

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
JUNE 12, 2012

On June 12, 2012, the Kerrville City Council meeting was called to order by Mayor Pratt at 6:00 p.m. in the city hall council chambers, 800 Junction Highway. The invocation was offered by Reverend Fern Lancaster of the First Assembly of God Church, followed by the Pledge of Allegiance led by Mr. Grover Crocker of the Military Officers Association of America.

COUNCILMEMBERS PRESENT:

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| Jack Pratt | Mayor |
| Stacie Keeble | Mayor Pro Tem |
| Carson Conklin | Councilmember |
| Justin MacDonald | Councilmember |

COUNCILMEMBER ABSENT:

| | |
|------------|---------------|
| Gene Allen | Councilmember |
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CITY EXECUTIVE STAFF PRESENT:

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| Todd Parton | City Manager |
| Mike Hayes | City Attorney |
| Brenda G. Craig | City Secretary |
| Kristine Ondrias | Assistant City Manager |
| Travis Cochran | Director of Information Technology |
| Mike Erwin | Director of Finance |
| Mark Beavers | Assistant Fire Chief |
| Stuart Barron | Water/Wastewater Division Manager |
| Malcolm Matthews | Director of Parks and Recreation |

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

1. VISITORS/CITIZENS FORUM:

1A. Kristan Craddock, representing the Kerr Area Chamber of Commerce, invited the public to the Kerr Fest event to be held on August 10 and 11, 2012.

2. PRESENTATION:

2A. Presentation of a portrait of Major James Kerr by Joe Herring, Jr. was accepted by Mayor Pratt.

3. CONSENT AGENDA:

Mr. Conklin moved for approval of items 3A through 3E; Ms. Keeble seconded the motion and it passed 4-0:

3A. Minutes of the special city council meeting held at 10:00 a.m. on May 22, 2012, and the regular city council meeting held at 6:00 p.m. on May 22, 2012.

3B. A one year extension to an interlocal cooperation contract for City of

Kerrville ambulance/emergency medical services to the Department of State Health Services on behalf of its facility, Kerrville State Hospital located at 721 Thompson Drive in Kerrville, Texas.

3C. Council authorization for City Manager to purchase a dump truck from Austin Freightliner in the amount of \$80,978.00.

3D. Updating the financial policy of the City of Kerrville.

3E. Resolution No. 017-2012 adopting amendments to the City's purchasing policy and procedures manual.

END OF CONSENT AGENDA

4. DISCUSSION AND POSSIBLE ACTION:

4A. Appointment of a City Council Member to the Kerrville Convention and Visitors Bureau Executive Director Recruitment and Selection Committee.

Mr. Parton announced that Sudie Burditt, executive director of the CVB, was retiring in December after 28 years of service. The CVB Board invited the city to have a member on the recruitment and selection committee along with three CVB members. The committee had begun meeting and was preparing a candidate profile and reviewing the current job description.

Mr. MacDonald moved to appoint Jack Pratt to serve on the selection committee; Mr. Conklin seconded the motion and it passed 4-0.

4B. Review the status and funding commitments for the river trail and Louise Hays Park capital projects and provide direction to city staff.

Ms. Keeble noted that at the workshop on May 31 the council evaluated options for three segments of the river trail route. Council directed staff to talk with the affected property owners but did not designate the preferred route for each segment. She reviewed the history of the project as it evolved over several years and the financing plan that had been established and public meetings and support. She noted that the bonds previously issued were restricted to river trail and parks improvements. The river trail project had been a well-planned and organized project based on public input before issuance of the debt. The financing plan had been structured in such a way as to have no effect on the ad valorem tax rate, and where EIC payments would be less than EIC was currently making on past debt service obligations. 20% of overall EIC revenue; the project will enhance tourism and increase sales tax revenue.

She was concerned that the council may not have given staff clear direction. Tourism was a large source of the city's revenue and one major developer had already begun advertising the river trail in their publication that was distributed nationally. To re-dedicate the bonds to other projects would violate the bond ordinances and the funding agreements with EIC and EIC could then decide not to pay the debt and the city would then be required to pay the debt issuance out of the general fund or water and sewer rate. Ms. Keeble also cautioned that the city should proceed timely to meet the time requirements under the bond covenants, i.e. 5% in the first year, bonds were issued in December 2011, and full project within three years or the city would be in default. Consequences with feds if default or try to redesignate funds. The design team had been hired and was awaiting council's direction on the route before they could proceed.

Ms. Keeble moved that council: 1) reaffirm its commitment to completing the river trail project; 2) direct staff to complete discussions with landowners; 3) Schedule a meeting to finalize routing and initiate the design by the budget meeting end June/early July; and 4) direct staff to provide a routine progress report at the second council meeting of each month.

Council discussed the following:

- The wiring and conduit was included in the cost of the project; a list of items included in the project was provided in the scope of work. Mr. Matthews noted that lighting was included only at trailheads as the trail was designed for daytime use only. Monthly electricity would be built into the annual budget.
- Was the operating cost in city operating budget; don't know cost because don't have design; some for lighting already and will be increased; security lights; upgrade in design phase; estimate paying now less than \$10,000 will probably increase up to \$20,000.
- How many employees will be added to staff to maintain the river trail? Mr. Matthews estimated up to five additional employees over time for the river trail and improvements in Louise Hays Park, which is also part of this project; Mr.

Parton with benefits, estimated at \$51,000 per person.

- How many employees would be added to police department for security? Chief Young estimated 1-1.5 employee in the bike patrol, estimated annual cost of \$51,000 per person with benefits.

- What was the life expectancy of the construction of the project? Mr. Matthews estimated 60-75 years on the concrete trail amenities at trailheads may have to be upgraded and electric wiring may have to be replaced over time; may be some maintenance expense due to vandalism and repairs.

- Requested a letter from the Corps of Engineers and other agencies review in case a section of the concrete trail broke loose and hit the dam. Have not received any concerns from any of the agencies.

- Letter from them to confirm their review. Mr. Matthews noted the city had already received letters of approval regarding the pedestrian bridge at Lemos Street in Package A from TxDOT, Texas Parks and Wildlife, General Land Office, Corps of Engineers, and review letter about Americans with Disabilities Act. Will continue to utilize licensed professional civil and structural engineers on all phases and will have to meet flood plain construction standards.

- Reserves for repairs due to flood damage? Mr. Matthews in flood plain nothing construction limited to flat work, i.e. concrete, pavement, all support systems for trail infrastructure, not install anything inside flood plain; can't raise level of flood water.

- Design use of river trail for day use, what policy establish for use of trail and river? Mr. Matthews day light use same as in other parks now go to sunset, no mechanical equipment on trail; pedestrian and bike only, no mechanical equipment. Allowance for motorized vehicles for ADA requirements and city maintenance equipment.

- Kids can jump into the river; protect them. Mr. Matthews signage regarding access; river owned by state so can't disallow public access now; don't put trail too close to river; post areas.

- All signage included in project cost. MM Yes.

- On going cost to city. Mr. Matthews no monthly utility or water cost in project; may be drinking fountain but not the cost of water; acquiring additional brush equipment to keep trail clean; maintenance due to vandalism.

- Enforcement of vandalism? Mr. Matthews get graffiti now and treat same on river trail as other property; monitoring cameras could be installed in areas where vandalism is frequent, but not included in project.

- TP reserve in general fund budget spending plan to get to 15%; \$2.4-2.5 bring to 4.1 this year and \$5 million by 2015. Investment and financial policies call for a 15% reserve fund; 25% goal undesignated available funds. Sustainability Bring in to reserve; building in equipment and support as come on line. Also five year forecast need for additional staffing and maintenance for project.

- Study of river erosion? MM old aerial most erosion from urban development cut perpendicular to river.

- Similar circumstances in other parks; construction in Louise Hays in floodplain; on going maintenance; safety issues; trail area already easily accessible, people who swim at their own risk, public water. Signage; Project this size; engineers,

consultants, design and function now; don't have cost yet. Have expertise; getting details into now but waiting on routing; cost hinges on route.

The following person spoke:

1. Jimmie Spradling daylight just open then? MM yes.
JS how keep off at night? CC not significantly different than other parks. Close at night and enforcement issue not new problem from now.

CC Move forward expeditiously; reaffirm staff to speak with property owners and their issues are; put routing options on website.

TP conclude meetings with land owners determine interest level. Visit with owners and how affects their property and interest and report to city council and their concerns. If does go along river attention could go to street side and visit on alignment options.

And get Corps of Engineers submit design and they evaluate and before get permits to proceed. MM No discussion with any agency some release of slab; agency not asked; probably will refer back to city's engineers.

- JP want letter from Corps of Engineers that they have considered release of slab.
- JM Corps they don't respond unless have design plan; have to submit a design and then they review it, can ask. Have for Package A. MM will ask.
- MM issue how far an at grade concrete slab will move. Most turbulent floods is smaller for river trail flood will be more calm at larger floods; more turbulence at top.
- CC Package C option 1 south side of Guadalupe River. #2 costly but second option.; Package B option 1; not 2, pedestrian safety issues and length, increased and cost; Package F option 2; option 1 consider, not get easement end at Birkdale.

SK Package C may consider Option 2; additional tax dollars on \$1 million bridge; TP end of month agenda report. Workshop for river trail coincide with budget workshop. Report on 26th agenda next.

SK motion 1.2

JP change 1 asked to separate

SK motion for 1; second by CC.

JP no against project but want to see more on cost.

SK Max cost is \$6 million that is all have.

JP on going cost concern part of budget. He for river trail but want to know where costs are.

CC funding is committed and available. Without plans and documents can't get costs; can't get until have route.

JP understand cost; can't before vote when don't have answers to.

SG CC economic benefit of RT biggest economic generator in community;

The motion passed 3 to 1 with Members Keeble, Conklin, and MacDonald voting in favor of the motion and Mayor Pratt voting against the motion.

Ms. Keeble moved 2, 3, and 4 budget workshop; the motion was seconded by Mr. Conklin and passed 4-0.

4C. Receive a report from city staff regarding amendments to the City of Kerrville Sign Regulations and schedule a special meeting on June 19, 2012, to hold the first reading of an ordinance to amend the City of Kerrville Sign Regulations.

TP moratorium sign industry request to address current technology and lighted message boards. Sign committee city is business participate, chamber of commerce, sign industry representative. Address time electronic signage. Objective to have review of code amendment and first reading today but need direction from city council before proceed.

Bob Waller letter, code comp table construction sign.

JP any churches affected? CC harper road. JP will be grandfathered?

KO size not issue, light intensity complying turn off light at night.

CC around 7,000 nit during day; night is 500.

Key concern existing sign ___ and can't get bigger can replace existing sign; yes can replace have to reconstruct sign in accord with?

JP take down and replace with new

CC only for message center, internal lighted sign comes to ___ only electronic message center.

TP no changing standards other existing sign replace and most use newer technology.

CC if exist allowable (?)

TP sign siting; allow ___ sq ft if exceed then ___ code. Want to replace. Travelling message safety reason.

JM 8 seconds TxDOT standard for electronic message board.

TP travelling message sign distracting. Message they don't distract appropriate

transition.

MH billboards on back of vehicles; leaving vehicles parked.

Primary intent.

Sign on vehicle not apply for business.

CC vehicle that are abandoned or not under control. MH 2 hours abandonment. Enforcement of code if enforcement problem. If there for advertising. Political signs, unless on public property. Political signs placed on vehicle will look at. Mobile billboards, code does not allow now. Clear enforceable ordinance.

JP sign construct and put on business property that are walls, and consider portable signs. Not allowed in current ordinance.

JP example 4 x 8 political sign.

CC political sign example under 32 sq ft. straight out of state law.

TP banners no limit number; looking at 1; 120. Get permit fee.

JM charging fee to put up a temporary banner.

KO fee part of regulation process and enforcement.

TP without permit don't have date; then how document day. Permit without fee?

CC intended to address temporary banners; fee to address. Staff time to handle issue, city staff spend time. Enforcement challenging.

MH if assign time need some form of pulling a permit.

CC not extend moratorium again, special meeting just for sign ordinance meet June 26, second reading.. Issues: 1) use of color images on message board; 2) use of full color; 3) free standing signs less than 100 sq. ft. off premise currently in use.

MH off premise sign. 80s sign committee and city council adopted ordinance limit billboards. Amortized out and pase years worked with owners that had to come down. Still working on two on I-10 to conform.

CC proceed in amortized billboard.

(?) images and full color

CC reduce light emission at night.

TP allow full color static? CC agree.

Special meeting on 6-19, first reading 5:30 p.m.

The following persons spoke:

1. Ruth Spradling still not anything to handle bread truck parked at end of Lois.

MH not address in ordinance; take home vehicle for business.

5. INFORMATION AND DISCUSSION:

5A. Water resources report.

Mr. Barron 6-5 down model moving Kerr County into sever; 9-12 inches behind normal. River flow well below average.

In stage 1 now; by July predict stage 2; by end of summer 3; ASR stored now

Now at 4mgd, 2/5-3 mgd winter; peak 8 mgd; can't sustain SOC and ability to get to public drives stages not demand. Lower based on ability to provide

TP major drive but is what water master can take out of river.

Discussed stages.

5B. Budget and economic update.

Monthly sales tax flat.

General and water and sewer budget at stage 3, expenditures below budget in both.

JM June 29 budget workshop NO.

TP present budget, July 3, 9 a.m.

6. ITEMS FOR FUTURE AGENDAS

- Drainage update behind Gibson's and build-up of debris.
- JP past week disgusting flyers directed to two city employees; behavior not representative of citizens, unacceptable, apologize on behalf of citizens.

7. ANNOUNCEMENTS OF COMMUNITY INTEREST:

8. EXECUTIVE SESSION: None

9. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION: None.

10. ADJOURNMENT. Mr. MacDonald moved to adjourn the meeting; the motion was seconded by Mr. Allen and passed 5-0. The meeting adjourned at 8:27 p.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary