

CITY OF FREDERICKSBURG
MINUTES OF CITY COUNCIL REGULAR MEETING
JUNE 3, 2019

Members Present:

Mayor Linda Langerhans
Councilmember Charlie Kiehne
Councilmember Gary Neffendorf
Councilmember Tom Musselman

Members Absent:

Councilmember Bobby Watson

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director Public Works and Utilities
Daniel Jones, City Attorney
Steve Wetz, Police Chief
Lynn Bizzell, Fire Chief
Brian Jordan, Development Services Director
Andrea Schmidt, Parks Department Director
Russel Immel, Information Technology Director
Lea Feuge, Public Information Officer
Anna Hudson, Historic Preservation Officer
Kris Kneese, Assistant Director Public Works and Utilities
Garret Bonn, Assistant City Engineer
Jennifer Krupa, Special Events Coordinator
Shelley Goodwin, City Secretary

1. Pledge of Allegiance

Mayor Langerhans led the Pledge of Allegiance.

2. Call to Order

With a quorum of the City Council present, Mayor Langerhans called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, June 3, 2019, in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas 78624.

3. Employee Recognitions

Kent Myers, City Manager, stated he did not have any recognitions.

4. PUBLIC COMMENTS

Walter Moldenhauer spoke about the process used for awarding bids. He stated he feels the process should be improved to give local architects a higher rating.

5. CONSENT

A. Consider approval of the May 14, 2019 City Council Special Meeting Minutes.

B. Consider approval of the May 20, 2019 City Council Regular Meeting Minutes.

C. Consider the approval of a request to add the Fourth of July Parade and Patriotic Program to the City's insurance.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman, to approve Consent Agenda 5. A.-C. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman, to go back to Agenda Item 4 Citizen Comment Period. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Arnoldo Cuellar, DDS. read a letter he provided to the City Council regarding Hydrofluorosilicic acid and the petition for the November 5, 2019 Election.

Milton Dare spoke regarding the Kinder Morgan Pipeline and the City's role with the change in location.

Brandon Dickers spoke regarding the documentary on the City of Fredericksburg he is creating and the concerns that have been expressed to him.

Troy Herber spoke regarding the Kinder Morgan Pipeline and the City's role with the change in location.

Sandy Dare spoke regarding the Kinder Morgan Pipeline and the City's role with the change in location.

Heath Frantzen provided an update on the pipeline. He also spoke about his experience with grant writing and is willing to help locating grants for Affordable Housing.

6. ORDINANCES AND RESOLUTIONS

A. Zoning case #Z-1910 Expansion of local historic district with "HO" historic zoning overlay

1. Presentation

Anna Hudson, Historic Preservation Officer, provided a PowerPoint. She also provided an update on the history of the Historic District.

Mayor Langerhans provided the history of the 1983 Historic Structure survey and the creation of the 1983 Landmark designation.

Anna Hudson reviewed the frequently asked questions, expansion changes, culture and heritage statements in the Community Visioning Report. She explained the significance, integrity, ratings of

century homes, and local criteria for a designation of a historic home. She also discussed the Historic Preservation Fund.

2. Public Hearing to hear comments for or against the expansion of the Historic District

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Neffendorf to go out of Regular Session into a Public Hearing at 6:55 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Brian Lehne introduced the Fisd School Superintendent and Trustees who were in attendance. He encouraged the City Council to remove the Middle School or to delay the action until the School Board has their presentation on June 10th.

James McDonald spoke regarding historic district property owners are stewards of their property. He encouraged the City Council to vote against the Historic District expansion and to consider on a case by case basis.

Johnathan Baethge spoke in opposition to the addition Historic District expansion.

Charles Schmidt spoke in support of James McDonald's comments.

David Bullion, member of Historic Review Commission, spoke in support of the Historic District expansion. He encouraged the City Council to protect the neighborhoods and homes of Fredericksburg.

Patricia Smith spoke in support of James McDonald's comments.

Dorothy Schmidtzinsky spoke in support of James McDonald's comments.

Rena Blair spoke in opposition of the Landmark decisions. She encouraged the City Council to not act on this item until the new legislation becomes effective in September.

Doris Sowell spoke in opposition of the Historic District expansion. She stated the State Legislative is giving more rights to owners and HB 2496 allows owners' rights to opt out of Landmark designations.

Karen Rode spoke in support of James McDonald's comments.

Polly Rickert, Planning and Zoning Commissioner, encouraged the City Council to defer including the Hoffman House property until after Planning and Zoning Commission addressed their issues.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to go out of the Public Hearing into Regular Session at 7:20 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

3. Consider the approval of Ordinance 2019-19

Anna Hudson, Historic Preservation Officer, briefed the City Council on HB 2496 and stated it deals with Landmarks and not Historic Districts.

The City Council discussed the provision within the Ordinance that deals with tents. They also discussed the Fredericksburg Middle School and the other proposed expansion areas.

Councilmember Musselman asked that the expansion area be from North of South Creek and to the Elk Street Bridge.

Motion: A motion was made by Councilmember Musselman and seconded by Councilmember Kiehne, to not take action tonight and to consider Ordinance 2019-19 at the June 17, 2019 City Council Regular Meeting. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

B. Zoning case #Z-1908 change from R1 zoning to R1-A zoning

1. Presentation

Dale Sultemeier representative of the property owner provided a history of the project. He reviewed the concerns the citizens previously expressed at the May 20, 2019 City Council Regular Meeting regarding the traffic, wastewater and drainage.

The City Council discussed the entrance on Hollmig and the second entrance on Friendship Lane. They also discussed the sidewalks outside the proposed subdivision.

Brian Jordan, Development Service Director, reviewed the comments that have been received by residents who live within the 200 feet of the area. He also reviewed the requirement of needing a supermajority vote to approve the zoning changes since the 20% threshold was met.

James McDonald reviewed the numbers of protest that the City received opposing the zoning change. He encouraged the City Council to not pass the zoning request.

2. Consider the approval of Ordinance 2019-18 amending the zoning ordinance and changing the zoning district as to certain property in the George Debrant Survey No. 42, changing said property from R-1 Single Family Residential to R-1A, Single Family-Small Lot and providing for an effective date (Public Hearing held May 20, 2019).

Councilmember Musselman requested a roll call vote.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Neffendorf to approve Ordinance 2019-18 amending the zoning ordinance and changing the zoning district as to certain property in the George Debrant Survey No. 42, changing said property from R-1 Single Family Residential to R-1A, Single Family-Small Lot and providing for an effective date. The City Council voted the following:

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

The motion carried unanimously.

C. Heather Glen Annexation

1. Presentation

Kevin Sproggins reviewed the project and provided an update on the proposed park. He stated the goal is to keep the home prices under \$298,000. He also stated the Traffic Study has already been conducted.

Councilmember Musselman discussed the amount of Parks Impact Fee the developer will be paid.

Kent Myers, City Manager, stated the City Council discussed a possible reduction of Park Impact Fees similar to other residential developments.

Brian Jordan, Development Services Director, reviewed the Park Dedication Ordinance and the proposed private park.

Kelly Musselman spoke regarding the proposed subdivision's private pool and park. She also spoke regarding the usage of the private pool and park and the usage of the City pool and parks.

2. Consider Ordinance 2019-20 on the voluntary annexation of approximately 94 acres of land extending from Friendship Lane to US Highway 87 South, otherwise known as the Dale Crenwelge property and Heather Glen.

Motion: A motion was made by, Councilmember Kiehne seconded by Councilmember Musselman to approve Ordinance 2019-20 on the voluntary annexation of approximately 94 acres of land extending from Friendship Lane to US Highway 87 South, otherwise known as the Dale Crenwelge property and Heather Glen. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

3. Consider an Annexation Agreement on approximately 125 acres of land extending from Friendship lane to US Highway 87 South, including the property described above.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Neffendorf, to approve an Annexation Agreement on approximately 125 acres of land extending from Friendship lane to US Highway 87 South, including the property described above. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

4. Consider Ordinance 2019-21 with various changes to the Land Use Plan on approximately 125 acres described above.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman to approve Ordinance 2019-21 with various changes to the Land Use Plan on approximately 125 acres described above. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

5. Consider Ordinance 2019-22 establishing zoning of C2, Commercial, R2, Mixed Residential, and R1-A, Single Family Residential - Small Lot on property described above.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Neffendorf, to approve Ordinance 2019-22 establishing zoning of C2, Commercial, R2, Mixed Residential, and R1-A, Single Family Residential - Small Lot on property described above. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

7. OTHER ACTION ITEMS AND UPDATES

A. Consider the approval of revision to the City Council Rules of Procedures.

Kent Myers, City Manager recommended the City Council consider the City Council Rules of Procedures at the June 17th City Council Regular Meeting when all Councilmembers are present.

B. Receive a presentation on the Special Events Policy.

Jennifer Krupa, Special Events, provided a PowerPoint presentation of the history of Special Events in Fredericksburg and the amended Policy.

The City Council discussed service dogs and the forfeit of deposits.

8. CITY MANAGER'S REPORT

A. Final Legislative Update

Kent Myers, City Manager, stated he is waiting on Texas Municipal League to release their final report. He stated he will be attending a Legislative Update on June 24th. He provided an update on 6 Bills that passed: Hotel Motel Occupancy Tax Rebate, Historic Landmark, Annexation, 3.5% Property Revenue Tax Cap, Permit Fees, and License Plumbers.

B. Annexation Update

Kent Myers, City Manager, provided an update on the 5 areas the City Council wants to consider annexing. He stated Daniel Jones, Brian Jordan and himself will be meeting and will put together a schedule. He also reviewed the volunteer annexations that have occurred in the past couple of years.

C. Water Conservation

Kent Myers, City Manager, provided an update on the Water Conservation Program and the information that will be released to the public to assist with education. He also stated Boot Ranch will also be using the City of Fredericksburg Water Conservation.

Councilmember Kiehne stated he would like to review the Water Conservation watering hours at the June 17, 2019 meeting.

9. ITEMS FOR FUTURE AGENDA

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

10. COUNCIL COMMENTS

No Council Comments were provided.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code

A. Section 551.072 - Consider and discuss the purchase, exchange, lease, or value of real property owned by the City, located in the vicinity of Old San Antonio Road.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to go out of Regular Session into Executive Session at 9:15 p.m. The motion carried unanimously.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to go out of Executive Session into Regular Session at 9:45 a.m. The motion carried unanimously.

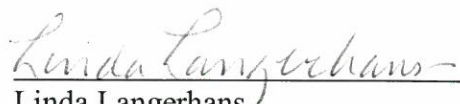
12. BUSINESS ITEM

Mayor Langerhans stated no members of City Council, and no City Staff members have ever requested that Kinder Morgan relocate the pipeline off of the City's property. Kinder Morgan has made the discretionary decision to reroute the pipeline off of City property, in lieu of initiating condemnation proceedings against the City. The City was informed of the decision last week. The City intends to continue negotiations with Kinder Morgan; and the Council expects to consider further actions on this item at the June 17th, Council Meeting.

Councilmember Musselman stated at no time was relocation of the pipeline off of City's property a consideration of the City Council of the City of Fredericksburg. Kinder Morgan made the statement that they would not initiate any kind of condemnation proceedings or any kind of eminent domain proceedings against the City of Fredericksburg and against the City of Blanco. This was a decision by the pipeline company themselves.

13. ADJOURN

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman, to adjourn the Monday, June 3, 2019 City Council Regular Meeting at 9:52 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.


Linda Langerhans
Mayor

ATTEST


Shelley Goodwin, TRMC
City Secretary

Hut Dnt
Rejoing
Heather Glen

Sign In to Speak at the City Council Regular Meeting 6-3-19

The City Council welcomes citizen participation and comments at all City Council Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, please follow these guidelines:

- State your name and address before your comments begin.
- Direct your comments to the entire City Council, not to an individual member, or to the audience.
- Complete your speaking at the allotted time (3 minutes).

Name	Address	Phone Number	Email Address	Agenda Item or Subject
Walter Mopenhauer	615 W San Antonio	830 456 9315		
Brian Lehne	215D	512-626-8317	BrianLehneConstruction Co. A	
ARNOLDO CUELLAR		361-876-1525	Axwellav53@gmail.com	
James McDonald	112 Bobwhite	210-990-0072		
Milton Dore	3287 Old St Road			
Sandy Dore	3287 Old St Road			
Trey Herber	571 Woodland Dr.	830/889-6914		
Jonathan Boettge	507 N. Lincoln	830/889-2395	c5flug@yahoo.com	historic expansion
Teppi Schmidt	110 E Highway St.	830-990-9353	cschmidt002@austinnv.com	
Chuck Schmidt	110 E Hwy St	830 990 9353	calschmidtii@gmail.com	historic expansion
HEATH HARTZEN (A.K.A. CEM KAOOD E HARTZEN)		210.723-4957	heath.hartzen@gmail.com	
BRANDON DICKERSON	411 W. Beulah	323-573-7629	brandon@spiritalfilm.ca	
David Bullion	302 N Hwy	830 992 3089		

① Patricia Smith 460 Shyla-Kaleigh Ln 630-4566406 Patricia@fisd.org
② Dorothy Schmidtzinsky 655 Shyla-Kaleigh Ln 997-3240
③ Kena BLAIR 602 W. TREAVIS 990 8529 kenablaire@yahoo.com

139

The City Council welcomes citizen participation and comments at all City Council Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, please follow these guidelines:

- State your name and address before your comments begin.
- Direct your comments to the entire City Council, not to an individual member, or to the audience.
- Complete your speaking at the allotted time (3 minutes).

Name	Address	Phone Number	Email Address	Agenda Item or Subject
Mitzie Dolger	West San Antonio St 707 W. MOSE	830-889-7066	mitziedolger@yahoo.com	
Karen Rode	404 Plum	830-889-3258		Historic
Polly RICKERT	418 Plum	210 264 1305	POLLYRICKERT@GMAIL.COM	HISTORIC

Sign In to Speak at the City Council Regular Meeting

6-3-19

The City Council welcomes citizen participation and comments at all City Council Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, please follow these guidelines:

- State your name and address before your comments begin.
- Direct your comments to the entire City Council, not to an individual member, or to the audience.
- Complete your speaking at the allotted time (3 minutes).

Name	Address	Phone Number	Email Address	Agenda Item or Subject
Dora Lee Howell	707 W. Schubert St			New Law
DORA				was passed on
				connecting a
				historical
				young
				Last week
				House Bill 2496
				86th Regular Session

