



City of Fredericksburg

City Council Regular Meeting Minutes
Tuesday, November 5, 2024 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

City Council Members Present:

Mayor Jeryl Hoover
Mayor Pro-Tem Emily Kirchner
Councilmember Bobby Watson
Councilmember Tony Klein
Councilmember Randy Briley

City Staff Present:

Clinton Bailey, City Manager
Garret Bonn, Assistant City Manager
Leticia Vacek, City Secretary
Gerald Pruitt, Interim City Attorney
Krista Wareham, Director of Finance
Brian Vorauer, Chief of Police
Lynn Bizzell, Fire Chief
Tammie Loth, Director of Human Resources
Aaron Anderegg, Director of IT
Kris Kneese, Director of Public Works/Utilities
Anna Hudson, Director of Development Services
Sean Doerre, Public Information Officer
Tyler Baethge, Short Term Rental Specialist
Leslie Ball Embrey, Assistant to the City Secretary

1. **CALL TO ORDER**

Mayor Jeryl Hoover called the meeting to order.

2. **INVOCATION**

Michael Bell, Pastor at Christ is King Church, delivered the invocation.

3. **PLEDGES OF ALLEGIANCE**

Mayor Jeryl Hoover led the Pledges.

4. **CEREMONIAL MATTERS - EMPLOYEE RECOGNITION**

Vanessa Wainwright, Accounting Administrative Assistant, and Betzayda Hernandez, Utility Billing Analyst were recognized as new employees with the Finance Department.

5. **COUNCIL COMMENTS**

Councilmember Briley announced it was Happy Election Day. He attended the CVB Retreat at the Sunday House and reminded everyone of the November 13th Leadership Breakfast at the Nimitz Ballroom with Police Chief Vorauer on the panel to discuss Mental Health and Wellness. He noted exceptional feedback from the High School Leadership Class of the final department presentation and thanked Krista Wareham and her team that presented. He added they will now advertise for the next wave of students to enroll.

Councilmember Klein reported on the meeting of the MSRC with a Glockenspiel update and its placement on the Northeast side of MarktPlatz. He noted the ongoing fundraising efforts of the PCAA. Lastly, he mentioned Light the Night on November 26th adding that after this year, a company will be placing the Christmas Lights and removing them each year thereafter.

Mayor Pro-Tem Kirchner read a note from Anna Wynn Smith with Portfolio Real Estate Company noting that we are a charming town with various city services that make this town work. Services such as pickup of garbage, chipper truck, and new construction of gas piping to the resurfacing of Main Street in the dead of night. Our EMS, Fire, Health, and Police simply works. Our town works due to the dedicated City Management and City Employees.

Councilmember Watson made note of the upcoming Coffee with the City Manager on November 20th at 8 am the Golf Course. He also mentioned the HCWA meeting was attended by 60-70 residents. He added that the Hill Country Leadership Institute would be holding their last in person session on December 9. Topics for the session include Texas Land Trends and Private Land Conversations. He also reported on the EDC report current Real Estate in Fredericksburg.

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 City Council Special Budget/Tax Rate Public Hearing held September 12, 2024. (Leticia Vacek, City Secretary)
- B. Consider approval of 2025 Calendar Year City Holiday Schedule. (Leticia Vacek, City Secretary)
- C. Consider approval of the purchase for Police Department Vehicles budgeted within the Fiscal Year 2025 Budget in the approximate amount of \$433,791.00 but not to exceed \$434,310.00. (Derek Seelig, Patrol Lieutenant, Fredericksburg Police Department)
- D. Consider approval for the purchase of Police Department In-Car and Body Worn Camera Systems budgeted within the Fiscal Year of 2025 Budget for approximately \$83,264.00 but not to exceed \$85,600.00 (Derek Seelig, Patrol Lieutenant, Fredericksburg Police Department)

Councilmember Briley moved to approve the consent agenda Items 6A-6D except 6B to denote the date of the Good Friday Holiday as April 18, 2025. City Secretary Vacek mentioned that the holiday of Texas Independence Day was also on the list to be consistent with the County Holiday Schedule. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

Mayor Pro-Tem Kirchner moved to approve Item 6B with the change of the Good Friday Holiday of April 18, 2025. Councilmember Klein seconded the motion. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- A. Consider the approval of Resolution 2024-12 providing for the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documentation required in connection with Cogent Leasing and Financing, Inc. (Krista Wareham, Director of Finance)

Mayor Pro-Tem Kirchner excused herself from the dais noting that she would be recusing herself from said item due to TRB's bid on said item.

Mrs. Wareham reported that 7 responses were received and staff recommends Cogent Leasing and Financing, Inc. with a 4.08% for an 8-year term and 3.84% for a 3-year term being the best proposal for the acquisition of capital equipment that is budgeted in the 2025 Budget.

Councilmember Briley moved to approve Resolution 2024-12 related to the lease-purchase financing of city equipment with Cogent Leasing and Financing, Inc. Councilmember Watson seconded the motion. The motion carried as follows:

AYE: Councilmembers Briley, Watson, Klein, and Mayor Hoover

NAY: None

ABSTAIN: Mayor Pro-Tem Kirchner

8. OTHER ACTION ITEMS AND UPDATES

- A. **Consider and take action on Appeal of Director of Development Services denial of STR permit for Gray Olive Properties at 318 W. Travis Street. (Anna Hudson, Director of Development Services)**

Mrs. Hudson presented said item noting that the STR permit expired on June 20, 2024 and the non-conforming status terminated on September 12, 2024. She stated that the STR Specialist notified the owner of same on September 17, 2024 when it was discovered. She added the property has 2 structures with STR permits. Mrs. Hudson provided options and a map showing the properties.

Mayor Hoover called upon the Owner of the property. Diane DeCou addressed the Council explaining that their bookkeeper tracked same but had a mental break-down and left. She added that her parents are in long term care and while taking care of them she missed the email from Heavenly Host Management Company by 5 days. She noted that she has been conforming with all other requirements and asked for forgiveness. Mayor Hoover asked if there was any

part of the appeal relative to any fault of the city. Ms. DeCou stated that is was truly her mistake adding that she has another home with a different renewal date.

Emaly Baehr addressed the Council requesting that this model STR Owner that she had never met be provided the STR permit. She asked when the renewal notice was sent out to the owner. She stated that this issue was important to her as her Father purchased a STR home and also spoke of the current STR housing market. She added she was willing to help by having a STR renewal party and was happy to call everyone to inform them of their renewal.

Mrs. Hudson outlined the STR renewal process in reply to Mayor Hoover. She noted that there was not a renewal reminder at this time since they had converted to the MGO System but that will not be the case going forward as the new system will send out reminders. Mrs. Hudson explained that the owner missed the renewal date in addition to the 90-day grace period.

Councilmember Klein asked Ms. DeCou if she expected Heavenly Host to renew her permit. She replied that Heavenly Host Management Company did email her a regarding an inspection in order to renew her STR permit and noted she knew it was her responsibility. Councilmember Briley expressed sympathy for her parent's circumstances and he felt extenuating circumstances needed to be looked at. Mayor Hoover also expressed same to Ms. DeCou but added that the deadline is the responsibility of the owner.

Mayor Pro-Tem Kirchner noted she was having difficulty seeing how this appeal was different than the appeal that was turned down previously where there was a death in the family and the deadline to renew was missed. She added that it was hard not to lead with your heart on said requests. Councilmember Briley suggested reviewing same within the Ordinance in order to be subjective when there have been extenuating circumstances. Councilmember Watson stated that there are 2 dates to keep track of being when to pay property taxes and when a STR Permit is due for renewal.

Councilmember Briley moved to grant the appeal for Ms. DeCou based on her statements. The motion died due to lack of a second.

Mayor Pro-Tem Kirchner moved to deny the appeal or 318 W. Travis Street. Councilmember Watson seconded the motion. The motion carried as follows:

AYE: Mayor Pro-Tem Kirchner, Councilmembers Watson, Klein, and Mayor Hoover

NAY: Councilmember Briley

B. Consider and take action on Appeal of Director of Development Services denial of STR permit for Rose Meridan at 509 W. Creek Street. (Anna Hudson, Director of Development Services)

Mrs. Hudson presented said item and noted that this permit expired on April 30, 2024 and the 90-day non-conforming status terminated on July 29, 2024 with a reminder email that was sent on June 3, 2024. She added that the owner relied on management company, Fredericksburg Estates to take care of the permit.

Mayor Hoover called upon the property owner, Catherine, daughter of property owner Rose Meridian and Amy with the Property Management Company, Fredericksburg Escapes presented. It was stated that the owner of Fredericksburg Escapes went missing and no longer owns the company. The owner of the company was in charge of obtaining the STR permit and paying HOT for Rose Meridian. Additionally, it was noted that it was not realized until after the fact that the STR Permit renewal for 509 W. Creek Street had expired.

Councilmember Briley asked who was paying the HOT. It was stated that Fredericksburg Escapes was paying on behalf of the owner. Additionally, Ms. Meridian had never had an issue with the renewal as the property had been managed since 2000. Mayor Hoover apologized to The Meridians for encountering said issues with the property management company.

Emaly Baehr again noted that she was speaking on behalf of this owner who she had never met before. She mentioned the model STR owner that is contributing to the community and requested a grace period. Ms. Baehr again mentioned the inventory of homes on the market and asked for the ordinance to be reviewed.

Councilmember Watson moved to deny the appeal. Councilmember Klein seconded the motion. The motion carried unanimously.

C. Consider and take action on a contract with SEnergy for GIS Electrical System Inventory. (Kris Kneese, Director of Public Works & Utilities)

Evan Williamson, Assistant Director of Public Works & Utilities presented said item noting that it would provide for an inventory of all the electrical system infrastructure for efficiency. He added that the water system infrastructure was previously inventoried and readily available.

Councilmember Klein moved to approve the contract with SEnergy for the GIS Electrical Infrastructure System Inventory. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

D. Consider approval of the purchase of 75 Trash Can Replacements for Main Street budgeted within the Fiscal Year 2025 Budget in an amount not to exceed \$100,000.00 utilizing the Tourism Fund. (Kris Kneese, Director of Public Works & Utilities)

Kris Kneese reported that 75 trash cans would be replaced on Main Street utilizing the Tourism Fund. He added that said item was budgeted.

Mayor Pro-Tem Kirchner moved to approve the purchase of Trash Can Replacements as recommended by staff. Councilmember Klein seconded the motion. The motion carried unanimously.

9. CITY MANAGER'S REPORT

A. Atmos Energy Construction Project Update (Evan Williamson, Assistant City Engineer)

Mr. Williamson spoke of the Atmos Energy Fortification overall construction project. He introduced several representatives from Atmos that were present. He stated that the project will start in early September through the end of December. He spoke of Atmos' Public Outreach with a notice to be published, door hangers utilized and direct coordination with the customers as service transfers from old to new mains. Mentioned were the scheduled repairs that begin when the new system is complete with restoring sod or seed and sidewalks to be restored to City Specs. The unscheduled repairs that may occur during the construction include damage to private water, sewer or irrigation which will be repaired immediately. Mr. Williamson noted the Atmos Energy Customer Service number of (830) 990-2009.

Councilmember Briley asked about the old infrastructure and evacuating said lines. He also asked if testing will be done on the new infrastructure. Atmos staff answered they will test the pressure of the new lines and explained the process.

Mayor Pro-Tem Kirchner asked of the green netting that is being placed throughout. It was stated that the netting is biodegradable and will eventually disintegrate.

Mayor Hoover asked of the gas price increase of 25%. It was stated that the increase was due to the fluctuation in fuel prices.

Mr. Tim Dooley questioned the fire trucks and other units on site. It was noted that it is standard procedure for Atmos in case anything happens. Mayor Hoover thanked the gentlemen present representing Atmos.

Mr. Kris Kneese reported on the Main Street project with TXDoT. He noted the changes to certain intersections such as the 100 block of N. Washington which has been converted to a One-Way. He also advised that it was a decision made by TXDoT.

Councilmember Watson asked if there is going to be enough signage on Austin and N. Washington to clarify and notify people of this change. Mr. Kneese explained the signs that will be placed by TXDoT for notification purposes of the One- Way. Councilmember Watson asked if we could get blinking red lights on the signs to assist in seeing the signage. Mr. Kneese advised that he will work with TXDoT on same. He noted a change at Elk, Olive, and Highway Streets, and Goehmann Lane will all have dedicated turn lanes now. He also touched on the modifications to traffic signals.

B. Fredericksburg Food and Wine Festival Recap (Jim Mikula, Fredericksburg Chamber of Commerce President/CEO)

Mr. Mikula and Hailey Wakefield reported on the Fredericksburg Food & Wine Festival. Mr. Mikula thanked Jennifer Krupa and City Staff for all their help. He also thanked Councilmembers Bobby Watson and Tony Klein for serving on the advisory committee. He noted the survey indicated that out of 1,500 emails they received 132 responses on the event. He added that approximately 1,900 people attended. Ms. Wakefield spoke on the marketing aspect of the event that went

from 1,200 to 12,000 followers on social media. She added that their teaser event turned into 7 events. Mr. Mikula stated that they had 176 evening dinner guests and Saturday morning started off with a children's event and yoga and wine for the Adults. Mayor Hoover and the City Council thanked Mr. Mikula and Ms. Wakefield for all their work on a successful Food and Wine Festival.

10. ITEMS FOR FUTURE AGENDA

- A. Review of Future Agenda Items List. (Clinton Bailey, City Manager)

City Manager Bailey reviewed the list of future agenda items with the Mayor and City Council.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections - (551.071 and 551.074):

- A. Quarterly Legal Matters Update - Texas Government Code Section 551.071 (Mick McKamie, City Attorney)
- B. Annual Review and Evaluation of Clinton Bailey, City Manager - Texas Government Code Section 551.074 (Jeryl Hoover, Mayor)

Mayor Hoover announced that the Council would be in recess to go into executive session at 10:41 am.

12. BUSINESS ITEM

The City Council will reconvene into Regular Session upon the conclusion of the Executive Session, the City Council may take action on any item posted in Executive Session, as necessary.

Mayor Hoover announced that the Council would reconvene into the regular meeting at 12:29 pm. No action was taken.

13. ADJOURN

Mayor Hoover adjourned the meeting at 12:29 pm.



Jeryl Hoover, Mayor

Attest:



Leticia Vacek, TRMC, CMC, MMC
City Secretary