

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
FEBRUARY 14, 2023 6:00 PM**

On February 14, 2023 at 6:00 p.m., Mayor Judy Eychner called the Kerrville City Council meeting to order in City Hall Council Chambers, 701 Main Street. Mayor Pro Tem 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
Mike Hayes, City Attorney
Michael Hornes, Asst City Manager
Kim Meismer, Asst City Manager
Shelley McElhannon, City Secretary
Stuart Barron, Exec Director Public Works
Kyle Burow, Director of Engineering

Stuart Cunyus, Public Information Officer
Guillermo Garcia, Exec Dir Innovation
Brandon Kelly, Asst Street Superintendent
Eric Maloney, Fire Chief
Chris McCall, Police Chief
Joel Meyners, Street Superintendent
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.

2. PRESENTATION(S):

2A. Briefing on Winter Storm 2023 "Mara" – January 31 through February 02, 2023.

Chief Eric Maloney and Stuart Barron provided information.

3. VISITORS FORUM:

The following person(s) spoke:

- Lillian Beard
- Monica Allen
- Bruce Stracke

4. CONSENT AGENDA:

Councilmember Roman Garcia made a motion to approve the Consent Agenda, seconded by Councilmember Brenda Hughes. The motion passed 5-0.

4A. Purchase Case Wheel Loader from Associated Supply Co, Inc. in the amount of \$72,019.22.

4B. Professional Services Agreement with Hewitt Engineering, Inc. for the Flow Equalization Basin Lift Station project in the amount of \$78,500.00.

4C. City Council workshop minutes January 24, 2023.

4D. City Council meeting minutes January 24, 2023.

END OF CONSENT AGENDA.

5. ORDINANCES, SECOND READING:

5A. Ordinance No. 2023-06, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning for properties known as 402, 405, 406, 407, 409, 410, 411, 413, 414, and 415 W. Water; consisting of the Westland Addition; from a Single Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to a Residential Transition Zoning District (RT); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2023-06 caption into record.

Councilmember Clarkson made a motion to adopt Ordinance No. 2023-06 on second reading, seconded by Councilmember Joe Herring, Jr. The motion passed 5-0.

5B. Ordinance No. 2023-07, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning of a property known as 3800 Loop 534; consisting of Lot 1, Block 5 of the Legion Hills Phase Four Subdivision, being approximately 3.56 acres, and within the City of Kerrville, Kerr County, Texas; from a Medium Density Residential Zoning District (R2) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject

Shelley McElhannon read Ordinance No. 2023-07 caption into record.

Councilmember Garcia made a motion to approve Ordinance No. 2023-07, seconded by Councilmember Hughes. The motion passed 5-0.

5C. Ordinance No. 2023-08, second reading. An Ordinance annexing a tract of land into the Corporate Limits of the City of Kerrville, Texas; such property making up approximately 0.08 acres and generally located adjacent to and south of Lehmann Drive in the area that Lehmann Drive intersects with Lenard Lane; such property more specifically described in this Ordinance and being located within the extraterritorial jurisdiction of and adjacent to the City Limits; adopting a service agreement; establishing the zoning for the annexed property as a Public and Institutional (PU) Zoning District; and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2023-08 into record.

Councilmember Hughes made a motion to approve Ordinance No. 2023-08 on second reading, seconded by Councilmember Garcia. The motion passed 5-0.

6. CONSIDERATION AND POSSIBLE ACTION:

6A. Consider a request for the granting of major waivers pursuant to §82-37 of the City's Code of Ordinances, such waivers concerning 1) the delayed submission of security for public infrastructure; 2) approval to reduce such security following City's acceptance of phased installation; 3) the early termination of an improvement agreement, all waivers applicable to property being a 37.10 acre tract, referenced as Creekside Apartments Phase 1A, to be addressed as 102 Wellborn Way, and generally located near the intersection of State Highway 16.

Shelley McElhannon read Item 6A caption into record.

Drew Paxton provided information and responded to questions.

The following person(s) spoke:

- Joann Hagemeier
- Bruce Stracke
- Carl Schwab (developer)

Mayor Eychner made a motion to approve the request for the granting of the waivers with the recommended terms, seconded by Councilmember Hughes. The motion passed 5-0.

6B. Resolution No. 04-2023. A Resolution authorizing execution of an Advance Funding Agreement (AFA) with the Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) Project.

Shelley McElhannon read item 6B caption into record.
Kyle Burow provided information and responded to questions.

Councilmember Hughes made a motion to approve Resolution No. 04-2023 and authorize the City Manager and the Mayor to finalize and execute any actions necessary to satisfy any TXDOT requirements, seconded by Councilmember Clarkson. The motion passed 5-0.

6C. Construction Agreement with G5 Utilities, Inc. for the Public Safety Facility Wastewater Realignment project in the amount of \$347,777.00.

Shelley McElhannon read item 6C caption into record.
Kyle Burow provided information and responded to questions.

Councilmember Hughes made a motion to authorize the City Manager to finalize and execute a contact, seconded by Councilmember Clarkson. The motion passed 5-0.

7. **EXECUTIVE SESSION:** Executive Session not convened.

8. **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY.** N/A

9. **ITEM(S) FOR FUTURE AGENDAS:**

- Councilmember Garcia requested that staff review the pending section of the Pending Agenda list.

ADJOURN. The meeting adjourned at 7:04 p.m.

APPROVED BY COUNCIL: 2/28/23

APPROVED:

Judy Eychner
Judy Eychner, Mayor

ATTEST:

Shelley McElhannon
Shelley McElhannon, City Secretary