



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING

MAY 3, 2021

The City of Fredericksburg City Council held their regular session on Monday, May 3, 2021 at 6 p.m. This meeting was held in person at the Rock Box Theater and live streamed on the Fredericksburg YouTube Channel.

Members Present:

Mayor Charlie Kiehne
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Polly Rickert
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
Eric Whiting, Information Technology Director
Andrea Schmidt, Parks Department Director
Laura Hollenbeck, Finance Director
Lea Feuge, Public Information Officer
Kris Kneese, Assistant Director of Public Works and Utilities
Garrett Bonn, Assistant Engineer
Jennifer Krupa, Special Events Coordinator
Shelley Goodwin, City Secretary

Members Absent:

None

1. CALL TO ORDER

Mayor Kiehne called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, May 3, 2021. Mayor Kiehne announced a quorum of the City Council present.

2. PLEDGE OF ALLEGIANCE

Mayor Kiehne led the Pledge.

3. SPECIAL PRESENTATION

A. Fredericksburg 175th Anniversary.

Mayor Kiehne read the Proclamation and proclaimed May 8, 2021, through May 9, 2022, as the 175th Anniversary of Fredericksburg, Texas. He presented the Proclamation to Tony Klein, Chair of the Steering Committee.

4. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, stated he received a thank you from a resident for the assistance Officers Schnelle, Smith, and Wayman provided to her granddaughter.

5. PUBLIC COMMENTS

Kimberly Lams, City resident, asked that the City stop promoting the COVID vaccine and remove all COVID information off the City website.

George Studor, City resident, thanked Councilmember Rickert for her service to the City and it's residents. He also stated that the November City Election processes were strong, but they were even stronger in the May 1, 2021 Election. He also encouraged the City Council to consider having an Invocation at the beginning of each City Council meetings

Dennis Kusenberger, County resident, stated he owns property in the Historic District and feels the Historic Review Commission violates his rights as a property owner. He reviewed his experience with the Historic Review Commission regarding replacing his windows, but the old Peach Tree Restaurant was allowed to change their windows.

Tom Marschall, City resident, stated that he spoke to several people about Community Gardens while he was out campaigning. He stated he believes the Parks Department could oversee the gardens and could enhance the City.

Timothy Riley, City resident, spoke regarding the City Manager's rebuttal to his comments. He also spoke to the size of the last packet compared to the size of this packet and feels the City needs to add more information to the packets. He encouraged the City Council to get citizens involved with input on STR regulations.

Jeannette Hormuth, City resident, spoke regarding eliminating the Emergency Declaration and getting back to normal. She also noted that there are many Cities, Counties, and States being sued over their Declarations.

Kent Myers, City Manager, stated the City Attorney had provided advice regarding replies to citizens during Citizen Comment Period. He stated that there would be two Public Meetings regarding STRs on May 24th and 25th. One session is for STR owners, and the other is for STR neighbors.

6. CONSENT

A. Consider approval of City Council Minutes April 19, 2021 Regular Meeting (Shelley Goodwin, City Secretary)

B. Consider, discuss and take action regarding approval of the Fourth of July Parade & Patriotic Program, and the request to add the Fourth of July Parade to the City's general liability insurance (Jennifer Krupa, Special Events Coordinator).

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve A. and B. of the Consent Agenda. The City Council voted five (5) for, and none (0) opposed.

7. RESOLUTION

A. Consider the approval of Resolution 2021-05R related to the Annual Review of the City's Investment Policy and Investment Strategies Policy (Laura Hollenbeck, Finance Director).

Laura Hollenbeck, Finance Director, stated the Public Funds Investment Act requires that the City's investment policy be approved annually by the City Council.

The City Council discussed the need to change the Banking Institutions' names to the current names.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to approve Resolution 2021-05R related to the Annual Review of the City's Investment Policy and Investment Strategies Policy, and to correct two of the Banking Institutions' names to read First United Bank and Happy State Bank. The City Council voted five (5) for, and none (0) opposed.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider the approval of an Annexation Agreement for services requested by the property owner for the property located at 3255 S. SH-16, across from the Airport (Z-2104) (Jason Lutz, Director of Development Services).

Jason Lutz, Director of Development Services, stated the City received a request for voluntary annexation and zoning for approximately 17 acres to develop as an RV Park. He noted City utilities would need to be extended at the applicant's expense to service the property, and the agreement outlines the applicant's responsibilities.

The City Council discussed the zoning and the different categories allowed in M1 and M2.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Rickert, to approve the Annexation Agreement for services requested by the property owner for the property located at 3255 S. SH-16, across from the Airport, contingent upon the approval of the zoning. The City Council voted five (5) for, and none (0) opposed.

B. Consider, discuss, and take appropriate action on allowing temporary structures (tents) in the Historic Overlay District (Jason Lutz, Director of Development Services).

Robin Cowsar, County resident, stated she is the owner of the Crockett House. She reviewed the history of the Crockett House, the recent remodel, and why they bought the place. She also reviewed the history of the amendment in 2015 to the temporary structure Ordinance. She noted they are requesting to put up a tent to help shield their guests from the weather. She also noted the tent would be located in the rear and not be visible from the street.

Ed Cowars, County resident, stated they purchased the Crockett House and returned it to its original state to make this a meeting/gathering venue. He noted there are currently 61 venues in the County, and only ¼ are in the City limits.

Jason Lutz, Director of Development Services, stated Staff is seeking guidance regarding allowing temporary structure in the Historic Overlay District. He noted the current code, amended in 2015, states, "No temporary type structures shall be placed in the Historic Overlay District (HO). Temporary structures shall include mobile trailer units, portable structures, sunshades of whatever material, tents, tarps, or umbrellas. EXCEPT: The use of umbrellas or similar detached (portable), nonstructural sun shading devices ("Cover") by a restaurant for that restaurant's outdoor eating and serving areas shall be permitted for "public religious, patriotic, or historical assemblies, displays or exhibits, including festivals, benefits, fund-raising events or similar uses which typically attract a mass audience shall require any use district other than residential. (Exception: religious assembly in

residential districts) and shall not be subject to the provisions of Subsection M". He also stated that a business owner has approached the City to approve this type of structure and was denied.

The City Council discussed the original intent with the 2015 amendment to the Ordinance and the different types of exemption that could be used to allow the structures.

The City Council agreed by consensus to have the Historic Review Board review the Ordinance and possibly create a variance process for Event Centers.

9. CITY MANAGER REPORT

A. Electric Rate Benchmarking Report

Kent Myers, City Manager, reported that a rate comparison was conducted for our area, and the City of Fredericksburg is the eighth lowest. He noted there is be a Press Release regarding the Electric Rate Benchmarking Report.

B. Community Visioning Update

Kent Myers, City Manager, provided an update regarding the recent Community Visioning meetings. He stated they are creating a list of accomplishments, and once the list has been finalized, the list will be available on the City website.

C. City Council Work Session

Kent Myers, City Manager, stated the City Council Work Session will be conducted on May 19, 2021, at the Golf Course-Cardinal Room from 8:30-noon. He noted the four agenda items will be:

- Budget Amendments
- Budget Priorities
- Rules of Procedures
- Reuse of the Middle School

D. Election Update

Tom Marschall, City resident, spoke about the Comprehensive Plan and voting. He encouraged the City Council to find ways to improve the voter turnout.

Shelley Goodwin, City Secretary, stated there are 7,908 registered voters in the City of Fredericksburg, and 1,251 voters cast a ballot in the May 1, 2021, General Election. She noted that three members of the Early Voting Ballot Board will meet on Thursday, May 6, 2021, at 2 p.m. to count the eligible ballots that were received within the timeframe provided by the Election Code (18 ballots). She also stated that the Staff is recommending the Canvass of the May 1, 2021 Election take place on Monday, May 10, 2021, at 5:30 p.m. in the City Hall Conference Room. She also stated a Ceremonial Oath administered by the Municipal Judge on May 17 at 5:30 p.m. at the RockBox Theater.

E. Legislative Update

Kent Myers, City Manager, reported on the following bills:

- SB5 looks like it will be funded.
- HB 1869, relating to the definition of debt to calculate certain ad valorem tax rates of a taxing unit is going to the Senate.
- HB 3223, related to using HOT funds to maintain parks
- Legislation related to regulating signage in the ETJ

10. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the Future Agenda items.

11. COUNCIL COMMENTS

Councilmember Musselman stated he was disappointed in the voter turnout, and he encouraged citizens to get involved in City government by signing up for Notify Me. He also thanked Councilmember Rickert for her hard work and dedication to the City and its citizens.

Councilmember Watson thanked everyone who voted and for those who voted for him. He also stated he is grateful for the support and allowing him to serve another 2 years. He stated the City needs to work on increasing voter turnout. He also thank Councilmember Rickert for an outstanding job she has done for the City and its citizens.

Councilmember Luckenbach reported on the Gillespie County Commissioner's Court and the items they recently approved. He also thanked Councilmember Rickert for her sound judgment and integrity.

Mayor Kiehne stated Councilmember Rickert hit the ground running once she was appointed and put her business knowledge to work. He thanked her for her service and dedication.

Councilmember Rickert thanked everyone who voted for her. She stated she hopes to return to the Planning and Zoning Commission and focus on planning.

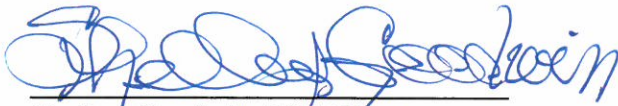
12. ADJOURN

Motion: A motion was made by Councilmember Rickert, seconded by Councilmember Musselman, to adjourn the Monday, May 3, 2021, Regular Meeting at 7:33 p.m. The City Council voted five (5) for, and none (0) opposed.



Charlie Kiehne
Mayor

ATTEST



Shelley Goodwin, TRMC
City Secretary