

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
AUGUST 24, 2021 6:00 PM**

On August 24, 2021, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn at the City Hall Council Chambers, 701 Main Street. Mayor Blackburn reviewed Covid safety protocols which will be observed during this meeting. Councilmember Brenda Hughes 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	Chris McCall, Chief of Police
Julie Behrens, Asst Finance Director	Kim Meisner, Exec Director General Ops
Ashlea Boyle, Director Parks & Rec	Drew Paxton, Chief Planner
Stuart Cunyus, Public Info Officer	Trina Rodriguez, Finance Manager

VISITORS PRESENT:

Anne Berger-Entrekin, Hill Top Securities

Gil Salinas, Kerrville Economic Development Corporation

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, Councilmember Hughes, and Councilmember Judy Eychner.

2. VISITORS FORUM:

The following persons spoke:

- Michaela Carabajal (departed the meeting before speaking)
- L. Brent Bates
- Shari Snyder
- Bruce Stracke (declined when called)

3. CONSENT AGENDA:

Mayor Blackburn requested to pull items 3E and 3G, and Councilmember Hughes requested to pull items 3C and 3D. Citizen George Baroodly requested to pull item 3F. Councilmember Kim Clarkson made a motion to approve Consent items 3A, 3B, 3H, 3I, and 3J, and Councilmember Roman Garcia seconded. The motion passed 5-0.

3A. Construction Agreement with Eveready Electric for the Tranquility Island "Light the Island" project in the amount of \$114,640.03.

3B. Construction Agreement with M&C Fonseca Construction Co., Inc. for Butt-Holdsworth Memorial Library Campus Stair Replacement project, in the amount of \$369,730.00.

3H. Minutes for the City Council workshop held August 10, 2021.

3I. Minutes for the City Council meeting held August 10, 2021.

3J. Minutes for the City Council workshop August 17, 2021.

END OF CONSENT AGENDA.

3C. Rejection of all bids for Butt-Holdsworth Memorial Library HVAC & Lighting Replacement project.

E.A. Hoppe provided information and responded to questions.

Councilmember Hughes moved to reject the bids for Butt-Holdsworth Memorial Library 2021-0824, and Councilmember Eychner seconded. The motion passed 5-0.

3D. Construction Agreement with Trade-Mark Brown Inc. for the Butt-Holdsworth Memorial Library HVAC Replacement in the amount of \$283,200.00.

E.A. Hoppe provided information and responded to questions.

Councilmember Garcia moved to authorize the City Manager to finalize and execute the construction agreement with Trade-Mark Brown, and Councilmember Hughes seconded. The motion passed 5-0.

3E. Annual Kerrville Economic Improvement Corporation budget for Fiscal Year 2022.

E.A. Hoppe provided information and responded to questions.

Mayor Blackburn made a motion to pass 3E on the EIC budget for Fiscal Year 2022, and Councilmember Eychner seconded. The motion passed 5-0.

3F. Administrative Services Contract between City of Kerrville, Texas and City of Kerrville, Texas Economic Improvement Corporation.

The following person spoke:

- George Baroody

E.A. Hoppe provided information and responded to questions.

Councilmember Eychner moved to approve the agreement with EIC for Administrative Services, and Councilmember Hughes seconded. The motion passed 5-0.

3G. City of Kerrville Funding Agreement with Kerr Economic Development Corporation.

Gil Salinas provided information and responded to questions.

Councilmember Eychner moved to authorize the City Manager to finalize and execute an Agreement with the Kerr Economic Development Corporation, and Councilmember Clarkson seconded. The motion passed 5-0.

4. PUBLIC HEARING AND ORDINANCES, FIRST READING:

4A. Ordinance No. 2021-22. An Ordinance authorizing the issuance, sale, and delivery of up to \$7,000,000 in aggregate principal amount of "City Kerrville, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021"; securing the payment thereof by authorizing the levy of an annual ad valorem tax and 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 (the City has received a petition protesting the issuance of the certificates of obligation and is currently in the process of certifying the signatures thereto. This Ordinance shall not be approved if the City Secretary certifies that the petition protesting the issuance of the certificates was properly signed by at least five percent of the qualified electors of the City.)

Shelley McElhannon read Ordinance No. 2021-22 caption into record.

Mayor Blackburn advised the public hearing and Ordinance reading will not be held at this time. On August 17, 2021 at 9:55 a.m., the City Secretary's Office received a signed and now verified petition protesting the issuance of the Certificates of Obligation. This petition was received after the statutory deadline for a General Obligation Bond election to be placed on the November 2021 ballot, Council will eventually decide when such an election will occur, with the earliest available date being May 2022. State law does not provide an option for a special-called election for this topic. No action.

Council provided comment.

The following persons spoke:

- Nikki Caines
- Robin Monroe
- Bethany Puccio
- George Baroody
- Terri Hall

The following persons submitted emails, read into record by Councilmember Garcia:

- Jack and Elizabeth Myers
- Ruth Cremin

5. ORDINANCE, FIRST READING:

5A. Ordinance No. 2021-23. An Ordinance authorizing the issuance of \$865,000 in principal amount of City of Kerrville, Texas Tax Note, Series 2021; securing the payment thereof by authorizing the levy of Annual Ad Valorem Tax. And approving and authorizing the execution of a Paying Agent/Registrar Agreement, a purchase letter, and all other instruments and procedures related thereto.

Shelley McElhannon read Ordinance No. 2021-23 caption into record.

E.A. Hoppe presented information, and E.A. Hoppe and Julie Behrens responded to questions.

The following person spoke:

- Peggy McKay

Councilmember Hughes moved to approve Ordinance No. 2021-23 on first reading, and Councilmember Eychner seconded. The motion passed 5-0.

6. PUBLIC HEARING AND ORDINANCES, FIRST READING:

6A. 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 saving and severability clause.

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

Julie Behrens presented information, and E.A. Hoppe and Julie Behrens responded to questions. Mayor Blackburn opened the public hearing at 7:21 p.m.

The following person spoke:

- Peggy McKay
- George Baroody
- Bruce Stracke

Mayor Blackburn closed the public hearing at 7:46 p.m.

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

	YES	NO
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 Garcia. The motion was passed 5-0.

6B. 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.

Mayor Blackburn opened the public hearing at 7:59 p.m.

No person spoke.

Mayor Blackburn closed the public hearing at 7:59 p.m.

Councilmember Hughes 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 Clarkson. This motion was passed and approved 5-0, the vote recorded as follows:

	YES	NO
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>	___

7. ORDINANCES, SECOND READING:

7A. Ordinance No. 2021-18, second reading. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas, Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property as 3210 Riverside Drive and out of the Wallace Survey No. 112, Abstract No. 360, and within the City of Kerrville, Kerr County, Texas; from a Single-Family Residential Zoning District (R-1) to a General Commercial Zoning District (C-3); providing a cumulative clause; providing for severability; providing an effective date; and ordering publication.

Shelley McElhannon read Ordinance No. 2021-18 caption into record.

Councilmember Eychner moved to adopt Ordinance No. 2021-18 on second reading, and Councilmember Garcia seconded. The motion passed 5-0.

7B. Ordinance No. 2021-19, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, such chapter more commonly known as the City's Zoning Code; by changing the zoning of a property known as 501 Florence, consisting of Lot 19 and part of Lot 20, Block 25, Westland Place; within the City of Kerrville, Kerr County, Texas; from a Residential Transition Zoning District (RT) to a Neighborhood Commercial Zoning District (C-1); providing a cumulative clause; providing for severability; providing an effective date; ordering publication; and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2021-19 caption into record.

Councilmember Garcia moved to approve Ordinance No. 2021-19 on second reading, and Councilmember Eychner seconded. The motion passed 5-0.

8. CONSIDERATION AND POSSIBLE ACTION:

8A. Resolution No. 38-2021. A Resolution approving negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., regarding the Company's 2021 Rate Review Mechanism filing.

Shelley McElhannon read Resolution No. 38-2021 caption into record.
Mike Hayes provided information and responded to questions.

Councilmember Clarkson moved to adopt Resolution No. 38-2021, seconded by Councilmember Eychner. This motion was approved 5-0.

8B. City's ongoing preparedness and response to COVID-19 (Coronavirus); and review of declaration of local state of disaster due to a public health emergency March 20, 2020.

Chief Eric Maloney provided Covid information and responded to questions.

9. ITEMS FOR FUTURE AGENDAS:

- Councilmember Garcia requested to review and consider revisions to the Ethics policy, and place on an agenda in December, seconded by Councilmember Hughes. The item received Council consensus.

10. EXECUTIVE SESSION: N/A

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

ADJOURN. The meeting adjourned at 8:21 p.m.

APPROVED BY COUNCIL: SEPTEMBER 14, 2021

APPROVED:


Bill Blackburn, Mayor

ATTEST:


Shelley McElhannon, City Secretary