

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
OCTOBER 25, 2016**

On October 25, 2016, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor White in the city hall council chambers at 701 Main Street. The invocation was offered by Mayor Bonnie White, followed by the Pledge of Allegiance led by Lydia Prislovsky, member of the Mayor's Youth Advisory Council.

COUNCILMEMBERS PRESENT:

Bonnie White	Mayor
Stephen P. Fine	Mayor Pro Tem
Mary Ellen Summerlin	Councilmember
Glenn Andrew	Councilmember

COUNCILMEMBER ABSENT:

Gene Allen	Councilmember
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CITY CORE STAFF PRESENT:

Don Davis	Interim City Manager
Mike Hayes	City Attorney
E.A. Hoppe	Deputy City Manager
Cheryl Brown	Deputy City Secretary
Sandra Yarbrough	Director of Finance
Kim Meisner	Director of General Operations
David Knight	Chief of Police
Dannie Smith	Fire Chief
Kaitlin Berry	Special Projects Manager

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

**1. OATH OF OFFICE FOR COUNCILMEMBER PLACE THREE GIVEN BY
KERRVILLE MUNICIPAL COURT JUDGE MARK PRISLOVSKY**

2. VISITORS/CITIZENS FORUM:

The following persons spoke:

- Wayne Laviolette regarding the drainage study for Woodside.
- Robert Naman, regarding the City Council not delaying the vote to appoint a new councilmember for Place 3.
- J. B. Oswalt, regarding the problem of drug and alcohol addiction in Kerrville.
- Mr. Fine read an email from Bob Reeves, County Commissioner, Precinct 4, complimenting David Barrera, Assistant Public Works Director, for his work with the County in preparation for the hazardous waste pick-up for this year.

3. PRESENTATIONS AND RECOGNITIONS:

3A. Recognition of Eugene C. Smith, Former Mayor of Kerrville.

Kelly Early from State Representative Andrew Murr's Office made a presentation to the family. She spoke of Mayor Smith's years of service to the community. Ms. White presented the Kerrville City flag that flew at half-staff on the day Mr. Smith passed away to the Smith family.

3B. Post event report on the Kerrville Chalk Festival.

Ms. Boyette, Cailloux Foundation, estimated 8,500 people attended the Festival, with a total of \$91,000 raised from all sources.

3C. Proclamation proclaiming October 29, 2016 as Kerrville All Stars Day.

4. CONSENT AGENDA:

4A. Mr. Andrew moved to approve the minutes for September 13, 2016. Mr. Fine seconded, and the motion passed 4-0.

END OF CONSENT AGENDA

5. ORDINANCES, SECOND READING:

5A. Ordinance No. 2016-14, amending Chapter 18 "Animals", of the City's Code of Ordinances by amending Section 18-31 "Dog and Cat Registration" and Section 18-32 "Rabies Vaccination"; containing a savings and severability clause; providing an effective date; and providing other matters relating to the subject
Mayor White read the ordinance by title only.

Mr. Fine moved to approve Ordinance 2016-14 on second reading. Mr. Andrew seconded, and the motion passed 4-0.

5B. Ordinance No. 2016-18, granting to Atmos Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to furnish, transport and supply gas to the general public in the City of Kerrville, Kerr County, Texas, for the transporting, delivery, sale, and distribution of gas in, out of, and through said municipality for all purposes; providing for the payment of a fee or charge for the use of the streets, alleys, and public ways; repealing all predecessor ordinances; providing that it shall be in lieu of other fees and charges, excepting ad valorem taxes; prescribing the terms, conditions, obligations and limitations under which such franchise shall be exercised; providing a savings clause, a most favored nations clause, and a severability clause; and providing an effective date

Mayor White read the ordinance by title only.

Mr. Hayes noted no changes since first reading, other than a typographical error, no changes were made to the ordinance. Third reading would be at the next Council meeting.

Mr. Fine moved to approve Ordinance No. 2016-18 on second reading. Ms. Summerlin seconded, and the motion passed 4-0.

6. CONSIDERATION AND POSSIBLE ACTION:

6A. Request by RREAF-Blatt, LLC to abandon, vacate and convey a portion of an unimproved extension of Meeker Road right of way located southwest of Singing Wind Drive North with its intersection with Locust Street

Mr. Robertson noted the applicant requested abandonment of the right-of-way. An official recommendation was to be made at a future Council meeting.

Carl Schwabb, representative of RREAF-Blatt, LLC, presented his request.

Mr. Andrew moved to turn this over to staff to determine what it would take to abandon this portion of Meeker Road right of way. Ms. Summerlin seconded, and the motion passed 4-0.

6B. Resolution No. 26-2016 creating the Recovery Community Coalition; providing for its purpose, membership, and roles and responsibilities; and appointing the initial members of the committee

Mr. Andrew recommended the number of members be 15, and be limited to only City residents. Applications would be accepted until the end of November, with appointments made at the December Council meeting. Interviews were to be conducted by Mr. Andrew and Mr. Fine. The consensus of the Council was to direct staff to advertise that applications were being accepted. The final resolution will be presented at the November meeting.

6C. Proposal for workforce housing project submitted by MacDonald Companies, Inc. on approximately 16 acres on Loop 534, at the planned extension of Olympic Drive

Ms. Summerlin filed an affidavit of conflict of interest, recused herself, and left the Council Chambers at 7:15 p.m.

Mr. Hoppe gave an overview of the proposed project.

Mr. MacDonald also gave an update regarding the number of lower priced vs. market priced units.

Mr. Fine moved to direct staff to bring back a final proposal to both the Council and EIC. Mr. Andrew seconded, and the motion passed 3-0-1, with Councilmembers Fine, Andrew and White voting in favor of the motion; no one voted against, and Councilmember Summerlin abstained.

Ms. Summerlin returned to the meeting at 7:25 p.m.

6D. Re-engagement of the Reuse Water Ad Hoc Advisory Committee

Mr. Andrew asked to table discussion on this item until a time when direct potable reuse was closer to fruition.

6E. Request for proposals (RFP) for an executive search consultant for city manager

Ms. Meismer presented a draft of a RFP for an executive search consultant to locate candidates for city manager. She requested approval of the draft, and authorization to distribute the RFP.

Council made suggestions to the RFP.

Ms. Summerlin moved to direct staff to prepare a final request for proposals for an executive search consultant to locate candidates for city manager. Mr. Fine seconded, and the motion passed 4-0.

6F. Consider offer(s) for the purchase of 800 Junction Highway, former city hall property

Sue Tiemann, the realtor with of Commercial Realty Services representing the City of Kerrville noted a letter of intent from a prospective buyer.

Mr. Hayes suggested this matter be discussed in executive session.

7. APPOINTMENTS TO BOARDS AND COMMISSIONS:

7A. Building Board of Adjustment and Appeals

Ms. White moved to appoint the following:

Regular Members:

- Michael Walker-Architect
- Bruce Motheral-Professional Engineer
- Jorge Garcia-Master Electrician
- Benjamin Holloway-Master Plumber
- James Rector-Mechanical Contractor
- Mike Stavinoha-Contractor
- Art Lenard-Active Construction Industry

Alternate Members:

- Dallas Coon-Plumber
- Ronald Pucek, III-Electrician

Mr. Fine seconded, and the motion passed 4-0.

7B. Zoning Board of Adjustment

Mr. Andrew moved to reappoint Judy Eychner and Peter Lewis, and reappoint Robert Parks and Danny Almond as alternates; all with terms to expire September 30, 2018. Ms. White seconded, and the motion passed 4-0.

7C. Appointment to the City of Kerrville, Texas Economic Improvement Corporation

Mr. Fine moved to appoint Mary Ellen Summerlin as the Council representative to the vacant position on the Economic Improvement Corporation. Mr. Andrew seconded, and the motion passed 4-0.

7D. Appointment of Council Ex Officio to various city boards

Mr. Fine moved to appoint Ms. Summerlin as the Council Ex Officio to the Library Advisory Board and Council Liaison to the Main Street Advisory Board. Mr. Andrew seconded, and the motion passed 4-0.

8. **ITEMS FOR FUTURE AGENDAS:** None

9. **ANNOUNCEMENTS OF COMMUNITY INTEREST**

Several items were announced.

10. **EXECUTIVE SESSION:**

Ms. White moved for the city council to go into executive closed session under Sections 551.071, 551.072, and 551.074 of the Texas Government Code; motion was seconded by Mr. Fine and passed 4-0 to discuss the following:

Sections 551.071 and 551.072

- Consider offer(s) for the purchase of 800 Junction Highway, former city hall property.

Section 551.074

- Deliberate the appointment, employment, evaluation, and duties of an Interim City Manager.

At 8:08 p.m. the Council went into closed executive session. At 8:58 p.m. Council returned to open session. Mayor White noted that no action was taken during executive session.

12. **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

Consider offer(s) for the purchase of 800 Junction Highway, former city hall property

Mr. Fine moved to ask Ms. Tiemann to move forward with the letter of intent with the parameters discussed. Mr. Andrew seconded, and the motion passed 4-0.

13. **ADJOURNMENT** The meeting adjourned at 8:58 p.m.

APPROVED: 12-13-16

ATTEST:

Bonnie White, Mayor

Cheryl Brown, Deputy City Secretary