

**CITY COUNCIL MINUTES  
REGULAR MEETING**

**KERRVILLE, TEXAS  
SEPTEMBER 14, 2021 6:00 PM**

On September 14 2021, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn at the Cailloux City Center, 910 Main Street. Councilmember Roman Garcia introduced Abigail Carpenter, who provided the invocation and led the Pledge of Allegiance.

**COUNCILMEMBERS PRESENT:**

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Roman Garcia	Councilmember Place 1
Judy Eychner	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

**COUNCILMEMBER ABSENT:** None

**CITY EXECUTIVE STAFF:**

E.A. Hoppe, City Manager	Kesha Franchina, Deputy City Secretary
Mike Hayes, City Attorney	Eric Maloney, Fire Chief
Shelley McElhannon, City Secretary	Kim Meismer, Exec Director General Ops
Stuart Barron, Director Public Works	Drew Paxton, Chief Planner
Julie Behrens, Asst Finance Director	Trina Rodriguez, Finance Manager
Ashlea Boyle, Director Parks & Rec	Curtis Thomason, Asst Chief of Police
Stuart Cunyus, Public Info Officer	

**VISITORS PRESENT:** A list of the citizen speakers present during the meeting is on file in the City Secretary's Office for the required retention period.

**1. ANNOUNCEMENTS OF COMMUNITY INTEREST:** Items of interest to the community were presented by Stuart Cunyus, Mayor Blackburn, Councilmember Brenda Hughes, Councilmember Judy Eychner, and Councilmember Garcia.

**2. VISITORS FORUM:**

The following persons spoke:

- Raymond Tear
- Robin Monroe
- Bethany Puccio
- Michaela Carabajal

E.A. Hoppe, Shelley McElhannon, and Mayor Blackburn provided clarification.

**3. CONSENT AGENDA:**

Shelley McElhannon read consent agenda item captions into record. Councilmember Eychner made a motion to accept the consent agenda as presented, and Councilmember Garcia seconded. The motion passed 5-0.

3A. Purchase and installation of a shade structure for the Carver Park playground from Kraftsman Commercial Playgrounds and Water Parks in the amount of \$77,425.00.

3B. Minutes for the City Council workshop held August 24, 2021.

3C. Minutes for the City Council meeting held August 24, 2021.

**END OF CONSENT AGENDA.**

**4. CONSIDERATION AND POSSIBLE ACTION:**

4A. City's ongoing preparedness and response to COVID-19 (Coronavirus).

Chief Eric Maloney provided Covid information and responded to questions.

**5. PUBLIC HEARINGS AND RESOLUTIONS:**

5A. Resolution No. 40-2021. A Resolution granting a Conditional Use Permit to authorize a short-term rental unit on the property comprising Lot 1 and part of Lot 2, Block 17, Westland Place Addition, and more commonly known as 414 W. Water; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to certain conditions and restrictions contained herein.

Shelley McElhannon read Resolution No. 40-2021 caption into record.

Drew Paxton presented information and responded to questions.

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

The following persons spoke:

- Russell Nemky – declined when called
- Martha Hix

Mayor Blackburn closed the public hearing at 6:43 p.m.

Councilmember Garcia moved to approve Resolution No. 40-2021, and Councilmember Hughes seconded. The motion passed 5-0.

5B. Resolution No. 41-2021. A Resolution granting a Conditional Use Permit to authorize a short-term rental unit on the property comprising part of Lot 11, Block 2, Fairview Addition, and more commonly known as 604 E. Shady; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to certain conditions and restrictions contained herein.

Shelley McElhannon read Resolution No. 41-2021 caption into record.

Drew Paxton presented information and responded to questions.

Mayor Blackburn opened the public hearing at 6:49 p.m.

No person spoke.

Mayor Blackburn closed the public hearing at 6:49 p.m.

Councilmember Kim Clarkson moved to approve Resolution No. 41-2021, and Councilmember Hughes seconded. The motion passed 5-0.

5C. Resolution No. 42-2021. A Resolution granting a Conditional Use Permit to authorize a short-term rental unit on the property comprising part of Lot 4, Block 81, J.A. Tivy Addition, and more commonly known as 1220 Aransas; said property is located within a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A); and making said permit subject to certain conditions and restrictions contained herein.

Shelley McElhannon read Resolution No. 42-2021 caption into record.

Drew Paxton presented information and responded to questions.

Mayor Blackburn opened the public hearing at 6:50 p.m.

The following persons spoke:

- Russell Nemky
- Martha Hix – declined when called
- Greg Lewis

Mayor Blackburn closed the public hearing at 6:54 p.m.

Councilmember Eychner moved to adopt Resolution No. 42-2021, and Councilmember Hughes seconded. The motion passed 4-0 with Councilmember Clarkson, Councilmember Eychner, Councilmember Garcia, and Councilmember Hughes voting.

## **6. PUBLIC HEARINGS AND ORDINANCES, FIRST READING:**

6A. Ordinance No. 2021-24. An Ordinance adopting the City of Kerrville, Texas, Subdivision Code, a comprehensive rewrite of the City's Subdivision regulations; said rewrite to be known as the "City of Kerrville, Texas Subdivision Code" and found within Chapter 82 of the City's Code of Ordinances; repealing all Ordinances or parts of Ordinances inconsistent herewith; providing an effective date; and providing other matters related to this subject.

Shelley McElhannon read Ordinance No. 2021-24 caption into record.

E.A. Hoppe commended the Code Review Committee (comprised of citizen volunteers) and the Planning and Zoning Commission for reviewing and updating the Subdivision Code. Drew Paxton presented information. Drew Paxton and Mike Hayes responded to questions.

Councilmember Garcia moved to change on page 46, section 4B, the wording that says requires an affirmative vote of at least three fourths of the members present at the Commission Hearing – *"I would strike "members present at the" – so it reads "requires an affirmative vote of at least three fourths of the Commission" – and I would strike the word Hearing"*.

Mayor Blackburn opened the public hearing at 7:28 p.m.

The following person spoke:

- Jerry Wolff

The following person provided written comment:

- Bruce Stracke

Drew Paxton provided clarification.

Mayor Blackburn closed the public hearing at 7:29 p.m.

Mayor Blackburn called for a second to Councilmember Garcia's motion. Councilmember Garcia requested to hold the motion until after Council discussion. The motion was held. Council discussion ensued. Drew Paxton and E.A. Hoppe responded to questions.

Councilmember Garcia moved to approve Ordinance No. 2021-24 on first reading and further instruct staff to review the comments made in Bruce Stracke's letter and the three-fourths vote of the members present of the Commission and the three-fourth vote of the entire Council as indicated on pages 46, 73, and 82, and return to Council with information at the second reading of this Ordinance. The motion was seconded by Councilmember Hughes. After discussion by Council, Councilmember Hughes withdrew the second.

One hour and forty-four minutes into the meeting, the televised live feed and the Granicus software audio and video dropped at approximately 7:44 p.m. Video and audio was restored by 8:41 p.m.

Councilmember Garcia moved to approve Ordinance No. 2021-24 on first reading and direct staff to look at changes requested by Council, and Councilmember Hughes seconded. After discussion by Council, the motion passed 5-0.

6B. Ordinance No. 2021-25. An Ordinance amending Ordinance No. 2019-14, which created a Planned Development District on 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; generally located north of and in the 1000 to 1200 block of Thompson Drive (Spur 98); said amendment to update the previously adopted Concept Plan and the Land Use Table; establishing a penalty and effective date; and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2021-25 caption into record.

Drew Paxton presented information and responded to questions.

Mayor Blackburn opened the public hearing at 7:51 p.m.

The following persons spoke:

- Bonnie Johnson
- J.E. Johnson
- Justin MacDonald
- Jim Builta

Mayor Blackburn closed the public hearing at 8:16 p.m.

Councilmember Clarkson moved to approve Ordinance No. 2021-25 without Zoning C-3, and Councilmember Eychner seconded. The motion passed 5-0.

## **7. ORDINANCES, SECOND READING:**

7A. Ordinance No. 2021-20. An Ordinance adopting the annual budget for the City of Kerrville, Texas, Fiscal Year 2022; providing appropriations for each City Department and fund; containing a cumulative clause; and containing a savings and severability clause.

Shelley McElhannon read Ordinance No. 2021-20 caption into record.

Julie Behrens presented information.

The following person spoke:

- Bonnie White
- Jerry Wolff

Julie Behrens and Stuart Barron provided clarification and responded to questions.

Councilmember Hughes made a motion to approve Ordinance No. 2021-20 to adopt the City's budget for Fiscal Year 2022 on second reading, seconded by Councilmember Eychner. This motion was passed and approved 5-0, the vote recorded as follows:

	<b>YES</b>	<b>NO</b>
Roman Garcia, Place 1	<u>X</u>	___
Kim Clarkson, Place 2	<u>X</u>	___
Bill Blackburn, Mayor	<u>X</u>	___
Judy Eychner, Place 3	<u>X</u>	___
Brenda Hughes, Place 4	<u>X</u>	___

Councilmember Eychner made a motion to ratify the vote to adopt the budget that will require raising more revenue from property taxes than the previous fiscal year, seconded by Councilmember Hughes. The motion was passed 5-0.

7B. Ordinance No. 2021-21. An Ordinance levying an Ad Valorem Tax for the use and the support of the Municipal Government for the City of Kerrville, Texas, for the Fiscal Year 2022; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when the same shall become delinquent if not paid.

Shelley McElhannon read Ordinance No. 2021-21 caption into record.  
E.A. Hoppe presented information and responded to questions.  
The following person signed up to speak, but withdrew: Peggy McKay.

Councilmember Eychner made a motion to approve Ordinance No. 2021-21 and that the property tax rate be increased by the adoption of a tax rate of \$0.5093, which is effectively a 4.6% percent increase in the tax rate, seconded by Councilmember Hughes. This motion was passed and approved 5-0, the vote recorded as follows:

	<b>YES</b>	<b>NO</b>
Roman Garcia, Place 1	<u>X</u>	___
Kim Clarkson, Place 2	<u>X</u>	___
Bill Blackburn, Mayor	<u>X</u>	___
Judy Eychner, Place 3	<u>X</u>	___
Brenda Hughes, Place 4	<u>X</u>	___

**8. CONSIDERATION AND POSSIBLE ACTION:**

8A. Appointments to the Kerrville Area Youth Leadership Academy.

Shelley McElhannon read item caption into record.  
Kim Meisner provided information and responded to questions.

Councilmember Eychner moved to select the proposed applicants for membership into the Kerrville Area Youth Leadership Academy for the 2021-2022 term and extend the application deadline to September 17, 2021, seconded by Councilmember Hughes. This motion was approved 5-0.

8B. Resolution No. 43-2021. A Resolution establishing a policy of the City Council to set the City's Water and Wastewater fees for Fiscal Years 2023 through 2026 for the purpose of stabilizing revenues and encouraging water conservation.

Shelley McElhannon read Resolution No. 43-2021 caption into record.  
Trina Rodriguez provided information and responded to questions.  
The following person spoke:

- Jerry Wolff

Councilmember Eychner moved to approve Resolution No. 43-2021, seconded by Councilmember Hughes. This motion was approved 5-0.

**9. ITEMS FOR FUTURE AGENDAS:**

- Councilmember Hughes requested a Playhouse 2000 update in late October, seconded by Councilmember Garcia. The item received Council consensus.
- Councilmember Eychner requested to appoint a Council Committee to evaluate the Municipal Court Judges, at the September 28, 2021 Council meeting, seconded by Councilmember Hughes. The item received Council consensus.

- Councilmember Eychner requested to add to the pending list, review parking garage planning and budget, seconded by Councilmember Hughes. The item received Council consensus 3-2.

10. EXECUTIVE SESSION: N/A

11. ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION: N/A

ADJOURN. The meeting adjourned at 9:08 p.m.

APPROVED BY COUNCIL: 9/20/2021

APPROVED:

  
Bill Blackburn, Mayor

ATTEST:

  
Shelley McElhannon, City Secretary