



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING APRIL 20, 2020

The City of Fredericksburg City Council met in a regular session on Monday, April 20, 2020, at 6:00 p.m. This meeting was held remotely via Zoom Teleconferencing, and in-person attendance was not available. Members of the public attended the meeting remotely by web or telephone via Zoom Teleconferencing. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Members Present on the Teleconferencing:

Mayor Linda Langerhans
Mayor Pro Tem Gary Neffendorf
Councilmember Charlie Kiehne
Councilmember Tom Musselman
Councilmember Bobby Watson

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Daniel Jones, City Attorney
Lynn Bizzell, Fire Chief
Steve Wetz, Police Chief
Brian Jordan, Development Services Director
Russell Immel, Information Technology Director
Andrea Schmidt, Parks Department Director
Lea Feuge, Public Information Officer
Laura Hollenbeak, Finance Director
Kris Kneese, Assistant Director of Public Works and Utilities
Garrett Bonn, Assistant Engineer
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Langerhans called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, April 20, 2020, via Zoom Teleconference. Mayor Langerhans announced a quorum of the City Council present.

2. UPDATE ON CORONAVIRUS (COVID-19) PANDEMIC

Lynn Bizzell, Fire Chief, reviewed the history of the pandemic and how Gillespie County and the City has addressed the issues. He also discussed the current Order by Governor Abbott and the number of active cases within Region 8 and surrounding counties. He stated vital staff members of the City and County are meeting every Tuesday and Thursday at 8 a.m. via Zoom meeting.

3. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, stated he received the following recognitions:

- Phone call from a resident who thanked the Parks Department for their hard work with the maintenance of the parks.
- Email on Omar Rivas for going above and beyond for coming to clean around the Recycling Center on his day off.
- Letter informing me that out of 595 city members, the City of Fredericksburg was 1 of 18 to be awarded the inaugural Texas Municipal Clerk's Achievement of Excellence Award. He stated the City Secretary's Office had to meet and demonstrate 9 of 12 standards to be eligible to receive the award.

4. PUBLIC COMMENTS

Mayor Langerhans reviewed the different ways the public could provide comments. She stated the City received 30 citizen comments, and a Councilmember will get back with those who commented.

5. 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 CITY COUNCIL.

A. Consider approval of City Council Minutes

- i. **March 17, 2020, Emergency Special Meeting**
- ii. **March 23, 2020, Special Meeting**
- iii. **April 6, 2020, Regular Meeting**

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve March 17, 2020, March 23, 2020, and April 6, 2020, City Council

Minutes with an amendment. On roll call vote:

Councilmember Musselman	aye
Councilmember Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Watson	aye
Mayor Langerhans	aye

The motion carried unanimously.

6. ORDINANCES AND RESOLUTIONS

A. Consider the approval Ordinance 2020-11 temporarily waiving penalties assessed for failure to remit payment of Hotel Occupancy Tax (HOT) under Section 41-74 of the City of Fredericksburg Code of Ordinances, due to the COVID-19 Pandemic.

Kent Myers, City Manager, stated at the last City Council meeting, the Council approved the waiver of late fees for late HOT payments during the first quarter of this calendar year. He

stated the proposed ordinance provides this change of waiving the late fees for May, June, and July.

The City Council discussed Ordinance 2020-11 and the possibility of having to extend the second quarter.

Daniel Jones, City Attorney, reviewed the Ordinance and stated if there is a need to extend waiving the late fees in the second quarter, then the City Council will need to adopt another Ordinance.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Watson, to approve Ordinance 2020-11 temporarily waiving penalties assessed for failure to remit payment of Hotel Occupancy Tax (HOT) under Section 41-74 of the City of Fredericksburg Code of Ordinances, due to the COVID-19 Pandemic, and waive the second reading of the Ordinance. On roll call vote:

Councilmember Musselman	aye
Councilmember Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Watson	aye
Mayor Langerhans	aye

The motion carried unanimously.

B. Consider the approval of Resolution 2020-09R responding to the application of Atmos Energy Corporation – Midtex Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Atmos Texas Municipalities;" determining that the meeting at which the Resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; declaring an effective date.

Kent Myers, City Manager, stated Atmos filed for a rate increase for all commercial and residential customers. Although they agreed to delay this request until September, the attorney representing Atmos cities has recommended that we proceed with the adoption of Resolution 2020-09R.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to approve Resolution 2020-09R responding to the application of Atmos Energy Corporation – Midtex Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Atmos Texas Municipalities;" determining that the meeting at which the Resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; declaring an effective date. On roll call vote:

Councilmember Musselman	aye
Councilmember Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Watson	aye

Mayor Langerhans aye
The motion carried unanimously.

7. OTHER ACTION ITEMS AND UPDATES

A. Consider the approval of the Audited Financial Statement and Independent Auditors Report for the period ending September 30, 2019.

Laura Hollenbeak, Finance Director, stated the accounting firm of ABIP, PC, has performed an audit of the City's Annual Financial Statement for the fiscal year ending September 30, 2019. The auditor's responsibility is to express an opinion on the financial results presented based on their audit

Michael Del Toro, CPA, provided an overview of the Audit and an Independent Auditors' Report. He also provided information regarding their responsibilities under generally accepted auditing standards. He also reviewed the Management's Discussion and Analysis for the Fiscal Year ending September 30, 2019.

The City Council discussed the unassigned fund balance for the general fund and the total amount of cash available.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Neffendorf, to approve the Audited Financial Statement and Independent Auditors Report for the period ending September 30, 2019, as presented. On roll call vote:

Councilmember Musselman	aye
Councilmember Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Watson	aye
Mayor Langerhans	aye

The motion carried unanimously.

B. Consider the award of the construction contract for the Knuath Pump Station Project to Keystone Construction Services, LP, in the amount of \$3,960,750.

Kris Kneese, Assistant Director of Public Works and Utilities, stated the City Council approved the sale of water revenue bonds to design and construct the water infrastructure project in November 2018, which included the Knuath Pump Station Project. The new pump station will be constructed at the City's Knuath Well Field and pump water to Fredericksburg through a 20-inch water transmission main. He also reviewed the process Freese and Nichols used for this project. He stated Freese and Nichols and City staff are recommending awarding the bid to Keystone Construction Services, LP for \$3,960,750.00.

The City Council discussed the communications they have received regarding postponing this work due to COVID-19.

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, reviewed the process for Revenue Bonds and stated the Knuath Pump Station is a critical project for the City.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to award of the construction contract for the Knuath Pump Station Project to Keystone Construction Services, LP, in the amount of \$3,960,750. On roll call vote:

Councilmember Musselman	aye
Councilmember Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Watson	aye
Mayor Langerhans	aye

The motion carried unanimously.

C. Consider the request to waive the Fredericksburg Art Guild rent for 3 months.

Kent Myers, City Manager, stated the Fredericksburg Art Guild is requesting the City waive their rent for 3 months. He noted the City charges the Art Guild \$600 in monthly rent. He stated he recognizes the current economic conditions are making it very difficult for many tenants to pay their rent at this time. On the other hand, the City has not waived any rental fees, and such waivers could set a precedent for different individuals and businesses that owe money to the City. He recommended instead of waiving the rent as requested; the City Council should consider a payment plan for the Art Guild.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman, to approve working with the Fredericksburg Art Guild for a payment plan for 3 months' rent. On roll call vote:

Councilmember Musselman	aye
Councilmember Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Watson	aye
Mayor Langerhans	aye

The motion carried unanimously.

8. CITY MANAGER'S REPORT

A. Financial Status Report

Kent Myers, City Manager, stated with the decrease in Sales Tax and other revenues, the City will be facing financial challenges. There will be additional challenges in the next budget year with the tax cap approved by the Legislatures in their last session. He proposed a Special Meeting to discuss the Mid-Year Budget at 2 p.m. on May 6, 2020. This meeting could be held in person at a large facility or by Zoom Meeting.

B. Update on Essential Services

Kent Myers, City Manager, stated City Services have continued to operate in the Police Department, Fire/EMS Department, and City Hall during this pandemic.

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, stated all City Services have continued to operate in Public Works. He reported all employees are working and are healthy. He also stated the Golf Course is closed, but they are still maintaining the course. He informed the City Council the Golf Course is working on a plan of phases for reopening when the City Council allows them to.

Andrea Schmidt, Parks Department Director, reviewed the current closure of parks in the City.

The City Council agreed by consensus to open one restroom at Market Square.

C. Status of Governor's Stay at Home Order

Kent Myers, City Manager, stated staff is still working through the Governor's Order from April 17th, but provided the following:

- Schools are out for the year,
- Hospitals are allowed to conduct specific operation procedures
- State Parks are open as of today, but must maintain social distancing and wear face covers
- Reopening of retail businesses with delivery and curbside services, but must meet additional requirements

He also reported that Lea Feuge is working on a Press Release to help clarify some of the confusion.

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, stated he has been researching to see how other cities and counties are handling the reopening. He noted this needs to be done carefully to avoid an outbreak of the virus. Most cities are creating a task force with representatives of the city, county, EDC, Chamber, CVB, and a few business owners. This task force would assist with helping to clarify the Governor's Orders, CDC guidelines, and other measures to ensure the safety of the residents.

The City Council discussed the task force, purpose, and duties. The City Council agreed by consensus to move forward with the task force.

9. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the upcoming items for future agendas.

10. COUNCIL COMMENTS

Councilmember Kiehne stated the trees on Main Street look great and thanked everyone who worked on this project.

Councilmember Watson thanked staff for continuing City services and for supporting local businesses.

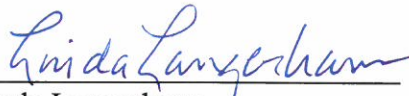
Councilmember Musselman encouraged the City to continue to update the residents of the COVID-19 pandemic. He cautions everyone not to open too fast to avoid reinfections.

11. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to adjourn the Monday, April 20, 2020, City Council Regular Meeting at 8:02 p.m. On roll call vote:

Councilmember Musselman	aye
Councilmember Neffendorf	aye

Councilmember Kiehne aye
Councilmember Watson aye
Mayor Langerhans aye
The motion passed unanimously.



Linda Langerhans
Mayor

ATTEST



Shelley Goodwin, TRMC
City Secretary

