CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING
JULY 15, 2019

Members Present:
Mayor Linda Langerhans
Councilmember Charlie Kiehne
Councilmember Gary Neffendorf
Councilmember Tom Musselman
Councilmember Bobby Watson

Members Absent:
None

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
Brian Jordan, Development Services Director
Andrea Schmidt, Parks Department Director
Russell Immel, Information Technology Director
Lea Feuge, Public Information Officer
Kris Kneese, Assistant Director Public Works and Utilities
Garret Bonn, Assistant City Engineer
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, July 15, 2019, in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas 78624.

3. Employee Recognitions
Kent Myers, City Manager, stated he received the following recognitions:

- Several compliments on Nicole Moellering, Administrative Assistant/Receptionist, on her customer services.
- Jim Smartz submitted a Customer Satisfaction Survey card complimenting Ray Ortegon, Code Enforcement for his assistance with his mosquito issues.

4. PUBLIC COMMENTS

Chord Switzer spoke regrading concerns on traffic safety issues on Main Street.

Roger Gordon, Lone Star Pace, spoke regarding the P.A.C.E program and what it can do for the City of Fredericksburg.

5. CONSENT

A. Consider approval of the July 1, 2019 City Council Regular Meeting Minutes.

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

6. ORDINANCES AND RESOLUTIONS

A. Zoning case #Z-1913 to change the zoning from C1, Neighborhood Commercial, to C1.5, Medium Commercial, on properties located at 108, 110, 202, and 206 N. Milam Street

1. **Presentation**
2. **Hold a public hearing to receive comments for or against**
3. **Consider the approval of Ordinance 2019-23 amending the zoning ordinance of the City and changing the Zoning District as to certain townlots adjacent to N. Milam Street, situated in the City of Fredericksburg, Texas; changing said property from C-1 Neighborhood Commercial to C-1.5 Medium Commercial; and providing for an effective date.**

Stephen Fain stated he was the owner of the old Super S store and is requesting the zoning change in hopes to increase the interest in this property. He is hoping a new owner would revitalize the property.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of Regular Session into a Public Hearing at 6:15 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Mayor Langerhans asked if anyone wished to speak, no one did.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to go out of Public Hearing into Regular Session at 6:16 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Brian Jordan, Development Services Director, provided the history of the request for zoning and the property. He stated the Planning and Zoning Commission voted unanimously to recommend approval of this request.

Motion: A motion was made by Councilmember Watson , seconded by Councilmember Neffendorf , to approve Ordinance 2019-23 amending the zoning ordinance of the City and changing the Zoning District as to certain townlots adjacent to N. Milam Street, situated in the City of Fredericksburg, Texas; changing said property from C-1 Neighborhood Commercial to C-1.5 Medium Commercial; and providing for an effective date. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Ordinance 2019-24 approving a Records Management Plan, updating Retention Schedule, and updating the Record Management Program for the City of Fredericksburg and declaring an effective date.

Shelley Goodwin, City Secretary, reviewed the history of the records management for the City of Fredericksburg. She also reviewed the process used to develop the Plan.

Councilmember Musselman inquired to the cost of implementing the Records Management Plan.

Kent Myers, City Manager, stated at this time there is no impact on the budget; however, this will free up valuable space.

Daniel Jones, City Attorney, stated the City's Code of Ordinances does call for Records Management and that a plan be approved by the City Council.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to approve Ordinance 2019-24 approving a Records Management Plan, updating Retention Schedule, and updating the Record Management Program for the City of Fredericksburg and declaring an effective date. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider the approval of Resolution 2019-11R supporting the City of Fredericksburg's application to the Texas Department of Transportation's 2019 Transportation Alternatives Set-Aside (TASA)/ Safe Routes to School-Infrastructure (SRTS) call for projects.

Garret Bonn, Assistant City Engineer, provided the history of the TxDOT's grant funding programs. He provided the steps of the application process and the match requirement. He also reviewed the sidewalk project area that is being submitted for the funding.

The City Council discussed the amount the City would be responsible for and the project being submitted.

Kent Myers, City Manager, stated the Hotel Project in this area is still moving forward and plans will be submitted in the next few weeks. He stated this will provide a direct link from Old Fair Park and downtown.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve of Resolution 2019-11R supporting the City of Fredericksburg's application to the Texas Department of Transportation's 2019 Transportation Alternatives Set-Aside (TASA)/ Safe Routes to School-Infrastructure (SRTS) call for projects. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. OTHER ACTION ITEMS AND UPDATES

A. Zoning case #Z-1911 Conditional Use Permit for Drive-Thru Bank in the 800 Block of S. Adams Street.

1. **Presentation**
2. **Hold a public hearing to receive comments for or against**
3. **Consider the approval of the Conditional Use Permit.**

David Maring, A3 Studio, reviewed the request for the Conditional Use Permit. He stated the permit is allow a Drive-through facility associated with the bank.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Neffendorf, to go out of Regular Session into a Public Hearing at 6:39 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Tommy Segner, on behalf of Robert Walter, requested a fence be placed around the project.

Mayor Langerhans asked if anyone else wished to speak. No one did.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to go out of Public Hearing into Regular Session at 6:40 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Brian Jordan, Development Services Director, provided the history of the zoning and the request. He reviewed the Site Plan Overview and stated the Planning and Zoning Commission approved the compliance of the Entry Corridor Design Guidelines and Standards.

The City Council discussed the intent for the two properties and the elevation of the property in regards to the sight line.

Kent Myers, City Manager, inquired about the elevation of property.

David Martin, A3 Studio, explained how the elevations will be addressed.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to approve the Conditional Use Permit for Drive-Thru Bank in the 800 Block of S. Adams Street. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. All-Way Stop at the intersections of W. Windcrest/S. Milam and Live Oak/S. Milam.

1. **Presentation**
2. **Hold a public hearing to receive comments for or against**
3. **Discuss and possible action on the proposed All-Way Stop recommended in the Traffic Study for the intersection of W. Windcrest/S. Milam and Live Oak/S. Milam.**

Garrett Bonn, Assistant City Engineer, provided a PowerPoint Presentation of the history of the Traffic Study and the proposed All-Way Stop recommendation. He also reviewed the West Windcrest Traffic Impact Study and the steps that will be taken to notify the public of the stop signs.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of Regular Session into a Public Hearing at 6:54 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Ron Woellhof spoke in support of the All-Way Stop Signage.

Larry Werts spoke in support of the All-Way Stop Signage.

Jim Wilhite spoke in support of the All-Way Stop Signage.

Pam Woellhof spoke in support of the All-Way Stop Signage.

Tom Luck spoke in support of the All-Way Stop Signage.

Bruce Willie spoke regarding the interruption with traffic the stop signs would create.

Mayor Langerhans asked if anyone wished to speak. No one did.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to go out of Public Hearing into Regular Session at 7:10 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Councilmember Musselman stated the City Council has discussed traffic issues and corrections before the Relief Route is built.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Neffendorf, to approve All-Way Stop recommended in the Traffic Study for the intersection of W. Windcrest/S. Milam and Live Oak/S. Milam. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider the appointments to the City Boards and Commissions.

1. **Historic Review Board**
2. **Board of Adjustment**
3. **Planning and Zoning Commission**

Mayor Langerhans stated this Agenda Item will be discussed after the Executive Session.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to appoint Jessica Davis, reappoint Larry Jackson, Eric Parker, and Sharon Joseph to serve as members and appoint Karen Oestreich and reappoint Richard Laughlin as alternate members to the Historic Review Board. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to appoint Jeff Lawrence, Marcus Vidrine, reappoint Jim McAfee, Donnie Finn, and Cynthia Scroggins to serve as members, and appoint Travis Neal as an alternate member to the Board of Adjustment. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to appoint Jill Tabor, reappoint Janice Menking, Steve Thomas, Chris Kaiser, Darrell Whitworth and Brenda Segner to serve as members to the Planning and Zoning Commission. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. CITY MANAGER'S REPORT

A. Proposed Annexation-Live Oak Road Area

Kent Myers, City Manager, stated the City Council adopted a Resolution regarding the proposed annexations. He stated the Live Oak Road Area annexation schedule was prepared with the completion occurring October-January.

Brian Jordan, Development Services Director, stated this annexation area is known as Area 6 and is 117 acres. He also stated deeds and easements are being researched to identify property owners and then a final schedule for the annexation will be created.

B. Relief Route Open House

Kent Myers, City Manager, announced the Relief Route Open House will be held on Monday July 23, 2019 2 p.m.-7 p.m. at the Gillespie County Farm Bureau Pape Center on 237 Equestrian Dr.

C. Budget Update

Kent Myers, City Manager, updated the City Council on the completion of the 1st round of budget meetings with all departments. He stated in the next few days Finance will be providing a draft budget to the City Council.

D. New Vegetation Management Program

Kent Myers, City Manager, reported staff has been hired and equipment is being purchased.

Clinton Bailey, Assistant City Manager/Director Public Works and Utilities, stated currently there are three members in this department which is being led by David Feller. He stated one of the first project is cleaning up a section of Barons Creek that belongs to the City. He stated they are also working on locating all the City Drainage Systems.

8. ITEMS FOR FUTURE AGENDA

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

9. COUNCIL COMMENTS

Councilmember Kiehne extended congratulations for those who helped make the July 4th parade a success.

10. 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, in the vicinity of N. Adams St. and Lower Crabapple, and**

B. **Section 551.072 - Consider and discuss the purchase, exchange, lease, or value of real property owned by the City, located in the vicinity of Lady Bird Johnson Park, and**

C. **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; and**

D. **Section 551.074 – Consider and discuss personnel matters related to the appointments of members for new terms on City Boards and Commission- Historic Review Board, Board of Adjustment, and Planning and Zoning Commission.**

E. **Section 551.071 – Consider and discuss Rena and Edward A. Blair vs. City of Fredericksburg, Texas, in the 216th District Court. (Addendum posted on Friday, July 12, 2019).**

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Neffendorf, to go out of Regular Session into Executive Session at 7:28 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to go out of Executive Session into Regular Session at 9:18 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

11. BUSINESS ITEM

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman, to approve the sale of the City property on Lower Crabapple and Adams Street to the Hill Country Evangelical Free Church based on market value of $5,500. The City Council voted four (4) for, none (0) opposed, and one (1) abstained (Councilmember Watson). The motion carried.

Mayor Langerhans then moved to consider Agenda Item 6.c.

12. ADJOURN

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Watson, to adjourn the Monday, July 15, 2019 City Council Regular Meeting at 9:30 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Linda Langerhans

Linda Langerhans
Mayor

ATTEST

Shelley Goodwin

Shelley Goodwin, TRMC
City Secretary