

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
MAY 7, 2018
6:00 PM

On this the 7th day of May, 2018, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER
JERRY LUCKENBACH – COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - A.C.M./D.P.W.U.
BRIAN JORDAN – DIR DEVELOPMENT SERVICES
SHELLEY BRITTON - CITY SECRETARY
DANIEL JONES - CITY ATTORNEY
RUSSELL IMMEL - IT MANAGER

The meeting was called to order at 6:00 PM following the Pledge of Allegiance.

EMPLOYEE RECOGNITIONS - City Manager Kent Myers recognized Officers Chad Lovelady, Eric Hinterlach, and Marshal Hefley for attending a 5 year old's birthday party on their own time, EMT's Billy Moellering and Jason Leifester for showing kindness to accident victim, all Public Works departments for their handling of the power outage last Friday, and Doris Segner for her customer service to an elderly woman switching her utility service.

PUBLIC HEARING ON THE VOLUNTARY ANNEXATION OF APPROXIMATELY 24.77 ACRES OF LAND LOCATED AT THE NW CORNER OF SMOKEHOUSE ROAD AND THE EXTENSION OF W. WINDCREST DRIVE, OTHERWISE KNOWN AS LOTS 2B-2R, 2B-1R, AND 2A-R OF THE SEIPP SUBDIVISION (FIRST OF TWO) – It was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to recess the regular session and open the Public Hearing on the Voluntary Annexation of approximately 24.77 acres of land located at the NW Corner of Smokehouse Road and the extension of W. Windcrest Drive, otherwise known as Lots 2B-2R, 2B-1R, and 2A-R of the Seipp Subdivision (first of two). All voted in favor and the motion carried.

Comments were received by Steven Harris, a neighbor on Smokehouse Rd, and Nicole Bartel, one of the developers.

With no further comments, it was moved by Council Member Luckenbach, seconded by Council Member Watson, to close the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

ORDINANCE AMENDMENT TO SIGN ORDINANCE RELATING TO MARKET SQUARE - It was moved by Bobby Watson, seconded by Jerry Luckenbach, to forego the second reading and adopt an amendment to the Sign Ordinance relating to Market Square. All voted in favor and the motion carried.

ORDINANCE NO. 28-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING SECTION 29-5, OF CHAPTER 29 – SIGNS – OF THE CODE OF ORDINANCES, ESTABLISHING ADDITIONAL EXEMPTIONS FOR SIGN RELATED TO SPECIAL EVENTS ON MARKTPLATZ (MARKET SQUARE). Recorded in Ordinance Book

PROCLAMATION FOR NATIONAL HISTORIC PRESERVATION MONTH 2018 – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to approve a Proclamation for National Historic Preservation Month 2018 as presented by Anna Hudson, Historic Preservation Officer. All voted in favor and the motion carried.

PROCLAMATION

Proclamation for National Historic Preservation Month 2018

WHEREAS, May is National Historic Preservation Month 2018; and

WHEREAS, the City of Fredericksburg has a number of National Register Landmarks, a National Register Historic District and a Locally-Designated Historic District worth seeing, saving and celebrating; and

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is inherently economically, environmentally, and socially sustainable, fostering a culture of reuse and maximizing the life cycle of all resources through conservation; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, many Fredericksburg residents, groups and organizations work hard to preserve Fredericksburg's past for future generations;

NOW, THEREFORE, I, Mayor Linda Langerhans, do proclaim May 2018 as:

National Preservation Month

And call upon the people of Fredericksburg to join their fellow citizens across the United States in recognizing and participating in this special month through the many activities that are happening in our community during the month of May.

Executed this 1st day of May, 2018.

/s/ Linda Langerhans, Mayor

Attest: /s/ Shelley Britton, City Secretary

FUTURE POWER PURCHASES WITH AEP ENERGY – It was moved by Council Member Neffendorf, seconded by Council Member Watson, to approve an extension of our agreement for Future Power Purchases with AEP Energy until June 2023, with a sizable reduction of the rate to \$39.50/MWh through the end of the contract. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Kiehne, and Luckenbach. Motion carried.

AGREEMENT WITH SOCCER ASSOCIATION – It was moved by Council Member Watson, seconded by Council Member Neffendorf, to approve the Non-Profit Organization Park Use Agreement with the Youth Soccer Association Region 714 – Fredericksburg Texas, for use and all maintenance and upkeep of the temporary soccer fields. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Kiehne, and Luckenbach. Motion carried.

RESCIND SUNSET CLAUSE OF SIGN ORDINANCE – Chief Wetz presented Council with information regarding the Sound Ordinance and recommended that the Sunset Clause be rescinded. With no further discussion, it was moved by Council Member Luckenbach, seconded by council Member Watson, to rescind the Sunset Clause of the Sign Ordinance as presented. All voted in favor and the motion carried.

POOL USER FEES FOR LARGER GROUPS – Susanna Leonard, Recreation Superintendent, presented an amendment to the fees for use of Lady Bird Johnson Park and Town Pool for private parties. It was moved by Council Member Neffendorf, seconded by Council Member Watson, to approve the amended Pool Party Rental Fees as presented. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne, and Neffendorf. Motion carried.

FY 2018 MID-YEAR BUDGET REPORT AND BUDGET AMENDMENTS – It was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to approve the FY 2018 Mid-Year Budget Amendments as presented. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Kiehne, and Luckenbach. Motion carried.

CITY MANAGERS REPORT - City Manager Kent Myers reported on (1) May City Council Retreat, (2) Community Visioning Report, (3) Annexation Update, and (4) Golf Course Update.

FUTURE AGENDA ITEMS - Council discussed future agenda items.

PUBLIC COMMENTS – Cord Switzer commented on signs for special events, the sound ordinance, and the relief route. Jeanette Hormuth expressed concerns about fluoride in the city water.

COUNCIL COMMENTS – Jerry Luckenbach thanked all who voted in the May 5 election; Charlie Kiehne said he was honored to be reelected; Linda Langerhans commented on the great voter turnout and said that Bobby had been a great asset to the Council, and Bobby Watson congratulated Linda, Charlie and Tom on their wins, and encouraged everyone to continue to work on keeping lines of communication open.

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to recess the regular session and go into Executive Session at 7:35 PM. All voted in favor and the motion carried. At 8:06 PM, it was moved by Council Member Luckenbach, seconded by Council Member Watson, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

Following Executive Session, the following action was taken:

PERSONAL INJURY CLAIM AGAINST CITY BY MARTA ESTRADA (Section 551.071) – It was moved by Council Member Neffendorf, seconded by Council Member Watson, to deny the injury claim by Marta Estrada. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne, and Neffendorf. Motion carried.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 8:07 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of June, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**SPECIAL CITY COUNCIL MEETING
MAY 8, 2018
10:00 AM**

On this the 8th day of May, 2018, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, with the following members presents to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: SHELLEY BRITTON - CITY SECRETARY
DANIEL JONES - CITY ATTORNEY

The meeting was called to order at 10:00 AM.

CANVASS AND APPROVE MAY 5, 2018 ELECTION RESULTS - A motion was made by Council Member Watson, seconded by Council Member Kiehne, to adopt the following Order declaring the result of the Regular City Election:

ORDER DECLARING RESULT OF REGULAR CITY ELECTION

On this the 8th day of May, 2018, the City Council in special session open to the public at City Hall, 126 W. Main St., with the following members present, to wit:

Linda Langerhans

Gary Neffendorf

Charlie Kiehne

Bobby Watson

Jerry Luckenbach

constituting a quorum, and passed the following Order and Resolution:

There came to be considered the returns of a Regular City Election held on the 5th day of May, 2018, for the purpose of an election to vote for a Mayor and two (2) Council Members for said City, as set forth in the Order calling said election, and it appearing that said election was in all respects legally held and that said returns were duly and legally made.

IT IS THEREFORE FOUND, DECLARED, AND SO ORDERED AND RESOLVED by the City Council of the City of Fredericksburg, Texas, that the legally qualified voters at said above mentioned election held on the 5th day of May, 2018 cast at said election the following votes:

MAYOR

Langerhans - 713

Lafferty - 391

Watson - 639

COUNCIL MEMBER

Kiehne - 1112

Saïdi - 480

Musselman - 990

Bennett - 483

Total votes cast: 1750

As shown in the official election returns submitted to the City Council of the City of Fredericksburg, Texas, on May 8th, 2018 by the officers holding said election.

IT IS FURTHER FOUND AND DETERMINED that in accordance with the order of this governing body, the City Secretary posted notice of the date, place, and subject of this meeting on

the bulletin board located at the City Hall, a place convenient to the public, said notice having so posted and remaining posted continuously for at least 72 hours preceding the time on this meeting.

The Order passed unanimously.

PASSED AND APPROVED this the 8th of May, 2018.

/s/ Linda Langerhans

ATTEST: /s/ Shelley Britton, City Secretary

With no further business, it was moved by Council Member Watson, seconded by Council Member Neffendorf, to adjourn the meeting at 10:10 AM. All voted in favor and the motion carried.

PASSED AND APPROVED this the 18th day of June, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**REGULAR CITY COUNCIL MEETING
MAY 21, 2018
6:00 PM**

On this the 21st day of May, 2018, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - ACM/D.P.W.U.
SHELLEY BRITTON - CITY SECRETARY
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES
DANIEL JONES - CITY ATTORNEY
RUSSELL IMMEL - IT MANAGER

The meeting was called to order at 6:00 PM., followed by the Pledge of Allegiance.

EMPLOYEE RECOGNITIONS - City Manager Kent Myers recognized Officer Chad Lovelady and Jeff Rich from the Water Department.

PUBLIC HEARING ON THE VOLUNTARY ANNEXATION OF APPROXIMATELY 24.77 ACRES OF LAND LOCATED AT THE NW CORNER OF SMOKEHOUSE ROAD AND THE EXTENSION OF W. WINDCREST DRIVE, OTHERWISE KNOWN AS LOTS 2B-2R, 2B-1R, AND 2A-R OF THE SEIPP SUBDIVISION (SECOND OF TWO) –

It was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to recess the regular session and open the Public Hearing on the Voluntary Annexation of approximately 24.77 acres of land located at the NW Corner of Smokehouse Road and the extension of W. Windcrest Drive, otherwise known as Lots 2B-2R, 2B-1R, and 2A-R of the Seipp Subdivision (second of two). All voted in favor and the motion carried.

Comments were received by Mimi Bartel, one of the owners/developers.

With no further comments, it was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to close the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

PUBLIC HEARING Z-1804 FOR A REQUEST TO ESTABLISH R1-A (SINGLE FAMILY RESIDENTIAL-SMALL LOT) ZONING ON A PROPERTY TOTALING APPROX. 11.7 ACRES LOCATED IN THE SEIPP SUBDIVISION ON SMOKEHOUSE ROAD -

It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to recess the regular session and open the Public Hearing on Z-1804 for a request to establish R1-A (Single Family Residential-Small Lot) zoning on a property totaling approx. 11.7 acres located in the Seipp Subdivision on Smokehouse Road. All voted in favor and the motion carried.

Following comments from Steven Harris, Cindy Maple, and Andy Brey, it was moved by Council Member Musselman, seconded by Council Member Luckenbach, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1804 – Following a brief discussion, Council Member Neffendorf moved, seconded by Council Member Musselman, to approve Request Z-1804 for a request to establish R1-A (Single Family Residential-Small Lot) Zoning on a property totaling approx. 11.7 acres located in the Seipp Subdivision on Smokehouse Road. The vote was as follows: AYE: Langerhans, Kiehne, Musselman, Luckenbach, and Neffendorf; NAY: None. Motion carried.

PUBLIC HEARING Z-1803 FOR A CONDITIONAL USE PERMIT FOR A HOTEL IN THE CBD LOCATED AT NORTH AND WEST OF THE INTERSECTION OF E. UFER ST AND S LLANO ST. -

It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to recess the regular session and open the Public Hearing on Z-1803 for a Conditional Use Permit for a hotel in the CBD located at North and West of the intersection of E. Ufer St and S Llano St. All voted in favor and the motion carried.

Following comments from Representative David Martin, it was moved by Council Member Musselman, seconded by Council Member Luckenbach, to adjourn the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1803 - Council Member Neffendorf moved, seconded by Council Member Kiehne, to approve Z-1803 for a Conditional Use Permit for a hotel in the CBD located at North and West of the intersection of E. Ufer St and S Llano St. and encouraged staff to consider restricting parking on both sides of Ufer St. from S. Adams St to Lincoln St. The vote was as follows: AYE: Langerhans, Kiehne, Musselman, Luckenbach, and Neffendorf; NAY: None. Motion carried.

PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN AND ENGINEERING OF THE BOOT RANCH LIFT STATION – Following a presentation by Kris Kneese, it was moved by Council Member Luckenbach, seconded by Council Member Musselman, to approve the Design and Engineering of the Boot Ranch Lift Station as presented. The vote was as follows: AYE: Langerhans, Kiehne, Musselman, Luckenbach, and Neffendorf; NAY: None. Motion carried.

APPOINT MAYOR PRO TEM – It was moved by Council member Kiehne, seconded by Council Member Luckenbach, to appoint Council member Neffendorf as Mayor Pro Tem. All voted in favor and the motion carried.

APPOINT RELIEF ROUTE TASK FORCE MEMBER – It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to appoint Bobby Watson as a city representative to the Relief Route Task Force

APPOINTMENTS OF COUNCIL LIAISONS – Council agreed to the following Council liaisons:

- Neffendorf: EDC, 175th Anniversary, Hill Country University Center
- Musselman: CVB, Chamber, and FISD/City/County
- Kiehne: Gillespie County, City/County/FISD
- Luckenbach: Airport Board, Market Square Redevelopment Commission
- Langerhans: Gillespie County, Relief Route, Historical Society, 175th Anniversary

APPROVE NEW PARADE RULES – It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to approve the New Parade Rules as presented. The vote was as follows: AYE: Kiehne, Musselman, and Luckenbach; NAY: Langerhans and Neffendorf. Motion carried.

MILITARY TRAINING REQUEST – It was moved by Council Member Kiehne, seconded by Council Member Musselman to approve the Military Training Request from the United States Army Special Operations Command, based out of Ft. Bragg, NC, to take part on several different occasions between the time of June 1, 2018 and May 31, 2020. The vote was as follows: AYE: Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: Langerhans. Motion carried.

CITY MANAGER'S REPORT - City Manager Kent Myers reported on (1) City Council Retreat – May 22, 2018, (2) Community Visioning Process, (3) Hotel/Conference Center Project, and (4) Golf Course Update.

FUTURE AGENDA ITEMS - Council discussed future agenda items.

PUBLIC COMMENTS – Several local dentists spoke regarding the benefits of fluoride.

COUNCIL COMMENTS – Jerry Luckenbach reported on the Airport Board meeting, Charlie Kiehne commented on the new temporary soccer fields, and Tom Musselman thanked the voters for their support, and encouraged his students to participate in public service.

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to recess the regular session and go into Executive Session at 8:01 PM. All voted in favor and the motion carried. At 8:45 PM, it was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

Following Executive Session, the following action was taken:

PENICK R&C, LP vs CITY OF FREDERICKSBURG, SEC. 551.071 – No action taken.

POTENTIAL CLAIM RELATED TO ENFORCEMENT OF ZONING ORDINANCE SECTION 3.510 OPERATION OF A STANDARDIZED BUSINESS IN HISTORIC, SEC. 551.071 SHOPPING DISTRICT – No action taken.

ALPHA SECURITIES LLC vs CITY OF FREDERICKSBURG, SEC. 551-071 – No action.
(Council Member Neffendorf abstained from the discussion)

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 8:47 PM. Council Member Musselman seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of June, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**CITY COUNCIL RETREAT
MAY 22, 2018
1:00 PM**

On this the 22nd day of May, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Cardinal Room, Lady Bird Johnson Golf Course, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT:

KENT MYERS - CITY MANAGER
CLINTON BAILEY – ACM/DPWU
LAURA HOLLENBECK – DIR OF FINANCE
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
DANIEL JONES - CITY ATTORNEY

CITY COUNCIL RETREAT – Council held a quarterly retreat to discuss a variety of issues, including:

1. Revisions to City Council Rules of Procedure
2. Discussion of 2018 City Budget
3. Report on Current and Planned city Annexations
4. Report on Sports Park
5. Update on Implementation of New STR Ordinance
6. City Support for Attainable Housing Projects

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 4:55 PM. Council Member Musselman seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of June, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR