



City of Fredericksburg

City Council Regular Meeting Agenda

Tuesday, June 18, 2024 ~ 9:00 AM

Law Enforcement Center

1601 E. Main Street

Fredericksburg, Texas 78624

Members Present:

Mayor Jeryl Hoover

Mayor Pro-Tem Kirchner

Councilmember Randy Briley

Councilmember Bobby Klein

Councilmember Tony Watson

Members Absent:

None

City Staff Present:

Clinton Bailey, City Manager

Garret Bonn, Assistant City Manager

Rachel Raggio, City Attorney (via phone)

Leticia Vacek, City Secretary

Krista Wareham, Director, Finance

Kris Kneese, Director, Public Works and Utilities

Aaron Anderegg, Director, Information Technology

Andrea Schmidt, Director, Parks and Recreation

Anna Hudson, Director, Development Services

Sean Doerre, Public Information Officer

Lt. Derek Seelig, Police Department

Amy Burrier, Fire Department

Leslie Embrey, Assistant to the City Secretary

1. CALL TO ORDER

Mayor Hoover called the June 18, 2024, Regular City Council Meeting to order at 9:00 am and announced that a quorum had been met.

2. INVOCATION

Mayor Hoover introduced Mayor Pastor Bobby Vitek from Holy Ghost Lutheran Church who led the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

A. Anna Hudson recognized Mr. Richard Laughlin who served on the City's Historic Review Board for the last 15+ years. Mayor Hoover thanked Mr. Laughlin for this dedication to the city and presented a

plaque to Mr. Laughlin for his years of service.

- B. Anna Hudson also recognized Mr. Steve Thomas who served on the City's Planning and Zoning Commission for the last 14 years. Mayor Hoover thanked Mr. Thomas for his dedication to the city and presented a plaque to Mr. Thomas for his years of service.

City Manager Clinton Bailey introduced the City's Newly Appointed City Secretary, Leticia "Letty" Vacek and provided a brief background of her 35 years of municipal government experience.

5. COUNCIL COMMENTS

Councilmember Briley:

- Acknowledged VFW Post 7105 for commemorating the 80th Anniversary of D-Day.
- Noted CVB's PeachFest at La Cantera where they sold 1,000 peaches in 90 minutes and called in reinforcements.
- Announced on July 9th Alamo Workforce Solutions will hold a Lunch and Learn Seminar on Youth Empowerment Services.

Councilmember Klein:

- Noted that he attended the County Commissioner's Court Meeting last week.
- Also attended the re-dedication at MarketPlatz and their meeting where they discussed the importance of maintaining and continuing to improve MarketPlatz. He added that he spoke with the County Judge to assist with additional improvements at MarketPlatz.
- Highlighted the new Food & WineFest Event to be held in October and made note of the marketing video that was recorded last Friday.

Mayor Pro-Tem Kirchner:

- Highlighted the City Employee Picnic held last Friday that she attended. She mentioned employees serving 5, 10, 15, 20, 25, and 30 years were honored for their service to the City of Fredericksburg.
- Reported that the Senate Natural Resources and Economic Interim Hearing where one of their items was to exam the use of Hotel Occupancy Taxes (HOT). She stated that it was clear that there was no appetite to use HOT to support General Fund expenses. She added that she was working on a Local Option that may be fruitful for Fredericksburg.
- Thanked all Board and Commission Applicants for taking the time to apply. She noted that the Council will make appointments today and that it is encouraging to know that a great number want to get involved.

Councilmember Watson:

- Highlighted the Airport Advisory Board Meeting last week where Hangar Occupancy is at 100% with 35 on the wait list.
- Reported that the High School has started a new Aviation Program where 25 students have signed up. Fuel Sales through the end of May are up by 29% over the same time last year. This year's expected sales goal is reaching 600,000 gallons of aviation fuel.
- Attending tomorrow's Food & WineFest Steering Committee Meeting, as Preview Week tickets go on sale tomorrow with a series of events.
- Thursday, he will attend the Hill Country Alliance Leadership Institute visiting the Blue Hole Elementary School in Wimberly which was built around water savings and solar.
- Reported that he will be attending the EDC Meeting this Friday.

Mayor Hoover:

- Highlighted Short-Term Rental activity and reported the following:
 - 384 Active R1 STR properties with an additional 286 permit applications in pending status and 40 under review
 - 278 Active R2 STR properties
 - 663 Active R1 and R2 STR properties
 - 816 Active Residential and Non-Residential STR properties
 - 12 Active STR properties delinquent in HOT payments
 - 7 properties operating without a permit

6. CONSENT

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF THE CITY COUNCIL.

A. Consider approval of City Council Minutes for the following Meetings:

May 7, 2024 Regular Council Meeting

May 13, 2024 Special-Called Council Meeting

A motion was made by Mayor Pro-Tem Kirchner and seconded by Councilmember Klein to approve Item 6A with the corrections provided to the City Secretary. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS, AND PUBLIC HEARINGS

A. Consideration and Approval of a Resolution (2024-09R) Authorizing and Approving a Multiple Use Agreement with the Texas Department of Transportation for the use of automated license plate recognition cameras (Lt. Derek Seelig, Police Department Patrol)

Lt. Derek Seelig presented said item indicating that this particular technology is utilized for Amber Alerts, Sliver and Blue Alerts as well as utilizing the data within public safety to find stolen vehicles. He added that the data maintained will be secured and all system users must have CJIS Clearance to access. Mayor Hoover recognized the following citizens who all spoke in opposition for various reasons to the use of automated license plate recognition cameras:

Beatrice Bellino
 Angela Smith
 Allison Henson
 Susan Doak
 Sonia Rivero
 Jerry McCorkle
 Kathy Lux
 Annette Bennett
 Tonya Benson
 Jeannette Hormuth

After a brief discussion, a motion was made by Councilmember Watson and seconded by Mayor Pro-Tem Kirchner to approve Resolution 2024-09R. The motion carried unanimously.

B. Request Z-2408 - By Margaret Klenzing to Consider a Conditional Use Permit (CUP) per Sec. 3.220 to Allow for Commercial Off-Street Parking for a Property Located at 406 East Main Street (Anna Hudson, Director of Development Services)

- i. Presentation by applicant
- ii. Presentation by staff

iii. Public hearing

iv. Take action to adopt Ordinance 2024-18 for a CUP for a Commercial Off-Street Parking lot at 406 E. Main Street

Brandon Weinheimer with SKT Architects stated that the 28-space parking lot located at 406 E. Main served as overflow parking for guests of The Emigrant. He added that the Klenzings were requesting a CUP to allow for 14-spaces to be used as paid public parking. Mr. Weinheimer provided an overview of the Site Plan and highlighted parking lot improvements to include installation of access controls arms and appropriate signage such as “Emigrant Parking Only.” He added that the paid parking lot would be a benefit to all the businesses in the area while also serving as a revenue source for the owners of The Emigrant.

Anna Hudson provided an overview of parking requirements in the Historic Shopping District and reported that the Planning and Zoning Commission (P&Z) approved the CUP subject to wire fencing along the front of the parking lot be extended, more landscaping be added, and staff approval of signage and lighting before installation. Ms. Hudson spoke to the importance of developing a Downtown Master Plan that included parking.

Mayor Hoover declared the public hearing open and expressed concern with pedestrian safety and traffic congestion.

Mr. Weinheimer explained that the parking lot was initially constructed to comply with parking regulations in place at the time. Ms. Hudson stated that staff discussed alternative parking solutions based on Comprehensive Plan guidelines such as offering a lease to property owners. Tom Musselman, P&Z Board Member, addressed pedestrian safety concerns along downtown streets.

Mayor Pro-Tem Kirchner stated that the site plan initially presented by SKT to the P&Z Commission was required to be modified as it did not comply with zoning regulations. She requested painting of the sidewalk for pedestrian safety also be included with the recommendations from P&Z.

Mayor Hoover declared the Public Hearing closed.

A motion was made by Councilmember Klein and seconded by Councilmember Briley to adopt Ordinance 2024-18 for the CUP with staff recommendations on landscaping, signage, lighting, and painting of the sidewalk for pedestrian safety. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A. Fiscal Year 2023 Annual Audit and Financial Statement based on the audit conducted by ABIP, CPAs/ADVISORS. (Krista Wareham, Director of Finance)

i. Presentation - Janet Pitman with ABIP

ii. Take action on the FY2023 Audit and Financial Statement prepared by ABIP

Janet Pitman, CPA, with ABIP, presented the Annual Audit and Financial Statement for the Fiscal Year ending September 30, 2023. She stated that a draft report was being presented as the firm was still reviewing leased vehicles and that the information would not change any material findings identified in the report. Ms. Pitman provided an overview of the process used to evaluate the City’s financial records and noted that no deficiencies in internal auditing controls or compliance with public investment accounting requirements were identified.

A motion was made by Mayor Pro-Tem Kirchner and seconded by Councilmember Briley to approve the Annual Audit and Financial Report as presented. The motion carried unanimously.

B. Consideration of the Creation of an Annexation Development Agreement for 9.37 acres known as Kinman Subdivision Lot 2BR on Mariposa Drive in the Extra Territorial Jurisdiction of the City of Fredericksburg. (Anna Hudson, Director of Development Services)

Mayor Hoover reported that Item 8B, being the “Creation of an Annexation Development Agreement for the Kinman Subdivision” located along Mariposa Drive, would not be discussed today.

A motion was made by Councilmember Klein and seconded by Councilmember Briley to Table Item 8B to July 16, 2024. The motion carried unanimously.

C. Consider the award of Hotel Occupancy Tax (HOT) Funding to the Fredericksburg Chamber of Commerce for the Fredericksburg Food & Wine Festival (Garret Bonn, Asst City Manager)

Jim Makula, President and CEO of the Fredericksburg Chamber of Commerce, reported that a request was submitted for \$185,000 in HOT Funding for the marketing of the 2024 Food & Wine Festival and detailed festival events starting June 19, 2024.

Mayor Hoover stated that the allocation amount was similar to the previous award by the city for the Food & Wine Festival marketing efforts.

A motion was made by Councilmember Klein and seconded by Councilmember Watson to approve Item 8C. The motion carried unanimously.

D. Consider the approval of a Construction Contract Award for Connection of Back-up Generators at City Water Well and Lift Station Sites (Kris Kneese, Director of Public Works & Utilities)

Kris Kneese reported that generators were purchased in Fiscal Year 2022 to ensure continued delivery of critical services during emergencies while the city outsourced installation due to departmental vacancies.

Mr. Kneese added that the selected vendor, DW Electric Company, submitted the lowest qualified bid totaling \$259,212 which was \$134,212 over budget. He stated that the difference would be funded using cost savings from Water Department Capital Improvement Projects and that the vendor had 180 days to install all the generators. The Mayor and Council briefly discussed options in completing electrical work.

A motion was made by Councilmember Klein and seconded by Councilmember Briley to approve Item 8D. The motion carried unanimously.

E. Consideration and Possible Action Relating to the Proposed Development of Transitional Housing for new City Employees on City-Owned Property Located on US 290E (Councilmember Briley and Mayor Hoover)

Councilmember Briley spoke on the housing and relocation challenges a new hire moving to Fredericksburg could encounter. He noted that the implementation of the City Staff Transitional Rent Housing Pilot Program could alleviate some of these burdens. He added this could be considered to ensure that local residents received quality services regardless of vacancies and staff availability. Councilmember Briley also noted that the city would manage the Transitional Housing Pilot Program utilizing various local funding sources.

Mayor Hoover read an email from Charlie Kiehne stating that the city needed to foresee consequences now and in the future should transitional housing be considered.

Lt. Derek Seelig stated that offering transitional housing decreased the possibility of the department encountering staffing challenges. Amy Burrier noted that one Emergency Responder commuted from Orange, Texas on a weekly basis.

City Manager Clinton Bailey provided a first-hand account of the benefits of not having to look for housing when he was initially hired. He mentioned that the availability of transitional housing, similar to what he was provided, would increase the city-wide applicant pool for emergency and on-call personnel.

Rachel Raggio reported that it was permissible to limit the use of public assets to only city employees if access or use was considered employee compensation and appropriate procedures were followed.

Andrea Schmidt added that new hires owning or having access to RVs had previously utilized the LBJ Park RV pads and stated that reserving RV hook-ups for employees would not impact operations.

Mayor Pro-Tem Kirchner voiced concern with the City being both an employer and landlord and suggested increasing salaries or offering other incentives that would alleviate new employee relocation burdens. She requested a review of employee salaries with findings to be presented by staff during Budget Meetings.

Mayor Hoover added that he was concerned with the City's role in the Pilot Housing Program. Councilmember Watson highlighted the use of other housing options and stated that employee housing needs could be determined during the interview process.

After due consideration, Mayor Hoover stated that a vote would not be taken on Item 8E.

F. Review and Provide Possible Amendments to the Council Rules of Procedure (Garret Bonn, Assistant City Manager)

Mayor Pro-Tem Kirchner requested that the City Council Rules of Procedure be amended to include reciting the Texas Pledge. It was the consensus of the Council to include the Texas Pledge.

Mayor Hoover spoke on the number and length of Proclamations presented at each City Council Meeting. A brief discussion Mayor Hoover stated that Proclamations would be addressed later.

City Secretary Vacek suggested several amendments to the Rules of Procedures to include entitling Section 4 - "Work Session" as opposed to Special Meeting.

A question was raised as to the difference between a Special Meeting and Work Session. City Secretary Vacek responded that the Council Meetings entitled "Special Meeting" allows the Council to take action, whereas Work Sessions are typical discussions with Council to obtain direction only.

Mrs. Vacek also noted that a vote is not required to open a Public Hearing as stated under Section 10 – Voting. She added that the process of opening and closing a Public Hearing can be declared or announced by the Mayor or Chair of the Board. She noted said rules would apply to all city boards and commissions.

With regards to the section of "Ceremonial Matters," she requested to remove the word "Matters" to simplify the term to "Ceremonials".

Council Member Klein made a motion to approve adding the Pledge to the Texas Flag to the Regular Council Meetings as requested by Mayor Pro-Tem Kirchner and to approve the suggestions made by City Secretary Vacek. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

9. CITY MANAGER'S REPORT

A. Comprehensive Plan Implementation Update: Sidewalks - presentation on Adopted Sidewalk Plan Map and strategies to improve connectivity (Development Services and Engineering)

Anna Hudson introduced Sadie Eidson, Intern, who worked with the Development Services and Engineering Department on the Sidewalk Update.

Ms. Eidson reported that sidewalk improvements are funded by the City from Capital Improvement Project allocations and well as allocations made from the budget and solicitation process and by developers during the development or redevelopment process. She stated that improvements made were based on concepts reflected in the Sidewalk Plan, Subdivision Plan, and Zoning regulations. She also reported that the city allocated \$150,000 in FY 2024 to the Sidewalk Improvement Program. She mentioned that a goal outlined in the Comprehensive Plan was for Downtown Sidewalks and other pedestrian crossings to be designed in a manner that reduced vehicular congestion. She noted that the Sidewalk Map was last updated in 2015 and that revisions should address connectivity of all collector and arterial roadways based on the Throughfare and Comprehensive Plans. It was noted that sidewalk plans reflect future revisions to Subdivision and Zoning Ordinances. Ms. Eidson highlighted potential federal and state funding sources to include monies from the U.S. Department of Transportation Highway, Transit, and Safety Fund among others like the Texas Department of Transportation.

Garret Bonn, Assistant City Manager, reported that TXDoT was funding most of the improvements and provided a status on several projects.

Ms. Hudson highlighted provisions within the Subdivision Ordinance and Comprehensive Plan that address the location and design of sidewalks. She outlined recommended changes to the Sidewalk Plan to include the adoption of a new Sidewalk Map based on the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance.

Moving forward, Ms. Hudson suggested that the city complete identified Sidewalk Projects, include funding in the FY 2025 Budget, and solicit funding from outside agencies. A suggestion was made by a citizen to require all developers to add sidewalks during the construction process with provisions requiring escrow under specific circumstances.

Mrs. Hudson recommended that Development Services hold public hearings to obtain possible changes to the Subdivision and Zoning Ordinances outlined in the Comprehensive Plan and approve a new Sidewalk Plan.

Mayor Hoover, Councilmembers, and City Manager Bailey thanked Sadie Eidson for her presentation.

B. City Manager's Monthly Update

City Manager Bailey stated that the Monthly Update would highlight Water Resources, the City's Financial Performance, Police and Fire Response data, and Community Engagement.

Mr. Kneese presented on the City's Water Resources to include water levels measured over the last 12 months, historical rainfall over the last decade, and pumpage volume.

In the area of Finances, Mr. Bailey reported that from October 1, 2023 to the end of June 2024, the City collected \$7,018,872 in sales tax and that electric, water, and wastewater revenue and consumption increased slightly from May 2024. He reported on the number of Police incidents and calls, response time, as well as citations and warnings issued during May. As for Code Enforcement, Mr. Bailey reported that the Police Department responded to 372 Ordinance violation calls between January and May 2024. He noted that the Fire Department responded to a total of 392 incidents in May with an increase on weekends.

Mr. Bailey added that there were 16 full-time vacancies and one part-time vacancy while 3 positions had been filled. As for Civic Engagement, he highlighted the Main Street Merchant Town Hall Meeting and the upcoming Coffee with the City Manager.

10. ITEMS FOR FUTURE AGENDA

A. Future Agenda Spreadsheet

City Manager Bailey recognized Garret Bonn and Melinda Uriegas for assisting with City Secretary duties since April.

He noted that the only item scheduled for the July 2nd City Council Meeting was establishing the Municipal Court as a Court of Record and that said item was not time sensitive.

A motion was made by Councilmember Klein and seconded by Councilmember Watson to cancel the July 2nd City Council Regular Meeting. The motion carried unanimously.

Garret Bonn, Assistant City Manager requested the Mayor and Council send updates to the Sidewalk and Subdivision Plans to him or Anna Hudson.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections 551.072 & 551.074:

- A. Consider and discuss the appointment, evaluation, reassignment, duties, or dismissal of a public officer, specifically the reappointment of existing members on the City's Boards and Commissions, and the appointment of persons to fill vacancies on the City's Boards and Commissions (Section 551.074)
- B. Consider and discuss Real Estate in the vicinity of US 290E and Old San Antonio Rd. (Section 551.072)
- C. Consider and discuss the value and possible disposition of city-owned real properties located throughout the City (Section 551.072)

Mayor Hoover announced that at this time, the City Council Meeting would recess into Executive Session.

Mayor Hoover announced that the City Council Meeting would reconvene into an open session. He reported that Item 11A was discussed relative to Item 8G - Board Appointments which would be heard at this time.

8. OTHER ACTION ITEMS AND UPDATES

**G. Consider and Take Action on Boards and Commission Appointments and Re-Appointments
(Garret Bonn, Assistant City Manager)**

A motion was made by Mayor Pro-Tem Kirchner to appoint and re-appoint the following:

Historic Review Board:

Appointment of Todd Eidson

Reappointment of Joe Salinas and Cydney Donnell

Zoning Board of Adjustment:

Appointment of Dr. Eric Hammersen, Taylor Williams, and Jim McAfee (Alternate)

Reappointment of Jennifer Eggleston and Mike Mahoney (Alternate)

Planning and Zoning Commission

Appointment of Belinda McDonnell

Reappointment of Janice Menking

Market Square Redevelopment Commission – Said appointments will be made at a future Meeting.

The motion was seconded by Councilmember Klein. The motion carried unanimously.

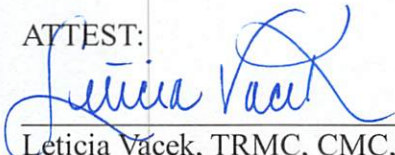
12. BUSINESS ITEM

Mayor Hoover announced that there were no other items to bring forth at this time.

13. ADJOURN

Mayor Hoover adjourned the Regular City Council Meeting 12:50 pm.

ATTEST:



Leticia Vacek, TRMC, CMC, MMC
City Secretary



Jeryl Hoover
Mayor