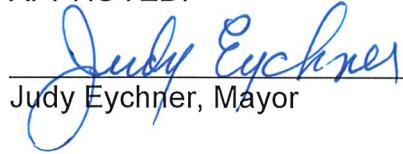
11. **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY.** N/A

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

**ADJOURN.** The meeting adjourned at 8:15 p.m.

APPROVED BY COUNCIL: 1/12/2024

APPROVED:

  
\_\_\_\_\_  
Judy Eychner, Mayor

ATTEST:

  
\_\_\_\_\_  
Shelley McElhanon, City Secretary