

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
JUNE 11, 2013

On June 11, 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 Chaplain Matt Gallo, Peterson Hospice Chaplain, followed by the Pledge of Allegiance led by Art Modgling, Commanding Officer of the local chapter of the Vietnam Veterans of America.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Carson Conklin	Mayor Pro Tem
Stacie Keeble	Councilmember
Justin MacDonald	Councilmember

COUNCILMEMBER ABSENT:

Gene Allen	Councilmember
------------	---------------

CITY EXECUTIVE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Ondrias	Assistant City Manager
Brenda G. Craig	City Secretary
Charvy Tork	Director of Information Technology Systems
Sandra Yarbrough	Director of Finance
Robert Ojeda	Fire Chief
Jason Lutz	City Planner
Charlie Hastings	Public Works Director

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

1. VISITORS/CITIZENS FORUM The following persons spoke:

1A. Bryan Demaree submitted a request to speak form, but he left before the meeting started.

1B. Bill Morgan distributed information regarding smart meters and asked council to pass an ordinance prohibiting the use of smart meters in the city, thereby stopping Kerrville Public Utility Board from installing them in the city. He cited reasons for opposition to smart meters: health and medical issues, detriment to ecology, financial cost as the meters use more electricity, and the smart meters were not UL approved. He noted that he had already taken the matter to the KPUB board.

1C. Ed Shuler re-enforced comments made by Mr. Morgan and stated he had researched smart meters. He understood the need to cut back on power because of cutbacks on coal, but issues could be solved without the use of smart meters.

2. CONSENT AGENDA:

Mr. MacDonald moved for approval of items 2A through 2D; Mr. Conklin seconded the motion and it passed 4-0:

2A. Minutes of the regular Kerrville City Council meeting held May 28, 2013.

2B. A Resolution No. 19-2013 adopting amendments to the city's purchasing policy and procedures manual.

2C. A Resolution No. 21-2013 adopting amendments to the city's financial policy.

2D. A Resolution No. 20-2013 adopting amendments to the City of Kerrville investment policy regarding the investment of city funds in accordance with the Public Funds Investment Act.

END OF CONSENT AGENDA

3. PUBLIC HEARING:

3A. Annexation and zoning of 0.91 acre tract of land addressed as 2262 Bandera Highway.

Mr. Lutz noted this was the second public hearing for the annexation of the 0.91 acre tract, zoning was proposed to be S-36 commercial, and there were no changes since the first public hearing.

Mayor Pratt opened the public hearing at 6:10 p.m.; no one spoke; Mayor Pratt closed the public hearing at 6:11 p.m.

4. ORDINANCES SECOND READING:

4A. An Ordinance No. 2013-07, amending Ordinance No. 2011-08, which annexed property into the city and created a "Planned Development District" on the approximate 43.72 acre tract of land, being all of a revision of Hartshorn Country Sites, a subdivision of record found at Volume 7, Page 148, Plat Records of Kerr County, Texas, and all of the James Avery Craftsman Subdivision, a subdivision of record found at Volume 7, Page 149, Plat Records of Kerr County, Texas, and those portions of Avery Road North and Lessie Lane, public roads located within and between the two subdivisions, said property generally located at and east of the intersection of Harper Road (FM783) and Avery Road North; said amendment removing the requirement for the construction of public sidewalks. Mayor Pratt read the ordinance by title.

Mr. Lutz stated there were no changes since first reading, and this ordinance would remove the requirement to provide sidewalks as stated in Ordinance No. 2011-08.

Mr. MacDonald moved for approval of Ordinance No. 2013-07 on second and final reading; Ms. Keeble seconded the motion and it passed 4-0.

5. ORDINANCES, FIRST READING:

5A. An Ordinance No. 2013-13 amending the budget for fiscal year 2013 to account for various changes to the city's operational budgets, supplemental

appropriations, and closing out and supplementing capital improvement projects.
Mayor Pratt read the ordinance by title.

Mr. Parton reviewed items included in the budget amendment and noted that the items added to the FY2013 budget were provided for by additional revenues coming in above the budgeted revenue in the general fund.

Mr. MacDonald moved for approval of Ordinance No. 2013-13 on first reading; Mr. Conklin seconded the motion and it passed 4-0.

6. CONSIDERATION AND POSSIBLE ACTION:

6A. Appointments to the Kerrville-Kerr County Joint Airport Board.

Bruce McKenzie, airport manager, noted that two board members terms expired June 1, 2013, Steve King and Ed Livermore, and the airport board requested the city council reappoint them for two year terms.

Mr. MacDonald moved to reappoint Steve King and Ed Livermore to the Kerrville-Kerr County Airport Board, with terms to expire June 1, 2015. Ms. Keeble seconded the motion and it passed 4-0.

6B. Request by Kerr County to confirm the extension of city wastewater service into a targeted area of Kerrville South that is outside the city limits as part of a colonia fund application through the Texas Department of Agriculture Office of Rural Affairs.

Eric Hartzel, GrantWorks, Inc., noted the county was applying for a colonia fund grant to extend sewer service in the Kerrville South area to allow the connection of an apartment complex and a few homes. The county requested that the city confirm that the target area is in the city's service area. He noted this would be the final phase of the Kerrville South wastewater project and that all lines and connections would meet city standards and be inspected by city staff. He noted that the deadline for the county to apply for the grant was June 17, 2013.

Mayor Pratt stated that if the county expected cooperation from the city for their projects, the county should give the city more notice in order that the county's project can be incorporated into the city's planning and budgeting processes.

Ms. Keeble moved to approve the request as presented; the motion was seconded by Mr. MacDonald and passed 4-0.

6C. Extension of terms for the Charter Review Commission(CRC).

Mr. Hayes noted the CRC had held five or six meetings and since none of their proposed changes were urgent the CRC proposed more time to allow them to give a full review of the charter and report their findings to the city council prior to placing any amendments on the May 2014 ballot. He noted that the CRC members' terms expired June 11 and he recommended their terms be extended through May 2014.

Mr. Conklin moved to extend the Charter Review Commission members' terms through May 2014; Mr. MacDonald seconded the motion and it passed 4-0.

7. INFORMATION AND DISCUSSION

7A. Water resources report.

Mr. Hastings noted that with recent small rains, the three month total was 8.72 inches, the riverflow was 21 cfs, and the ASR well was at 780 million gallons. The US Drought Monitor had moved Kerrville from extreme to severe drought conditions.

7B. Pending legislation from the 83rd Texas Legislature, regular session.

Mr. Parton noted there had been no changes to any of the bills since the last council meeting.

8. BOARD APPOINTMENTS:

8A. Appointments to the Library Advisory Board.

Mr. MacDonald moved to appoint Jeanine Kenworthy with term to expire November 22, 2013; Mr. Conklin seconded the motion and it passed 4-0.

9. ITEMS FOR FUTURE AGENDAS: None.

10. ANNOUNCEMENTS OF COMMUNITY INTEREST:

- Mary Reyes, Executive Secretary to City Administration, and her husband, Henry, celebrated their 53rd wedding anniversary this day.
- Kristine Ondrias completed six years with the city of Kerrville.
- Comanche Trace was recognized as one of the top 50 places to live in the US in the "Where to Retire" magazine.
- June 14, 10 a.m., grand opening of the Hill Country Veterans Center at 411 Meadowview Lane.
- Tivy High School cheerleaders golf tournament, Friday, June 14 at Scott Schreiner Municipal Golf Course.
- Veterans golf tournament, Saturday, June 15 at Scott Schreiner Municipal Golf Course.

11. EXECUTIVE SESSION:

Mr. MacDonald moved for the city council to go into executive closed session under Section 551.074 of the Texas Government Code; the motion was seconded by Mr. Conklin and passed 4-0 to discuss the following matters:

Sections 551.071 and 551.072:

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

At 6:31 p.m. the regular meeting recessed and council went into executive closed session at 6:33 p.m. At 6:42 p.m. the executive closed session recessed and council returned to open session at 6:43 p.m. The mayor announced that no action had been taken in executive session.

12. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION:

River Trail:

Ms. Ondrias reviewed the terms of a proposed agreement with Mr. and Mrs. Stadter for a recreation easement for the river trail and noted that staff recommended approval:

- City will pay Stadters \$1.30 sq. ft. plus \$3,500, which was the amount set aside for the appraisal.
- City will resurvey the property in order to relocate the trail around the Stadter's sheep shed so it will not be affected.
- No seating or observation area would be located on the Stadter's property.
- City will reimburse the Stadters up to \$4,000 for fencing, if the Stadters install the fencing within two years of completion of the trail.
- When the city constructs the wastewater line through this property, the city will allow a sewer connection to the Stadters without a tap fee charge.
- If the city ever constructs a water line through this property, the city will allow a water connection to the Stadters without a tap fee charge.

Mr. MacDonald moved for approval of the agreement as recommended by staff; Mr. Conklin seconded the motion and it passed 3-0-1 with Messrs. Conklin, MacDonald, and Pratt voting in favor of the motion, no one voted against the motion, and Ms. Keeble abstained.

ADJOURNMENT. The meeting adjourned at 6:45 p.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary