

CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING SEPTEMBER 16, 2019

Members Present:

Mayor Pro Tem Gary Neffendorf
Councilmember Charlie Kiehne
Councilmember Tom Musselman
Councilmember Bobby Watson

Members Absent:

Mayor Linda Langerhans

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director Public Works and Utilities
Daniel Jones, City Attorney
Brian Jordan, Development Services Director
Lea Feuge, Public Information Officer
Steve Wetz, Police Chief
Lynn Bizzell, Fire Chief
Laura Hollenbeak, Finance Director
Eric Whiting, Information Technology Specialist
Anna Hudson, Historic Preservation Officer
Dave Wisniewski, Fire Marshall
David Millegan, Building Official
Shelley Goodwin, City Secretary

1. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Neffendorf led the Pledge.

2. CALL TO ORDER

With a quorum of the City Council present, Mayor Pro Tem Neffendorf called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, September 16, 2019, in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas 78624.

3. EMPLOYEE RECOGNITIONS

No employee recognitions were provided

4. PUBLIC COMMENTS

Mayor Pro Tem Neffendorf read the Public Comments statement.

Kerinne Herber, Fredericksburg ISD, encouraged the City Council to postpone Agenda Item 8. B. the landmark of the old High School, to allow time for the school district to address.

Dennis Ridner spoke in opposition to closing the Recycling Center.

Clinton Bailey, Assistant City Manager/Director Public Works and Utilities, provided the history of the Recycling Center and the Landfill. He reviewed the cost to run the center and the items that are currently being accepted.

Jerry McCorkle spoke regarding his concerns with recyclables and the employees of the Recycling Center.

5. CONSENT

A. Consider approval of the September 3, 2019, City Council Regular Meeting Minutes.

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

6. PRESENT INFORMATION ON THE PROPOSED 2019 TAX RATE.

A. Hold a public hearing to receive comments.

B. Announce date time and place of:

- i. **Adoption of 2019 Tax Rate and FY2020 Budget- Thursday, September 19, 2019, at 6 p.m. at the City Hall Conference Room, 126 W. Main Street, Fredericksburg, Texas.**

Kent Myers, City Manager, reviewed the process and the meetings held for the 2019 Tax Rate and the 2020 Budget.

Laura Hollenbeak, Finance Director, reviewed the PowerPoint on the history of Tax Rate, Property Tax Calculation, Comparison Property Tax Rate to surrounding Municipalities.

Kent Myers, City Manager, reviewed the answers to the questions that were received at the City Council Special Meeting on September 11, 2019. He also reviewed Property Taxes General Fund Services and new funding for General Fund Services.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go into the Public Hearing at 6:25 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

James McDonald spoke in opposed to the proposed Tax Rate. He compared Fredericksburg taxes to Marble Falls taxes.

Melissa Hughes spoke in opposition to the proposed Tax Rate. She expressed concern about a lack of affordable housing and the effect the Tax Rate has on the housing.

Jerry McCorkle spoke regarding the concerns with the number of subdivisions and commercial developments adding to the tax base and the Tax Rate still needing to increase.

Dennis Ridner spoke regarding the lack of funding for Fort Martin Scott. He also stated with development recently added to tax base the tax rate to go down.

Jeannette Hormuth spoke in opposition to the appraisal going up and Tax Rates going up.

Jim McCrae spoke regarding issues with Short Term Rentals causing high taxes, non-residents owning property and not living in them.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of the Public Hearing and back into the regular session at 6:44 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Mayor Pro Tem Neffendorf announced the adoption of 2019 Tax Rate and FY2020 Budget- Thursday, September 19, 2019, at 6 p.m. at the City Hall Conference Room, 126 W. Main Street, Fredericksburg, Texas.

The City Council discussed a new proposal for the tax rate at \$0.227284 and the proposed tax rate of \$0.232284.

7. ORDINANCES AND RESOLUTION

A. Consider the approval of Ordinance 2019-27 amending Chapter 5 – Buildings and Building Regulations, and amending Chapter 7 – Fire Protection, of the Code of Ordinances, to adopt updated versions of the International Codes related to building construction, property maintenance, and fire protection within the City, and providing for effective date (first of two readings; City Council may waive second reading).

David Millegan, Building Official, provided an update on the different sections of the Codes that are being amended and the reasons for updating the different Codes. He also reviewed the difference between the Codes and processes that will be used to notify the local contractors of the changes.

Dave Wisniewski, Fire Marshall, provided an update on the Fire Code and the ISO Standard. He reviewed the benefits for the City and residents for adopting the most recent Fire Code.

Kent Myers, City Manager, recommended holding two readings on Ordinance 2019-27 to allow contractors time to be informed about the changes.

The City Council discussed the amendments and the benefits for residents for adopting the most recent Fire Code.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to approve Ordinance 2019-27 on first of two reading amending Chapter 5 – Buildings and Building Regulations, and amending Chapter 7 – Fire Protection, of the Code of Ordinances, to adopt updated versions of the International Codes related to building construction, property maintenance, and fire protection within the City, and providing for an effective date. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Resolution 2019-15R A Resolution of the City Council of the City of Fredericksburg, Texas in support of the U.S. Geological Survey Domestic Geographic proposed naming of the Heritage Creek.

Kent Myers, City Manager, stated the Heritage Hill Country Association Board has identified the need to name the creek that flows through their subdivision as Heritage Creek. This creek is currently unnamed and is referred to as “unnamed drainage.” The Board believes that this creek is an attractive feature of their development and needs a name for wayfinding and other purposes. He also reviewed the process for naming the creek.

James McCrae, member of Heritage Hill Country Association Board, reviewed the location of the creek and the need for wanting to submit a name for the creek.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Watson, to approve Resolution 2019-15R A Resolution of the City Council of the City of Fredericksburg, Texas in support of the U.S. Geological Survey Domestic Geographic proposed naming of the Heritage Creek. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A. Zoning Case #Z-1915 by Chris Frishkey to change the Land Use Plan from Low Density Residential; to Medium Density Residential and the Zoning from R1, Single Family Residential, to R2, Mixed Residential, on property located at 207 S. Bowie Street.

i. Presentation

Chris Frishey stated when he purchased property at 207 S. Bowie, he was told by his realtor that it was a working B&B. He also stated that when he came into City Hall to get a permit for his B&B, he was informed that he was unable to get a permit since his property was zoned as R1. He stated he wants to comply, so he is requesting a change I the zoning and land use plan.

ii. Hold a public hearing to receive comments for or against

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of the regular session and into the Public Hearing at 7:02 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

No one wished to speak.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of the Public Hearing and back into the regular session at 7:30 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

iii. Consider the approval of the Zoning request.

Brian Jordan, Development Services Director, reviewed the Zoning request, the history of the property and stated the property is located in the Historic Overlay District. He also stated the land uses surrounding this property include primarily residential uses and the adjacent zoning is R-2, Mixed Residential to the north and R-1, Single Family Residential to the west. The Planning and Zoning Commission voted 7 against and 2 to deny the zoning request and change in land use.

The City Council discussed the zoning request and the zoning of the surrounding properties.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman, to deny Zoning Case #Z-1915 by Chris Frishkey to change the Land Use Plan from Low Density Residential; to Medium Density Residential and the Zoning from R1, Single Family Residential, to R2, Mixed Residential, on property located at 207 S. Bowie Street. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of the Landmark Designation of the Old High School at 110 W. Travis (Building 400).

Anna Hudson, Historic Preservation Officer, stated FISD Middle School Campus currently has one landmarked property, the Old College Building (Building 300). The Old High School Building was

identified as being eligible for the National Register and local landmark designation as part of the 2018 Historic Resources Survey. She also stated the Historic Review Board voted unanimously to designate the “old high school building” at 110 W Travis (building 400) and the parcel. The FISD Board is in support of designation with a 5’ buffer, but not the entire parcel. She recommended the continuation of the discussion with the Fredericksburg ISD Board of Trustees.

The City Council discussed the Landmark Designation and the sidewalk ADA requirements.

The City Council agreed by consensus to postpone the action on the Landmark Designation until the October 21, 2019 City Council Regular Meeting.

9. CITY MANAGER’S REPORT

A. Marktplatz Redevelopment Commission

Kent Myers, City Manager, reported on the MarktPlatz Redevelopment Commission meeting on September 9, 2019. He stated the Commission provided the following:

- Fundraising for MarktPlatz was developed – cost estimate for the project is \$1,400,000. With the \$200,000 of Hotel/Motel Occupancy Tax funding the Commission will raise \$1,200,000. This will include funding for the meeting room, restroom, playground equipment, and the Information Center.
- Create a separate fund for the MarktPlatz fundraising efforts.
- Recommend City Council to hire an architect firm and go out for RFQs.
- Campaign Marketing and brochure will be developed by Lea Feuge and Debbie Farquhar-Reeh.

B. Changes at the Recycling Center

Clinton Bailey, Assistant City Manager/Director Public Works and Utilities, reviewed the changes in the Recycling Center operations. He also provided an update on the methods being used to communicate to residents the changes.

C. Special City Council Meeting-September 19

Kent Myers, City Manager, announced the adoption of 2019 Tax Rate and FY2020 Budget-Thursday, September 19, 2019 will be considered at 6 p.m. at the City Hall Conference Room, 126 W. Main Street, Fredericksburg, Texas.

10. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the Future Agenda Items

11. COUNCIL COMMENTS

Council Member Watson provided an update on the Gillespie County Airport and stated the T Hangers are full and the fuel usage is up 7% increase over last year.

Council Member Kiehne stated Fredericksburg ISD is looking for volunteers for mentoring.

12. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.087 (Deliberation Regarding Economic Development Negotiations) and Section 551.071 (Consultation with Attorney):

- A. Consider and discuss economic development agreement related to the construction and operation of a Hotel and Conference Center in the City; and to receive legal**

advice concerning said economic development agreement (Section 551.087 and Section 551.071), and

B. Consider and discuss E. 290 Landowner's Group vs. City of Fredericksburg, Texas, in the 216th District Court (Section 551.071), and

C. Consider and discuss Rena and Edward A. Blair vs. City of Fredericksburg, Texas, in the 216th District Court (Section 551.071).

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of Regular Session into Executive Session at 7:34 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

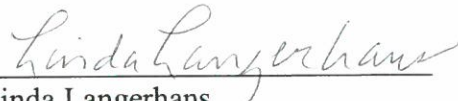
Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Watson, to go out of Executive Session into Regular Session at 8:21 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

13. BUSINESS ITEM

No action was taken.

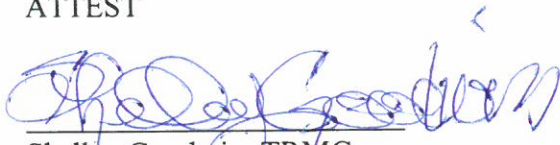
14. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kiehne, to adjourn the Monday, September 16, 2019, City Council Regular Meeting at 8:21 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