



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, September 17, 2024 ~ 9:00 AM
Law Enforcement Center
1601 E. Main Street
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
Brian Vorauer, Chief of Police
Lynn Bizzell, Fire Chief
Kris Kneese, Director of Public Works/Utilities
Anna Hudson, Director of Development Services
Krista Wareham, Director of Finance
Aaron Anderegg, IT Director
Sean Doerre, Public Information Officer
Evan Williamson, Assistant City Engineer
Leslie Ball-Embrey, Asst. to City Secretary

1. CALL TO ORDER

Mayor Jeryl Hoover called the meeting to order.

2. INVOCATION

Jimmy Pruitt, Bridge Church Pastor led the Invocation.

3. PLEDGES OF ALLEGIANCE

Mayor Jeryl Hoover led the Pledges.

4. CEREMONIALS - Proclamation to be presented by Mayor Hoover proclaiming "Jacob Brodbeck Day"

Mayor Hoover read and presented a proclamation for Jacob Brodbeck Day in Fredericksburg. Ms. Gwen Fullbrook invited everyone to their event this Saturday in honor of Jacob Brodbeck. Family members of Jacob Brodbeck accepted the proclamation.

5. COUNCIL COMMENTS

Councilmember Briley reported on the following.

- Announced that Dr. Miligan will speak at the VFW Post this Friday at 11am.
- Reminder of the Chamber Raffle and said Weekender Packages were sold out.
- Made mention of the Leadership Class for Young Students at the High School.
- Stated that Bleacher Seats are on sale for the Christmas Parade.
- CVB secured 5 Travel Writers to highlight the FF&WF.
- Retirement reception for Monty Marshall at the Pioneer Museum.

Councilmember Klein reported on the following.

- Attended a Breakfast with the Mayor this morning with the Optimist Club and noted they are very supportive of Law Enforcement.
- Attended Commissioner's Court Meeting last week and there was a long discussion on ballot voting and counting which is too short of time to make any changes to the process. Commissioners will take an extra step on re-checking the ballots manually.
- Noted the number of pre-sale Tickets thus far for the FF&WF are doing well.

Councilmember Watson reported on the following.

- Stated that FF&WF tickets sales are doing well; Weekender Tickets are sold out.
- Noted that there are a few VIP Passes left as for the Friday Night Street Dinner, adding that it was going to be an amazing event.

Mayor Pro-Tem Kirchner reported on the following.

- Mayor Pro-Tem Kirchner shared that she attended the Texas Tribune Festival in Austin last week. The festival was three days of panels and speakers highlighting issues affecting Texans: from politics to water to election integrity.

Mayor Hoover read the Short-Term Rental (STR) stats indicating that there were no new STRs. He noted that currently active in R-1 are 386 which is down sixteen from last month with twenty-three pending and 16 under review. He noted a total of 832 in all zoning areas. He commented on the newspaper publication related to the School Board approving certain teachers to be armed is just another reminder of the day in age that we live in. He also referenced the article on the drone that violated a neighbor's privacy and asked that an Ordinance be drafted for consideration prohibiting same.

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:
August 6, 2024 Regular Meeting
August 8, 2024 Joint Meeting with County Commissioners
- B. Consider the approval of street/lane closure requests for (1) N. Crockett Street from W. Austin Street to W. Schubert Street, (2) Designate W. Schubert (eastbound lane only) from N. Crockett Street to N. Adams Street as a drive-thru lane, and (3) N. Adams Street (one southbound lane only) from W. Schubert Street to W. Austin Street; from 5:30 p.m. to 8:45 p.m., on both Friday, December 13, 2024, and Saturday, December 14, 2024, for the Christmas Journey event hosted by Bethany Lutheran Church (Jennifer Krupa, Assistant Director of Parks and Recreation/Special Events Coordinator).
- C. Petition for Release of Property from the City of Fredericksburg Extra-Territorial Jurisdiction of approximately 7.627 acres of land at Outlot 261 and Outlot 262 and some land not falling with an Outlot out of the J. Chapa Survey No. 131, Abstract No. 115 and the B. Adams Survey No. 123, Abstract No. 4 in Gillespie County, Texas on or near 804 S. Bowie St., Fredericksburg, TX. (Mick McKamie, City Attorney)

Councilmember Watson moved to approve consent agenda items 6A, 6B, and 6C. Councilmember Klein seconded the motion. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- A. Consideration and approval of Ordinance 2024-29 adopting the Fiscal Year 2024-2025 Budget for the City of Fredericksburg, Texas commencing October 1, 2024, and ending on September 30, 2025. (Krista Wareham, Finance Director)

City Manager Bailey referenced the budget summary adding that the police vacancies are included with a 2.5% COLA and 2.5% Merit. He also mentioned that an additional 2% was included in the budget for Sworn Officers and Fire Fighters. He noted that also added to the budget was \$450,000 to remodel the LEC.

Krista Wareham stated that the budget is based on the voter approval rate and noted the 12 new positions with staggered hire dates. Mayor Hoover thanked Mr. Bailey and Mrs. Wareham for a job well done with the proposed budget. Councilmember Briley stated that it is wise to invest in employees but requested staff be mindful of the reoccurring cost associated. City Manager Bailey stated that the Police Department will be curbing their overtime due to the new positions. He added that the sales tax that is plugged into the budget is at a flat rate. Councilmember Klein expressed that the cost to remodel the LEC was high at \$450k. Chief Vorauer stated that the amount was an initial cost by one contractor and that it will be advertised to receive competitive bidding. Councilmember Briley asked if the county was able to contribute to the project. Chief Vorauer stated that it was not possible at this time. Councilmember Watson stated that he would like

to keep the \$450k and asked staff to work hard to bring it down when the plans are finalized.

Mayor Hoover stated that what we as a Council can do, is to ensure that our Police Officers and Fire Fighters are properly funded. Mayor Hoover asked Chief Vorauer and Chief Bizzell if they had free rein to do what they needed to do with their departments. Chief Vorauer and Chief Bizzell stated yes.

Mayor Pro-Tem Kirchner moved to adopt Ordinance 2024-29 approving the Fiscal Year 2024-2025 Budget for the City of Fredericksburg, Texas commencing October 1, 2024, and ending September 30, 2025. Councilmember Watson seconded the motion. The roll call vote carried unanimously as follows:

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

NAY: None

B. Consideration and approval of Ordinance 2024-30 adopting the Tax Rate and levying taxes for the use and support of the municipal government of the City of Fredericksburg, Texas. (Krista Wareham, Finance Director)

Mrs. Wareham stated that the FY2025 Budget does have plugged in a tax rate of \$0.205326. Mayor Hoover stated that today we have higher safety needs than we did and continue to grow. He noted that nobody provides the city services that the City of Fredericksburg does and must continue to keep up with that. He added that Council tends to take their time on these important budget decisions, however he shared Councilmember Klein's view that the amount seems high, but he stated that this Council has considered every angle to know what rate is paid and what they receive for the tax that is paid. Yes, we are raising taxes, it is necessary this year. Councilmember Briley agreed and mentioned the 65+ exemption. Mayor Hoover added that he has directed staff to continue to look at the budget and continue to look for reductions. Mayor Pro-Tem Kirchner stated she appreciates staff and the number crunching that has gone into the budget. She stated that we as a Council have prioritized, adding that this is necessary because she appreciates clean roads, water, electricity, and all the services that our awesome staff provides. Councilmember Watson thanked staff for the new budget process and added that he liked the direction we are headed in and how we continue to improve services and continue to provide services that other towns our size do not provide. He added that we live in a special place and his vote is to keep Fredericksburg special. He thanked staff and Council for going through the budget process and stated that going with the tax rate with the unused increment is a big step but feel good about it and thanked staff and Council for going through the process.

Councilmember Watson moved to adopt Ordinance 2024-30 for the property tax rate to be increased by adopting a tax rate of \$0.205326 voter approval with the unused increment which is effectively a 27.71% increase in the tax rate. Mayor Pro-Tem Kirchner seconded the motion. The roll call vote carried unanimously as follows:

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

NAY: None

- C. Consideration and possible action to ratify adopting a tax rate that exceeds the No-New-Revenue rate for Fiscal Year 2024-2025. (Krista Wareham, Finance Director)

Councilmember Watson moved that City Council ratify the adoption of a tax rate of \$0.205326 voter approval with the unused increment which exceeds the no-new-revenue tax rate of \$0.160769 by 27.71% increase and will result in additional property tax revenue for the Fiscal Year 2024-2025. Mayor Pro-Tem Kirchner seconded the motion. The roll call motion carried unanimously as follows:

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

NAY: None

- D. Consideration and approval of Ordinance 2024-28 related to the Building Permit Fee Schedule. (Anna Hudson, AICP, Director of Development Services)

Michael Erwin presented the proposed Building Permit Fee Schedule noting that it reflects updated fees compared to surrounding cities.

Mayor Pro-Tem Kirchner moved to adopt Ordinance 2024-28 as recommended by staff. Councilmember Watson seconded the motion. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

- A. Consideration and Possible Action Relating to Three (3) Existing Lease Agreements at the New City Hall Campus (East Campus). (Garret Bonn, Asst. City Manager)

Mr. Bonn presented the 3 leases at the New City Hall East Campus that do not affect the move-in date.

He stated that the first lease is with Texas Tech for the Building to continue to occupy the building effective today until October 31, 2024. It was noted that an "Assumption of Building Lease and Rent amends the original lease agreement for the extension. The rent to be paid to the city will be \$5,000 per month.

Councilmember Klein moved to approve the extension of the original lease with Texas Tech as outlined by staff. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

Mr. Bonn recommended approval of the second lease for continued Office Space for Flavory TX that would be effective today and expire on October 31, 2024. The rent to be paid to the city will be \$650 per month. Mayor Pro-Tem Kirchner moved to approve the extension of the original lease with Flavory TX as outlined by staff. Councilmember Briley seconded the motion. The motion carried as follows:

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

NAY: None

ABSTAIN: Councilmember Watson

Mr. Bonn recommended approval of the third lease as it relates to the continuation of the Teaching Vineyard which is located on 3.05 acres of land adjacent to the former University Center Facility. He added that Texas Tech University College of Agriculture plans to continue their Vineyard Higher Education Program effective today through the requested initial term of 2-years. The rent to be paid to the city will be \$10 annually plus the utilities. Mayor Pro-Tem Kirchner asked if the water they will use is metered. Mr. Bonn replied that they have a separate meter.

Councilmember Klein moved to approve the lease for the continuation of the Teaching Vineyard as recommended by staff. Councilmember Watson seconded the motion. The motion carried unanimously.

B. Consideration and Possible Action for the Award of Construction of Water and Sewer Utilities Along W. Live Oak. (Kris Kneese, Public Works/Utilities Director)

Mr. Kneese presented and recommended the award of a contract to JM Pipeline in the amount of \$1,253,645. It was stated that they will begin the work later this year. Councilmember Watson moved to approve the award of contract as recommended by staff. Councilmember Klein seconded the motion. The motion carried unanimously.

9. CITY MANAGER'S REPORT

City Manager Bailey stated that Mayor Pro-Tem Kirchner requested an update on the TIRZ Feasibility Study. Mrs. Hudson presented a brief update referencing a showing a preliminary report. Councilmember Briley asked about the flexibility for future Councils. Councilmember Watson asked when the feasibility study would be ready. Mrs. Hudson replied that the goal is by the end of the year. Mayor Hoover asked that the specific needs be identified for review. He thanked Mrs. Hudson for the update.

City Manager Bailey reported on the City's Water Supply showing a comparison of the last 50 years comparing data from 2007 to today. He noted we have been in a drought since 2007. At this time, Mr. Kneese provided an update on the mill and overlay by TXDOT from Cristol to The Y. He noted the contractor is working at night making

progress of 3-4 blocks each evening. Councilmember Klein asked if the city has oversight during the evening while the work is being done. Mr. Kneese stated that TXDOT does have a supervisor on-site every night. Mayor Pro-Tem Kirchner asked about the striping while Councilmember Watson questioned if the parking spaces would be increased in size. Mr. Kneese replied that the striping will occur once the mill and overlay is completed. Regarding the size of the parking spaces, it was stated that they are now all the same size.

Lastly, Mr. Kneese provided an update on the well monitoring noting an increase in pumping of water but stated that as we get into the Fall, the pumping of water decreases with the shorter days. Mr. Bailey noted that our wells are approximately three hundred feet deep.

George Studor asked of the project at Arch Ray Winery. Mr. Kneese replied that their project has applied for a discharge permit through TCEQ to discharge into the Pedernales. He added that there is a 60-day period in which we are still within to submit comments.

Mr. Bailey noted the list of events at the square for the month of October. Mr. Bonn added that fencing will start on or around September 26th. Mr. Bailey mentioned that sales tax receipts showed a slight increase and referenced electric revenues, water, and wastewater revenues YTD for August 2024.

Mr. Bailey referred to the calls, response times, and activity for the Police and Fire Departments. He also noted the heat map and the brush fire activity. Lastly, he mentioned the current city opening for all departments, stating that two positions have been filled since the last report.

10. ITEMS FOR FUTURE AGENDA

Review of Future Agenda Items List

City Manager Bailey referenced the October 1, 2024, Regular Meeting and proposed that it be moved to October 15, 2024, in line with the first meeting to be held at the New City Hall East Campus. He indicated moving the next meeting to October 15th provides our IT Department the additional time to ensure the AV/IT Equipment are setup and working properly at the new interim Council Chambers. It was the consensus of the Council to move the October 1, 2024, Regular Council Meeting to October 15th as recommended by the City Manager.

Mayor Pro-Tem Kirchner requested a Proclamation for Native Plant Week be added to the next agenda.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and convene in Executive Session pursuant to Texas Government Code Section 551.072:

Consider and discuss Real Estate in the vicinity of US 290E and Industrial Loop.
(Section 551.072)

Mayor Hoover announced that the Regular Council Meeting would be recessed at 10:59 am to go into Executive Session.

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 Regular Session at 11:06 am and that no action was taken.

Mayor Hoover mentioned that this would be the last City Council Meeting in the Law Enforcement Center (LEC) as the October 15, 2024, Regular City Council Meeting will be held in the New City Hall East Campus.

13. ADJOURN

In light of the fact that this will be the last meeting at the LEC; Councilmember Watson moved to adjourn the meeting. Councilmember Klein seconded the motion. The motion carried unanimously at 11:07 am.



Jeryl Hoover, Mayor

Attest:



Leticia Vacek, TRMC, CMC, MMC
City Secretary