

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
JULY 8, 2014

On July 8, 2014, 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 Max Dunks, Celebrate Recovery Program, First Baptist Church, followed by the Pledge of Allegiance led by Fire Chief Robert Ojeda.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Carson Conklin	Mayor Pro Tem
Gene Allen	Councilmember
Stacie Keeble	Councilmember
Gary F. Stork	Councilmember

COUNCILMEMBER ABSENT: None

CITY CORE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Ondrias	Deputy City Manager
Brenda G. Craig	City Secretary
Sandra Yarbrough	Director of Finance
Ashlea Boyle	Special Projects Manager
Jason Lutz	City Planner
John Young	Police Chief
Kim Meismer	Director of General Operations
Robert Ojeda	Fire Chief
Stuart Barron	Director of Public Works

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

1. **VISITORS/CITIZENS FORUM:** No one spoke.

2. **CONSENT AGENDA:**

Mr. Stork moved to approve consent agenda items 2A and 2B; Mr. Allen seconded the motion, and it passed 5-0:

2A. Minutes of the special and regular city council meetings held on June 10, 2014; the joint meeting with EIC held June 24, 2014; and the regular city council meeting held June 24, 2014.

2B. Construction contract with BRB Contractors, Inc. for the construction of the wastewater treatment plant clarifier and motor control center improvements project in the amount of \$2,100,000.00 and execution of additional change orders which may exceed \$50,000.00 but not to exceed the total amount of \$2,310,000.00.

END OF CONSENT AGENDA

3. PUBLIC HEARING AND ORDINANCE, FIRST READING:

3A Ordinance No. 2014-14, amending the Comprehensive Plan for the City of Kerrville, Texas, pursuant to Chapter 213 of the Texas Local Government Code, by revising the future land use plan for a tract adjacent to Meadowview Lane and between its intersection with Burleson Boulevard N. and Legion Drive N. and addressed as 411 Meadowview Lane. Mayor Pratt read the ordinance by title.

Mr. Lutz noted the council recently approved a planned development district for this property to allow the land use “public assembly”; the comprehensive plan identified the land as residential; therefore, the comp plan should be amended to reflect the change in land use. The planning and zoning commission approved the amendment on June 26, 2014; no one spoke at that meeting.

Mayor Pratt opened the public hearing at 6:04 p.m.; no one spoke; the public hearing was closed at 6:04 p.m.

Ms. Keeble moved to approve Ordinance No. 2014-14 on first reading; Mr. Stork seconded the motion and it passed 5-0.

4. ORDINANCE, SECOND AND FINAL READING:

4A. Ordinance No. 2014-13, amending the budget for fiscal year 2014 allocating funds for capital improvement projects involving city facility improvement and building projects, for the purchase of a vehicle to be used for utilities, and for costs associated with seeking permits for the landfill. Mayor Pratt read the ordinance by title.

Mr. Parton noted no changes since first reading and recommended approval.

Mr. Allen moved to approve Ordinance No. 2014-13 on second and final reading; Mr. Conklin seconded the motion and it passed 5-0.

5. ORDINANCE, FIRST READING:

5A. Ordinance No. 2014-11 annexing an approximate 308 acre tract of land out of the Florentine Lara Survey No. 123, Abstract No. 225, M.K. and T.E.R.R. Survey No. 1861, Abstract No. 1242, and the J.D. Leavell Survey No. 1862, Abstract No. 1435, such annexation to occur on January 18, 2015; said property being adjacent to the corporate limits of the City of Kerrville, Texas, and consisting of a residential subdivision to be known as The Heights of Kerrville and located west of Harper Road (FM 783) and between its intersection with Holdsworth Drive and Interstate 10; describing the property, adopting a service plan, and establishing the zoning for the property to be annexed. Mayor Pratt read the ordinance by title.

Mr. Lutz noted the ordinance would annex the subject property and establish zoning as single family residential. He noted a conflict in the acreage stated in the development agreement between the two exhibits: Exhibit A was the preliminary plat; and Exhibit B was the metes and bounds for the entire 315 acres. The final subdivision plat was 308 acres, of which three acres was already

in the city; therefore, the city would be officially annexing 305 acres and the ordinance would be amended prior to second reading.

Mr. Stork moved to approve Ordinance No. 2014-11 on first reading; Mr. Conklin seconded the motion and it passed 5-0.

6. INFORMATION AND DISCUSSION:

6A. Discussion regarding Appraisal Review Board (ARB) hearing and the impact of the results on the taxpayers.

The Kerr County Commissioner's Court requested the opportunity to address the City Council regarding the city's challenge on recent commercial appraisals by Kerr Central Appraisal District (KCAD); the following members spoke:

1. Robert Reeves, Precinct 4, thanked the city for representing commercial property owners. He noted he had acted as a consultant on property taxes in the past and a challenge such as the city was undertaking was virtually unheard of in the state. He understood the city's concern and taking care of taxpayers, but he urged the city and KCAD to seek a settlement before the issue went to the ARB.
2. Tom Moser, Precinct 2, noted the city's challenge may have an impact on the county's budget, as well as all local taxing entities as a budget could not be set without a certified tax roll. He asked that the city recognize the ramifications of its challenge and that without a budget, taxing entities may have to go into their reserve funds. When questioned why the county did not take a position on the issue, Mr. Moser stated KCCC did not know what was being proposed in the tax rate or appraised values and they had not heard from property owners.
3. Tom Pollard, County Judge, encouraged City Council and KCAD to resolve the issue so it did not go to district court. If the certified tax roll was delayed, the county had reserves that could carry to early December, but if the challenge went beyond that, the county may have to borrow money or make budget cuts. He appreciated the city taking the lead to protect taxpayers' interests.

The following citizens spoke:

- Keri Wilt stated she was proud that the city was standing behind businesses and challenging the appraisals. The county talked about borrowing money; the small business owners also worried about borrowing money to keep their business operating so they could pay taxes. They were not protesting that taxes should not go up, but that appraisals are fair across the board to all businesses.
- Jimmie Spradling stated that for the past 20 years that he lived in Kerrville the business community had been complaining about having to pay taxes. If he went to protest appraisals, he had to go before the review board personally; the businesses got the city to do their protest. Business owners always wanted something free; council should look after the citizens and not just business owners.

The council noted the city would go through the same process, if necessary, to protect residential property owners; the action being taken by the council would benefit all citizens.

7. CONSIDERATION:

7A. Purchase of a closed circuit television pipeline inspection unit through the Houston-Galveston Area County Purchasing Cooperative in the amount of \$174,870.00.

Mr. Barron noted the purchase of this equipment would allow staff to locate any problem areas in sewer lines and manholes and help keep the city in compliance with TCEQ by locating and identifying blockages, overflows, and other problems.

Mr. Conklin moved to approve the purchase of a closed circuit television pipeline inspection unit as presented; Mr. Allen seconded the motion and it passed 5-0.

8. BOARD APPOINTMENTS:

8A. Appointment to the main street advisory board.

Mr. Conklin moved to appoint Melissa Southern with term to expire June 30, 2016; Mr. Allen seconded the motion and it passed 5-0.

9. ITEMS FOR FUTURE AGENDA: None.

10. ANNOUNCEMENTS OF COMMUNITY INTEREST:

- July 8, 8:00 p.m., the Motor Maids, Inc. and Wounded Warriors Parade would start at 1001 Junction Highway and end at the VA Hospital.

11. EXECUTIVE SESSION: None.

ADJOURNMENT. The meeting adjourned at 6:26 p.m.

APPROVED: 07/08/2014

/s/
Jack Pratt, Jr., Mayor

ATTEST:

/s/
Brenda G. Craig, City Secretary