



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING SEPTEMBER 21, 2020

The City of Fredericksburg City Council met in a regular session on Monday, September 21, 2020, at 6 p.m.. This meeting was held remotely via Zoom Teleconferencing, and in-person at the University Center-HEB Room, 2818 US 290 Fredericksburg, Texas. 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:

Mayor Gary Neffendorf
Councilmember Charlie Kiehne
Councilmember Tom Musselman (participated via Zoom)
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 (participated via Zoom)
Lea Feuge, Public Information Officer
Laura Hollenbeak, Finance Director
Kris Kneese, Assistant Director of Public Works and Utilities
Garrett Bonn, Assistant Engineer (participated via Zoom)
Jennifer Krupa, Special Events Coordinator (participated via Zoom)
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Neffendorf called the regular meeting of the Fredericksburg City Council to order at p.m. on Monday, September 21, 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 9-21-2020:

World	United States
31,120,980 Positive Cases	6,863,854 Positive Cases
961,656 Deaths	202,409 Deaths
21,287,328 Recovered	3,705,509 Recovered

Texas	Case Count	Total Deaths	Active Cases	Recovered Cases	Test Preformed	
251 counties out of 254	688,534 New 2,241	14,893 New 45	64,431	609,210	6,073,766	
Region 8 Total Cases	Region 8 Recovered	Region 8 Deaths	Region 8 Active Cases	Region 8 Counties	Region 8 Pending investigation cases	Region 8 Probable
83,445	68,998	1,732	4,551	28 out of 28	1,714	11,177

COVID-19 totals of the adjacent counties' information (DSHS as of 9-8-2020):

County	Cases	Recovered	Active	Fatalities
Gillespie County	309	194	9	10
Kerr County	586	425	9	10
Kendall County	330	189	6	7
Llano County	118	100	3	2
Mason County	76	71	3	2
Blanco County	141	126	10	5
Burnet County	701	634	55	12

Hospital Data

Date	# Patients
9-1-2020	4,149
9-2-2020	4,075
9-3-2020	3,889
9-4-2020	3,973
9-5-2020	3,796
9-6-2020	3,537
9-7-2020	3,701

Daily Confirmed COVID-19 Cases

Date	Gillespie County # Cases	Kerr County # Cases	Kendall County # Cases	Blanco County # Cases	Burnet County # Cases	Llano County # Cases	Mason County # Cases

9-14-2020	0	0	0	0	0	0	0
9-15-2020	0	0	2	0	1	1	0
9-16-2020	1	0	0	0	12	2	0
9-17-2020	1	0	3	2	1	1	0
9-18-2020	1	0	0	2	4	0	0
9-19-2020	0	2	0	2	3	2	0
9-20-2020	0	0	0	0	0	0	0

Community Testing for Gillespie County

Date	# Tested	# of Positive Cases
7-8-2020	205	28
7-26-2020	279	17
8-22-2020	174	22
8-29-2020	58	7
9-13-2020	104	6

Lynn Bizzell, Fire Chief, reported on the following:

- CDC Guidelines
- Social distancing to eliminate community spread
- Good hygiene
- Cover your mouth when you cough
- Do not travel to hot spot areas, if possible
- Avoid crowds of 10 or more.
- Upcoming testing on September 27, 2020, from 8 a.m. - 4 p.m. at the Pioneer Pavilion walk-up.

3. PROCLAMATION - Hill Country Night Sky Month

Mayor Neffendorf read the proclamation and proclaimed October as Hill Country Dark Sky Month in Fredericksburg.

4. EMPLOYEE RECOGNITIONS

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

- Thank you to the Fire Department for their response to a fire on Camp House Road.
- Thank you to Officer Luke Smith and Detective Erik Hinterlach for locating a lost earring that was left at a B&B.
- Thank you to Evan Williamson for his assistance with helping a resident with a project.

5. PUBLIC COMMENTS

Mayor Neffendorf reviewed the different ways the public could provide comments. He stated the City received one citizen who signed up for verbal comments and no written citizen comments.

Timothy Riley spoke via Zoom and reviewed the number of people participating in the meeting. He encouraged the City to continue using Zoom and to also begin posting the videos online.

6. 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 the following Minutes:

- i. August 12, 2020, City Council Workshop**
- ii. August 24, 2020, City Council Workshop**
- iii. September 8, 2020, City Council and Gillespie County Commissioner's Court Joint Workshop.**
- iv. September 8, 2020, City Council Regular Meeting**

B. Consider approval of Use of Surplus Funds by the Gillespie Central Appraisal District.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to approve the City Council Minutes for August 12, 2020 Workshop, August 24, 2020 Workshop, September 8, 2020, City Council and Gillespie County Commissioner's Court Joint Workshop, and September 8, 2020, Regular Meeting (with corrections), and approval of Use of Surplus Funds by the Gillespie Central Appraisal District. The City Council voted 5 (five) for and none against. The motion carried unanimously.

7. PUBLIC HEARING

A. Hold a public hearing to receive citizen comments for or against a request from Neal Eckert for a Conditional Use Permit to enlarge the legal non-conforming use of a Veterinary Clinic at property located at 1203 N. Llano Street. (Z-2013).

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Watson, to open the Public Hearing at 6:20 p.m. The City Council voted five (5) for, and none (0) opposed.

Neil Eckert, DVM, Fredericksburg Veterinary Center, reviewed the application for the CUP request. He stated this is a 3,000 square foot expansion to house a new waiting room, restroom, staff breakroom, and kennels.

Donny Reeh, owner of Reeh Welding, reviewed the remodeling proposed for the existing 1,350 square feet to become the surgical are.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Watson, to go out of the Public Hearing and back into the regular session at 6:22 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

7. ORDINANCES AND RESOLUTIONS

A. City Budget Fiscal Year 2021

- i. Consider the adoption of Ordinance 20201-18 adopting and approving the proposed budget for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021 and making appropriations for each department and account.**

Kent Myers, City Manager, stated this year the budget process was 14 weeks long and included 5 Workshops and 2 Public Hearings. The final budget addresses the policy goals of the City Council. He reviewed the 2021 Budget Summary.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Rickert, to approve Ordinance 20201-18 adopting and approving the proposed budget for the Fiscal Year beginning October 1, 2020, and ending September 30, 2021, and making appropriations for each department and account. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

B. 2020 Tax Rate.

- i. **Approve the 2020 Maintenance and Operation Rate of \$0.184625,, for the City of Fredericksburg.**
- ii. **Approve the 2020 Debt Service Rate of \$0.036150,, for the City of Fredericksburg.**
- iii. **Consider the approval of Ordinance 2020-19 setting the Tax Levy for the Taxable Year 2020 at \$0.220775 per \$100 of assessed valuation; and providing an effective date.**

Laura Hollenbeak, Finance Director, reviewed the process the City Council used to propose a tax rate of \$0.220775. She stated the proposed M&O Tax Rate is \$0.184625 and the Debt Tax Rate at \$0.036150 making the total tax rate \$0.220775.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kiehne, to approve the 2020 Maintenance and Operation Rate of \$0.184625, for the City of Fredericksburg, approve the 2020 Debt Service Rate of \$0.036150, for the City of Fredericksburg, and approval of Ordinance 2020-19 setting the Tax Levy for the Taxable Year 2020 at \$0.220775 per \$100 of assessed valuation; and providing an effective date. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

C. Consider the adoption of Resolution 2020-15R amending the dates and times set forth in Resolution 2020-08R for the November 3, 2020 election; appointing Election Judges; and ordering other matters incident and related to such election.

Shelley Goodwin, City Secretary, reviewed the amendments to Resolution 2020-08R. She also reviewed the process used to find Poll Workers, Presiding Judge, and Alternate Judge.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kiehne, to approve Resolution 2020-15R amending the dates and times set forth in Resolution 2020-08R for the November 3, 2020 election; appointing Election Judges; and ordering other matters incident and related to such election. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

- A. **Consider the approval of a request from Neal Eckert for a Conditional Use Permit to enlarge the legal non-conforming use of a Veterinary Clinic at property located at 1203 N. Llano Street. (Z-2013).**

Brian Jordan, Development Services Director, reviewed the need for the request. He also noted the Planning and Zoning Commission voted unanimously for the approval of the Conditional Use Permit.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kiehne, to approve the request from Neal Eckert for a Conditional Use Permit to enlarge the legal non-conforming use of a Veterinary Clinic at the property located at 1203 N. Llano Street. (Z-2013). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider awarding the construction contract for the Green Meadows Lift Station Rehab Project to All American Pump Solutions in the amount of \$167,015.58.

Kris Kneese, Assistant Public Works Director, reviewed the Green Meadows Lift Station history and the area of the City it serves. He stated with the continued growth in the southwest part of the City; the Green Meadows Lift Station continues to see increased sanitary sewer flows. The 2017 Wastewater Master Plan shows the need to rehabilitate the Green Meadows Lift Station. The project bid documents were created, and bids for the project were submitted. All American Pump Solutions submitted the low bid for \$167,015.58, which the Staff has found to be accurate. He noted Staff is recommending the Green Meadows Lift Station Rehab Project be awarded to All American Pump Solutions for \$167,015.58. He also recommended using the FY2020 project budget of \$125,000 be used to cover the project budget overrun.

The City Council discussed the funding and the timeline for the project.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Rickert, to award the construction contract for the Green Meadows Lift Station Rehab Project to All American Pump Solutions in the amount of \$167,015.58. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider discussion and take appropriate action regarding alternatives to allowing outdoor dining in the Central Business District, particularly as it relates to property at 319 E. Main Street.

Brian Jordan, Development Services Director, summarized the previous action by the City Council to look at alternatives to the parking situation at the former Jennies Burgers location. He noted he and the City Manager visited the site on Friday, September 11, 2020, and met with the business owner at 319 E. Main Street. Mr. Haley discussed the possibility of having permanent outdoor dining in the rear area, currently used for parking and the driveway serving permanently. In comparison, Mr. Haley is happy to accommodate emergency access, which could be provided by keeping pedestrian access for emergency personnel to get to the rear of the property to access an existing "dry-line" fire department connection. The Zoning Ordinance already allows a reduction of 50% in the required parking in this location. As for a permanent solution to allow outdoor dining at this location, the solution involves granting a variance to the Zoning Ordinance. The owner would have to make an argument to the Zoning Board of Adjustment.

The City Council discussed the process for items that go before the Board of Adjustment. The City Council also agreed by consensus for the property owner, if they are interested, to go before the Board of Adjustment.

D. Consider discussion and take appropriate action regarding the following Special Events related to outdoor gatherings of 75 or more people:

i. Zooma Run (Saturday, November 7, 2020)

Jennifer Krupa, Special Events Coordinator, reviewed the history of the Zooma Run.

Sarah Ratzlaff, Zooma Run, reviewed the changes that can be made to the event if they can hold it (staggered starts, online check-in, mail awards, reduction of runners, and runner's packets).

Motion: A motion was made by Councilmember Rickert, seconded by Councilmember Kiehne, to allow the run with no more than 10 people at the starting line, social distance, CDC safety precautions, and mask to be worn before and after the run. Councilmember Watson offered a friendly motion to include "subject to Jennifer Krupa's approval of a Safety Plan", and both Councilmember Rickert and Councilmember Kiehne accepted the friendly motion. The City Council voted four (4) for, and one (1) opposed (Councilmember Musselman). The motion carried 4-1.

ii. Fredericksburg Chamber of Commerce Light the Night Christmas Parade (December 4, 2020)

Jennifer Krupa, Special Events Coordinator, reviewed the Fredericksburg Chamber of Commerce Light the Night Christmas Parade history.

Penny McBride, Chamber of Commerce CEO, reviewed the 2020 Alternate Plan for a parade only event. She stated the Chamber of Commerce is currently working on relocating the parade to Lady Bird Johnson Municipal Park. She stated the plans are still being worked out, but the goal is for public safety.

The City Council discussed the parade staging, reservations for a viewing location, safety measures, and the impact on tourism.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to approve the Fredericksburg Chamber of Commerce to move forward with the Light the Night Christmas Parade subject to the filing of a Safety Plan. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

E. Consider, discuss, and take appropriate action regarding format of future City Council and City Boards and Commission meetings.

Kent Myers, City Manager, reviewed the possible format of the future City Council and City Boards and Commission meetings.

The City Council agreed by consensus to hold hybrid meetings at the University Center with Zoom access for City Council and City Boards and Commission meetings.

9. CITY MANAGER'S REPORT

A. Marktplatz Redevelopment Commission Meeting

Kent Myers, City Manager, stated the Marktplatz Redevelopment Commission held a meeting this morning and discussed the fundraising for Phase I Playground and Phase II the Meeting Room and Restrooms. He stated they also discussed the repairs to the Water Wheel and an overhaul of the pavers.

B. TxDOT Meeting-Short-Term Traffic Improvement Projects

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, stated he, Kent Myers, City Manager, and Garret Bonn, Assistant Engineering, met TxDOT regarding Short-Term Traffic Improvement upcoming projects. He reviewed the partnership, design, and material. He also reviewed the projects proposed next year and the Final Relief Route.

C. COVID-19 Task Force Meeting

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, stated the COVID-19 Recovery Task Force Meeting will be held tomorrow. He noted he will report on the next stakeholder's report on October 5, 2020.

10. ITEMS FOR FUTURE AGENDA

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

11. COUNCIL COMMENTS

Councilmember Kiehne thanked the Fire/EMS and all those who helped make this meeting possible.

Councilmember Watson reported the T-Hangers are full and have a waiting list. Fuel sales and student lessons are up.

12. EXECUTIVE SESSION

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

A. Consider and discuss claim of Bill Petmecky, related to property damage at 409 Auguste (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 7:45 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

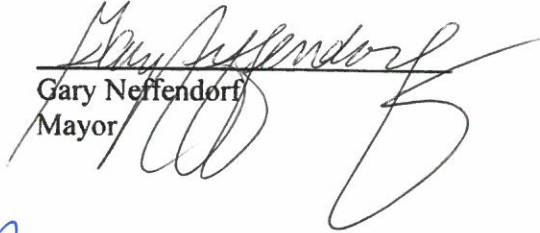
Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Rickert, to go out of Executive Session into Regular Session at 7:53 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

13. BUSINESS ITEM

Motion: A motion was made by Councilmember Rickert, seconded by Councilmember Watson, to approve the payment to Bill Petmecky in the amount of \$18,445.19 as final payment for his claim. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

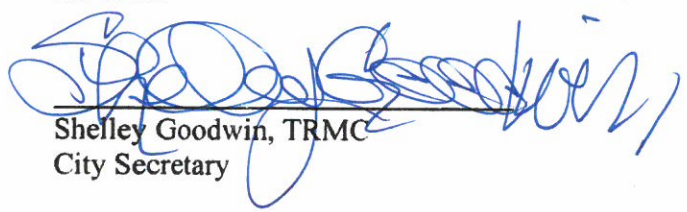
14. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to adjourn the Tuesday, September 8, 2020, City Council Regular Meeting at 7:55 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