



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING

JULY 20, 2020

The City of Fredericksburg City Council met in a regular session on Monday, July 20, 2020, at 6:00 p.m. This meeting was held remotely via Zoom Teleconferencing, and in-person attendance was not available. Members of the public attended the meeting remotely by web or telephone via Zoom Teleconferencing. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Members Present on the Teleconferencing:

Mayor Gary Neffendorf
Councilmember Charlie Kiehne
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
Brian Jordan, Development Services Director
Russell Immel, Information Technology Director
Andrea Schmidt, Parks Department Director
Lea Feuge, Public Information Officer
Kelli Olfers, Gillespie County Health Department Director
Laura Hollenbeck, Finance Director
Kris Kneese, Assistant Director of Public Works and Utilities
Garrett Bonn, Assistant Engineer
Jennifer Krupa, Special Events Coordinator
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Neffendorf called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, July 20, 2020, via Zoom Teleconference. Mayor Neffendorf announced a quorum of the City Council present.

2. UPDATE ON CORONAVIRUS (COVID-19) PANDEMIC

Lynn Bizzell, Fire Chief, reported as of 7-20-2020 at 4 p.m.:

World 14,348,858 Positive Cases			United States 3,761,362 Positive Cases		
Texas Positive Cases	Texas Total Deaths	Texas Active Cases	Texas Recovered Cases	Texas Hospitalized	Texas Counties
332,434	4,000	154,632	177,800	10,569	250 out of 254
Region 8 Total Cases	Region 8 Deaths	Region 8 Active Cases	Region 8 Counties	Region 8 Pending investigation cases	Region 8 Probable cases
43,268	378	27,706	28 out of 28	1984	786

He reviewed the importance of watching the hospitalizations and the effects large increase in patients could have on Hill Country Memorial Hospital. He also stated the City and Hill Country Memorial Hospital have worked on a new reporting system that shows more up to date numbers for Gillespie County:

- 88 active cases
- 35 potential cases
- 40 new cases within 24 hours due to testing results
- 5 patients in ICU

He also reviewed the counts of surrounding counties:

- Gillespie County 132
- Mason County 38
- Llano County 60
- Blanco County 76
- Kerr County 275
- Kendall County 151
- Burnet County 331

He reminded everyone of the symptoms of the virus and to continue:

- Social distancing
- Wearing masks
- Good hygiene
- Stay home when sick
- Wipe down offices and home
- Use hand sanitizers

He also noted the next Drive Through Testing.

- July 26, 2020, testing will occur at the EMS Building on Friendship, from 8 a.m.-4 p.m. To sign up for testing, you will have to wait for July 25th and can sign up at <http://www.texas.curativeinc.com/>.

3. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, stated he received the following:

- An email on Officer Clem Castillo regarding his professionalism and courtesy during a traffic stop.
- An email on Anna Hudson, Historic Preservation Officer, regarding her helpfulness and professionalism while assisting through the Historic Preservation Board.

4. PUBLIC COMMENTS

Mayor Neffendorf reviewed the different ways the public could provide comments. He stated the City received one citizen sign up for verbal comments, two written citizen comments, and the staff will get back with the citizen who provided comments.

Timothy Riley spoke regarding the Path to Future; he encouraged everyone to read the 97-page booklet. He also encouraged everyone to attend the City Council Budget Workshop on July 22, 2020, at 4 p.m.

5. 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 CITY COUNCIL.

A. Consider approval of City Council Minutes:

- June 24, 2020, Emergency Meeting
- July 6, 2020, Regular Meeting

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve the correction of the City Council Minutes for June 24, 2020, Emergency Meeting July 6, 2020, Regular Meeting. On roll call vote:

Councilmember Musselman	aye
Mayor Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Rickert	aye
Councilmember Watson	aye

The motion carried unanimously.

6. PUBLIC HEARING

A. Hold Public Hearing to receive comments for or against #Z 2010 requested by the City of Fredericksburg, to change the Land Use from Low Density Residential, to Commercial, and change the Zoning from R1, Single Family Residential, to C-1.5, Medium Commercial at 525 Friendship Lane.

Brian Jordan, Development Services Director, reviewed the history of this request. He stated this property happens to fall in the transition area along Friendship Lane between commercial uses to the West and the residentially zoned area to the East. He also noted this Land Use change would extend the commercially designated property to the East along Friendship Lane and reduce the Low-Density designation. He also stated this property is zoned R-1, Single-Family Residential, and is the only remaining tract zoned along the south side of Friendship Lane.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go into the Public Hearing at 6:26 p.m. The City Council voted five (5) for, and none (0) opposed.

Timothy Riley stated he agreed with Councilmember Musselman's letter in the Agenda Packet. He believes there is a better use for this property.

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

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to go out of the Public Hearing and back into the regular session at 6:34 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

7. RESOLUTION

A. Consider approval of Resolution 2020-12R establishing a Temporary Moratorium on holding special events and other gatherings on the City's Market Square ("Marktplatz") Park; and providing for an effective date.

Jennifer Krupa, Special Events Coordinator, reviewed the history of holding special events since the pandemic began. She stated since the latest Governor's Order related to gathering and the Mayor's approval needed; many private venues are also requesting the Mayor approve their events. She reviewed the process currently being used for the Mayor's approval but feels a moratorium would simplify and eliminate confusion.

Mayor Neffendorf reviewed the Governor's Order (GA28) and the role he has in following this Order. He stated he also wanted the City Council to have a say in making a clear statement regarding special events on City property and large gatherings.

Kent Myers, City Manager, reviewed the differences between a special event and public gathering.

Daniel Jones, City Attorney, reviewed the Special Events Ordinance and how it becomes a special event that has to be permitted.

The City Council discussed the proposed temporary Moratorium dates and the events that would be affected. They also discussed the affect a Moratorium would have on the City and other private facilities.

Al Carr, Mesquite Art Festival, reviewed the process they will use to help protect visitors and artists. He also noted the difficulties in counting the visitors since it is open to the public.

Motion: A motion was made by Councilmember Musselman, seconded by Mayor Neffendorf, to approve Resolution 2020-12R establishing a Temporary Moratorium from August 1, 2020, to November 1, 2020, on holding special events and other gatherings on the City's Market Square ("Marktplatz") Park and providing for an effective date (approval of Section 1 a. and discuss Section 1 b.. was part of Agenda Item 8. E.). On roll call vote:

Councilmember Musselman	aye
Mayor Neffendorf	aye
Councilmember Kiehne	nay

Councilmember Rickert nay
Councilmember Watson aye
The motion carried 3 to 2.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to establish a Temporary Moratorium on outdoor gathering in excess of 75 people except those set out in Governor's Executive Order GA-28 paragraph 1, 2, or 4; Moratorium to begin on August 1, 2020 and end on November 1, 2020 (Resolution 2020-12R, Section 1. b). On roll call vote:

Councilmember Musselman aye
Mayor Neffendorf aye
Councilmember Kiehne nay
Councilmember Rickert nay
Councilmember Watson aye

The motion carried 3 to 2.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider the approval of #Z 2010 requested by the City of Fredericksburg for 525 Friendship Lane:

i. Change in the Land Use from Low Density Residential, to Commercial, and

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Watson, to approve the change in the Land Use from Low Density Residential, to Commercial. On roll call vote:

Councilmember Musselman nay
Mayor Neffendorf aye
Councilmember Kiehne aye
Councilmember Rickert aye
Councilmember Watson aye

The motion carried 4 to 1.

ii. Change the Zoning from R1, Single Family Residential, to C-1.5, Medium Commercial

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Watson, to approve the change in the Land Use from Low Density Residential, to Commercial. On roll call vote:

Councilmember Musselman nay
Mayor Neffendorf aye
Councilmember Kiehne aye
Councilmember Rickert aye
Councilmember Watson aye

The motion carried 4-1.

B. Consider amending the Water and Sewer Agreement with Boot Ranch to swap 37 acres (known as Muncey tract).

Kris Kneese, Assistant Director of Public Works and Utilities, stated Boot Ranch has requested the City amend the Water and Sewer Service Agreement to swap approximately 37 acres. He noted that

the land swap is for 37 acres inside the Utility Service Area for approximately 37 acres outside the service area, known as the Muncey Tract. He noted Boot Ranch is not requesting any additional equivalent dwelling units (EDU) or Water and Wastewater demand as part of this Amendment. He also updated the City Council on the measures Boot Ranch Staff is doing to monitor water usage and conserve water.

Kent Myers, City Manager, reviewed the items Boot Ranch paid for, and the water cost their residents pay and prepaid all their impact fees. He reviewed the net revenue the City receives for Water and Wastewater from Boot Ranch after expenses:

2017	\$116,000
2018	\$125,000
2019	\$217,000

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, stated Boot Ranch is not requesting additional EDUs. He also stated Sensus has caught high water usage, and we have notified Boot Ranch, and they are working hard with their residents to conserve water.

The City Council discussed the infrastructure policy for new developments and the revenue that comes from Boot Ranch.

Motion: A motion was made by Councilmember Rickert, seconded by Mayor Neffendorf, to approve the change in the Land Use from Low Density Residential, to Commercial and to include a statement on the plat regarding adding no addition EDU. On roll call vote:

Councilmember Musselman	nay
Mayor Neffendorf	aye
Councilmember Kiehne	nay
Councilmember Rickert	aye
Councilmember Watson	aye

The motion carried 3 to 2.

C. Consider awarding the construction contract for the HWY 290 East Water Line Project to QRO Mex Construction Co. Inc. in the amount of \$4,356,531.00.

Kris Kneese, Assistant Director of Public Works and Utilities, stated the City Council approved the sale of Water Revenue Bonds to Design and Construction Water Infrastructure Projects in November 2018. The construction of the HWY 290 East Water Line Project is one of these projects. He noted the new Water Transmission Main will be constructed from the City's Knauth Pump Station (currently under construction) along HWY 290 East approximately 5 miles connecting to an existing water line at the University Center. He reviewed the Project Bid documents, bid process, and the Bid Tabulation Spreadsheet. He also stated the staff recommends the award bid to QRO Mex Construction Co. Inc. for \$4,356,531.00.

The City Council discussed the Project, bids, and the Revenue Bonds. They also discussed the next phase of the Project.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Rickert, to awarding the construction contract for the HWY 290 East Water Line Project to QRO Mex Construction Co. Inc. in the amount of \$4,356,531.00. On roll call vote:

Councilmember Musselman	aye
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Mayor Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Rickert	aye
Councilmember Watson	aye

The motion carried unanimously.

D. Consider, discuss, and take appropriate action regarding upcoming special events:

i. Fair Parade (August 21, 2020)

Jennifer Kruppa, Special Events Coordinator, reviewed the application submitted by the Gillespie County Fair Association.

Pam Gage, Gillespie County Fair Association, reviewed the parade layout and precautions they are making this year to adhere to the CDC Guidelines.

The City Council discussed the ability to control the crowds and gatherings of groups more than 10. And the safety to the residents and visitors during the parade.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to deny the request to have the County Fair Parade on Friday, August 21, 2020. On roll call vote:

Councilmember Musselman	aye
Mayor Neffendorf	aye
Councilmember Kiehne	nay
Councilmember Rickert	aye
Councilmember Watson	aye

The motion carried 4 to 1.

ii. Mesquite Arts Festival (October 9, 10, and 11, 2020)

This item was no longer necessary due to Agenda Item # 7.A.

E. Consider, discuss, and take appropriate action regarding continued operation of City facilities during the COVID-19 recovery period.

Jennifer Krupa, Special Events Coordinator, reviewed the requirements in the Governor's Order related to indoor capacity. She also reviewed the reservations for other City facilities during the Moratorium timeframe.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to establish a Temporary Moratorium on holding events on City facilities; Moratorium to begin on August 1, 2020, and end on November 1, 2020. On roll call vote:

Councilmember Musselman	aye
Mayor Neffendorf	aye
Councilmember Kiehne	aye
Councilmember Rickert	nay
Councilmember Watson	aye

The motion carried 4 to 1.

Kent Myers, City Manager, stated all other City facilities are open, and staff does not recommend any closures; the Park's usage is not as high as usual due to the heat.

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, reported the golf course activities are going smoothly. He reviewed the precautions Touchstone are taking to protect their golfers and workers.

F. Consider, discuss, and take appropriate action regarding a November 3, 2020 General Election Update.

Daniel Jones, City Attorney, and Shelley Goodwin, City Secretary, provided a PowerPoint with updates on November 3, 2020, General Election, COVID-19, Ballot by Mail, and additional expenses,

9. CITY MANAGER'S REPORT

A. Budget Update

Kent Myers, City Manager, reviewed the Budget process and upcoming Workshops:

- General Fund on Wednesday, July 22, 2020, at 4 p.m.
- Enterprise Fund on Wednesday, July 28, 2020, at 4 p.m.
- City/County Joint Budget Meeting on Monday, August 3, 2020, at 8:30 a.m.

B. August Public Meetings

Kent Myers, City Manager, stated with a large number of positive cases in Gillespie County, the City Council needs to decide if they want to continue to use Zoom.

The City Council agreed by consensus to continue to hold City Council Zoom Meeting through August.

C. COVID-19 Task Force

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, reported the COVID-19 Recovery Task Force at their meeting held on Tuesday, July 14, 2020, they discussed:

- Businesses are struggling with employees testing positive and coming to work.
- Stakeholder Reports
- Lodging survey
- Hospital issues

He also reported the Task Force Committee would like to know if the City Council has additional direction or tasks they want to be addressed. He also noted Dr. Partin has been working on contracting tracing volunteers and a contract tracing project.

10. ITEMS FOR FUTURE AGENDA

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

11. COUNCIL COMMENTS

No City Council Comments were provided.

12. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.072 (Deliberations about Real Property):

- A. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of US 290 E at the Pedernales River crossing, approximately two miles to the east of the City of Fredericksburg (Sec. 551.072).**

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kiehne, to go out of Regular Session into Executive Session at 8:40 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

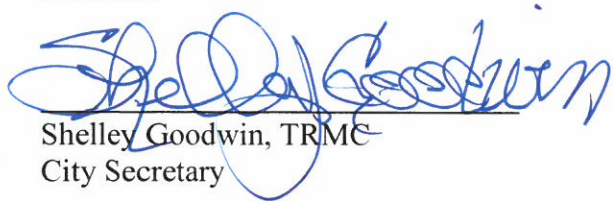
Motion: A motion was made by Councilmember Rickert, seconded by Councilmember Watson, to go out of Executive Session into Regular Session at 8:49 p.m. The City Council voted four (4) for, and none (0) opposed. The motion carried unanimously.

13. ADJOURN

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman, to adjourn the Monday, July 20, 2020, City Council Regular Meeting at 8:50 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.


Gary Neffendorf
Mayor

ATTEST


Shelley Goodwin, TRMC
City Secretary

