

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
AUGUST 23, 2022 6:00 PM**

On August 23, 2022 at 6:00 p.m., Mayor Judy Eychner called the Kerrville City Council meeting to order in City Hall Council Chambers, 701 Main Street. Councilmember Kim Clarkson 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	Guillermo Garcia, Exec Dir Innovation
Michael Hornes, Asst City Manager	Eric Maloney, Fire Chief
Kim Meismer, Assistant City Manager	Chris McCall, Police Chief
Shelley McElhannon, City Secretary	Drew Paxton, Planning Director
Stuart Barron, Exec Dir PW/Eng	Trina Rodriguez, Asst Dir Finance
Julie Behrens, Director of Finance	

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.

Anne Berger-Entrekin, Hilltop Securities
Jay Juarez, Bond Council with McCall, Parkhurst & Horton LLP
Gil Salinas, Kerr Economic Development Corporation

1. ANNOUNCEMENTS OF COMMUNITY INTEREST: Announcements of Community Interest provided by Stuart Cunyus, Mayor Eychner, and Chief Eric Maloney.

2. PRESENTATIONS:

2A. Recognition of Kerrville Police Department Officers for dedication to public safety through DWI reduction efforts.

Chief Chris McCall recognized six officers honored by Mothers Against Drunk Driving and the Texas Department of Transportation: Officer Johnathan Collier, Officer Tyler Cottonware, Officer Jeff Robitaille, Officer Ruben Valencia, Officer Daniel Virdell, and Sgt Ed Holloway. The recognized Officers introduced their attending family members. The Kerrville Police Department as a whole, was also recognized.

Shelley McElhannon read general business protocols of conduct into record.
Mayor Eychner read *The Community Vision* into record.

3. VISITORS FORUM: None

4. CONSENT AGENDA:

Citizen George Baroody pulled Consent Agenda items 4B and 4C, and Councilmember Roman Garcia pulled Consent Agenda items 4A and 4D.

Councilmember Clarkson made a motion to approve items 4E, 4F, and 4G on the Consent Agenda, seconded by Councilmember Brenda Hughes. The motion passed 5-0.

4E. City Council workshop minutes August 09, 2022.

4F. City Council meeting minutes August 09, 2022.

4G. City Council workshop minutes August 16, 2022.

END OF CONSENT AGENDA.

4A. Agreement with Calgon Carbon Corporation for the purchase of Granular Activated Carbon for the Total Trihalomethanes filtration system at the Water Treatment Plant, not to exceed \$186,689.

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

Councilmember Garcia made a motion to authorize the City Manager to finalize and execute the agreement with Calgon Carbon Corporation with that amendment (*removing automatic renewal annually after initial term*) and to authorize the purchase as outlined, seconded by Councilmember Joe Herring, Jr. The motion passed 5-0.

4B. Administrative Services contract between City of Kerrville and City of Kerrville Texas Economic Improvement Corporation.

The following person(s) spoke:

- George Baroody

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

Councilmember Herring made a motion to approve the Administrative Services contract between the City of Kerrville and the City of Kerrville Texas Economic Improvement Corporation, seconded by Councilmember Hughes. The motion passed 4-1 with Mayor Eychner, Councilmember Clarkson, Councilmember Herring, and Councilmember Hughes, and Councilmember Garcia opposed.

4C. Economic Development Grant Agreement between Kerr Economic Development Corporation and the City of Kerrville Texas Economic Improvement Corporation.

The following person(s) spoke:

- George Baroody (declined when called)

Michael Hornes and Gil Salinas provided information and responded to questions.

Councilmember Clarkson made a motion to approve the Economic Development Grant Agreement between KEDC and the City of Kerrville Texas Economic Improvement Corporation, seconded by Councilmember Herring. The motion passed 5-0.

4D. City of Kerrville Funding Agreement with Kerr Economic Development Corporation.

Councilmember Garcia made a motion to approve the Funding Agreement with the KEDC and the City of Kerrville with the amendment on page 2, *striking subsection e*, seconded by Councilmember Hughes. The motion passed 5-0.

5 PUBLIC HEARINGS AND ORDINANCES, FIRST READING:

5A. Ordinance No. 2022-25. An Ordinance adopting the annual budget for the City of Kerrville, Texas, Fiscal Year 2023; providing appropriations for each City department and fund; containing a cumulative clause; and containing a savings and severability clause.

Shelley McElhannon read Ordinance No. 2022-25 caption into record.

Julie Behrens provided information and responded to questions.

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

The following person(s) spoke:

- Peggy McKay
- George Baroody

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

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

Councilmember Hughes made a motion to approve Ordinance No. 2022-25 to adopt the City's budget for Fiscal Year 2023 on first reading, seconded by Councilmember Herring. The motion passed 5-0.

Roll call vote:

	In Favor	Opposed	Abstained
Councilmember Roman Garcia	X	_____	_____
Councilmember Kim Clarkson	X	_____	_____
Mayor Judy Eychner	X	_____	_____
Councilmember Joe Herring, Jr.	X	_____	_____
Councilmember Brenda Hughes	X	_____	_____

Councilmember Clarkson 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 Hughes. The motion passed 5-0.

5B. Ordinance No. 2022-26. An Ordinance levying an Ad Valorem Tax for the use and support of the Municipal Government for the City of Kerrville, Texas, for Fiscal Year 2023; apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid.

Shelley McElhannon read Ordinance No. 2022-26 caption into record.

Julie Behrens provided information and responded to questions.

Mayor Eychner opened the public hearing at 7:06 p.m.

The following person(s) spoke:

- George Baroody

Mayor Eychner closed the public hearing at 7:06 p.m.

Councilmember Hughes made a motion to approve Ordinance No. 2022-26 (and an amendment) and that the property tax rate be increased by the adoption of a tax rate of

\$0.5750, which is effectively a 12.90% percent increase in the tax rate, seconded by Councilmember Clarkson. The motion passed 5-0.

Roll call vote:	In Favor	Opposed	Abstained
Councilmember Roman Garcia	<u>X</u>	_____	_____
Councilmember Kim Clarkson	<u>X</u>	_____	_____
Mayor Judy Eychner	<u>X</u>	_____	_____
Councilmember Joe Herring, Jr.	<u>X</u>	_____	_____
Councilmember Brenda Hughes	<u>X</u>	_____	_____

6 ORDINANCE(S), ONE READING:

6A. Ordinance No. 2022-27. An Ordinance approving the issuance of voter-approved General Obligation Bonds.

An Ordinance authorizing the issuance, sale and delivery of \$44,400,000 in aggregate principal amount of "City of Kerrville, Texas General Obligation Bonds, Series 2022"; making provisions for the payment of interest thereon and the principal thereof; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement, a purchase contract and an official statement; and declaring an effective date.

Shelley McElhannon read Ordinance No. 2022-27 caption into record.

Julie Behrens introduced both the item and Hilltop Securities Consultant Anne Berger-Entrekin, and advised that the City's Bond Council Jay Juarez was in attendance. Anne Berger-Entrekin and Mike Hayes provided information and responded to questions.

Councilmember Clarkson made a motion to approve Ordinance No. 2022-27 as presented, seconded by Councilmember Hughes. The motion passed 5-0.

7 ORDINANCES, SECOND READING:

7A. Ordinance No. 2022-23, second reading. 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 provided information and Drew Paxton and Mike Hayes responded to questions.

The following person(s) spoke:

- Patrick Cohoon
- George Baroody

Councilmember Clarkson made a motion to enter executive session under 551.071 (consultation with attorney), seconded by Councilmember Hughes. The motion passed 5-0. Closed Executive Session convened at 7:40 p.m.

The closed executive session adjourned, and City Council returned to open session at 8:10 p.m. No action was taken during executive session.

Councilmember Clarkson made a motion to table Ordinance No. 2022-23 until the next regular meeting, seconded by Councilmember Hughes. The motion passed 5-0.

7B. Ordinance No. 2022-24, second reading. 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 was available for information or questions.

Councilmember Hughes made a motion to approve Ordinance No. 2022-24 on second reading, seconded by Councilmember Herring. The motion passed 5-0.

8 CONSIDERATION AND POSSIBLE ACTION:

8A. Construction Agreement with Viking Construction, Inc. for 2022 Slurry Seal project in the amount of \$314,894.50.

Shelley McElhannon read Item 8A caption into record. Stuart Barron provided information and responded to questions.

Councilmember Clarkson made a motion to authorize the City Manager to finalize and execute a construction contract with Viking Construction, Inc., seconded by Councilmember Garcia. The motion passed 5-0.

8B. Core & Main purchase of materials for Advanced Metering Infrastructure (AMI) project, not to exceed \$218,138.00.

Shelley McElhannon read Item 8B caption into record. Trina Rodriguez provided information and responded to questions.

Councilmember Hughes made a motion to authorize the City Manager to finalize and execute a purchase of materials needed for completion of the AMI Project, seconded by Councilmember Clarkson. The motion passed 5-0.

9 BOARD APPOINTMENTS:

9A. Appointment to the Main Street Advisory Board.

Shelley McElhannon read Item 9A caption into record.

Councilmember Garcia made a motion to reappoint Ex Officio members Rachel Fitch and Katherine Howard, reappoint Diana Howard as a regular member, and newly appoint Lanza Teague as a regular member, seconded by Councilmember Herring. The motion passed 5-0.

9B. Appointments to the Senior Services Advisory Committee.

Shelley McElhannon read Item 9B caption into record.

Councilmember Herring made a motion to reappoint Marilyne Cizmich, Christina Klima, and Karen Mattox, and newly appoint Mike Ezer and Ken Zysko, seconded by Councilmember Clarkson. The motion passed 5-0.

9C. Appointments to the Tax Increment Reinvestment Zone Number One (TIRZ), Board of Directors, and appoint TIRZ Chair.

Shelley McElhannon read Item 9C caption into record.

Councilmember Garcia made a motion to reappoint Kenneth Early, John Harrison, Pat Murray, and Mindy Wendele; and further move to reappoint Kenneth Early as Chair, seconded by Councilmember Hughes. The motion passed 5-0.

9D. Appointments to the Zoning Board of Adjustment.

Councilmember Hughes made a motion to reappoint Pablo Brinkman as a regular member, and newly appoint Aimee Farrell and Becky Nutt as regular members, and newly appoint Lynn Niles as an alternate member, seconded by Mayor Eychner. The motion passed 5-0.

10 EXECUTIVE SESSION: None

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

12 ITEM(S) FOR FUTURE AGENDAS: None

ADJOURN. The meeting adjourned at 8:37 p.m.

APPROVED BY COUNCIL: 9/13/22

APPROVED:

Judy Eychner
Judy Eychner, Mayor

ATTEST:

Shelley McElhannon
Shelley McElhannon, City Secretary