

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
June 26, 2018

On June 26, 2018, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Bill Blackburn in the Cailloux Theater at 910 Main Street. The invocation was offered by Councilmember George Barody, followed by the Pledge of Allegiance led by Councilmember Judy Eychner.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
George Barody	Mayor Pro Tem
Judy Eychner	Councilmember
Delayne Sigerman	Councilmember

COUNCILMEMBERS ABSENT:

Vincent Voelkel	Councilmember
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CITY CORE STAFF PRESENT:

Mark McDaniel	City Manager
Mike Hayes	City Attorney
E.A. Hoppe	Deputy City Manager
Brenda Craig	City Secretary
Amy Dozier	Director of Finance
Kim Meisner	Director of General Operations
David Knight	Police Chief
Stuart Cunyus	Public Information Officer
Dannie Smith	Fire Chief
Guillermo Garcia	Executive Director of Strategic Initiatives
Drew Paxton	Director of Development Services

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

ORDINANCE, SECOND AND FINAL READING:

Ordinance No. 2018-13, adopting "Kerrville 2050" as the Comprehensive Plan for the City of Kerrville, Texas; the plan is adopted pursuant to Chapter 213 of the Texas Local Government Code and will guide the growth and development of the city; defining the relationship of the plan to the city's development regulations; containing a cumulative clause; containing a savings and severability clause; replacing Ordinance No. 2002-14 and all other ordinances or parts of ordinances that amended it; and providing for other matters related to the subject. Mayor Blackburn read the ordinance by title.

Mr. McDaniel noted the plan was developed around community priorities, and the purpose was to guide development and plan for future planning for capital improvements, utilities, roads, drainage, etc.

Mr. Cunyus described the process as very inclusive with more than 500 citizens providing input during the 9 month process; 42 persons served on the steering committee and 77 persons served on the subcommittees. There were many opportunities for public participation and information was provided at numerous meetings, city website, city social media outlets, and the news media.

Mr. Hoppe discussed the Kerrville 2050 Vision Statement and the components of the plan.

Mr. Paxton discussed the land use plan and the thoroughfare plan. He noted the land use plan was not a zoning map and did not change the zoning of property; it was the guiding policy for future planning and capital improvement projects. The thoroughfare plan looked at major corridors and collector streets throughout the community. Components of the thoroughfare plan were developed based on topography, floodplain, private streets, and connectivity with future development. Alignments were not exact locations but would be determined as future developments occurred.

Mr. McDaniel discussed implementation of the plan and noted the plan would be reviewed through a public process annually, with an extensive update every five years. The plan would also be tied to the city's budget in order to prioritize spending. Some projects may not be practical or doable and some may never be completed, and the plan may change as the future dictates. The Kerrville 2050 Comprehensive Plan was unanimously recommended by the steering committee on May 30; the planning and zoning commission (PZC) conducted a public hearing and unanimously recommended the plan be adopted on June 7; and on June 12 the city council conducted a public hearing and adopted the plan on first reading. The final version of the plan being considered included minor edits and corrections made since the last council meeting.

The following persons spoke:

1. Warren Ferguson reviewed the selection process for hiring the consultant and the process for appointing members to the steering committee and subcommittees. He discussed the attributes of the plan for our growing community and urged council to unanimously vote for approval of the 2050 plan.
2. Sue Tiemann stated she had served on the committee and opined that the comp plan was very thorough and that public participation was a very inclusive process. She encouraged council to adopt the plan.
3. Gary Cooper stated trepidations toward wording such as standards and proactive enforcement. The purpose was to guide future planning, and while the 2050 plan was not binding, the city will use it to create codes, ordinances and regulations to establish standards that will be binding. He opined that the language would have unintended consequences and may be a guideline for the establishment of another UDC (unified development code). He noted that Mayor Blackburn was vice-chairman of the 2002 comp plan that was a catalyst for the development of the UDC, which was later defeated. He asked council to correct the language before voting on the 2050 plan.

4. Glenn Andrew noted the plan was very diverse and inclusive of ideas from many people. The prior city council selected every steering committee and subcommittee member, and every document was approved by those committees. The two councilmembers who voted against the plan on first reading were members of the steering committee and previously voted for the plan. This was the same plan approved by the committees, nothing of substance had changed. The committees and council worked to ensure the protection of each neighborhood in the city. No one on council wanted to negatively impact any neighborhood, including through gentrification. Mayor Blackburn was the strongest advocate and supporter of the Doyle Community. PZC voted unanimously to approve plan. The 2050 plan is just a plan; implementation and documents would be developed and approved by PZC and Council. He encouraged council to vote unanimously for the 2050 plan and work to ensure its implementation as it supported the community's values.

5. Mary Ellen Summerlin noted the prior council hired the consulting firm and established the process for appointing all members to the steering committee and subcommittees. She questioned why one particular neighborhood was singled out in the plan when all catalyst areas throughout the city included many residential neighborhoods and buildings that may not meet code. Why were some people referring to the UDC that was defeated many years ago? Two councilmembers who were encouraging fear and misunderstanding among the Doyle area were up for re-election next year. Citizens were allowed and encouraged to voice their concerns, and significant input was received and included in the plan. The plan did not add any regulations to city codes; it did not change any existing zoning. The plan only gives guidelines to future decision makers. The plan deserved council's support, and it will provide stable neighborhoods and encourage a healthy and unified community.

6. Daniel Flores, Pearl Street, said he was for the 2050 plan until it started involving his neighborhood. He asked council to look at the Doyle neighborhood and the people who live there, they were all in their 70s or older; where would they go if their neighborhood was knocked down. They could not afford to move and they were too old to move.

7. Pablo Brinkman noted there were many opportunities for people to be involved and many people had a voice in creating the plan. It was a good plan and he urged council to support it.

8. Walter Koenig, President and CEO of the Kerrville Area Chamber of Commerce (KACC), noted the 9 month process had unprecedented transparency and community involvement. It was approved by PZC and passed by council on first reading. The Board of Directors of KACC unanimously endorsed the plan on June 5, and KACC will assist in any way possible and be actively involved in implementation of the plan over the next 30 years. KACC will work in concert with other entities in order to provide a holistic approach to economic development and diversity while maintaining the quality of life for the community. Growth was a key element of the plan. KACC will continue to promote Kerrville and fulfill the vision of the 2050 plan.

9. David Barker congratulated and supported Mr. McDaniel and recommended council give him the support and staff he needed to carry out the plan. The plan was guided and created by input from committees and members. When considering implementation of each element of the plan, council should ask the question, how is it going to be funded and is it in the budget. Council should maintain a balanced budget.

10. Fred Gamble stated he was raised in the Doyle area and his mother still lived there. 14 years ago he and Bill Blackburn started the Doyle Community Center (DCC); he would not do anything to hurt DCC or the people in that neighborhood who raised him. He was offended by some people who thought the Doyle neighborhood was ripe for gentrification as the majority of the people owned their homes. There were many other areas in city that were more ripe for gentrification, areas that were flooded with rental property that lacked maintenance. He was not worried about gentrification in the Doyle area. In order for gentrification to occur, there must first be a vital, growing downtown retail and commercial area; Kerrville was not there now; this may happen in the future, but it would not be at the expense of the Doyle area. He was at many of the meetings and if he thought this plan would in any way be harmful to the Doyle area, he would have spoken against it; he did not. He urged council to vote in favor of the plan.

11. Tim Summerlin spoke in support of the 2050 plan; it was thorough and inclusive, and provided a new strategy for moving the community forward. The plan was not "written in stone" and it would go through a regular review process in coming years. The plan was a sound basis for uniting and building our community together.

12. Charlie McIlvain, President and CEO of the Convention and Visitors Bureau, stated that the plan had great potential for creating new opportunities for citizens. It would also make the community more attractive to visitors and investors. Citizen involvement and participation was greater in this plan than what he had seen in other communities. The plan was comprehensive, inclusive, and transparent. Now is the time to move the plan forward with a unanimous positive vote for the Kerrville 2050 plan.

13. Karen Guerro, chair of the river/parks/open spaces subcommittee, stated that the plan would make Kerrville an ever better place to live and raise a family and still honor our rich past. There had been an outstanding effort to include all people in developing this plan.

14. Ed Wallace, subcommittee member, stated the plan was a good plan that would have annual reviews and tweaking as needed. It was a vision, it was not an ordinance or code, so the fears expressed were misplaced. He opined that to vote against this plan was a vote against motherhood and apple pie.

15. Carolyn Lipscomb, steering committee member, stated the plan was inclusive and provided opportunities for all citizens. It was not a law, ordinance or code. Over the next 30 years, councils and staff, with input from citizens, would craft codes and ordinances to implement the plan. She was disappointed to read newspaper columns

written by two councilmembers whose concerns were in isolation and taken out of context. Based on citizen input during public hearings, ordinances and codes could be crafted that will protect neighborhoods. She asked that the two councilmembers cease their efforts to amend the plan and channel their energy to work toward policies and ordinances that will protect neighborhoods against unforeseen consequences.

16. Bruce Stracke encouraged council to look at what Kerrville was trying to accomplish and build a successful plan. Council can review the problematic sections and set out clear guidelines that will avoid the undesired consequences. This was not a perfect plan, but it was a start.

17. Kim Clarkson stated as a parent she wanted her children to be able to make a living and support a family. She served on a subcommittee and wanted to see Kerrville be a vibrant community with a healthy job market, competitive wages and affordable housing. To state that the plan would force people out of their community was not a fair assessment of the plan. She encouraged council to support the plan.

18. Sammi Shaheen stated she had friends who lived in the Doyle community and they were scared they were going to be thrown out of their homes. The two councilmembers who had gone to the Doyle community had been with the plan since the beginning, and if they had concerns, they should not have waited to the last minute to bring up those concerns. The two councilmembers went to the Doyle community to speak and scare the people. She asked that they please stop putting fear in peoples' hearts.

19. Renee Lafaso spoke of inconsistencies and that councilmembers should represent and care about all citizens of Kerrville and get involved in positive ways and not by using fear.

Mayor Blackburn moved to adopt the plan as presented with the caveat that at the city council meeting on July 10 the council appoint a committee to look at property maintenance and pro-active code enforcement and bring back a report to council so that concerns discussed are addressed.

Councilmember Baroody requested discussion prior to a motion.

Ms. Eychner seconded the motion.

Council discussed the following:

- Councilmember Sigerman stated she attended all but one committee meeting and there was discussion about these particular concerns, and the committees came together and agreed to the language in the plan. She read several sections of the plan that protected older neighborhoods and minimized displacement of people and neighborhoods. She supported adoption of the plan; without a plan, something may go unprotected and things may happen that the community does not want. The plan will continue to evolve and change as Kerrville grows.

- Councilmember Eychner apologized to the residents of the Doyle neighborhood for having been targeted and provided information that caused them unnecessary anger and fear. It was manipulative and not respectful.
- Councilmember Baroody stated that a number of people in the community stated the plan was not perfect, it was not just two councilmembers. As far as timing, the first time the action items were presented was on April 27, and the first time he had brought up his concerns of gentrification and involuntary displacement was on May 23 at a steering committee meeting, and it was not a unanimous vote of the steering committee to move the plan forward as he did not vote to do so.

Mr. Baroody proposed that council not adopt the plan without first fixing the problematic sections that could possibly lead to gentrification and displacement. If there was not a problem, then why would council be considering creating a committee. He also recommended that the lack of affordable housing be addressed quickly.

Mr. Baroody noted that he had intended to propose that council create a committee to look at pro-active enforcement of property maintenance, which would, as studies have shown, contribute to involuntary displacement. He wanted to suggest that a committee identify items in the plan and make recommendations to the council.

Mr. Baroody apologized to citizens who were cut off from the process at the public hearings and thanked individuals who did speak out their concerns. Many came to council meetings and PZC meetings where they voiced their concerns. A group of people were looking for clarification of excerpts from the plan, and they were given clarification by him. The meeting he held was the first time they had been told about different aspects of the plan.

- Mayor Blackburn stated he took the two councilmembers' concerns seriously, and out of respect for them, he proposed to appoint a committee to look at property maintenance and pro-active code enforcement issues. Two councilmembers had expressed reservations about the plan by writing news articles and holding community meetings. The committee could report back to the council and those concerns could be addressed further. Information provided at the meeting in the Doyle area had been very scary and inflammatory to persons in that community.

Ms. Eychner called for the question.

Mayor Blackburn stated council would vote whether to end the debate and move on to vote on the motion. The vote was 3 to 1, with Councilmembers Eychner, Sigerman, and Blackburn voting to end the debate and vote on the motion.

Mayor Blackburn restated the motion to adopt the plan as presented with the caveat that at the city council meeting on July 10 the council appoint a committee to look at property maintenance and pro-active code enforcement and bring back a report to council so that concerns discussed could be addressed.

Mr. Baroody noted the motion did not amend the plan, and questioned if the agenda was posted to include creating a committee.

Mr. Hayes clarified that the motion did two things: 1) approved the plan; and 2) set up discussion of a committee to come back for a vote on July 10. He did not see a problem with the motion as stated. Council could drop the part of the motion that would place an item on the next agenda to appoint a committee, or vote to adopt the plan and then ask that an item be placed on a future agenda to appoint a committee.

The motion passed 3 to 1 with Councilmembers Blackburn, Eychner, and Sigerman voting in favor of the motion and Councilmember Baroody voting against the motion.

ADJOURNMENT: The meeting adjourned at 7:40 p.m.

APPROVED: 08/14/2018

ATTEST:

Bill Blackburn, Mayor

Brenda G. Craig, City Secretary