

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
MAY 24, 2011

On May 24, 2011, the Kerrville City Council meeting was called to order by Mayor Wampler at 6:00 p.m. in the city hall council chambers, 800 Junction Highway. The invocation was offered by Michelle Hutchinson of the Salvation Army, followed by the Pledge of Allegiance led by Tivy Lady Antlers softball team members: Megan Perez, Cody Turner, and Abi Poe, who were nominees to 28-4A All District.

MEMBERS PRESENT:

David Wampler	Mayor
Gene Allen	Councilmember
Carson Conklin	Councilmember
T. Scott Gross	Councilmember
Stacie Keeble	Councilmember

MEMBER ABSENT: None

STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Ondrias	Assistant City Manager
Brenda G. Craig	City Secretary
Travis Cochran	Director of Information Technology
Sandra Yarbrough	Assistant Director of Finance
Kevin Coleman	Director of Development Services
Charlie Hastings	Director of Public Works
Tara LaMontia	Assistant to the City Manager
Kim Meisner	Director of General Operations
Mindy Wendele	Director of Business Programs
Johnna Wade	Main Street Manager

VISITORS PRESENT: List is on file in city secretary's office.

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

2. **PRESENTATIONS:**

2A. Proclamation proclaiming May 2011 as National Preservation Month was presented to Johnna Wade and Peter Lewis, representing the Main Street Advisory Board.

2B. Proclamation commending the Kerrville Area Chamber of Commerce for their efforts in bringing KerrFest to the community.

3. **CONSENT AGENDA:**

Mr. Gross moved for approval of items 3A through 3C; Mr. Allen seconded the motion and it passed 5-0:

3A. Approval of the minutes of the special budget meeting held May 4, and the regular meeting held May 10, 2011.

3B. Approval of an amendment to the funding agreement between the City of Kerrville, Texas Economic Improvement Corporation and Hewitt Engineering for a commercial improvement program grant.

3C. Approval of the request to waive park rental fees for the Second Sunday Serenades to be held in Louise Hays Park June 12, July 10, and August 14, 2011.

END OF CONSENT AGENDA

4. ORDINANCE, FIRST READING:

4A. An ordinance amending Chapter 110, Article III "Water Management Plan" of the Code of Ordinances of the City of Kerrville, Texas, by amending stages one through three of water conservation measures to provide for a greater separation between days for authorized landscape watering; containing a cumulative clause; containing a savings and severability clause; providing a penalty for violation of any provision hereof; ordering publication; and providing other matters related to the subject. Mayor Wampler read the ordinance by title only.

Mr. Hastings noted the ordinance had been drafted as per council's instructions at the May 10 meeting, i.e. change the watering schedule from Monday/Saturday for odd addresses and Tuesday/Sunday for even addresses to Tuesday/Saturday and Wednesday/Sunday respectively, thus allowing three days and two days between watering and give the water system a day of rest on Monday.

Mr. Allen moved for approval of the ordinance on first reading; Mr. Gross seconded the motion and it passed 5-0.

5. CONSIDERATION AND POSSIBLE ACTION:

5A. Resolution No. 018-2011 in support of Kerr County's proposed 2011-12 Colonia fund application for a Texas community development block grant (TxCDBG) program assistance and authorizing the Mayor to execute an interlocal agreement with Kerr County.

Mr. Hastings reviewed the existing contract with the Upper Guadalupe River Authority whereby UGRA would construct a sewer collection system in the Kerrville South area and the city would provide wastewater treatment services, even though the system was outside the city limits. In accordance with the contract, UGRA did not operate the system and sold it to the city in 2008. Kerr County proposed to apply for a \$500,000 grant to fund remaining portions of Phase IV as well as Phase V of the project.

Eric Hartzell, executive vice president of GrantWorks, noted this phase of the project would add 35-40 homes to the city's system, and Phase 5 could add another 40-50 units. Mr. Hastings noted a bottleneck in the city's system that needed to be upgraded from an 8 inch line to 12 inch, and improvements were needed to upgrade the existing pumps in the Kerrville South lift station; both system improvements were included in the grant. Mr. Hartzell estimated these system improvements to be \$100-120,000. Mr. Hastings stated that the city had no financial obligation in the grant or system improvements; however, the

resolution and interlocal agreement was required before the county could submit the application. Mr. Hartzell estimated the total number of hook ups in the Kerrville South sewer system for all phases could be 275 under the CDBG program; the remaining homes in the area did not qualify for a colonia grant.

County Commissioner Guy Overby noted June 3 was the deadline for submission of the grant; to date, this project had received over \$2 million in grant funds, and the county was prepared to commit additional funds to the project if necessary. If the grant was received, the project would begin in 2012-13.

Mr. Parton noted, in accordance with the agreement, if sufficient grant funding was not available to complete the project, the county would “complete the full scope of the project and be solely responsible for any deficiencies in funding or cost overruns.” He recommended approval of the resolution and agreement.

Mr. Conklin moved for approval of Resolution No. 018-2011; Mr. Allen seconded the motion and it passed 5-0.

5B. Interlocal agreements between Kerr County and the City of Kerrville for joint operations.

Mr. Parton noted the county commissioners voted to propose the following:

- County contribute \$500,000 for fire, and \$400,000 for EMS.
- County contribute \$200,000 to the library (contingent upon receiving a \$200,000 grant from the Cailloux Foundation).
- County contribute \$175,000 to the airport.
- County provide animal control and shelter services to city residents, equal to county residents, at no cost to the city.
- Agreements would be for a three year term (FY12-FY14).
- Agreements include annual inflationary adjustment of 3% for fire and EMS.

Mr. Parton noted if the city accepted the proposal, the animal code would have to be amended to reflect the county code. He provided a summary sheet that noted under the county’s proposal for FY12 the county would contribute \$1,675,000 and the city would provide \$6,050,930 for all services. He recommended approval of the county’s proposal contingent upon execution by July 1, 2011.

Mayor Wampler stated his disappointment that the county commissioners were unwilling to fund any portion of the library operation; the commissioners had dismissed the value of the library and would not acknowledge the fact that almost half of the use of the library services was provided to county citizens.

Mr. Allen moved to accept the proposal made by the county as presented by Mr. Parton, with the condition that the goal be established to have agreements executed and signed by both parties no later than July 1, 2011. The motion was seconded by Mr. Conklin and passed 5-0.

5C. Resolution No. 019-2011 authorizing the submission of a grant application to the United States Department of Justice Office of Community Oriented Policing Services – COPS hiring program.

Chief Young requested approval to submit the grant application to fund two unfunded positions in the police department; the grant would provide 100% of the cost of salary and benefits for two officers for three years. The city would have to commit to retain the two officers for an additional one year; he estimated that cost to be \$117,000. Mr. Parton noted the funding could be used for two new hires or to maintain existing positions designated for reduction due to budget cuts.

Mr. Allen moved for approval of Resolution No. 019-2011; Mr. Gross seconded the motion and it passed 5-0.

5D. Disbursement of hotel occupancy tax funds.

Mr. Parton provided a copy of the FY11 distribution worksheet and discussed the process and timeline.

Mayor Wampler discussed funding an events coordinator with HOT funds; the coordinator would focus on bringing events to Kerrville during slow periods when hotels were unfilled. He requested staff hold off on continuing with the arts coalition process at this time, and suggested staff develop a plan for council's consideration at a future meeting.

The following persons spoke:

1. Sudie Burditt, executive director of the Convention and Visitors Bureau (CVB), noted a previous council had set aside 1% for restoration of the Arcadia Theater; however, in 2005 when the city sold the Arcadia the council redesignated the 1% for historic restoration. She estimated the fund would have accumulated about \$795,389 in total, but some expenses related to the Arcadia had been paid out of that account. She suggested the city use these funds for an events coordinator. In her opinion, the arts coalition funding program for advertising was working well.

Mr. Parton noted that the 1% fund was used last year to fully fund the CVB budget.

2. Ben Fossett, noted the Inn of the Hills planned to commit substantial investment toward renovation of the Inn designed to attract more visitors and groups to fill hotel rooms and bring more business to Kerrville.

Mr. Conklin moved to table the distribution process at this time and to instruct staff to further examine an events coordinator position and how it would be funded. The motion was seconded by Mr. Allen and passed 5-0.

5E. Update regarding Lower Colorado River Authority Transmission Services Corporation (LCRA-TSC) application for the proposed McCamey D to Kendall to

Gillespie CREZ project PUC Docket No. 38354; City of Kerrville, Kerrville Public Utility Board, and City of Junction v. PUC, Cause No. D-1-GV-000324, in the 98th District Court of Travis County.

Mr. Hayes reported the appeal had been filed in district court. The funding from the partners had been nearly exhausted, and he had sent an email to the other partners advising them of such and giving notice that additional funding would likely be required. He did not believe that the city of Kerrville should carry the full weight of the appeal; however, he felt the city likely would be the only funding source in the future.

5F. Appointment of mayor pro tem. Deferred to executive session.

6. INFORMATION AND DISCUSSION:

6A. Economic update.

Ms. Yarbrough reported local unemployment at 6.3%, sales tax at \$469,531, EIC tax at \$234,742, and hotel occupancy tax at \$75,004; general fund and water/sewer fund revenues were on target as budgeted..

7. BOARD APPOINTMENTS:

7A. Appointments to the economic improvement corporation. Deferred to executive session.

7B. Appointment of councilmembers to various boards and commissions. Deferred to executive session.

8. ITEMS FOR FUTURE AGENDA:

Mr. Allen requested information be provided on current construction and development projects in the city on a routine basis.

9. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** None.

10. EXECUTIVE SESSION:

Mr. Allen moved for the city council to go into executive closed session under Section 551.074 (personnel matters), of the Texas Government Code; the motion was seconded by Ms. Keeble and passed 5-0 to discuss the following matters:

Section 551.074:

- Appointment of mayor pro tem.
- Discuss appointments to the economic improvement corporation.
- Discuss appointment of councilmembers to various boards and commissions.

At 7:07 p.m. the regular meeting recessed and council went into executive closed session at 7:17 p.m. At 8:18 p.m. the executive closed session recessed and council returned to open session at 8:19 p.m. Mayor Wampler announced that no action had been taken in executive session.

11. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

5F. Appointment of mayor pro tem.

Mr. Gross moved to appoint Gene Allen as mayor pro tem; Mr. Conklin seconded the motion and it passed 5-0.

7A. Appointments to the economic improvement corporation.

Mr. Gross moved to appoint Kenneth Early, Larry Howard, Tony Roberts, and Stacie Keeble all with terms to expire June 1, 2013. Mr. Allen seconded the motion and it passed 5-0.

7B. Appointment of councilmembers to various boards and commissions.

Mr. Conklin moved to ratify the appointments listed below; Mr. Allen seconded the motion and it passed 5-0:

CITY BOARD	COUNCIL REPRESENTATIVE
Audit Committee	Gene Allen Stacie Keeble
Economic Improvement Corporation	Stacie Keeble
Food Service Advisory Board	Scott Gross
Golf Course Advisory Board	Carson Conklin
Kerrville Economic Development Corporation	
Kerrville Public Utility Board	David Wampler
Library Advisory Board	Scott Gross
Main Street Advisory Board	Scott Gross
Municipal Court Review Committee	Stacie Keeble
Parks and Recreation Advisory Board	Stacie Keeble
Planning and Zoning Commission	Carson Conklin
Playhouse 2000	Gene Allen
Zoning Ordinance Input Committee	Carson Conklin

ADJOURNMENT. The meeting adjourned at 8:25 p.m.

APPROVED: _____

David Wampler, Mayor

ATTEST:

Brenda G. Craig, City Secretary