



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING FEBRUARY 22, 2021

The City of Fredericksburg City Council met in a regular session on Monday, February 22, 2021, at 6 p.m. This meeting was held remotely via Zoom Teleconferencing. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Members Present:

Mayor Charlie Kiehne
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Polly Rickert
Councilmember Bobby Watson

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Daniel Jones, City Attorney
Lynn Bizzell, Fire Chief
Steve Wetz, Police Chief
Russell Immel, Director of Information Technology
Eric Whiting, Information Technology
Andrea Schmidt, Parks Department Director
Laura Hollenbeck, Finance Director
Lea Feuge, Public Information Officer
Justin Calhoun, Emergency Management Coordinator
Reagan Rabke, Fire Marshall
Kris Kneese, Assistant Director of Public Works and Utilities
Garrett Bonn, Assistant Engineer
Jennifer Krupa, Special Events Coordinator
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Kiehne called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, February 22, 2021, via Zoom Teleconference. Mayor Kiehne announced a quorum of the City Council present.

2. PLEDGE OF ALLEGIANCE

Mayor Kiehne led the Pledge.

3. UPDATE ON CORONAVIRUS (COVID-19) PANDEMIC

Lynn Bizzell, Fire Chief, reported as of 2-22-2021:

Texas Counties	Texas Total Cases	Texas Deaths	Texas Daily New Deaths	Texas Active Cases	Texas Daily New Cases	Texas Recovered
254 out of 254	2,251,388 (& 343,078 probable)	41,407	64	202,748	2,355 (& 277 probable)	2,331,940

COVID-19 totals of the adjacent counties' information (DSHS as of 2-21-2021):

County	Cases	Active	Recovered	Fatalities
Gillespie County	1,617	18	2,233	46
Kerr County	2,130	34	3,858	80
Kendall County	1,526	32	2,598	60
Mason County	232	31	342	4
Llano County	1,050	199	1,222	45
Blanco County	566	90	571	17

FISD reporting 13 positive cases

Hill Country Memorial Hospital reporting 4 positive cases hospitalized,

Vaccines -Texas

Doses Allocated	Doses Shipped	People vaccinated – 1 dose	People fully vaccinated
7,109,875	5,638,865	3,118,003	1,367,026

County	One Dose	Both Doses
Gillespie County	4,253	1,309
Kerr County	4,718	1,578
Kendall County	5,833	2,055
Mason County	633	145
Llano County	2,521	542
Blanco County	1,435	331

4. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, provided the following recognitions:

- Thank you to Public Works for restoring water during the winter storm.
- Thank you for Public Works for restoring electricity during the winter storm.
- Thank you to the following for their assistance and teamwork during the winter storm:
Justin Calhoun and Lynn Bizzell for their leadership at the EOC
Senator Buckingham and Representative Roy for their support with City and County needs
Allen Keller Company for their help with additional equipment
The entire Public Works and Parks Department
EMS/Fire Department, Police Department, Dispatchers, other City Departments, and volunteer

The City Council for investing in 3 new water tanks and water infrastructure that was approved.

Lynn Bizzell, Fire Chief, and Justin Calhoun, Emergency Management Coordinator, provided a PowerPoint on the number of calls and different types of calls received.

Kent Myers, City Manager, provided a report on the City's process during the winter storm. He also noted that there would be an After-Action Meeting to learn the things that were done correctly and the areas that need improvement.

5. PUBLIC COMMENTS

Mayor Kiehne reviewed the different ways the public could provide comments. He stated the City received five (5) written citizen comments.

Kimberly Lams thanked everyone who worked during the winter storm and requested the Mask Mandate be rescinded.

Jeannette Hormuth spoke regarding the tattletale tool and the Mask Mandate.

Timothy Riley thanked all the First Responders and the City heroes who kept others safe during the winter storm. He encouraged the City to continue addressing communications needs.

Annette Bennett encouraged the City Council to represent all residents, especially regarding COVID-19 and the Mask Mandate.

Samantha Little spoke regarding her hospital bill and the different COVID charges she received.

Tom Marschall spoke regarding the Emergency Declaration and the supplies the City receives. He noted PPE and other supplies are necessary but not more than people's rights.

Matt Long spoke regarding the need for all meetings to be held in person. He reviewed different facilities in Fredericksburg that he feels could work for public meetings.

Robert Phoenix spoke regarding what he feels the public's opinion is regarding the City Council, doing away with the City Manager position and COVID-19.

Lisa Bellamy stated she moved here from California, where residents did not have rights. She noted she felt the same thing is occurring here regarding COVID-19 restrictions.

Jett Burns thanked the first responders and Public Works for all their hard work during the winter storm. He encourages the City Council to remove the Mask Mandate.

Angela Smith spoke regarding the Mask Mandate, and the rights of citizens through the Constitution.

6. CONSENT

A. Consider approval of Minutes

- i. **Consider approval of February 1, 2021, City Council Regular Meeting Minutes (Shelley Goodwin, City Secretary).**

B. Consider the approval of Resolution 2021-02R authorizing submission of the grant application for the Fredericksburg Police Department Response Equipment Grant (Brian Vorauer, Patrol Lieutenant).

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve the Consent Agenda.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

7. PUBLIC HEARING

A. Hold a public hearing to receive citizen comments for or against a request from Nick Taylor with simple as Dirt Engineering requesting a Conditional Use Permit per section 5.400 for the following uses: condominium residential and Townhouse Residential on a C1 Zoned property located at 1032 S. Milam (#Z-2019) (Jason Lutz, Director of Development Services).

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to open the Public Hearing at 7:36 p.m. On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

Mayor Kiehne asked if anyone wished to speak. No one did.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to go out of the Public Hearing and back into the regular session at 7:37 p.m. On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passed unanimously five (5) for, and none (0) opposed.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider the approval of Conditional Use Permit per section 5.400 for the following uses: condominium residential and Townhouse Residential on a C1 Zoned property located at 1032 S. Milam (#Z-2019) (Jason Lutz, Director of Development Services).

Jason Lutz, Director of Development Services, reviewed the project and Phase I and Phase II. He noted currently, the zone Neighborhood Commercial (C-1) and medical offices are allowed. He noted Townhomes & Condominiums are also allowed with the approval of a Conditional Use Permit (CUP). The property is bounded to the north by the Windcrest residential development (PUD), Commercial (C-2) zoning to the south & west, and Public Facilities (PF) zoning districts to the south & east (Hospital). He reviewed the next steps this property will need to go through before any permits can be issued. He

stated the Planning and Zoning Commission voted 7-0 to approve the CUP for Townhomes & Condominiums with the condition that the project provides additional sidewalks in the development. Staff recommends approval of the Conditional Use Permit for Condominium Residential and Townhouse Residential, for Phase I & II, with the condition that additional sidewalks be constructed along with the residential areas to provide pedestrian access to other phases of the development.

Nicholas Taylor, Dirt Engineering, introduced P.V. McMinn, Jr., Project Manager. P. V. McMinn, Jr. reviewed the project and the different individuals he met with regarding the proposed development.

The City Council discussed the proposed development and the concerns that residents submitted.

P.V. McMinn, Jr., Project Manager, addressed several of the concerns that the neighborhood residents had expressed regarding the noise and businesses that could be located in the proposed development. He also reviewed his notes from the meetings he held with the HOA Presidents.

Motion: A motion was made by Councilmember Watson, seconded by Mayor Kiehne, to approve the Conditional Use Permit per Section 5.400 for the following uses: Condominium Residential and Townhouse Residential on a C1 Zoned property located at 1032 S. Milam (#Z-2019), with the stipulation to include sidewalks.

Councilmember Watson and Mayor Kiehne withdrew their motion and second after discussion.

Motion: A motion was made by Councilmember Watson, seconded by Mayor Kiehne, to take no action until the Project Manager can meet with all HOA Presidents on the Conditional Use Permit per Section 5.400 for the following uses: Condominium Residential and Townhouse Residential on a C1 Zoned property located at 1032 S. Milam (#Z-2019).

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passed unanimously five (5) for, and none (0) opposed.

B. Consider the approval of extension to the Art Guild Lease Agreement (Kent Myers, City Manager).

Kent Myers, City Manager, stated the City currently has a lease with the Art Guild for the building located at 308 East Austin. The current lease is \$600 a month and expires at the end of February. He noted the lease in the packet calls for a one-year lease with a one-year extension and a new rate at \$700 a month and \$750 for the one-year extension.

The City Council discussed the proposed monthly rate for the lease.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve a one-year extension to the Art Guild Lease Agreement at a monthly rate of \$600.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye

Councilmember Rickert aye

Councilmember Watson aye

Motion passed unanimously five (5) for, and none (0) opposed.

C. Consider, discuss, and take action regarding locations, equipment, and format of future City Council and other Public Meetings (Kent Myers, City Manager)

Jeannette Hormuth stated she feels City business is essential, and the City Council should meet in-person.

Ken Olson stated he feels there are many locations in Fredericksburg where the City Council can meet in-person.

Jett Burns reviewed what he feels are the necessary equipment and the cost to hold an in-person meeting.

Kent Myers, City Manager, reviewed the process used to look for a facility that would be safe enough to hold all City meetings for the next three months. He noted that while several places would be large enough, they do not have the equipment or good internet services. He reviewed the four options for the upcoming meetings.

The City Council discussed the four options and the cost.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to approve to hold the public meeting Option 4) holding in-person meetings with a hybrid approach involving the streaming of the meetings on YouTube and the cost affiliated with this streaming.

On roll call, the City Council voted:

Mayor Kiehne aye

Councilmember Luckenbach aye

Councilmember Musselman aye

Councilmember Rickert aye

Councilmember Watson aye

Motion passed unanimously five (5) for, and none (0) opposed.

D. Consider and discuss the 175th Anniversary Celebration presentation (Andrea Schmidt, Park & Recreation Director).

Tony Klein, Chair of the 175th Anniversary Celebration, provided a PowerPoint of the full year of celebration beginning May 6, 2021 – May 9, 2022. He noted the monthly celebratory themes, tentative schedule, commemorative merchandise, levels of sponsorships, and the different sponsors.

The City Council discussed the tentative schedule during the pandemic and thanked the Committee for their hard work.

E. Consider, discuss, and take appropriate action regarding the current Moratorium on Special Events and Outdoor Gatherings of 75 or more (Jennifer Krupa, Special Events Coordinator).

Jennifer Krupa, Special Events Coordinator, stated the current moratorium on special events and outdoor gatherings on City-owned property of 75 or more people is Sunday, February 28, 2021. She noted staff recommends the current moratorium on special events on City-owned property be extended until March

31, 2021 and allow rental of facilities for private outdoor gatherings for 10-299 people and requiring the renter to sign a COVID-10 health & safety protocol waiver.

The City Council discussed the Staff recommendation and the Health & Safety Plan.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to approve the extension of the current moratorium on special events on City-owned property March 31, 2021, and allow rental of facilities for private outdoor gatherings for 10-299 people, limited to posted occupancy or maximum occupancy allowed by State guidelines, and requiring the renter to sign a COVID-10 health & safety protocol waiver.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passed unanimously five (5) for, and none (0) opposed.

F. Consider, discuss and take action regarding approval of the Health and Safety Plan for the following events (Jennifer Krupa, Special Events Coordinator):

i. Fredericksburg Lions Club for pancake breakfast on April 3, 2021

Jennifer Krupa, Special Events Coordinator, reviewed the Health and Safety Plan for the Lions Club Pancake Breakfast. She also reviewed the proposed set up and all the precautions the Lions Club plans to implement.

The City Council discussed the plan and the event.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve the Health and Safety Plan for the Fredericksburg Lions Club for pancake breakfast on April 3, 2021.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passed unanimously five (5) for, and none (0) opposed.

ii. Die Kunstler von Fredericksburg Art Show on April 10, 2021

Jennifer Krupa, Special Events Coordinator, reviewed the Health and Safety Plan for the Die Kunstler von Fredericksburg Art Show. She also reviewed the proposed setup and all the organization's precautions for the Art Show.

The City Council discussed the plan and the event.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to approve the Health and Safety Plan for Die Kunstler von Fredericksburg Art Show scheduled for April 10, 2021.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passed unanimously five (5) for, and none (0) opposed.

G. Consider and discuss the adoption of Ordinance 2021-02 , to temporarily waive certain permit fees set forth in Article 5.000 - Construction Permits and Fees, of Appendix A of the Code of Ordinances, said waivers limited to permit fees directly related to repairs, reconstruction, and/or demolition necessary for purposes of winter storm disaster recovery from damages incurred during February 11-21, 2021 (1st of two readings; City Council may waive 2nd reading).

Kent Myers, City Manager, stated the proposed ordinance would waive all building, plumbing, and electrical permits for repairs associated with the recent winter storm event. He noted the waiver would waive fees but still require permits to be obtained and inspections performed to assure adherence to the City's adopted Building codes. The fee waiver would end May 1, 2021.

The City Council discussed the Ordinance and the deadline date of May 1, 2021.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to adopt Ordinance 2021-02 , to temporarily waive certain permit fees set forth in Article 5.000 - Construction Permits and Fees, of Appendix A of the Code of Ordinances, said waivers limited to permit fees directly related to repairs, reconstruction, and/or demolition necessary for purposes of winter storm disaster recovery from damages incurred during February 11-21, 2021 and waive 2nd reading.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passed unanimously five (5) for, and none (0) opposed.

H. Consider, discuss, and approve a Payment Assistance Plan for City Utility Bills.

Kent Myers, City Manager, stated with the extreme weather that took place may cause hardship to residential and commercial utility customers. He reviewed the different fees, including LCRA and AEP. He noted staff recommends the City Council approve a utility payment assistance program.

The City Council discussed the Payment Assistance Plan and how LCRA and AEP could be affected by ERCOT.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Rickert, to approve a Payment Assistance Plan for City Utility Bills.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passed unanimously five (5) for, and none (0) opposed

9. CITY MANAGER REPORT

A. Legislative Update

Kent Myers, City Manager, reported there were no Legislative activities due to the weather.

B. FISD Bond Plans

Kent Myers, City Manager, reported that FISD has formed two citizen committees, Reuse of the Middle School and Community Communication with a City employee serving on each Committee. He noted FISD is looking at holding a Bond Election in November 2021.

C. March 3, 2021 City Council Work Session

Kent Myers, City Manager, reviewed the four Work Sessions topics and stated this meeting will be held at 8:30 a.m. at the Rock Box Theater.

Councilmember Musselman asked that an update on the Historic District Guidelines be sent out.

10. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the upcoming meeting agenda items.

11. COUNCIL COMMENTS

Councilmember Rickert stated she felt the staff did a great job, and the communications were remarkable.

Councilmember Musselman thanked Keller Company and staff.

Councilmember Luckenbach thanked all the City employees and what they do for the City.

Councilmember Watson reported that 100% of the Airport Hangers are full and a waiting list. He also noted fuel sales are up 20%. He thanked the City employees and all the volunteers who assisted others during the winter storm.

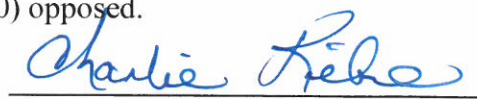
Mayor Kiehne thanked everyone for their assistance during the winter storm. He noted he also visited the EOC during the storm and was amazed at how well organized they were. He reported he was on a call with US Representative Chip Roy, Senator Buckingham, and Representative Biedermann.

12. ADJOURN

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to adjourn the Monday, February 22, 2021, City Council Regular Meeting at 9:47 p.m. On roll call, the City Council voted:

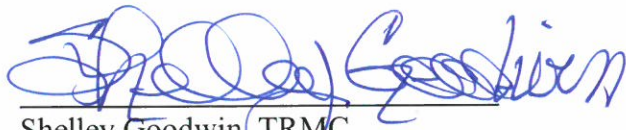
Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.



Charlie Kiehne
Mayor

ATTEST



Shelley Goodwin, TRMC
City Secretary