

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
JANUARY 22, 2019

On January 22, 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 Mr. Mario Garcia, followed by the Pledge of Allegiance led by the Kerrville Youth Advisory Committee.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Delayne Sigerman	Mayor Pro Tem
Vincent Voelkel	Councilmember
George Baroody	Councilmember
Judy Eychner	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 Meismar	Executive Director of General Operations
David Knight	Police Chief
Stuart Cunyus	Public Information Officer
Dannie Smith	Fire Chief
Drew Paxton	Executive Director of Development Services
Guillermo Garcia	Executive Director for Strategic Initiatives
Sherry Mosier	Manager for Strategic Initiatives

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 were made by Stuart Cunyus, Ms. Eychner, and Mr. Baroody.

2. VISITOR/CITIZENS FOURM:

2A. Charlie McIlvain, President and CEO of the Kerrville Visitor's Bureau, presented the Bouncy Horse Competition award/trophy to Mr. Voelkel.

3. PRESENTATIONS:

3A. Chief David Knight presented the Officer of the Year Award to Officer Tyler Cottonware.

3B. City Manager Mark McDaniel introduced new staff member Sherry Mosier, the Manager for Strategic Initiatives.

4. CONSENT AGENDA:

Ms. Sigerman moved to approve items on the Consent Agenda. Mr. Baroody requested to pull both items 4A. and 4B.

4A. Authorize execution of professional services agreement with Hewitt Engineering Inc. for the River Trail extension to Schreiner University in the amount of \$102,980. Mr. Voelkel recommended using local survey companies, but otherwise he has no problems with it.

Ms. Eychner moved to approve consent item 4A. Mr. Voelkel seconded, and the motion passed 5-0.

4B. Minutes for the regular City Council meeting held on January 08, 2019. Mr. Baroody pointed out errors in the January 08, 2019 minutes, items 5A, 9A, and 12.

Mr. Baroody moved to table the minutes. Ms. Eychner seconded, and the motion passed to table the minutes 5-0.

END OF CONSENT AGENDA.

8. INFORMATION AND DISCUSSION:

Mayor Blackburn advised the Kerrville Youth Advisory Committee (KYAC) would provide their report earlier than listed on the Agenda.

8B. The KYAC is required by its Bylaws to provide City Council with a minimum of two reports regarding its activities. The KYAC approved at its meeting held Thursday, December 13, 2018, to provide City Council with three reports; one report on each of the following dates: January 22, 20189, March 26, 2019, and May 28, 2019. KYAC's report included information regarding goals and previous and upcoming activities.

5. PUBLIC HEARING AND ORDINANCES, FIRST READING:

5A. Ordinance 2019-05, amending Ordinance 2018-32 by adding three (3) positions to the number of members on the Senior Services Advisory Committee; appointment of a Chair and Vice-Chair; and setting term expirations for the current thirteen (13) members.

Mr. Blackburn announced that the Chair is Rebecca Piszczer; and adding Theresa Standage, Carla Webber, and Mike Wilson to the membership.

Mr. Blackburn opened the public hearing at 6:35 p.m.

Mr. Blackburn closed the public hearing at 6:37 p.m.

Mr. Baroody moved to pass the Ordinance 2019-05 on first reading with one additional date Section 291-A2 to make membership show sixteen (16) full members. Ms. Eychner seconded, and the motion passed 5-0.

6. PUBLIC HEARING AND ORDINANCES, SECOND READING:

6A. Ordinance No. 2019-03 abandoning, vacating, and closing two public rights-of-way consisting of a portion of Hays Street as it extends between the northwest right-of-way of Main Street (State Highway 27) and the southwest right-of-way of Jefferson Street and consisting of approximately 0.5792 acres; and a portion of the 16 foot public alley located between Hays Street and Quinlan Street, adjacent to Lots 1 and 2, Block 2 of the H.E.B. Addition and between Lots 315, 316, and the northwest 43 feet of Lot 333, and the southwest 13 feet of Lot 334, Block 50, and consisting of approximately 0.726 acres; said rights-of-way are out of the Chas Schreiner 2nd Addition to the City of Kerrville, a Subdivision of Kerr County, Texas, according to the Plat recorded in Volume K, Pages 107 of the Deed Records of Kerr County, Texas; making a finding that neither the street nor the alley is required for present or future public use; providing for the terms and conditions of abandonment, vacation, and closure; providing for the furnishing of a certified copy of the Ordinance for recording in the Official Public Records of Kerr County, Texas as a Quitclaim Deed; authorizing the City Manager to take all necessary action to effectuate the abandonment, vacation, closure, and quitclaim, and providing for a public hearing.

Mr. Blackburn opened the public hearing at 6:40 p.m.

Mr. Blackburn closed the public hearing at 6:59 p.m.

H.E.B. employee Ben Scott and Traffic Impact Study Engineer Boeak Tehrany provided information and answers to Council questions.

Mr. Baroody moved to table approval of Ordinance 2019-03. Motion died for lack of second.

Ms. Eychner moved to approve Ordinance 2019-03 on second reading. Ms. Sigerman seconded, and the motion passed 4-1.

6B. Ordinance 2019-02 amending the City's "Zoning Code" by changing the zoning district for an approximate 6.790 acres, consisting of Lots 1 and 2, H.E.B. Addition and portions of Lots 300-302 and Lots 348-349, Block 48 of the Schreiner 2nd Addition, both Subdivisions within the City of Kerrville, Kerr County, Texas; and more commonly known as the property located at 300 Main Street (State Hwy. 27); by removing the property from the 11-C Zoning District and placing it within the Central Business Zoning District (CBD); 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.

Mr. Blackburn opened the public hearing at 7:05 p.m.

Mr. Blackburn closed the public hearing at 7:06 p.m.

Mr. Baroody moved to approve Ordinance 2019-02 on second reading. Ms. Eychner seconded, and the motion passed 5-0.

6C. Ordinance No. 2019-01 creating a "Planned Development District" for Professional Office, Retail Trade I, and Warehousing and Distribution Uses on an approximately 4.27 acre tract of land, out of the Patrick Fleming Survey No. 666, Abstract 145, within the City of Kerrville, Kerr County, Texas, more commonly known as 318 Leslie Drive; 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 \$2,000.00 for each day of violation of any provision hereof; ordering publication; and providing other matters relating to the subject.

Mr. Blackburn opened the public hearing at 7:07 p.m.

Mr. Blackburn closed the public hearing at 7:19 p.m.

Owner of property Paco Mondragon described outside building materials and design.

Ms. Eychner moved to approve Ordinance 2019-01 on second reading. Ms. Sigerman seconded, and the motion passed 5-0.

7. CONSIDERATION AND POSSIBLE ACTION:

7A. Award bid to J3 for \$285,000 for removal of damaged aerial pipe bridge located along the Guadalupe River near Loop 534.

Mr. Blackburn opened the public hearing at 7:20 p.m.

Mr. Blackburn closed the public hearing at 7:27 p.m.

Mr. Baroody moved to approve the J3's base proposal and alternate proposal. Ms. Eychner seconded, and the motion passed 5-0.

8. INFORMATION & DISCUSSION:

8A. Financial update for the month ended December 31, 2018. Ms. Dozier gave the financial update.

8C. Discussion of possible Music Festival. Mr. Voelkel reviewed ideas and provided an update on the logistics of the Music Festival.

9. BOARD APPOINTMENTS:

9A. Appointment to the Recovery Community Coalition.

Ms. Eychner moved to appoint Randy Beano to the Recovery Community Coalition to fill the MHDD Center requirement. Mr. Voelkel seconded, and the motion passed 5-0.

9B. Appointment to the Kerrville Youth Advisory Committee.

Ms. Eychner moved to appoint Daphne Dozier as a permanent member of KYAC. Mr. Voelkel seconded, and the motion passed 5-0.

10. CITY MANAGER'S REPORT:

Mr. McDaniel highlighted several items and provided updates on the Project's List.

11. ITEMS FOR FUTURE AGENDAS:

- Have Council consider certifying the minutes transcripts from Granicus as being certified minutes.
- Consider having the City Manager's report sheet added to the packet so public can see up front what Council will talk about.
- Consider an advisory group of young professionals, the 30-50 year-old range.

12. EXECUTIVE SESSION:

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code.

Mr. Baroody moved to go into executive session under Section 551.071 (consultation with attorney). Ms. Eychner seconded, and the motion passed 5-0.

Council adjourned regular open session at 7:58 p.m.

12.A. Attorney briefing per Section 551.071, Texas Government Code-Lotus Peer Recovery LLC, Kacey Paige Williams, Christian Jane Rivers, and Madelyn Rebecca Clark v. City of Kerrville, Texas (Cause No. 5:18-CV-00925; in the United States District Court for the Western District of Texas, San Antonio Division.

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

Council adjourned executive session at 8:28 p.m., and resumed regular open session at 8:29 p.m. Mr. Blackburn announced that Council took no action in executive session.

ADJOURNMENT.

The meeting was adjourned at 8:30 p.m.

APPROVED: 
Bill Blackburn, Mayor

ATTEST: 
Shelley McElhannon, City Secretary