

CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING MARCH 18, 2019

Members Present:

Mayor Linda Langerhans
Councilmember Charlie Kiehne
Councilmember Gary Neffendorf
Councilmember Jerry Luckenbach
Councilmember Tom Musselman

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director Public Works and Utilities
Daniel Jones, City Attorney
Brian Jordan, Development Services Director
Russell Immel, Information Technology Director
Braxton Roemer, Police Department Lt.
Kris Kneese, Assistant Director Public Works and Utilities
Lee Stubblefield, Electric Department Superintendent
Shelley Goodwin, City Secretary

1. Pledge of Allegiance

Mayor Langerhans led the Pledge of Allegiance.

2. Call to Order

With a quorum of the City Council present, Mayor Langerhans called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, March 18, 2019, in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas 78624.

3. Employee Recognitions

Kent Myers, City Manager, recognized the Fire Department for going above and beyond by assisting St. Mary's Church with the removal of a cross on the top of a building that was damaged due to high winds.

4. Public Comments

Russ Rose spoke regarding the Recycling Center. He encouraged the City Council to read the Wall Street Journal article regarding aluminum cans and the Austin American Statesman regarding Cities that have recently closed their Recycling Centers. He also encouraged the City Council to look at contracting with a 3rd party provider for Recycling services.

5. CONSENT

A. Consider approval of the February 18, 2019 City Council Regular Meeting Minutes.

B. Consider approval of the March 4, 2019 City Council Regular Meeting Minutes.

C. Consider approval of the March 11, 2019 City Council Special Meeting Minutes.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to approve the Consent Agenda 5. A.-5. C., with corrections. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

6. RESOLUTIONS – OTHER ACTION ITEMS - DISCUSSION ITEMS

A. Consider the approval of the Hotel/Motel Occupancy Tax contract template.

Daniel Jones, City Attorney, reviewed the history of the Hotel/Motel Occupancy Tax contract process and the intent of the revisions to the contract and requirements to make it easier for grantees and grantor.

The City Council discussed the revisions to Section 4. Grantee Recordkeeping and Reporting regarding quarterly reports.

Kent Myers, City Manager, stated he met with Laura Hollenbeak, Finance Director, and she informed him that there were enough funds in the reserves to allow the City to eliminate the quarterly payments to the recipients. He stated this would eliminate the Finance Department from having to cut additional checks quarterly and eliminate the process of allocation funds in two separate fiscal years.

The City Council discussed expending one check to the recipients or cutting two checks to recipients who receive more than fifty-thousand dollars (\$50,000).

Mayor Langerhans stated she believes the recipients will not know where to find the Texas Tax Code Chapter 351 mentioned in Section 3. of the agreement.

Daniel Jones, City Attorney, stated he could provide a link to the Texas Tax Code Chapter 351 and a copy could be placed in the lobby at City Hall. He stated he could also provide a cover sheet highlighting the agreement and reporting requirements.

Councilmember Musselman stated he feels that once the recipients have been awarded the funds, it is their responsibility to use the funds as described by the law in Texas Tax Code Chapter 351.

Councilmember Kiehne recommended adding a link to the Texas Tax Code Chapter 351 so the recipients can find the Code.

The City Council discussed the tracking of overnight stays on Exhibit A. They also discussed the tracking of the Quarterly Reports and Annual Financial Report.

Kent Myers, City Manager, stated when the City Council reviews the applications for next year, the completion of the Annual Financial Report and the submissions of the Quarterly Reports should be considered.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve the Hotel/Motel Occupancy Tax contract template, with the following changes:

- Add exemption statement for any quarter period that did not have activities to only require them to send an email stating to the City Secretary that they had no activity during the quarter
- For recipients of less than \$50,000 the City shall make one payment to the grantee and two payments if over fifty thousand (\$50,000); one check at the end of May and the remainder at the end of August
- Exhibit B strike 2nd signage directing the public to sights and attractions (duplication)
- Add link to Texas Tax Code and provide a hard copy to be kept in City Hall
- Exhibit A adding clarification to the overnight stay question

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

B. Presentation by the Morning Rotary Club on the Basketball Pavilion at Old Fair Park and the discussion of additional projects.

Mark Bennett, Morning Rotary Club, provided the history of the Old Fair Park basketball facility. He also showed the rendering and site plan of the proposed Basketball facility and stated the Rotary Club has 100 % funding commitments for the facility.

The City Council discussed the rendering and site plan. They thanked the Morning Rotary Club for the proposed facility.

C. Presentation on the Electric Building Project; including site plan, building elevations, schedule, project and project construction cost estimate.

Kris Kneese, Assistant Director of Public Works, provided the history of the project.

Steve Thomas, SKT Architecture, reviewed the location at the proposed site and rendering of the Electric Building. He stated they are on track to complete the plans by early summer, then go out for bid to construct the building which will take 4-6 weeks.

The City Council then discussed the rendering and possibility of a retaining wall due to the slope of the property. They also discussed the separate storage building.

Kent Myers, City Manager, requested that the cost of the electric building be separate from the cost of the storage building. He also stated originally there was only one proposal for financing the project, but since then the financing had fallen through and the financing for the project will be brought back to City Council for approval.

Daniel Jones, City Attorney, stated the State of Texas provides regulations regarding financing debt and the type of financing the bank was proposing did not provide for a recourse in collecting an outstanding debt. He stated after he spoke to the bank's attorney the financing fell through.

D. Presentation and update on the implementation of the City Comprehensive Plan.

Brian Jordan, Development Services Director, provided a PowerPoint on the Comprehensive Plan update. He reviewed the history of the Comprehensive Plan implementation and the process used regarding the Zoning Ordinance, Subdivision Ordinance, other Development Regulations, Annexation-Establish a Priority Plan, Capital Improvement Program, Other City Programs, Incentives & Financing Programs, and Public-Private Partnerships.

Kent Myers, City Manager, stated that the City also approved a Comprehensive Parks and Facilities Plan/Master Plan. He also stated the Community Visioning Committee recommends that

every time a new Plan is created or updated, staff needs to refer back to the Community Visioning Plan.

Mayor Langerhans stated she feels the upgrades to the Golf Course and RV Park should also be included in the Plan.

7. CITY MANAGER'S REPORT

A. Touch a Truck Event

Kent Myers, City Manager, reminded the City Council of the 2nd Annual Touch a Truck and Open House Event on Thursday, March 21, 2019 at 3:30 – 7:00 p.m. at the Marktplatz and City Hall area.

B. Relief Route Information

Kent Myers, City Manager, reported new information on the Relief Route and frequently asked questions fact sheet has been placed on the website as well as sent to everyone who attended the meetings. He also stated a follow up meeting with Citizen for Information Relief Route (CIRR) is being scheduled.

C. Legislative Update

Kent Myers, City Manager, stated the next 30 days the Legislation will get very busy. He stated staff is currently tracking bills on Short-Term Rentals, Historic Preservation, Eminent Domain, Annexation, Property Tax Revenue Caps, and HOT Rebate. He also stated staff will be attending hearings and you will be notified, in case you want to attend.

D. Annexation Update

Kent Myers, City Manager, stated the 290 E. Annexation is moving along and the public hearings on the 290 E. Annexation are scheduled for April 1st and 15th. He stated currently Brian Jordan and Daniel Jones are working on the Annexation Agreement for the Crewnwelge Annexation.

8. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the Future Agenda items for the April 1, 2019 and April 15, 2019 City Council Regular Meetings.

9. COUNCIL COMMENTS

Councilmember Kiehne thanked the Fire Department for the assistance they provided to St. Mary's Catholic Church.

10. EXECUTIVE SESSION

Pursuant to Texas Government Code Section 551.072 – Consider and discuss the purchase, exchange, lease, or value of real properties owned by the City:

- A. located in the vicinity of Old San Antonio Road, and**
- B. located in the vicinity of N. Adams St. and Lower Crabapple**

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of Regular Session into Executive Session at 7:19 p.m. The motion carried unanimously.

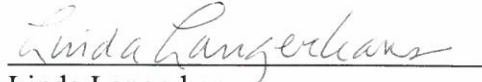
Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Neffendorf, to go out of Executive Session into Regular Session at 8:17 p.m. The motion carried unanimously.

11. BUSINESS ITEMS

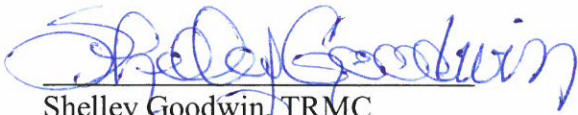
The City Council did not make an announcement or take action after the Executive Session.

12. ADJOURN

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Neffendorf, to adjourn the Monday, March 18, 2019 City Council Regular Meeting at 8:17 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.


Linda Langerhans
Mayor

ATTEST


Shelley Goodwin, TRMC
City Secretary