

CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
JUNE 25, 2019

On June 25, 2019, 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 Councilmember Kim Clarkson, followed by the Pledge of Allegiance led by Councilmember Clarkson.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem
Kim Clarkson	Councilmember
Gary Cochrane	Councilmember
Delayne Sigerman	Councilmember

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF PRESENT:

Mark McDaniel	City Manager
E.A. Hoppe	Deputy City Manager
Mike Hayes	City Attorney
Shelley McElhannon	City Secretary
Stuart Barron	Director of Public Works
Ashlea Boyle	Director of Parks & Recreation
Kyle Burow	Director of Engineering
Stuart Cunyus	Public Information Officer
Amy Dozier	Director of Finance
Guillermo Garcia	Executive Director of Innovation
David Knight	Chief of Police
Sherry Mozier	Manager of Strategic Initiatives
Drew Paxton	Planning Director
Dannie Smith	Fire Chief
Charvy Tork	Director of Information Technology

VISITORS PRESENT: On file in City Secretary's Office for required retention period.

**1. ANNOUNCEMENTS OF COMMUNITY INTEREST:**

Items of Interest to the Community were presented by Stuart Cunyus and Councilmember Judy Eychner.

**2. VISITORS FORUM:**

The following persons spoke:

- Susan Deininger
- Laresa Anderson

**3. PRESENTATIONS:**

3A. Mayor Blackburn presented a Resolution of Commendation to Danny Almond for his service on the Zoning Board of Adjustment.

#### **4. CONSENT AGENDA:**

Councilmember Clarkson requested to pull item 4B from the Consent Agenda. Councilmember Eychner moved to approve Items 4A, 4C, 4D, 4E, 4F, 4G, and 4H as presented. Councilmember Gary Cochrane seconded, and the motion passed 5-0.

4A. ORDINANCE, SECOND READING: Ordinance No. 2019-15. An ordinance amending Chapter 102 "Traffic and Vehicles", by adding a new section 102-119 "Operation prohibited within city limits; Exception", to the Code of Ordinances of the City of Kerrville, Texas; the new section 102-119 to prohibit through truck traffic on specified streets, roadways, or highways within the City and providing an exception; containing a cumulative clause; containing a savings and severability clause; providing a penalty; and providing other matters related to the subject.

4C. Resolution No. 15-2019. A resolution supporting the Kerrville Area Performing Arts Council's (KAPAC) application for Kerrville to be recognized as a certified "Music Friendly Community" through the Texas Governor's Office.

4D. Resolution No. 16-2019. A resolution authorizing the waiver of fees regarding Public Safety staffing and other applicable fees for the Kerrville Chalk Festival scheduled to be held October 12-13, 2019 in Peterson Plaza.

4E. Resolution No. 17-2019. A resolution extending the term of the Charter Review Commission through November 5, 2019.

4F. Monthly Community Improvement Project (CIP) Report.

4G. Minutes for the Regular City Council meeting held June 11, 2019.

4H. Minutes for the City Council Workshop held June 18, 2019.

#### **END OF CONSENT AGENDA:**

4B. ORDINANCE, SECOND READING: Ordinance No. 2019-12. An ordinance amending in its entirety Chapter 10 "Alcoholic Beverages" of the Code of Ordinances of the City of Kerrville, Texas; regarding the City's authority over the sale of alcoholic beverages, to include the process for the City's imposition and collection of fees, to prohibit sales within areas zoned for residential use, to prohibit sales within three hundred feet of churches, public hospitals, schools, and child-care facilities, and to adopt a variance process applicable to such distance requirement; containing a savings and severability clause; providing for an effective date; ordering publication, and providing other matters relating to the subject.

Councilmember Clarkson opened the discussion, and Mike Hayes addressed the concerns which were raised during the hearing and first reading of the ordinance. Councilmember Clarkson reiterated and clarified information.

Councilmember Delayne Sigerman moved to approve Ordinance No. 2019-12 on the second reading. Councilmember Cochrane seconded, and the motion passed 5-0.

#### **5. PUBLIC HEARING AND ORDINANCE, FIRST READING:**

5A. Ordinance No. 2019-14. An ordinance creating a "Planned Development District" for R-3 (Multifamily), Retail Trade II, Professional Office, Restaurant (General), and Custom Manufacturing on an approximately 58.74 acres, consisting 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, within the City of Kerrville, Kerr County, Texas; and generally located north of the intersection of Thompson Drive (Highway 98) and James Road; adopting a concept plan and conditions related to the development of said district; containing a cumulative clause; containing a savings and severability clause; establishing a penalty or fine not to exceed \$2,000 for each day of violation of any provision hereof; ordering publication; and providing other matters relating to the subject.

Mayor Blackburn opened the public hearing at 6:20 p.m.

Drew Paxton presented the ordinance and responded to questions.

The following persons spoke:

Justin MacDonald  
Peggy McKay  
Bruce Stracke  
Susan Deininger  
George Baroody  
Laresa Anderson

Councilmember Eychner moved to approve Ordinance No. 2019-14 as presented. Councilmember Cochrane seconded, and the motion passed 5-0.

Mayor Blackburn closed the public hearing at 6:38 p.m.

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

6A. Economic Development Incentive Agreement between Kerrville's 4th on the River, Inc. and the City of Kerrville, Texas, Economic Improvement Corporation.

E.A. Hoppe addressed both Item 6A: the Economic Development Incentive Agreement and 6B: the Economic Incentive Agreement. Anne Overby, with the Arcadia Theater, recapped improvements, renovations, and projects regarding the Arcadia Theater. E.A. Hoppe and Anne Overby responded to questions.

The following person spoke:

Peggy McKay – waived her right to speak when called upon  
William Rector  
Linda Bullard

Councilmember Cochrane made a motion to authorize the City Manager to execute 6A and 6B, the Economic Development Incentive Agreement and the Economic Incentive Agreement with Kerrville 4<sup>th</sup> on the River. Councilmember Sigerman seconded, and the motion passed 5-0.

6B. Economic Incentive Agreement between the Kerrville 4th on the River and the City of Kerrville, TX utilizing Hotel Occupancy Tax Funds for the renovation of the Arcadia.

E.A. Hoppe addressed both Item 6A: the Economic Development Incentive Agreement and 6B: the Economic Incentive Agreement. Anne Overby, with the Arcadia Theater, recapped improvements, renovations, and projects regarding the Arcadia Theater. E.A. Hoppe and Anne Overby responded to questions. Larry Howard, Arcadia Theater Board member, responded to questions.

The following person spoke:

William Rector – waived his right to speak when called upon

Bruce Stracke

Marty Lenard

Councilmember Cochrane made a motion to authorize the City Manager to execute 6A and 6B, the Economic Development Incentive Agreement and the Economic Incentive Agreement with Kerrville 4<sup>th</sup> on the River. Councilmember Sigerman seconded, and the motion passed 5-0.

6C. Construction contract with ACE Co. for the Hill Country Drive Reconstruction project in the amount of \$162,291.15.

E.A. Hoppe presented information, and E.A. Hoppe and Kyle Burow responded to questions.

Councilmember Eychner moved to approve the contract for reconstruction of Hill Country Drive as presented. Councilmember Cochrane seconded, and the motion passed 5-0.

6D. Resolution No. 20-2019. A resolution amending the City of Kerrville Fee Schedule by adopting a fee to be charged with respect to an application for a variance to the distance limitations per Chapter 10 of the City Code; and revising the existing fees applicable to residential building permits.

Amy Dozier pulled this item from the agenda.

## **7. INFORMATION AND DISCUSSION:**

7A. Financial update for the month ended May 31, 2019.

Amy Dozier presented information, and Amy Dozier and Bruce Stracke responded to questions.

## **8. BOARD APPOINTMENTS:**

8A. Appointment to the Planning and Zoning Commission for the alternate position.

This item was taken into executive session.

## **9. ITEMS FOR FUTURE AGENDAS:**

No items for future agendas were presented.

**10. EXECUTIVE SESSION:**

Councilmember Sigerman moved to go into executive session under Section 551.074 of the Texas Government Code. Councilmember Cochrane seconded, and the motion passed 5-0.

Mayor Blackburn recessed the open session at 7:27 p.m., and Council convened in closed executive session at 7:28 p.m.

At 7:45 p.m. the Council reconvened in open session.

**8. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:**

Councilmember Eychner moved to appoint as an alternate position to the Planning and Zoning Commission, Timothy Welsh. Councilmember Sigerman seconded, and the passed 5-0.

**9. ADJOURNMENT.**

The meeting was adjourned at 7:46 p.m.



Bill Blackburn, Mayor

ATTEST:   
Shelley McElhannon, City Secretary

APPROVED: July 09, 2019