



City of Fredericksburg

City Council Special Meeting Minutes
Tuesday, January 3, 2023 ~ 9:00 AM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

1. **CALL TO ORDER**

Mayor Hoover called the Special Meeting of the Fredericksburg City Council to order at 9:00 a.m. on Tuesday, January 3, 2023. He announced that a quorum had been met.

2. **INVOCATION**

A. Annette Bennett, City resident, will provide the Invocation.
Annette Bennett, City resident, provided the invocation..

3. **PLEDGE OF ALLEGIANCE**

Mayor Hoover led the Pledge of Allegiance.

4. **CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION**

Clinton Bailey, City Manager, introduced Mick McKamie, Interim City Attorney.

Mick McKamie, Interim City Attorney, thanked the City Council for the opportunity to serve as the Interim City Attorney. He also provided a brief history of his career and of himself.

5. **COUNCIL COMMENTS**

Councilmember Watson wished everyone Happy New Year.

Mayor Hoover thanked everyone involved in the New Year's Eve event. He also thanked Jennifer Krupa, Assistant Parks Director/Special Events Coordinator, for her hard work on the New Years Eve event. He also thanked the City Council for their hard work in 2022 and looks forward to working together in 2023.

6. **CONSENT**

A. Consider approval of City Council Minutes for the December 20, 2022 Regular Meeting (Shelley Goodwin, City Secretary).

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to approve the December 20, 2022, City Council Regular Meeting Minutes. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. OTHER ACTION ITEMS AND UPDATES

- A. Consider the approval of a Conditional Use Permit requested by Bethany McCullough for property located at 511 W. San Antonio Street (public hearing was held on December 20, 2022) (#Z-2228) (Anna Hudson, Interim Development Services Director)
 - i. Presentation
 - ii. Consider the approval of a Conditional Use Permit per Section 6.110 to expand the use of a non-conforming property.

Bethany McCullough, owner, provided a presentation on her Conditional Use Permit "CUP" request for the property located at 511 W. San Antonio Street. She also reviewed the history and the need for the request and felt that this request is grandfathered and should go under the 2018 Ordinance. She stated at the Planning and Zoning Commission meeting she wasn't able to articulate her request, and since then she has done some research. She noted that the request was for two units.

Anna Hudson, Interim Director of Development Services, reviewed the request. She also noted that the Planning and Zoning Commission denied the request, which will take a super majority to pass this CUP. She reviewed the issues the Planning and Zoning Commission discussed (surrounding area, the STRs in the area, square footage, and parking issues). She reviewed the differences in the CUP process in the 2018 and 2022 Ordinances.

The City Council discussed the grandfather issue and the reasons why the Planning and Zoning Commission denied the request (parking, lot square footage, and minimum impact on the area). They also discussed the support letters that applicants provided and whether they are STR owners and which properties someone lives in permanently. The 2022 Ordinance allows for the surrounding area to be reviewed.

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Joseph, to deny the Conditional Use Permit requested by Bethany McCullough for property located at 511 W. San Antonio Street. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- B. Consider, discuss, and take action regarding a presentation on the Agenda Management processes (Shelley Goodwin, City Secretary).

Shelley Goodwin, City Secretary, gave a brief update on the new Agenda Management program.

Clinton Bailey, City Manager, provided the needs for the Agenda Management system and the benefits it will create for the public, City Council, and City staff.

8. CITY MANAGER'S REPORT

- A. Short-Term Rental (STR) Permitting and Code Enforcement Update.

Clinton Bailey, City Manager, reported that the Code Enforcement Officers have been out sick for the last week. He also noted that there have been some minor violations which were made up of City residents and STR renters.

Chief Voraaur reported on noise ordinance complaints (fireworks and 1 loud noise). He reviewed the violations that occurred at two STRs. He also noted that the officers who go out on these calls make it a point to discuss with the renters about the rules which they admit they are aware of and violate anyway. He reported that in one violation the officers tried to contact of point of contact on record and 30 minutes later there was still no response.

Garret Bonn, Assistant City Manager, provided an update on Granicus, which did send a representative to Fredericksburg to work on issues. It was determined that Granicus was not the best fit going forward. They are looking at some parallel packages and other in-house solutions.

Clinton Bailey, City Manager, reported that Granicus has admitted that they have been part of the problem with communications and not providing the service that they promised. He noted that their software is not customizable and is not a good fit for Fredericksburg's needs.

Randy Briley, Task Force Member, stated he has done some research and Granicus has launched non-performance software. He reviewed the issues that Granicus created and said that we are paying full price and the staff is doing quite a large amount of work.

Clinton Bailey, City Manager, thanked the Task Force for all the work they have done and will be doing in the future.

9. ITEMS FOR FUTURE AGENDA

- A. Review the Future Agenda Spreadsheet (Clinton Bailey, City Manager)

Clinton Bailey, City Manager, reviewed the Future Agenda spreadsheet.

Anna Hudson, Interim Director of Development Services, reviewed a Joint Meeting between the City Council and the Planning and Zoning Commission regarding the Comprehensive Planning Meeting on January 17, 2023, at noon.

Mayor Hoover requested that a discussion at the Joint Meeting include the clarification of the CUP process.

Tom Musselman, Planning and Zoning Commissioner, stated he feels a Joint Meeting to discuss the CUP process would be good. He feels the Commission is only able to work off the rules the City Council makes for them.

Tim Dooley, Planning and Zoning Commissioner, stated he feels that the rules need to be reviewed so the Commission can apply them to requests.

Anna Hudson, Interim Director of Development Services, recommended allowing the Task Force and the new attorney to review the process.

Clinton Bailey, City Manager, stated there is a conflict with the February 7, 2023 City Council Special Meeting. He noted there is a Senior Official Workshop that day and it

is unable to be changed.

The City Council agreed by consensus to move the Tuesday, February 7th Special Meeting to Wednesday, February 8th at 9:00 a.m.

10. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to adjourn the meeting at 10:22 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.