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CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
OCTOBER 24, 2017

On October 24, 2017, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Bonnie White in the city hall council chambers at 701 Main Street. The invocation was offered by Mayor Pro Tem George Baroody, followed by the Pledge of Allegiance led by Police Chief David Knight.

COUNCILMEMBERS PRESENT:

Bonnie White	Mayor
George Baroody	Mayor Pro Tem
Vincent C. Voelkel	Councilmember
Mary Ellen Summerlin	Councilmember
C. Warren Ferguson	Councilmember

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

Mark McDaniel	City Manager
Mike Hayes	City Attorney
E.A. Hoppe	Deputy City Manager
Brenda Craig	City Secretary
Guillermo Garcia	Executive Director of Strategic Initiatives
Sandra Yarbrough	Director of Finance
Kim Meisner	Director of General Operations
David Knight	Police Chief
Stuart Cunyus	Public Information Officer
Sabine Kuenzel	Executive Director of Development Services
Kyle Burrow	City Engineer

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

1. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** were given.

2. **VISITORS/CITIZENS FORUM:** None.

3. **CONSENT AGENDA:**

Mr. Ferguson moved to approve consent agenda item 3A; Ms. Summerlin seconded the motion, and the motion passed 5-0:

3A. Minutes of the regular council meeting held September 12, 2017 and the council workshop held September 19, 2017.

**END OF CONSENT AGENDA**

#### **4. PUBLIC HEARING:**

4A. Annexation into the incorporated limits, and applying a Zoning Classification of District 26-E, for an approximate 7.95 acre tract out of land adjacent to the incorporated limits which is out of the F. Rodriguez Survey No. 72, Abstract No. 280, Kerr County, Texas, located at 5263 Highway 27.

Mr. Voelkel filed a conflict of interest affidavit and recused himself from the meeting at 6:05 p.m.

Ms. Kuenzel noted this was the second public hearing and presented the annexation schedule.

Mayor White declared the public hearing open at 6:06 p.m.; no one spoke; Mayor White closed the public hearing at 6:06 p.m.

Mr. Voelkel returned to the meeting at 6:06 p.m.

#### **5. ORDINANCES, SECOND AND FINAL READING:**

5A. Ordinance No. 2017-19, a zoning change to amend Ordinance No. 2004-15, which created a "Planned Development District" for an approximate five hundred thirty-six acre tract of land out of the Walter Fosgate Survey Number 120, within the City of Kerrville, Kerr County, Texas; and generally located southeast of the intersection of Farm to Market Road 783 (Harper Highway) and Interstate 10; said amendment to adjust the authorized uses between two defined areas within said district, said areas located adjacent to and north of Holdsworth Drive.

Council noted that the proposed ordinance would: 1) Add hotel/motel to permitted uses on Tract 1C; and 2) Add fuel sales to Tract 4C. The original PDD stipulated no fuel sales in 4C. Fuel sales were allowed in 1C with the stipulation that fuel sales not be within 300 ft. of the northwest corner; the purpose of this requirement might have been to establish a distance requirement from Town Creek. It was suggested that fuel sales not be allowed in 4C until after an environmental study was done.

Ms. Kuenzel confirmed that 4C was 100 ft. from the floodplain. Mr. Burow provided the 2000 and the current floodplain maps of the area.

John Hewitt, applicant's engineer, opined that 4C was a significant distance from Town Creek; however, if there was an environmental concern, the developer probably would be willing to withdraw the request for fuel sales on 4C. Regarding the hotel/motel use, the plans were conceptual only and the location had not been determined.

Mr. Burow noted that EPA and TCEQ did not require an environmental study for gas stations; however, prior to construction the developer would have to have an approved EPA Spill Prevention Plan.

Mr. Baroody moved to amend PDD 2004-15 by adopting the modified Ordinance 2017-19 to only add hotel/motel as a permitted use to subzone 1C. Mr. Voelkel seconded the motion and it passed 5-0.

5B. Ordinance No. 2017-20, amending the budget for Fiscal Year 2017 to account for the transfer of funds between different funds as previously authorized by City Council, to account for the proceeds from the sale of the former City Hall property, and to make other amendments as provided herein.

Ms. Yarbrough noted no changes since first reading.

Mr. Ferguson moved for approval of Ordinance No. 2017-20 on second and final reading; Mr. Baroody seconded the motion and it passed 5-0.

## **6. CONSIDERATION AND POSSIBLE ACTION:**

6A. Resolution No. 42-2017 authorizing a waiver of various fees associated with construction activities for the property located at 602 Spur 100, within the City of Kerrville, Texas. (Steve Volkman, citizen)

Matter was deferred until the applicant could be present.

6B. Interim administrative services contract between City of Kerrville, Texas and the City of Kerrville, Texas Economic Improvement Corporation in the amount of \$16,700.

Mr. Hoppe noted the current contract expired September 30, 2017. The proposed interim contract would provide city administrative services to the EIC at a cost of \$16,700 for 60 days, to expire December 23, 2017. The interim contract was approved by EIC on October 16.

Mr. Hoppe noted that currently legal services were provided by the city attorney; however, the city attorney was also legal counsel to the City Council. EIC was concerned about their authority to hire outside legal counsel in the event of a conflict between the EIC and City Council.

Council discussed EIC's options to hire outside legal counsel separate from the city attorney and how that expenditure would be paid, i.e. separate pre-approved line item in EIC's budget, or a statement in the contract.

Mr. Baroody moved to approve the 60 day extension. Ms. Summerlin seconded the motion and it passed 5-0.

## **7. INFORMATION AND DISCUSSION**

7A. Presentation of the Office of Innovation.

Mr. Garcia noted the city's greatest resource was its employees. The Office of Innovation would engage and empower employees to achieve the highest levels of performance through education, process improvement, strategic and business planning, and creativity. After the comprehensive plan is established, it will be integrated into the strategic operating plan that is supported by the business plan. A business plan will be developed by each department to create accountability for strategies, action plans and

performance measures. The business plan will consist of: strategic alignment, department planning, and performance criteria, based on the Baldrige Performance Excellence Criteria.

7B. Budget and economic update.

Ms. Yarbrough gave the financial report year to date for the period ending September 30, 2017: general fund revenues totaled \$28,072,527 and expenditures \$27,630,066; water and sewer fund revenues totaled \$11,881,558 and expenditures \$11,230,342; hotel/motel fund revenues were \$1,225,145 and expenditures \$1,012,700. Eight permits were issued in September for residential construction and commercial construction was \$8,635,950. She reviewed the community investment capital projects in progress. Ms. Yarbrough noted the budget amendment approved in Item 5B was not included in this report.

**8. CITY MANAGER'S REPORT**

8A. Comprehensive Plan Subcommittee Appointments Process.

Mr. McDaniel noted that in August council appointed 42 members to the comprehensive plan steering committee. He discussed the comprehensive plan subcommittee appointment process and suggested each councilmember submit two names for each of the seven subcommittees, and appointments would be scheduled for the November 14 agenda. Also at the November 14 meeting council will appoint a chair for each of the seven subcommittees from the steering committee.

**9. ITEMS FOR FUTURE AGENDAS, CITY COUNCIL**

- Process for and evaluation of the city attorney for the November agenda.
- As the river trail is extended, consider material that will not tear up bicycle tires, no rough rocks.

10. EXECUTIVE SESSION: None.

11. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY: None.

ADJOURNMENT. The meeting adjourned at 7:13 p.m.

APPROVED: 12-12-17

ATTEST:

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Bonnie White, Mayor

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Brenda G. Craig City Secretary