



City of Fredericksburg

CITY COUNCIL REGULAR MEETING MINUTES

TUESDAY, JANUARY 17, 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
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
Jennifer Krupa, Assistant Parks & Recreation Director/Special Events Coordinator
Leslie Embrey, Administrative Assistant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Hoover called the Regular Meeting of the Fredericksburg City Council to order at 9:00 a.m. on Tuesday, January 17, 2023. He announced that a quorum had been met.

2. INVOCATION

Bobby Vitek, Pastor Holy Ghost Lutheran Church, will provide the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

Kris Kneese, Public Works and Utility Director, introduced Franciso Ramirez, Water Department Crew Worker I.

Anna Hudson, Interim Development Services Director, introduced Raymond Ubinas, Code Enforcement Officer.

5. COUNCIL COMMENTS

Councilmember Klein spoke regarding the sale of the Hill Country Memorial Hospital and the remaining steps of the sale.

Councilmember Kirchner spoke regarding the next City Council Meeting, which was moved to Wednesday, February 8, 2023. She noted one of the agenda items was the process of Hotel Occupancy Tax and she feels the City Council should include the Convention and Visitor Bureau in the process.

6. CONSENT

The City Council pulled Consent Agenda Items 6. B. - 6. G. to be considered separately.

A. Consider the approval of City Council Minutes for the January 3, 2023 Special Meeting.

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to approve the City Council Minutes for the January 3, 2023, Special Meeting. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of a Street Closure Request for W. Austin Street, from N. Crockett to N. Adams from 7:00 a.m. until 7:00 p.m. for the City Hall Open House & Touch-A-Truck event scheduled for Thursday, March 23, 2023.

C. Consider the approval of a Street Closure Request for W. Austin Street, from N. Crockett to N. Adams from 6:00 a.m. until 12:00 p.m., for the Wanderlust Half Marathon event scheduled for Saturday, March 25, 2023.

D. Consider the approval of a Street Closure Request for W. Austin Street, from N. Crockett Street to N. Adams Street from 3 p.m. to 10 p.m. for the Fredericksburg Volunteer Fire Department Fish Fry scheduled for Saturday, April 15, 2023.

E. Consider the approval of a Street Closure Request for Austin Street, from Crockett Street to Adams Street for the Vintage Motor Car Club of America scheduled for Tuesday, April 18, 2023.

F. Consider the approval of a Street Closure Request for W. Austin Street, from N. Crockett to N. Adams from 6:00 a.m. until 11:00 a.m. for the Wildflower Run scheduled for Saturday, April 22, 2023.

G. Consider the approval of a Street Closure Request for the Crawfish Festival scheduled for Memorial Day weekend beginning Friday, May 26, 2023, until Sunday, May 28, 2023, for the following closure dates, times and streets:

- N. Adams Street - close the parking lane and one southbound lane adjacent to Marktplatz beginning at 7:00 a.m. on Friday, May 26, 2023, and reopen at 10:00 p.m. on Sunday, May 28, 2023; and
- W. Austin Street - close the entire street from N. Crockett to N. Adams Street, beginning at 7:00 a.m. on Friday, May 26, 2023, and reopen at 10:00 p.m. on Sunday, May 28, 2023.

Jennifer Krupa, Assistant Parks Director and Special Events Coordinator, reviewed agenda items 6. B through 6.G. She reviewed the request, the history of each event, and need for each street closure request.

Motion: A motion was made by Councilmember Joseph, seconded by Councilmember Kirchner, to approve agenda items 6. B. through 6. G. as written. 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 a Conditional Use Permit requested by James Reichenau for property located at 111 E. Schubert Street.

i. Presentation

ii. Hold a Public Hearing to receive comments for or against the request

iii. Consider the approval of #Z-2230 Conditional Use Permit per Section 3.110 to operate a STR – Unoccupied in a R2 Zoned area located in the Historic District

Anna Hudson, Interim Development Services Director, stated the Applicant is requesting a Conditional Use Permit (CUP) per Sec. 3.110 of the Zoning Ordinance to operate the property as a STR-Unoccupied. She reviewed the location of the property and stated the tract lies within an R-2 zoned area within the Historic District. She noted the proposed development would include a 2-bedroom short-term rental unit within the main structure and the existing guest house would not be used as a short-term rental. The Planning and Zoning Commission approved the CUP request unanimously.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to go out of the Regular Meeting and into the Public Hearing at 9:18 a.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

James Reichenau, owner, stated he applied for the permit because if his long-term renter ever moves out, he noted with his taxes going up and his recent retirement, he feels he would have trouble getting renters due to business across the street.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to go out of the Public Hearing and into the Regular Meeting at 9:20 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

The City Council discussed the requestors' reason for applying for the CUP and the location of the property.

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Watson, to approve the Conditional Use Permit requested by James Reichenau for property located at 111 E. Schubert Street. 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 Construction Contract Award for the City of Fredericksburg Landfill Cell #9.

Garret Bonn, Assistant City Manager, stated the City of Fredericksburg Landfill Cell #9 Construction Project is a part of a FY 2023 Sanitation Department Capital Improvement Project with a total budget of \$1,425,000. Cell #9 is the final cell within Phase II of the landfill facility and will tie into the north end of Cell #8. He noted for the Cell #9 project, there are two separate sets of construction documents, one construction contract includes general earthwork, grading, leachate collection system, piping installation, leachate sump and pump, and placement of protective cover. The liner system for the project will be installed under a separate construction contract and includes a geosynthetic clay liner, geomembrane liner, and leachate collection system drainage geocomposite material. He also noted the separation of the two contracts is common in landfill construction and allows the City to avoid general contractor up-charges for geosynthetic subcontractors. He also reviewed the contracts and the bid process. He stated City staff

recommends award of the construction contract in the total amount of \$291,032.56 to Hammett Excavation, Inc.

The City Council reviewed the following:

- Timeframe for the remaining live of the cell
- The different phases within the landfill
- Fencing or berms around the landfill to help with catching berms
- Upcoming workshop on future of the Landfill
- Product accepted at the Recycling Center

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to approve Construction Contract Award for the City of Fredericksburg Landfill Cell #9. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of a Geosynthetics Contract Award for the City of Fredericksburg Landfill Cell #9.

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to approve the Geosynthetics Contract Award for the City of Fredericksburg Landfill Cell #9. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider the approval of a Professional Services (Construction Administration) for the City of Fredericksburg Landfill Cell #9.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to approve the Professional Services (Construction Administration) for the City of Fredericksburg Landfill Cell #9. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

D. Consider the approval of a Professional Services Contract (Design) for the N. Llano Storm Sewer Project.

Garret Bonn, Assistant City Manager, reviewed the history of the project. He stated the Grant Funding through TxDOT was approved and the City received an interest free loan through the State. He noted the project will be completed by the summer of 2024.

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Joseph, to approve a Professional Services Contract (Design) with Freese and Nichols for the N. Llano Storm Sewer Project. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

9. CITY MANAGER'S REPORT

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

Clinton Bailey, City Manager, reviewed the following:

- Code Enforcement - outcome of three major violations (noise related) for last month
- Municipal Court - 32 waste trash violations and 17 STR unpermitted
- Permitting of STRs - Mike Hogan creating a software program to meet needs that the current software is lacking and the IT Department is working with staff to get a clear understanding of the processes.

Mike Hogan stated he is working on developing a software program to better fit the City and the customers' needs.

Mayor Hoover thanked the STR Task Force for coming up with the best data.

The City Council discussed the process for unlicensed STR.

Garret Bonn, Assistant City Manager, stated all unlicensed STRs are routed through Municipal Court, which is following the step to revoke laid out in the Ordinance. He stated Staff is looking for a quicker process to help address the unlicensed STRs.

The City Council thanked the Task Force and the City Staff who have been working on the STR solutions. They also encouraged anyone who sees a violation to please contact the appropriate department, so they can get better data.

Mayor Hoover read Doris Ernst's Written Comments.

Clinton Bailey, City Manager, thanked Staff for their hard work. He also stated that three new employees have been added to the STR process, as well as Mike Hogan.

B. Update on City Water Supply

Clinton Bailey, City Manager, reviewed the County's moratorium on wells. He also spoke about the City's need to soon go into Stage 4. He stated Stage 4 would cut back watering to 4 hours in the morning, 70% of water consumption is from watering. He also reviewed the water projects that had been completed.

The City Council discussed the following:

- Pool drainage and refilling of pools
- Holding a Joint Workshop with Gillespie County to receive an update on water and well issues

C. Employment Vacancies Update

Clinton Bailey, City Manager, reviewed the upcoming employment vacancies:

- Police Department - seven vacancies including the 3 new positions
- Health Division - one vacancy
- Fire/EMS - one vacancy
- Street Department - one vacancy
- Sanitation Department - one vacancy
- City Attorney position

He stated there were 13 new positions created in the 2023 Budget. He also noted that the City has recently received four applications for the City Attorney's position. He also asked the City Council if they wished to hire a firm to handle a City Attorney search.

The City Council agreed by consensus to review the four applications first and then provide directions.

10. ITEMS FOR FUTURE AGENDA

A. Review the Future Agenda Spreadsheet

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

11. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to adjourn the meeting at 10:21 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