

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
OCTOBER 23, 2018

On October 23, 2018, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn in the City Hall Council Chambers at 701 Main Street. The invocation was offered by Mr. Voelkel, followed by the Pledge of Allegiance led by Kerrville Firefighters.

COUNCILMEMBERS PRESENT:

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

COUNCILMEMBERS ABSENT: None.

CITY EXECUTIVE STAFF PRESENT:

Mark McDaniel	City Manager
E.A. Hoppe	Deputy City Manager
Mike Hayes	City Attorney
Cheryl Brown	Interim City Secretary
Amy Dozier	Director of Finance
Kim Meisner	Executive Director of General Operations
Curtis Thomason	Assistant Police Chief
Stuart Cunyus	Public Information Officer
Dannie Smith	Fire Chief
Drew Paxton	Executive Director of Development Services
Ashlea Boyle	Director of Parks and Recreation

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

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

1A. Items of Interest to the Community.

Mr. Cunyus made the following announcements:

- Donna Ingram, humorist and folklorist, was scheduled to be at the Butt Holdsworth Memorial Library on 10-24-18.
- Movies in the Park was scheduled for 10-26-18, showing Hotel Transylvania in Louise Hays Park.
- Family Fright Night was scheduled to take place on 10-31-18 at Louise Hays Park.
- Applications were still being accepted for The Holiday Lighted Parade, to take place on 11-17-18.
- A new City newsletter was set to debut in the 10-24-18 editions of the Kerrville Daily Times and the Hill Country Community Journal, as well as on the City's website.

- No hunting was allowed in City parks. Mr. Cunyus reviewed the City hunting regulations.
- Mr. Baroody announced that Mr. Voelkel was to appear in the play “Witness for the Prosecution” at the Cailloux Theater.

1B. Report to the Council with regard to flood damages.

Fire Chief Dannie Smith reviewed the amount of recent rainfall in the area, and showed several pictures of areas around the City that were flooded. There was one water rescue.

Mr. Hoppe showed pictures of the damage to areas in the City due to the flooding.

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

3. **PRESENTATIONS:**

3A. Certificate of Recognition for Roger Lampman on his retirement from Kerrville Fire Department.

Mr. McDaniel recognized retiring Division Fire Chief Roger Lampman.

3B. Proclamation declaring October 2018 as Domestic Violence Awareness Month.

Mr. Blackburn presented the Proclamation to the staff and board of the Hill Country Crisis Council.

4. **CONSENT AGENDA:**

Ms. Eychner moved to approve the items on the consent agenda as presented. Ms. Sigerman seconded, and the motion passed 5-0.

4A. Minutes of the regular meeting of the City Council held on October 9, 2018.

4B. Resolution No. 44-2018 amending the City of Kerrville Fee Schedule by adopting a waiver for the parade permit fee for each annual Veterans Day Parade.

END OF CONSENT AGENDA.

By request of the Mayor, Item 7C was moved up.

7C. Interlocal Agreement with Kerr County for Library and Animal Services.

Mr. McDaniel reviewed the agreement

Commissioner Letz also spoke regarding the agreement

Ms. Sigerman moved to approve the Interlocal Agreement with Kerr County for Library and Animal Services as presented, with a review of the ordinances within 6 month. Mr. Voelkel seconded, and the motion passed 4-1, with Mr. Blackburn, Mr. Voelkel, Ms. Eychner and Ms. Sigerman voting in favor, and Mr. Baroody voting against.

5. ORDINANCE, FIRST READING

5A. Ordinance No. 2018-32, amending Chapter 2, "Administration," Article IV "Boards and Commissions" of the Code of Ordinances of the City of Kerrville, Texas, by adding a new Section 2-91, to create a Senior Services Advisory Committee; providing the functions of said committee; containing a cumulative clause; containing a savings and severability clause; and providing other matters relating to this subject.

Mr. Baroody moved to approve Ordinance No. 2018-32, with the following amendments: The terms will be staggered, with half expiring in 2019 and the other half expiring in 2020; and the Chair and Vice Chair will be appointed by the members of the committee after the first appointments by the Mayor. Ms. Eychner seconded, and the motion passed 5-0.

6. ORDINANCES, SECOND READING:

6A. Ordinance No. 2018-25, annexing an approximate 5.335 acre tract out of the William Watt Survey No. 65, Abstract No. 264, into the corporate limits of the City of Kerrville, Texas; said tract being located within Kerr County, Texas, and the extraterritorial jurisdiction of the City of Kerrville, Texas; and generally located adjacent to property within the Comanche Trace Residential Subdivision, which is located along State Highway 173; further describing the property to be annexed; adopting a service plan for the property annexed; establishing the zoning for the property annexed; and making findings.

The Ordinance was read into the record by title only by Ms. Brown.
Mr. Paxton presented the Ordinance.

Mr. McDaniel and Mr. Hayes responded to questions and comments from Council with regard to "donut holes" in the annexation of the subject property.

Ms. Eychner moved to approve Ordinance No. 2018-25 on second reading. Ms. Sigerman seconded, and the motion passed 3-2, with Mr. Blackburn, Ms. Eychner, and Ms. Sigerman voting in favor, and Mr. Voelkel and Mr. Baroody voting against.

6B. Ordinance No. 2018-26 annexing an approximate 3.669 acre tract of land out of the J.D. Leavell Survey No. 1862, Abstract No. 1435, into the corporate limits of the City of Kerrville, Texas; said tract being located within Kerr County, Texas, and the extraterritorial jurisdiction of the City of Kerrville, Texas; and addressed as 884 Farm to Market Road 783 (Harper Road); further describing the property to be annexed; adopting a service plan for the property annexed; and establishing the zoning for the property annexed.

The Ordinance was read into the record by title only by Ms. Brown.
Mr. Paxton presented the Ordinance.

Mr. Baroody moved to approve Ordinance No. 2018-26 on second reading. Ms. Eychner seconded, and the motion passed 5-0.

6C. Ordinance No. 2018-27 annexing an approximate 0.885 acre tract of land, a portion being out of the Jesus Hernandez Survey No. 548, Abstract No. 189 and another part being out of M.K. and T.E. RY. Co. survey No. 1862, Abstract No. 1435, into the corporate limits of the City of Kerrville, Texas; said tract being located within Kerr County, Texas, and the extraterritorial jurisdiction of the City of Kerrville, Texas; and addressed as 874 Farm to Market Road 783 (Harper Road); further describing the property to be annexed; adopting a service plan for the property annexed; and establishing the zoning for the property annexed.

The Ordinance was read into the record by title only by Ms. Brown.

Mr. Baroody moved to approve Ordinance No. 2018-27 on second reading. Ms. Eychner seconded, and the motion passed 5-0.

6D. Ordinance No. 2018-27 annexing an approximate 58.74 acre tract of land, out of the Joseph S. Anderson Survey No. 141, Abstract No. 2 and the J.S. Sayder Survey No. 142, Abstract No. 290, into the corporate limits of the City of Kerrville, Texas; said tract being located within Kerr County, Texas, and the extraterritorial jurisdiction of the City of Kerrville, Texas; and addressed as 1515 Knapp Road S.; further describing the property to be annexed; adopting a service plan for the property annexed; and establishing the zoning for the property annexed.

The Ordinance was read into the record by title only by Ms. Brown.
Mr. Paxton responded to comments from the Council.

Mr. Baroody moved to approve Ordinance no. 2018-23 on second reading. Ms. Eychner seconded, and the motion passed 5-0.

6E. Ordinance No. 2018-29 amending the City's "Zoning Code" by changing the Zoning District for an approximate 0.28 acre tract of land; said tract being part of a 7.964 acre tract, generally located in the 300 block of Holdsworth Drive, north of the intersection of Holdsworth Drive and Norfolk Lane, and within the City of Kerrville, Kerr County, Texas; by removing the area from a Residential Cluster District (RC) and placing it within the 24-N Zoning District; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of Two Thousand Dollars (\$2000.00); ordering publication; and providing other matters relating to the subject.

The Ordinance was read into the record by title only by Ms. Brown.
Mr. Paxton responded to questions from Council.

Mr. Baroody moved to approve Ordinance No. 2018-28 on second reading. Ms. Eychner seconded, and the motion passed 5-0.

6F. Ordinance 2018-29 authorizing the City Manager to execute a Special Warranty Deed for an approximate 0.078 acre tract land out of the B.F. Cage Survey No. 116, Abstract No. 106, within the City of Kerrville, Kerr County, Texas; said property consists of part of the City Hall site, located at 701 Main Street (SH27); authorizing the City Manager to take other reasonable and necessary action, if any, to convey the property, repealing all conflicting ordinances, providing for severability and declaring an effective date.

The Ordinance was read into the record by title only by Ms. Brown.

Mr. Hayes responded to questions from the Council.

Mr. Voelkel moved to authorize the City Manager and City Attorney to negotiate the restrictions on the parking lot for City Hall, with Council member Voelkel joining in the negotiation. Mr. Baroody seconded, and the motion passed 5-0.

6G. Ordinance No. 2018-31, amending the budget for Fiscal Year 2018 to authorize the transfer of funds between different funds to account for a General Fund balance; and to make other amendments as provided herein.

The Ordinance was read into the record by title only by Ms. Brown.

Mr. Baroody moved to approve Ordinance No. 2018-31 on second reading. Ms. Sigerman seconded, and the motion passed 5-0.

6H. Ordinance No. 2018-24 approving a project and financing plan for Tax Increment Reinvestment Zone Number One, City of Kerrville, Texas; making various findings related to such plan; providing for severability; and providing an effective date.

Mr. Voelkel recused himself due to a conflict of interest.

The Ordinance was read into the record by title only by Ms. Brown.

David Pettit presented the Ordinance. He responded to questions from Council. Mr. McDaniel also responded to questions from the Council.

Ms. Eychner moved to approve Ordinance No. 2018-24 on second reading. Ms. Sigerman seconded, and the motion passed 3-1, with Mr. Blackburn, Ms. Eychner, and Ms. Sigerman voting in favor, and Mr. Baroody voting against.

After the vote was taken, Mr. Voelkel came back in to the Council Chambers

7. CONSIDERATION AND POSSIBLE ACTION:

7A. Interlocal Agreement with South Central Planning and Development Commission for development services software.

This item was postponed to the next Council meeting.

7B. Resolution No. 43-2018 approving the updated Kerrville River Trail Master Plan.

The Resolution was read into the record by title only by Ms. Brown.
Ms. Boyle and Mr. McDaniel responded to questions from the Council.

Mr. Voelkel moved to approve Resolution No. 43-2018, with the added language stating that the City will not use eminent domain to acquire easements or rights-of-way for the River Trail or any project related to it. Mr. Baroody seconded, and the motion passed 3-2, with Mr. Blackburn, Mr. Baroody and Mr. Voelkel voting in favor, and Ms. Eychner and Ms. Sigerman voting against.

8. CITY MANAGER'S REPORT:

Mr. McDaniel made the report.

9. ITEMS FOR FUTURE AGENDAS:

- A workshop with the County for road work.
- Councilmembers should not come to meetings if they are ill.

The meeting was adjourned by Mr. Blackburn at 8:06 p.m.

Mr. Baroody requested the Council reconvene to discuss the evaluations of the City Attorney and City Manager that were done in a special executive session meeting on 10-22-18.

The meeting was reconvened by Mr. Blackburn at 8:07 p.m.

Mr. Baroody moved to go in to executive session under Section 551.074 to discuss the evaluations of the City Attorney and City Manager. Mr. Voelkel seconded, and the motion failed 2-3, with Mr. Voelkel and Mr. Baroody voting in favor, and Mr. Blackburn, Ms. Eychner, and Ms. Sigerman voting against.

10. EXECUTIVE SESSION:

None

11. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY

None

ADJOURNMENT.

Mr. Blackburn adjourned the meeting at 8:08 p.m.

APPROVED: December 12, 2018

ATTEST:

Bill Blackburn, Mayor

Cheryl Brown, Interim City Secretary