

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
MARCH 09, 2021**

On March 09, 2021, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn at the Cailloux City Center, 910 Main Street. Mayor Blackburn provided the invocation and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem
Gary Cochrane	Councilmember
Judy Eychner	Councilmember
Brenda Hughes	Councilmember

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF:

Mark McDaniel	City Manager	Stuart Barron	Director Public Works
E.A. Hoppe	Deputy City Manager	Stuart Cunyus	Public Information Officer
Mike Hayes	City Attorney	Amy Dozier	Chief Financial Officer
Shelley McElhannon	City Secretary	Eric Maloney	Fire Chief
		Drew Paxton	Chief Planner

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. In addition, a Zoom webinar was offered.

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Items of interest to the community was presented by Stuart Cunyus, Mark McDaniel, Councilmember Brenda Hughes, Councilmember Judy Eychner, and Mayor Blackburn.

2. PRESENTATIONS:

2A. Kerrville Kindness award – Partners responding to Winter Storm 2021.

Mayor Blackburn acknowledged thirteen City partners assisting the City during the Winter Storm 2021: American Red Cross, Basement Brewers of Texas, Calvary Temple Church, First United Methodist Church, HEB Grocery Company, Ingram Independent School District, Kerrville Independent School District, Kerrville Veterans Administration, Maxey Energy Company, Pint & Plow Brewing Company, The Salvation Army, Schreiner University, and Walmart.

2B. City's ongoing preparedness and response to COVID-19 (Coronavirus).

Shelley McElhannon read item 2B caption into record.

Chief Maloney and Mark McDaniel presented information and responded to questions.

3. VISITORS FORUM:

The following persons spoke:

- Simon Michael Stone Talamantes V

- George Baroody

4. CONSENT AGENDA:

Councilmember Kim Clarkson pulled 4B from the consent agenda. Councilmember Gary Cochrane made a motion to approve items 4A, 4C, 4D, 4E, and 4F on the consent agenda, and Councilmember Hughes seconded. The motion passed 5-0.

4A. Interlocal Agreement with Region 8 Education Service Center and the City of Kerrville.

4C. Minutes for the City Council meeting held February 09, 2021.

4D. Minutes for the City Council meeting held February 23, 2021.

4E. Minutes for the City Council workshop held March 01, 2021.

4F. Minutes for the City Council and Kerrville Public Utility Board of Trustees special-called meeting held March 04, 2021.

END OF CONSENT AGENDA.

4B. Local Agreement with 198th District Attorney's Office for the Disposition of Forfeited Contraband.

Mike Hayes presented information and responded to questions.

Councilmember Clarkson made a motion to approve item 4B on the consent agenda, and Councilmember Eychner seconded. The motion passed 5-0.

5 PUBLIC HEARING AND ORDINANCES, FIRST READING:

5A. Ordinance No. 2021-07. An Ordinance vacating, abandoning, and closing all right, title, and interest in a portion of a public right-of-way, consisting of approximately 8,504 square feet of an unimproved portion of a dedicated street that intersects with Meadow View Lane and thereafter terminates; said right-of-way dedicated by a plat of a subdivision within the City of Kerrville, Kerr County, Texas, and recorded in Volume 2, Page 102 of the Plat Records of Kerr County, Texas; and, located on and between the properties known as 304 and 400 Meadow View Lane; finding that said right-of-way is not required for future use as a public street; ordering recording; providing an effective date; and providing other matters related to this subject.

Mayor Blackburn opened the public hearing at 6:37 p.m.

Shelley McElhannon read Ordinance No. 20212-07 caption into record.

Drew Paxton presented information, and Drew Paxton, Mike Hayes, and Mark McDaniel responded to questions.

The following persons spoke:

- George Baroody
- Frank Galvan

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

Councilmember Cochrane moved to approve Ordinance No. 2021-07 first reading with the caveat that staff contact both property owners with notice before second reading, and Councilmember Eychner seconded. The motion passed 5-0.

5B. Ordinance No. 2021-09. An Ordinance vacating, abandoning, and closing all right, title, and interest in a portion of a public right-of-way, consisting of an approximate .30 acre unimproved, dedicated alley that extends across the property located at 615 Elm Street; said right-of-way dedicated by plat for the Westland Place Addition, a Subdivision within the City of Kerrville, Kerr County, Texas, and recorded in the plats filed at Volume 43, Page 577 and Volume 45, Page 335 of the real property records of Kerr County, Texas; finding that said right-of-way is not required for future use as a public right-of-way; ordering recording; providing an effective date; and providing other matters related to this subject.

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

Shelley McElhannon read Ordinance No. 20212-09 caption into record.

Drew Paxton presented information and responded to questions.

The following person(s) spoke:

- George Baroody

Mayor Blackburn closed the public hearing at 6:57 p.m.

Councilmember Eychner moved to approve Ordinance No. 2021-09 first reading as presented, and Councilmember Hughes seconded. The motion passed 5-0.

6 CONSIDERATION AND POSSIBLE ACTION:

6A. Resolution No. 10-2021. A Resolution authorizing the City's acceptance of the ownership of private streets for public use; such streets located within the Keystone Section Three Subdivision and consisting of Wilmington Avenue, Creswell Lane, and Roanoke Lane; authorizing the City Manager to take actions to effectuate the conveyance subject to various conditions.

Shelley McElhannon read Resolution No. 10-2021 caption into record.

Drew Paxton provided information and responded to questions.

The following person(s) spoke:

- George Baroody

Councilmember Eychner moved to approve Resolution No. 10-2021 as presented, and Councilmember Cochrane seconded. The motion passed 5-0.

6B. Construction Agreement with J&K Utility Services, LLC for the Loop 534 Ellenberger Well project in an amount of \$590,918.00.

Shelley McElhannon read item 6B caption into record.

Stuart Barron presented information and responded to questions.

Councilmember Cochrane moved to approve the Construction Agreement with J&K Utility Services LLC, and Councilmember Hughes seconded. The motion passed 5-0.

6C. Professional Service Agreement with Freese and Nichols, Inc. for the design of improvements to Knapp Wastewater Infrastructure in the amount of \$518,317.00.

Shelley McElhannon read item 6C caption into record.
Stuart Barron presented information and responded to questions.

Councilmember Hughes moved to authorize the City Manager to finalize and execute the Professional Service Agreement, and Councilmember Eychner seconded. The motion passed 5-0.

6D. Compromise, Settlement, and Release Agreement between Lone Star Inn and the City of Kerrville.

Shelley McElhannon read item 6D caption into record.
Amy Dozier presented information and responded to questions.

Councilmember Eychner moved to approve the agreement and authorize the City Manager to finalize and execute the Lone Star Inn settlement, and Councilmember Hughes seconded. The motion passed 5-0.

7 ITEMS FOR FUTURE AGENDAS:

No items were presented.

8 BOARD APPOINTMENT(S):

8A. Appointment to the Kerrville Public Utility Board of Trustees, position #3.

Councilmember Cochrane made a motion to reappoint Bill Thomas to the Kerrville Public Utility Board of Trustees position #3, and Mayor Blackburn seconded. The motion passed 5-0.

Councilmember Eychner made a motion the City Council adjourn into closed executive session under 551.071 (consultation with attorney), and Councilmember Clarkson seconded. The motion passed 5-0.

Mayor Blackburn recessed the meeting at 7:20 p.m., and reconvened in closed executive session in the Cailloux City Center upstairs conference room.

9 EXECUTIVE SESSION:

9A. Compromise, settlement, and release agreement between Lone Star Inn and the City of Kerrville (551.071).

9B. Appointment to the Kerrville Public Utility Board of Trustees position 3 (551.074).

9C. Legal advice as to the claim against Mark Rowan concerning damage to City property (fire hydrant) (551.071).

9D. Kerrville Public Utility Board bond (551.071, 551.086).

The closed executive session adjourned, Council returned to open session at 7:45 p.m.

10 ACTIONS ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:

No action was taken in Executive Session.


Items 9A and 9B were not discussed during the Executive Session.

9C. Legal advice as to the claim against Mark Rowan concerning damage to City property (fire hydrant). Councilmember Cochrane moved to authorize litigation against Mark Rowan to recover the cost to repair the damaged fire hydrant, seconded by Councilmember Eychner. The motion passed 5-0.

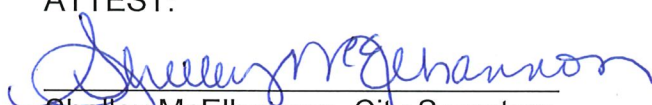
ADJOURN. The meeting adjourned at 7:46 p.m.

APPROVED BY COUNCIL: 3/23/2021

APPROVED:


Bill Blackburn, Mayor

ATTEST:


Shelley McElhannon, City Secretary