

CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
AUGUST 27, 2019

On August 27, 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 Gary Cochrane, followed by the Pledge of Allegiance led by Councilmember Cochrane.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem
Gary Cochrane	Councilmember
Kim Clarkson	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 Cunyus	Public Information Officer
Amy Dozier	Director of Finance
Guillermo Garcia	Executive Director of Innovation
David Knight	Chief of Police
Kim Meismar	Executive Director of General Operations
Sherry Mosier	Manager of Strategic Initiatives
Drew Paxton	Executive Director of Development Services
Dannie Smith	Fire Chief
Julie Smith	Assistant Director of Finance
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:

- George Baroody
- Richard Ferris
- Susan Deininger

**3. PRESENTATIONS:**

3A. Mayor Blackburn recognized the 30<sup>th</sup> Anniversary of the Hill Country CASA (Court Appointed Special Advocates). The Proclamation was received by Stephanie Cash and Goldie Rabson.

3B. Mayor Blackburn presented a Proclamation observing September as Healthy Aging Month. The Proclamation was received by the City's Senior Services Advisory Committee represented by Karen Burkett, Margie Jetton, Waverly Jones, Christine Klima, Rebecca Piszczer, and Carla Weber.

**4. CONSENT AGENDA:**

Citizen Peggy McKay, citizen Bill Morgan, and citizen Susan Deininger requested to pull item 4D from the Consent Agenda.

Citizen Susan Deininger requested to pull item 4E from the Consent Agenda.

Citizen Bonnie White requested to pull item 4F from the Consent Agenda.

Citizen Peggy McKay requested to pull item 4G from the Consent Agenda.

Councilmember Delayne Sigerman moved to approve items 4A, 4B, 4C, 4H, 4I, and 4J as presented. Councilmember Kim Clarkson seconded, and the motion passed 5-0.

4A. Resolution No. 34-2019 approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2019 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel.

4B. Resolution No. 35-2019 confirming and reconstituting the Kerrville Youth Advisory Committee as the Kerrville Area Youth Leadership Academy.

4C. Resolution No. 36-2019 amending Resolution No. 28-2019, which recreated the Kerrville Main Street Advisory Board; by expanding the Main Street boundaries.

4H. Minutes for the City Council workshop held August 13, 2019.

4I. Minutes for the City Council meeting held August 13, 2019.

4J. Minutes for the City Council workshop held August 20, 2019.

**END OF CONSENT AGENDA:**

4D. Joint Election Agreement – Contract for Election Agreement between Kerr County and the City of Kerrville (November 05, 2019 City Charter amendments).

The following persons spoke:

- Peggy McKay
- Bill Morgan (declined to speak)
- Susan Deininger (declined to speak)

Councilmember Sigerman moved to approve the Contract for Election Agreement with Kerr County. Councilmember Judy Eychner seconded, and the motion passed 5-0.

4E. Authorize a construction contract with Progressive Commercial Aquatics, Inc. for resurfacing of the Olympic Pool in the amount of \$163,109.00.

The following person spoke:

- Susan Deininger

Mayor Blackburn and Councilmember Clarkson responded to questions.

Councilmember Cochrane moved to authorize the City Manager to finalize and execute a construction contract for resurfacing the Olympic Pool. Councilmember Eychner seconded, and the motion passed 5-0.

4F. Professional Services Agreement with Kimley-Horn and Associates, Inc. for the design and engineering of the Guadalupe River Utility Crossing project in the amount of \$123,890.00.

The following person spoke:

- Bonnie White

E.A. Hoppe provided clarification.

Councilmember Eychner moved to authorize the execution of a professional services agreement with Kimley-Horn and Associates, Inc. Councilmember Sigerman seconded, and the motion passed 5-0.

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

The following person spoke:

- Peggy McKay

Councilmember Eychner moved to approve the monthly Community Improvement Project as presented. Councilmember Sigerman seconded, and the motion passed 5-0. Councilmember Clarkson requested to move the monthly Community Improvement Project off of the consent agenda in the future, and there was agreement by consensus among Council members.

## **5. PUBLIC HEARINGS:**

5A. Public Hearing on the City of Kerrville Fiscal Year 2020 Proposed Budget.

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

Amy Dozier presented the item and responded to questions.

The following person spoke:

- George Baroody

Councilmember Eychner moved to approve Ordinance No. 2019-17 Zoning Code as presented. Councilmember Clarkson seconded, and the motion passed 5-0.

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

5B. Public Hearing on Property tax rate (ad valorem tax) for the 2019 tax year (Fiscal Year 2020).

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

Amy Dozier presented the item and responded to questions.

The following persons spoke:

- Bonnie White
- George Baroody
- Bruce Stracke

Mayor Blackburn closed the public hearing at 6:56 p.m.

#### **6. ORDINANCE(S), FIRST READING:**

6A. Ordinance No. 2019-19. An Ordinance authorizing the Issuance, Sale and Delivery of Up to \$10,500,000 in Aggregate Principal Amount of "City of Kerrville, Texas Combination Tax and Revenue Certificates of Obligation, Series 2019"; Securing the Payment Thereof by Authorizing the Levy of an Annual Ad Valorem Tax and a Pledge of Certain Surplus Revenues of the City's Waterworks and Sewer System; and Approving and Authorizing the Execution of a Paying Agent/Registrar Agreement, an Official Statement and All Other Instruments and Procedures Related Thereto.

Amy Dozier introduced the item. Ms. Dozier noted that per State Law, ordinances related to debt become effective with one reading and that State Law supersedes the City Charter's designation of two readings.

Anne Burger Entrekin with Hilltop Securities presented the securities market update. Tom Spurgeon with McCall, Parkhurst, and Horton was also in attendance.

The following persons spoke:

- Brenda Craig
- Susan Deininger

Councilmember Eychner moved to adopt Ordinance No. 2019-19. Councilmember Sigerman seconded, and the motion passed 5-0.

#### **7. ORDINANCES(S), SECOND READING:**

7A. Ordinance No. 2019-17. Second Reading. An Ordinance approving and adopting the City of Kerrville, Texas, Zoning Code, a comprehensive rewrite of the City's Zoning Regulations in accordance and aligned with the Kerrville Comprehensive Plan (Kerrville 2050); said rewrite to be known as the "City of Kerrville, Texas Zoning Code" and found within a new Chapter 60 of the City's Code of Ordinances; approving and adopting the

official Zoning Map of the City, providing procedures to amend said map; requiring a staff report as to implementation by a specific date; repealing in their entirety all ordinances or parts of ordinances inconsistent herewith; providing an open meetings clause; providing a cumulative clause; containing a savings and severability clause; providing for a penalty or fine of not more than \$2,000 for each day of violation of any provision hereof; ordering publication; providing an effective date; and providing other matters related to this.

Drew Paxton introduced the item. Kimley-Horn consultants Mark Bowers and Monica Heid defined and highlighted the Zoning Code schedules, project goals, and zoning map. Drew Paxton discussed regulations after adoption of the Code. Drew Paxton responded to questions.

The following persons spoke:

- Bonnie White
- Drew Raffaele
- Stephen King
- Pablo Brinkman

Discussion ensued amongst Council. Councilmember Cochrane moved to approve Ordinance No. 2019-17 on second reading as presented. Councilmember Eychner seconded, and the motion passed 5-0.

**8. INFORMATION & DISCUSSION:**

8A. Financial update for the month ended July 31, 2019.

Amy Dozier presented information.

**9. ITEMS FOR FUTURE AGENDAS:**

None

**10. EXECUTIVE SESSION:**

None

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

None

**ADJOURNMENT**

The meeting was adjourned at 8:13 p.m.



Bill Blackburn, Mayor

ATTEST:   
Shelley McElhannon, City Secretary

APPROVED: September 10, 2019