

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
MARCH 26, 2013**

On February 26, 2013, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Pratt in the city hall council chambers at 701 Main Street. The invocation was offered by Heather Mitchell, Minister of Music at First Baptist Church, followed by the Pledge of Allegiance led Air Force Captain Paul Hill, Instructor of the Tivy High School Junior Reserve Officer Training Corp.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Stacie Keeble	Mayor Pro Tem
Gene Allen	Councilmember (left the meeting at 6:30 p.m.)
Carson Conklin	Councilmember
Justin MacDonald	Councilmember

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Ondrias	Assistant City Manager
Cheryl Brown	Deputy City Secretary
Charvy Tork	Director of Information Technology Systems
Mike Erwin	Director of Finance
Kim Meisner	Director of General Operations
Jason Lutz	City Planner
Charlie Hastings	Director of Public Works

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

1. VISITORS/CITIZENS FORUM

- 1A. Edward Shulerspoke regarding the KPUB "smart" meters interfering with the bee population in the area.
- 1B. William Morgan, spoke regarding KPUB "smart" meters, and their adverse effect on the health of people with pacemakers, and autistic children. He also reported that "smart" meters sometimes caused people to hear sounds through the metal fillings in their teeth. He stated that the City of Camp Wood, Texas prohibited the use of "smart" meters within their city limits.

2. RECOGNITION AND COMMENDATIONS:

2A. Proclamation declaring March 29, 2013 as Vietnam Veterans Day .
Presented to several area Vietnam Veterans.

2B. Recognition of Sheriff Rusty Hierholzer for his selection by the Kerrville Masonic Lodge, #697, A.F.A.M., for the 2013 Community Builder Award.

3. CONSENT AGENDA:

Mr. Conklin moved for approval of items 3A through 3F; Mr. MacDonald seconded the motion and it passed 5-0:

3A. Minutes of the regular meeting held on February 12, 2013, and the special meetings held on February 26 and February 28, 2013.

3B. Economic Development Grant Agreement between Fox Tank Company, Inc. and the City of Kerrville Economic Improvement Corporation.

3C. Economic Development Grant Agreement between Texas Arts & Craft Educational Foundation, Inc. and the City of Kerrville, Texas Economic Improvement Corporation.

3D. Purchase of a Ford F550 Truck from Grande Truck Center.

3E. Computer recycling agreement with the Christian Women's Job Corps.

3F. Resolution No. 10-2013 relating to establishing the City's intention to authorize the Kerrville Public Utility Board (KPUB) to reimburse itself for KPUB'S prior lawful expenditure of funds relating to constructing various capital infrastructure improvements to the City's electric utility system from the proceeds of the tax-exempt obligations not to exceed \$6,300,000 to be issued by the City on behalf of KPUB for authorized purposes; authorizing other matters incident and related thereto.

END OF CONSENT AGENDA

4. CONSIDERATION AND POSSIBLE ACTION:

4A. Request by citizen to investigate possible property encroachment (1301 Paragon Place).

John Bauer spoke regarding an existing structure that his next-door neighbor, Mr. Larson, built on his property ten years ago when Mr. Bauer was president of the homeowners' association. Mr. Bauer stated that he did not actively pursue the matter of possible encroachments onto his property, or into the setback, or into the utility easements of the subdivision until after Mr. Larson died. Mrs. Larson still lives on the property. Mr. Bauer stated that he had a survey done of the properties in question, and that there was no proof that Mr. Larson had obtained the required permits from the city to build the structure.

Staff noted that the retention period for permits was five years; therefore, the city does not have any permits for the subject property. Staff also contacted the surveyor Mr. Bauer mentioned, and they measured and marked the property pins but no survey was done.

Kenneth Bledsoe spoke on behalf of Mrs. Larson, and noted that this matter was a civil matter, and Mr. Bauer had retained an attorney. He also stated that he would assist in the resolution of this matter in whatever capacity needed.

Mr. Conklin moved to direct staff to continue to investigate the alleged property, setback and easement encroachments. Ms. Keeble seconded, and the motion passed 3-1; with Mr. Conklin, Mr. Pratt and Ms. Keeble voting for the motion and

Mr. MacDonald voting against the motion, noting that staff had already investigated the matter.

4B. Accept Fiscal Year 2012 City of Kerrville Comprehensive Annual Financial Report (audit).

Mr. Erwin reported that there were net assets of \$8.1 million, with \$5.7 million in the general fund. There were no material weaknesses or significant deficiencies.

Mr. MacDonald moved to accept the Comprehensive Annual Financial Report. Mr. Conklin seconded, and the motion passed 4-0.

4C. Resolution No. 11-2013 supporting the Texas Department of Transportation's (TXDOT) construction of an improved interchange at Interstate Highway 10 and Farm to Market Road 783 (Harper Highway). Mr. Hastings reported that he met with TXDOT regarding the bridge, and learned it is the lowest bridge in the area, which required oversized vehicles to go through the city, which caused damage to items such as signal lights, and power poles. TXDOT suggested the city provide a resolution requesting structure improvements to the interchange at Interstate Highway 10 and Farm to Market Road 783 (Harper Highway) to accommodate oversized vehicles.

Mr. Conklin moved to approve Resolution No. 11-2013, Mr. MacDonald seconded, and the motion passed 4-0.

4D. Award contract to National Sign Plaza, Inc. for the fabrication and installation of the wayfinding program in an amount not to exceed \$142,000.00. Ms. Boyle reviewed the two types of signage, and reported on the bids received. Staff recommended the wayfinding signage contract be awarded to National Sign Plaza, Inc.

Mr. Conklin moved to authorize staff to enter into an agreement with National Sign Plaza, Inc. for the manufacturing and fabrication of the signs in an amount not to exceed \$142,000.00. Ms. Keeble seconded, and the motion passed 4-0.

4E. Authorize City Manager to enter into an agreement with Friends of the Kerr County Historical Commission (FKCHC) for the exclusive use of the former Main Street Office located at 715 Water Street specifically for the creation and operation of a museum.

Ms. Meismer noted FKCHC requested authorization to use the former Main Street Office for a museum.

Sue Dyke, FKCHC member, discussed many artifacts that were in homes throughout Kerr County. FKCHC felt that the building at 715 Main Street would be ideal for a museum, and would enhance downtown tourism.

The Council discussed holding a public hearing to get citizen input, since the building belonged to the citizens of Kerrville. It was also suggested that the

property be valued to determine if the value of the property and building outweighed the value of a museum.

The following person spoke:

Mike Bowlin stated there had been several attempts to start a museum in the past.

Mr. Parton noted that two years ago the building was put on the market, and no bids were received.

Ms. Keeble moved to authorize staff to work with the Friends of the Kerr County Historical Commission to prepare information and plans for a museum that could be presented at a public hearing during a future council meeting. Mr. MacDonald seconded, and the motion passed 4-0.

4F. Pending legislation from the 83rd Texas Legislature, Regular Session. Mr. Parton reported that the staff was working through the information, and would have an update at the next council meeting; legislative issues of particular interest were changes to property taxes, and water conservation.

Mayor Pratt reported that he testified in Austin on March 25, 2013, regarding the possible removal of the exemption of the hotel occupancy tax when a person stayed in a hotel for 30 days or more. Staff was making plans for city council's trip to Austin, and would invite several entities such as KISD, Ingram ISD, Headwaters and UGRA.

5. INFORMATION AND DISCUSSION

5A. Economic update. Mr. Erwin reported the City's revenues exceeded the expenditures in the general fund and water and sewer fund.

5B. Kerrville Economic Development Corporation update. Mr. Conklin reported on KEDC activities:

- A west Texas manufacturing company that would bring 15 skilled, high-paying jobs to the area.
- KEDC and Fox Tank Company co-sponsored a booth at a consortium conference regarding the Eagle Ford Shale operation for two days, and distributed 100 information packets regarding Kerrville.
- Discussion continued with wine industry groups; meetings were underway with several property owners.
- Mr. Titas was working on new incentive guidelines, to present to EIC at a future meeting.
- Mr. Titas attended the Southwest Energy Summit in Sweetwater on March 20 and 21, 2013, and distributed information packets.
- Mr. Titas planned to attend the UTSA Institute for Economic Development press conference.

- Mr. Titas also planned to attend the Eagle Ford Economic Summit to learn more about that industry and how it could benefit Kerrville.

6. ITEMS FOR FUTURE AGENDAS: None

7. ANNOUNCEMENTS OF COMMUNITY INTEREST:

- On April 5, 2013 at 5:30 p.m., Riverside Nature Center held a ribbon cutting ceremony for their revitalized visitors' center, featuring their first exhibit "The Guadalupe, The River of Life," followed by the First Friday Wine Share.
- The Airport Board at their next meeting, will consider a recommendation from an ad hoc committee to add twelve more hangars to the airport
- The Riverside Nature Center was hosting "Night Sky" luncheons to discuss redirecting lights to better preserve the night sky.

8. EXECUTIVE SESSION:

Mr. Conklin moved to enter into executive closed session under sections 551.071 and 551.072 of the Texas Government Code, Mr. MacDonald seconded, and the motion passed 4-0 to discuss the following matters:

Sections 551.071 and 551.072:

Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the city's bargaining position with third parties, regarding property interests related to the following public works projects:

- Jefferson Street lift station
- G Street sewer project
- River Trail

Council recessed the regular session at 7:21 p.m. and went into executive closed session at 7:21 p.m. At 7:47 p.m. the executive closed session recessed and council returned to open session at 7:48 p.m. The mayor announced that no action was taken in executive session.

9. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION: None

10. ADJOURNMENT: The meeting adjourned at 7:48 p.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Cheryl Brown, Deputy City Secretary