



City of Fredericksburg

CITY COUNCIL SPECIAL MEETING MINUTES WEDNESDAY, FEBRUARY 8, 2023 ~ 9:00 A.M. LAW ENFORCEMENT CENTER 1601 E. MAIN STREET FREDERICKSBURG, TEXAS 78624

Mayor Jeryl Hoover
Mayor Pro-Tem Bobby Watson
Councilmember Emily Kirchner
Councilmember Tony Klein
Councilmember Sharon Joseph

Members Absent:

None

City Staff Present:

Clinton Bailey, City Manager
Mick McKamie, Interim City Attorney
Garret Bonn, Assistant City Manager
Brian Vorauer, Police Chief
Lynn Bizzell, Fire Chief
Eric Whiting, Director of Information Technology
Kris Kneese, Director of Public Works and Utilities
Derek Seelig, Police Lieutenant
Braxton Roemer, Police Lieutenant
Justin Calhoun, Emergency Management Coordinator
Anna Hudson, Interim Director of Development Services
Lea Feuge, Public Information Officer
Leslie Embrey, Administrative Assistant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Hoover called the Special Meeting of the Fredericksburg City Council to order at 9:00 a.m. on Wednesday, February 8, 2023. He announced that a quorum had been met.

2. INVOCATION

Cody Carnett, Pastor of Fredericksburg Christian Fellowship, provided the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

Laura Hollenbeck, Director of Finance, introduced the following new Finance Department employees:

- Darren Eckhardt – transferred from Street Department as a Crew Chief to the Finance Department as the HOT Collection Specialist.

- Bridget Flint, City Accountant, came to the City of Fredericksburg Finance Department from the City of Llano.

Clinton Bailey, City Manager, recognized the following employees:

- Sgt. Cliff Hirl and Officer Tyler Smithey for going above and beyond the call of duty to save a life
- Officer Ben Bosse for his professionalism during a traffic stop

5. COUNCIL COMMENTS

Councilmember Watson provided the following updates from meetings and events he attended:

- January 18th Airport Advisory Committee Meeting
 - T Hanger is at a 100% occupancy with 23 names on the waiting list
 - The "Santa Fly-In" event was well attended
 - Gas sales have slowed but are still more than last year's sales
- January 20th Economic Development Commission Annual Planning Meeting, where a discussion was held regarding the growth in Gillespie County still going but has slowed down
- January 24th Convention and Visitor Bureau Committee meeting on behalf of Councilmember Joseph where the GEO Fencing for the downtown area was discussed
- January 25th Mayor's Short-Term Rental (STR) Task Force
- January 26th Town Hall Meeting Heritage Hill Country subdivision, where a great discussion was held
- February 2nd filled in for the Mayor at the radio station, where the new Comprehensive Plan Survey and the recent Winter Storm were discussed
- February 1st went with Clinton Bailey, City Manager, and Councilmember Kirchner to the recent storm to see how Emergency Operation Center works
- February 3rd did a ride along with Officer Wayman, which was a great opportunity
- February 7th attended an All-Hazard Disaster Preparedness Training Course

Councilmember Joseph thanked Councilmember Watson for filling for her at the Convention Visitor Bureau Committee meeting. She also asked Brady Closson, CVB President/CEO, to discuss their upcoming Open House Meeting.

Brady Closson, CVB President/CEO, reviewed the quarterly stakeholder meeting, which is scheduled to be held on February 9th at the Hill Country University Center at 9:00 a.m. He noted that the main topics are promoting tourism and setting goals.

Councilmember Kirchner provided the following updates:

- Congratulations to Eric Whiting, Director of Information Technology, for being appointed to the Texas Municipal League Broadband Advisory Board
- The 2024 Eclipse Planning Committee is now meeting monthly
- February 7th attended an All-Hazard Disaster Preparedness Training Course
- Next week she and Clinton Bailey, City Manager, will be going to the State Capitol as members of the Hill Country Leadership Institute's inaugural cohort. She noted they will meet with State Representative Ellen Troxclair and State Senator Pete Flores, both of whom represent Fredericksburg in the Legislature

Mayor Hoover stated he also attended the All-Hazard Disaster Preparedness Training Course yesterday.

6. CONSENT

A. Consider approval of City Council January 17, 2023 Regular Meeting Minutes.

B. Consider approval of City Council and Planning and Zoning Commission January 17, 2023 Joint Meeting Minutes.

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Joseph, to approve the January 17, 2023, City Council Regular Meeting Minutes and the January 17, 2023, City Council and Planning and Zoning Commission Joint Special Meeting Minutes. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

A. Consider the approval of Resolution 2023 - 01R calling for a General Election to be held on May 6, 2023, for the election of two Councilmembers; establishing procedures for those elections; and providing an effective date.

Shelley Goodwin, City Secretary, reviewed the Resolution calling the May 6, 2023, General Election. The purpose of this election is to elect two City Councilmembers. She noted that the Spanish translation was completed on Friday and that both English and Spanish versions of the Resolution were emailed to the City Council on Friday. The hourly rates are the following:

- Presiding Judges \$15.00
- Alternate Judges \$14.50
- Election workers \$14.00

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Kirchner, to approve Resolution 2023 - 01R calling for a General Election to be held on May 6, 2023, for the election of two Councilmembers; establishing procedures for those elections; and providing an effective date. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider the approval of a Release of Easement, Electric Easement, and Right-of-Way/Easement Use Agreement to Hill Country Memorial Hospital Property

Kris Kneese, Director of Public Works and Utilities, provided a presentation and reviewed the history of the easement and right-of-way. He also reviewed the process used and the reason for the release of easement.

The City Council discussed the following:

- the presentation
- the easement and its location
- the reasons for the requested release
- a community meeting to explain the sale of the Hill Country Memorial Hospital

Carol Hammersen, resident, spoke regarding the great neighborhoods and a great hospital in Fredericksburg. She stated she is disappointed in the secret way the hospital handled the sale.

Clinton Kotal, Operational Services of the Hill Country Memorial Hospital, reviewed the easements and their location. He noted how they identified the easements and how the release of the easements would clean up the title of the hospital.

Motion: A motion to postpone was made by Councilmember Klein, seconded by Councilmember Joseph, to approve the Release of Easement, Electric Easement and Right-of-Way/Easement Use Agreement to Hill Country Memorial Hospital Property. The City Council voted the following on roll call:

Councilmember Kirchner	Nay
Councilmember Watson	Nay
Councilmember Klein	Aye
Councilmember Joseph	Aye
Mayor Hoover	Aye

The motion to postpone carried three (3) ayes and two (2) nays.

B. Consider, discuss, and take action regarding the 2023 Hotel Occupancy Tax Recipients (HOT) process and deadlines.

Shelley Goodwin, City Secretary, provided the attached PowerPoint regarding the timeline and directions related to the 2023 HOT process. She provided the history of the HOT process and the proposed changes to make the process more effective.

Brady Closson, CVB President/CEO, reviewed the HOT distribution process used in his previous City.

The City Council reviewed the following proposed changes:

- Adjustment to the proposed 2023 HOT Timeline
- Recipient Reports and providing copies to the City Council
- Proposed realignment for the HOT funding
- Application for 2023
- Orientation for all those who are interested in applying for funding

Mickey Poole spoke regarding the State “Two-Step” process not always being met. He noted each event must put “heads in beds” or the requirements are not meet.

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Joseph, to approve the following items for the HOT process

- Application
- February 23, 2023 HOT Orientation
- Begin the advertising campaign
- Bring back to City Council a new 2023 Timeline

The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

C. Consider, discuss and take action on the City Council 2023 Goals and Priorities.

Clinton Bailey, City Manager, provided the background of the previous budget priorities and the need to identify the goals and priorities. He also provided the City Council Budget Priorities for June 20, 2022, 2022-2023 Discussion Topics, and the former City Manager's 2022 Project list. He also provided a wish list from Ken Cooke.

George Studor, resident, spoke regarding how the City Council arrives at its priorities and the unintentional risk and effects they might have on others.

The City Council discussed the following:

- Comprehensive Plan Survey
- Traffic relief
- 2023 Discussion Topics

9. CITY MANAGER'S REPORT

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

Garret Bonn, Assistant City Manager, provided the following:

- 42 STR renewal permits
- 1 STR accessory permit
- 103 non-conformities activity; reaching out to the owners and operators to provide some form of activity, and if they are unable then a Denial Notice will be issued
- IT and Code Enforcement updating Code Cop and including the new Civil Adjudication process
- 19 case hearings scheduled for February
- An additional Docket Date was added to the end of the month
- Between January 30 and February 6, Code Enforcement 34 issued violations (60% related to STR and the remainder trash violations)
- Coordination efforts
 - Members of the Task Force
 - IT on a customized solution
 - My Government Online offers a solution to handling permit solutions, including STR permits. They have agreed to develop a testing element in the next 2 to 4 weeks that the City can use to test some cases with no obligations to the City.

Brian Vorauer, Police Chief, reviewed the January 9 to February 5 violations – 1,400 calls total and 14 calls were for noise, and 7 were STR related.

Donn Wagner, City resident, spoke regarding communications, compliments to Garret Bonn, Ray Ortegon, and those handling STRs. He also noted that Building Permits need to be visible to assist those checking on the building.

B. Winter Storm Update

Justin Calhoun, Emergency Management Coordinator, reviewed the process to prepare for the recent Winter Storm. He reviewed the following:

- Tractor Trailer turnover on Hwy North 87
- CTEC electric outages (total of 3,600 outages)
- Transit traffic

10. ITEMS FOR FUTURE AGENDA

A. Review the Future Agenda Spreadsheet

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

Mayor Hoover asked that a discussion item for the Task Force Committee Report.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section – 551.071 (Consultation with Attorney).

A. Consider and discuss The State of Texas, ex rel. Association Against Fredericksburg

Annexations vs. City of Fredericksburg, Texas, pending in the 216th District Court [551.071]; and

B. Consider and discuss Alpha Securities, LLC, Appellant, v. City of Fredericksburg, Appellee, pending in the Court of Appeals for the Fourth Appellate District of San Antonio, on appeal from Cause No. 15377 in the 216th Judicial District Court of Gillespie County (Sec. 551.071).

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to go out of the Special Meeting and into the Executive Session at 11:08 a.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

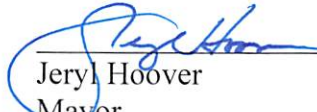
Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to go out of the Executive Session and into the Special Meeting at 11:44 a.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

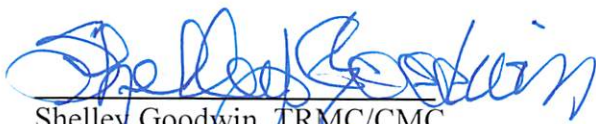
12. BUSINESS ITEM

The City Council did not take any action have the Executive Session.

13. ADJOURN

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to adjourn the meeting at 11:45 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.


Jeryl Hoover
Mayor


Shelley Goodwin, TRMC/CMC
City Secretary