

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
AUGUST 09, 2022 6:00 PM**

On August 09, 2022 at 6:02 p.m., Mayor Judy Eychner called the Kerrville City Council meeting to order in City Hall Council Chambers, 701 Main Street. Councilmember Roman Garcia provided the invocation and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

Judy Eychner	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Roman Garcia	Councilmember Place 1
Joe Herring, Jr.	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF:

E.A. Hoppe, City Manager	Stuart Cunyus, Public Information Officer
Mike Hayes, City Attorney	Deidre Flores, Asst Director Parks & Rec
Michael Hornes, Asst City Manager	Guillermo Garcia, Exec Dir Innovation
Kim Meisner, Assistant City Manager	Eric Maloney, Fire Chief
Shelley McElhannon, City Secretary	Chris McCall, Police Chief
Julie Behrens, Director of Finance	Drew Paxton, Planning Director

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.

1. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** Announcements of Community Interest provided by Stuart Cunyus, Mayor Eychner, and Councilmember Kim Clarkson.

2. **PRESENTATIONS:**

2A. Kerrville Kindness Award presented to Sylvia Fritz Dobbs, David Fritz, and Mini Mart.

Mayor Eychner presented the Kerrville Kindness Award to Sylvia Fritz Dobbs, David Fritz, and Mini Mart for sponsorship of the annual Fourth of July fireworks show. Deidre Flores represented the Parks and Recreation Department.

Shelley McElhannon read general business protocols of conduct into record.

3. **VISITORS FORUM:** The following person(s) spoke:

- James Wright

Mayor Eychner informed Council that by the request of the Applicant, Item 5F: Resolution No. 49-2022 will be pulled from this agenda and deferred until the September 13, 2022 City Council meeting.

4. **CONSENT AGENDA:**

Shelley McElhannon read the Consent agenda captions into record.

Councilmember Clarkson made a motion to approve the consent agenda items 4A through 4E, seconded by Councilmember Brenda Hughes. The motion passed 5-0.

4A. Purchase of laptops and docking stations necessary for the operations of the Police Body Cameras not to exceed \$96,792.10, as approved by Council on 7-12-2022.

4B. City of Kerrville Town Hall meeting minutes, July 25, 2022.

4C. City Council workshop minutes, July 26, 2022.

4D. Employee Benefits Trust meeting minutes July 26, 2022.

4E. City Council meeting minutes, July 26, 2022.

END OF CONSENT AGENDA.

5 PUBLIC HEARINGS AND RESOLUTIONS:

5A. Resolution No. 44-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting Lot 1, Block 1, Limestone Beach Addition; and more commonly known as 1959 Arcadia Loop S.; said property is located within a Medium Density Residential Zoning District (R-2); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 44-2022 caption into record.

Drew Paxton provided general information and timelines regarding Code amendments for short-term rentals.

Drew Paxton provided information and responded to questions regarding Resolution No. 44-2022.

- The applicant's representative Matt Sletton spoke.

Mayor Eychner opened the public hearing at 6:27 p.m.

The following person(s) spoke:

- Nikki Caines
- Peggy McKay

Mayor Eychner closed the public hearing at 6:39 p.m.

Mike Hayes provided information and responded to questions.

Councilmember Joe Herring, Jr. made a motion to adopt Resolution No. 44-2022n granting a conditional use permit, seconded by Councilmember Hughes. The motion passed 5-0.

5B. Resolution No. 45-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of part of Lot 3, Lot 4, of Block 4, Fairview Addition; and more commonly known as 330 Guadalupe; said property is located within a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 45-2022 caption into record.

Drew Paxton provided information and responded to questions.

- Applicant Larry Howard spoke.

Mayor Eychner opened the public hearing at 6:43 p.m.

The following person(s) spoke:

- Peggy McKay (declined when called)

Mayor Eychner closed the public hearing at 6:43 p.m.

Councilmember Hughes made a motion to approve Resolution No. 45-2022, seconded by Councilmember Clarkson. The motion passed 5-0.

5C. Resolution No. 46-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lot 1A, of the replat of Lots 1-A and 1-B, Block 81, JA Tivy Addition; and more commonly known as 1229 Jefferson; said property is located within a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 46-2022 caption into record.

Drew Paxton provided information and responded to questions.

- Applicant Valerie Grimes spoke.

Mayor Eychner opened the public hearing at 6:46 p.m.

The following person(s) spoke:

- Peggy McKay (withdrew name)

Mayor Eychner closed the public hearing at 6:47 p.m.

Councilmember Clarkson made a motion to approve Resolution No. 46-2022, seconded by Councilmember Herring. The motion passed 5-0.

5D. Resolution No. 47-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lot 19, Block 1, Meadowview Estates Addition; and more commonly known as 426 Meadowview; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 47-2022 caption into record.

Drew Paxton provided information and responded to questions.

- Applicants Catalina and Jon Landon spoke.

Mayor Eychner opened the public hearing at 6:53 p.m.

The following person(s) spoke:

- Peggy McKay (withdrew name)

Mayor Eychner closed the public hearing at 6:53 p.m.

Councilmember Hughes made a motion to approve Resolution No. 47-2022, seconded by Councilmember Herring. The motion passed 5-0.

5E. Resolution No. 48-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lot 3B, Block 45, Westland Addition; and more commonly known as 410 Circle; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions. (Appeal by Applicant)

Shelley McElhannon read Resolution No. 48-2022 caption into record.

Drew Paxton provided information and responded to questions.

- Applicant Patrick and Susan Dunn spoke.

Mayor Eychner opened the public hearing at 7:02 p.m.

The following person(s) spoke:

- Mary Olden
- Gail Wright

- Kathy Loring
- Peggy McKay (withdrew name)
- Bruce Stracke
- George Waring

Mayor Eychner closed the public hearing at 7:10 p.m.

Councilmember Clarkson made a motion to approve Resolution No. 48-2022, seconded by Councilmember Hughes. The motion passed 5-0.

Mayor Eychner provided information regarding the licensing of Short-Term Rentals.

5F. Resolution No. 49-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lot 11-A, Block 5, Village Glen Addition; and more commonly known as 1701 Foothills; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions. (Appeal by Applicant)

This item was deferred at the request of the Applicant.

6 PUBLIC HEARINGS AND ORDINANCES, FIRST READING:

6A. Ordinance No. 2022-23. An Ordinance creating a "Planned Development District" (Zoning) for Light Commercial Uses and a Stand-Alone Parking Lot on an approximately 1.49 acre property, consisting of Lot 21-R, Block G, B.F. Cage Addition; within the City of Kerrville, Kerr County, Texas; and more commonly known as 820 Sidney Baker and the property formerly known as 829 Clay; adopting a concept plan and conditions related to the development and use of said lot; and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2022-23 caption into record.

Drew Paxton and Mike Hayes provided information and responded to questions.

Mayor Eychner opened the public hearing at 7:30 p.m.

The following person(s) spoke:

- Wayne Frankland
- Peggy McKay (withdrew name)
- Julee Reeves
- MerriLee Stewart Jones
- Wayne Frankland

Mayor Eychner closed the public hearing at 7:39 p.m.

Drew Paxton provided clarification.

Councilmember Herring made a motion to adopt Ordinance No. 2022-23 with amending Section J to include screening on three sides of that parking lot. Mike Hayes questioned if the motion included moving forward with the P&Z's recommendations, in which Councilmember Herring confirmed. The motion was seconded by Councilmember Clarkson. The motion passed 4-1 with Mayor Eychner, Councilmember Clarkson, Councilmember Herring, and Councilmember Hughes voting in favor, and Councilmember Garcia voting opposed.

6B. Ordinance No. 2022-24. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning of an approximate 22.03 acre tract out of the Samuel Wallace Survey No. 113, Abstract No. 347; more commonly known as the North Side

of the 2300 Block of E. Main; from a Medium Density Residential Zoning District (R-2) to a Multifamily Residential Zoning District (R-3); and providing other matters relating to the subject. (Appeal by Applicant)

Shelley McElhannon read Ordinance No. 2022-24 caption into record.

Drew Paxton provided information and responded to questions.

Applicant Bruce Stracke spoke.

Mayor Eychner opened the public hearing at 7:54 p.m.

No citizens spoke.

Mayor Eychner closed the public hearing at 7:54 p.m.

Councilmember Clarkson made a motion to adopt Ordinance No. 2022-24, seconded by Councilmember Hughes. The motion passed 5-0.

7 CONSIDERATION AND POSSIBLE ACTION:

7A. Resolution No. 43-2022. A Resolution setting forth the Ad Valorem (property) tax rate to be considered for adoption for the 2022 tax year; said rate to be \$0.5752 per \$100 of assessed value; and calling a public hearing prior to the adoption of the tax rate and the Fiscal Year 2023 budget.

Shelley McElhannon read Resolution No. 43-2022 caption into record.

Julie Behrens provided information and responded to questions.

Councilmember Hughes made a motion to approve Resolution No. 43-2022, seconded by Councilmember Herring. The motion passed 5-0.

7B. Resolution No. 50-2022. A Resolution approving negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., regarding the Company's 2022 Rate Review Mechanism Filing.

Shelley McElhannon read Resolution No. 50-2022 caption into record.

Mike Hayes provided information and responded to questions.

Councilmember Hughes made a motion to adopt Resolution No. 50-2022, seconded by Councilmember Herring. The motion passed 5-0.

7C. Professional Service Agreement for Special Districts Consulting and Administrative Services with MuniCap, Inc.

Shelley McElhannon read Item 7C caption into record.

Michael Hornes provided information and responded to questions.

Councilmember Garcia made a motion to authorize the City Manager to finalize and execute a Professional Services Agreement with MuniCap, Inc for consulting and administrative services, seconded by Councilmember Clarkson. The motion passed 5-0.

Councilmember Garcia made a motion to enter executive session under 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), and 551.087 (deliberation regarding economic development negotiations), seconded by Councilmember Hughes. The motion passed 5-0. Closed Executive Session convened at 8:11 p.m.

8 EXECUTIVE SESSION:

8A. Workforce Housing development projects. (551.071, 551.072, 551.087)

8B. Economic Improvement downtown projects. (551.071, 551.072, 551.087)

The closed executive session adjourned, and City Council returned to open session at 8:26 p.m. No action was taken during executive session.

9 ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY: None

10 ITEM(S) FOR FUTURE AGENDAS: None

ADJOURN. The meeting adjourned at 8:26 p.m.

APPROVED BY COUNCIL: 8/23/22

APPROVED:


Judy Eychner, Mayor

ATTEST:


Shelley McElhannon, City Secretary