

**CITY OF FREDERICKSBURG
CITY COUNCIL MEETING**

MONDAY, OCTOBER 7, 2013 ~ 7:00 p.m.

Law Enforcement Center ~ 1601 East Main Street

Jeryl Hoover, Mayor
Tim Dooley, Council Member
Graham Pearson, Council Member

Gary Neffendorf, Council Member
Kathy Sanford, Council Member
Kent Myers, City Manager

(REQUEST ALL PAGERS AND PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.)

A G E N D A

CALL TO ORDER.

PLEDGE OF ALLEGIANCE.

Page Ref.

1. **MINUTES** - Approve minutes of August and September 2013 meetings. 1-22
2. **CONSENT AGENDA** - *All items listed below are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business.*
 - A. Taxi Permit - Bluebonnet Taxi & Shuttle, Christopher King. 23-27
3. **PUBLIC HEARINGS**
 - A. **PUBLIC HEARING** on the proposed Annexation of approx. 15.29 acres out of the William H. Anderson Survey, No. 197, Abstract No. 2, otherwise known as Stone Ridge Unit 8. (1st of two public hearings) 28-32
4. **ORDINANCES - RESOLUTIONS- ACTION ITEMS**
 - A. Consider Ordinance relating to Parking of Vehicles. 33-40
5. **CITY MANAGER'S REPORT**
 - A. October 25 Council Retreat.
 - B. Employee Recognition.
 - C. New Fire Truck.
6. **ITEMS FOR FUTURE AGENDAS**
7. **PUBLIC COMMENTS** - This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time.
8. **COUNCIL COMMENTS** - No discussion or action may take place.
9. **EXECUTIVE SESSION** - Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).
 - A. Executive Session - Consult with Attorney - Settlement Agreement on behalf of COF vs James Washburn case.

ADJOURN

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
AUGUST 5, 2013
4:00 PM

On this the 5th day of August, 2013, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Law Enforcement Center, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
GRAHAM PEARSON - COUNCIL MEMBER
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
CLINTON BAILEY - D.P.W.U.
BRAD KOTT - DIR OF FINANCE
JIMMY ALEXANDER - DIR. OF PARKS & RECREATION
BRIAN JORDAN - DIR. DEVELOPMENT SERVICES
STEVE WETZ - CHIEF OF POLICE
JOHN CULPEPPER - DIR OF EMERGENCY SERVICES

The meeting was called to order at 4:00 PM.

BUDGET WORKSHOP – Council held a Budget Workshop; no action was taken.

With no further discussion, Council Member Sanford made a motion to adjourn the meeting at 6:05 PM. Council Member Dooley seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
AUGUST 5, 2013
7:00 PM

On this the 5th day of August, 2013, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT MCGOWAN - CITY ATTORNEY
BRAD KOTT - DIR OF FINANCE
JIMMY ALEXANDER - DIR. OF PARKS & RECREATION
CLINTON BAILEY - D.P.W.U.
BRIAN JORDAN - DIR. DEVELOPMENT SERVICES
STEVE WETZ - CHIEF OF POLICE

The meeting was called to order at 7:00 PM following the Pledge of Allegiance.

ORDINANCE BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG
AUTHORIZING THE ISSUANCE OF "CITY OF FREDERICKSBURG, TEXAS,
UTILITY SYSTEM REVENUE BONDS, SERIES 2013"; PROVIDING FOR THE
PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A
FIRST AND PRIOR LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF
THE CITY'S COMBINED UTILITY SYSTEM: PROVIDING THE TERMS AND
CONDITIONS OF SUCH BONDS, RESOLVING OTHER MATTERS INCIDENT
AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND
DELIVERY OF SUCH BONDS; AUTHORIZING THE EXECUTION OF A PAYING
AGENT/REGISTRAR AGREEMENT AND A PURCHASE AND INVESTMENT
LETTER; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF
REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY
TRUST COMPANY; AND PROVIDING FOR AN EFFECTIVE DATE - It was moved
by Council Member Dooley, seconded by Council Member Neffendorf, to adopt an

ordinance by the City Council of the City of Fredericksburg authorizing the issuance of "City of Fredericksburg, Texas, Utility System Revenue Bonds, Series 2013"; providing for the payment of the principal of and interest on the bonds by a first and prior lien on and pledge of the pledged revenues of the City's combined utility system; providing the terms and conditions of such bonds, resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds; authorizing the execution of a paying agent/registrar agreement and a purchase and investment letter; complying with the requirements of the Letter of Representations previously executed with the depository trust company; and providing for an effective date. The vote was as follows: AYE: Hoover, Pearson, Dooley, Sanford, and Neffendorf; NAY: Motion carried.

ORDINANCE NO. 23-011

ORDINANCE BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG AUTHORIZING THE ISSUANCE OF "CITY OF FREDERICKSBURG, TEXAS, UTILITY SYSTEM REVENUE BONDS, SERIES 2013"; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A FIRST AND PRIOR LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE CITY'S COMBINED UTILITY SYSTEM: PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS, RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE AND INVESTMENT LETTER; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING FOR AN EFFECTIVE DATE. (Recorded in Ordinance Book.)

ORDINANCE ADOPTING CODE OF ETHICS – Council Member Dooley moved, seconded by Council Member Sanford, to adopt an ordinance adopting the Code of Ethics as presented. The vote was as follows: AYE: Hoover, Pearson, Dooley, Sanford, and Neffendorf; NAY: Motion carried.

ORDINANCE NO. 23-012

AN ORDINANCE ADOPTING ETHICS REGULATIONS FOR THE OFFICERS AND EMPLOYEES OF THE CITY OF FREDERICKSBURG BY ADING CHAPTER 2 TO THE CODE OF ORDINANCES OF THE CITY SETTING FORTH POLICY, PURPOSE, DEFINITITIONS, STANDARDS OF CONDUCT, ADMINISTRATION OF COMPLAINTS, AND CONSEQUENCES OF FINDING OF VIOLATION; REPEALING INCONSISTNET

PROVISIONS, PROVIDING FOR PARTIAL INVALIDITY AND AN EFFECTIVE DATE.
(Recorded in Ordinance Book)

ORDINANCE ADOPTING UPDATED VERSIONS OF THE INTERNATIONAL CODES RELATING TO BUILDING IN THE CITY LIMITS - It was moved by Council Member Dooley, seconded by Council Member Neffendorf, to adopt an ordinance adopting updated versions of the International Codes relating to building in the City limits as presented. All voted in favor and the motion carried.

ORDINANCE NO. 23-013

AN ORDINANCE ADOPTING THE LATEST VERSIONS OF THE INTERNATIONAL CODES RELATING TO BUILDING TO BE APPLICABLE WITHIN THE CITY LIMITS OF THE CITY OF FREDERICKSBURG, SPECIFICALLY, THE BUILDING CODE, THE RESIDENTIAL CODE, THE ELECTRICAL CODE, THE PLUMBING CODE, THE FUEL GAS CODE, THE ENERGY CONSERVATION CODE, THE MECHANICAL CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE FIRE CODE; ADOPTING THE INTERNATIONAL CODE COUNCIL PERFORMANCE CODE, AMENDING THE RELEVANT PORTIONS OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG, TO INCORPORATE SUCH LATEST VERSIONS AND ESTABLISHING AN EFFECTIVE DATE. (Recorded in Ordinance Book)

BOARD APPOINTMENTS - It was moved by Council Member Dooley, seconded by Council Member Pearson, to appoint Todd Willingham to the Planning & Zoning Commission, and to appoint Daryl Whitworth to the Board of Adjustment as an Alternate Member. All voted in favor and the motion carried.

EARLY RETIREMENT INCENTIVE PROGRAM - It was moved by Council Member Sanford, seconded by Council Member Neffendorf, to approve the Early Retirement Incentive Program for employees with at least 15 years tenure with the City, for a one year trial basis. The vote was as follows: AYE: Hoover, Neffendorf, Dooley, Sanford, and Pearson; NAY: None. Motion carried.

PRESERVATION PRIORITY RATING FOR 412 W. SAN ANTONIO AND 325 W. MAIN ST. - Based on the recommendation of the Historic Review Board, it was moved by Council Member Sanford, seconded by Council Member Neffendorf, to approve the Priority Rating for 412 W. San Antonio as "Medium" and 325 W. Main St. as "Low". The vote was as follows: AYE: Hoover, Neffendorf, Dooley, Sanford, and Pearson; NAY: None. Motion carried.

PETITION FOR CHARTER AMENDMENT ELECTION– It was moved by Council Member Dooley, seconded by Council Member Pearson, to reject the Petition for a Charter Amendment Election as presented. The vote was as follows: AYE: Hoover, Neffendorf, Dooley, Sanford, and Pearson; NAY: None. Motion carried.

CHARTER AMENDMENT ELECTION FOR EITHER NOVEMBER 2013 OR MAY 2014 - It was moved by Council Member Dooley , seconded by Council Member Neffendorf, to call a Special Election for a Charter Amendment Election for May 2014. The vote was as follows: AYE: Hoover, Neffendorf, Dooley; NAY: Sanford, and Pearson. Motion carried.

CITY MANAGER’S REPORT – City Manager Kent Myers reported on (1) Alternate Truck Route, (2) Local Labor Force, (3) Austin Street Bridge Project, (4) Morning Glory Drive Improvements, (5) Lady Bird Johnson Park Pool, and (6) Employee Recognitions.

FUTURE AGENDA ITEMS – No items were discussed.

PUBLIC COMMENTS – Ron Woellhof commented on garage sale signs; Angie Schladoer spoke to council about trucks on Main St. and an incident involving her family.

COUNCIL COMMENTS – No comments.

With no further discussion, Council Member Sanford made a motion to adjourn the meeting at 8:35 PM. Council Member Dooley seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
AUGUST 19, 2013
5:00 PM

On this the 19th day of August, 2013, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Law Enforcement Center, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: GRAHAM PEARSON - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - D.P.W.U.
BRAD KOTT - DIR OF FINANCE
JIMMY ALEXANDER - DIR. OF PARKS & RECREATION
BRIAN JORDAN - DIR. DEVELOPMENT SERVICES
STEVE WETZ - CHIEF OF POLICE
JOHN CULPEPPER - DIR OF EMERGENCY SERVICES

The meeting was called to order at 5:00 PM.

UTILITY RATE INCREASES AND NEW UTILITY RATE DESIGN – Council held a workshop to consider the utility rate increases and new utility rate design. No action was taken.

With no further discussion, Council Member Sanford made a motion to adjourn the meeting at 6:45 PM. Council Member Dooley seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
AUGUST 19, 2013
7:00 PM

On this the 19th day of August, 2013, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: GRAHAM PEARSON - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT McGOWAN - CITY ATTORNEY
CLINTON BAILEY - D.P.W.U.
BRAD KOTT - DIR OF FINANCE
JIMMY ALEXANDER - DIR. OF PARKS & RECREATION
BRIAN JORDAN - DIR. DEVELOPMENT SERVICES

The meeting was called to order at 7:00 PM following the Pledge of Allegiance.

PUBLIC HEARING ON 2013-2014 PROPOSED BUDGET - It was moved by Council Member Dooley, seconded by Council Member Sanford, to open the public hearing on All voted in favor and the motion carried.

With no comments, it was moved by Council Member Dooley, seconded by Council Member Neffendorf, to recess the public hearing and reconvene the regular session. All voted in favor and the motion carried.

PUBLIC HEARING ON Z-1311 BY SHARON GRONA FOR A CONDITIONAL USE PERMIT TO ALLOW A LODGING/BED AND BREAKFAST DEVELOPMENT IN TBHE CBD CENTRAL BUSINESS DISTRICT AT 341 E. MAIN ST. - It was moved by Council Member Dooley, seconded by Council Member Sanford, to open the public hearing on Z-1311 by Sharon Grona for a Conditional Use Permit to allow a lodging/bed and breakfast development in the CBD Central Business District at 341 E. Main St. All voted in favor and the motion carried.

With no public comments, it was moved by Council Member Dooley, seconded by Council Member Sanford, to recess the public hearing and reconvene the regular session. All voted in favor and the motion carried.

RECOMMENDATION ON REQUEST Z-1311 BY SHARON GRONA FOR A CONDITIONAL USE PERMIT TO ALLOW A LODGING/BED AND BREAKFAST DEVELOPMENT IN TBHE CBD CENTRAL BUSINESS DISTRICT AT 341 E. MAIN ST. - Based on the recommendation of the Planning and Zoning Commission and staff, it

was moved by Council Member Sanford, seconded by Council Member Neffendorf, to approve Request Z-1311 conditioned on the following:

1. TxDOT approval of the drive on S. Washington Street
2. Approval of a Landscape Plan prior to issuance of a Building Permit.
3. All external lighting being shielded.
4. All utility, sidewalk, grading and drainage construction meet City Standards and Specifications.
5. Approval of Building Plans by the Historic Review Board prior to issuance of a building permit.

The vote was as follows: AYE: Hoover, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

PUBLIC HEARING ON Z-1312 BY PROVIDENCE HALL FOR A CONDITIONAL USE PERMIT TO ALLOW A PRIVATE SCHOOL IN A R-1 SINGLE FAMILY RESIDENTIAL ZONNG DISTRICT AT 601 N. MILAM - It was moved by Council Member Neffendorf, seconded by Council Member Sanford, to open the public hearing on Z-1312 by Providence Hall for a Conditional Use Permit to allow a private school in a R-1 single family residential zoning district at 601 N. Milam. All voted in favor and the motion carried. (Council Member Dooley abstained from the discussion due to a conflict of interest).

Leslie Spraggins addressed council on the plans for a private school, Providence Hall, within the Memorial Presbyterian Church. Comments in favor were received from Jerry Farley and Pastor Ann Hoch.

With no further comments, it was moved by Council Member Neffendorf, seconded by Council Member Sanford, to recess the public hearing and reconvene the regular session. All voted in favor and the motion carried.

RECOMMENDATION ON Z-1312 BY PROVIDENCE HALL FOR A CONDITIONAL USE PERMIT TO ALLOW A PRIVATE SCHOOL IN A R-1 SINGLE FAMILY RESIDENTIAL ZONNG DISTRICT AT 601 N. MILAM REQUEST – It was moved by Council Member Neffendorf, seconded by Council Member Sanford, to approve Request Z-1312 with the following conditions:

1. The Conditional Use Permit is issued for a period of two (2) years.
2. The Conditional Use Permit is issued to Providence Hall School only.

The vote was as follows: AYE: Hoover, Neffendorf, and Sanford. ABSTAIN: Dooley NAY: None. Motion carried.

RESOLUTION SUPPORTING EFFORTS TO OBTAIN, ON LOAN, THE FT. MARTIN SCOTT TREATY STONE – Ft. Martin Scott Committee Chair Jim Mc Crae presented Council with plans to acquire the Ft. Martin Scott Treaty Stone, on loan, to display at the Verein's Kirche. It was moved by Council Member Dooley, seconded by Council Member Sanford, to adopt a Resolution Supporting Efforts to Obtain, on loan, the Ft. Martin Scott Treaty Stone. All voted in favor and the motion carried.

RESOLUTION

WHEREAS, the City of Fredericksburg is the proud landlord and steward of Fort Martin Scott Historic Site; and

WHEREAS, the City of Fredericksburg is a significant cultural resource and tourist destination; and

WHEREAS, it is in the best interest of the City of Fredericksburg and its citizens to promote, celebrate and interpret its history, culture and heritage; and therefore be it

RESOLVED, that the Fredericksburg City Council hereby supports efforts to obtain on loan, the Fort Martin Scott Treaty Stone, accession number 1014, from the Dolph Briscoe Center for American History for display and interpretation to the public.

We, the undersigned do hereby certify on this nineteenth day of August 2013, by affirmative vote, adopt this resolution.

/s/ Jeryl Hoover, Mayor

ATTEST:

/s/ Shelley Britton, City Secretary

EFFECTIVE TAX RATE CALCULATION – Director of Finance Brad Kott presented the Effective Tax Rate Calculation as prepared by the Gillespie County Tax Assessor/Collector. Following his briefing, it was moved by Council Member Neffendorf, seconded by Council Member Sanford, to accept the Effective Tax Rate Calculation as presented. The vote was as follows: AYE: Hoover, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

PROPERTY TAX RATE – It was moved by Council Member Neffendorf, seconded by Council Member Sanford, to approve the proposed property tax rate of \$0.2600, which is the effective tax rate. The vote was as follows: AYE: Hoover, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

LEASE/PURCHASE FINANCING FOR FIRE DEPARTMENT PUMPER TRUCK – It was moved by Council Member Dooley, seconded by Council Member Neffendorf, to award the lease/purchase financing for the fire department pumper truck to JP Morgan Chase at 1.786% annual interest. The vote was as follows: AYE: Hoover, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

VARIANCE P-1309 TO SECTION 38-14(a) OF THE SUBDIVISION ORDINANCE RELATING TO RIGHT-OF-WAY WIDTH ON EXISTING STREETS REGARDING A SUBDIVISION OF LOTS 36, 37, AND 38, BLOCK 2 OF THE SCHULZ ADDITION, ALSO KNOWN AS 509 PLUM STREET – It was moved by Council Member Sanford, seconded by Council Member Dooley, to approve Variance P-1309 to Section 38-14(a) of the Subdivision Ordinance relating to right-of-way width on existing streets regarding a subdivision of lots 36, 37, and 38, block 2 of the Schulz Addition, also known as 509 Plum Street. The vote was as follows: AYE: Hoover, Sanford, and Dooley. ABSTAIN: Neffendorf. Motion carried.

EFFLUENT SALES CONTRACT – Based on the recommendation of staff, it was moved by Council Member Dooley, seconded by Council Member Neffendorf, to approve the proposed contract to allow the city to sell wastewater effluent from the Wastewater Treatment Plant to contractors and other users. The vote was as follows: AYE: Hoover, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

SEPTEMBER MEETING DATES – Council Member Dooley moved, seconded by Council Member Neffendorf, to set Tuesday September 3 and Monday September 16 for September meeting dates. The vote was as follows: AYE: Hoover, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

CITY MANAGERS REPORT – The City Manager reported on (1) Lady Bird Johnson Park Pool, (2) Meeting with Senator Troy Fraser, (3) Subdivision Ordinance Revision, and (4) City/County Dispatch Committee.

FUTURE AGENDA ITEMS – Future agenda items include: (1) banking services, (2) Special Events Policy, (3) Transportation Code, (4) Filming Guidelines, (5) Lease/Purchase Agreement, and (6) WWTP Master Plan.

PUBLIC COMMENTS – None.

COUNCIL COMMENTS – Mayor Hoover thanked the City Manager, council, and staff for all the hard work on the budget.

With no further discussion, Council Member Dooley made a motion to adjourn the meeting at 8:20 PM. Council Member Sanford seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
AUGUST 20, 2013
NOON

On this the 20th day of August, 2013, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: GRAHAM PEARSON - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
JIMMY ALEXANDER - DIR. OF PARKS & RECREATION

DISCUSSION ON RECENT PARK POOL BIDS AND REDESIGN OPTIONS – Council discussed the recent park pool bids and considered redesign options. No action taken.

With no further discussion, Council Member Dooley made a motion to adjourn the meeting at 2:00 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
AUGUST 21, 2013
12:30 PM

On this the 21st day of August, 2013, the City Council of the CITY OF FREDERICKSBURG convened in special session at Friedhelm's Bavarian Inn Restaurant, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: GRAHAM PEARSON - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - D.P.W.U.

MEETING WITH SENATOR TROY FRASER TO DISCUSS LOCAL PROJECTS AND RECENT LEGISLATIVE SESSION – Council meet with Senator Troy Fraser to discuss local projects and the recent Legislative Session. No action was taken.

With no further discussion, Council Member Dooley made a motion to adjourn the meeting at 2:00 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
SEPTEMBER 3, 2013
7:00 PM

On this the 3rd day of September, 2013, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT MCGOWAN - CITY ATTORNEY
BRAD KOTT - DIR OF FINANCE
JIMMY ALEXANDER - DIR. OF PARKS & RECREATION
CLINTON BAILEY - D.P.W.U.
STEVE WETZ - CHIEF OF POLICE

The meeting was called to order at 7:00 PM., followed by the Pledge of Allegiance.

MINUTES – It was moved by Council Member Pearson, seconded by Council Member Sanford, to approve the minutes of the July 2013 meetings as presented. All voted in favor and the motion carried.

CONSENT AGENDA – It was moved by council Member Neffendorf, seconded by Council Member Sanford, to approve the Consent Agenda as follows:

1. Appointees to CVB Board: Dan Mittel and Debbie Farquhar-Garner (second 3-year terms), and Donna Herrera and Ross Burtwell (3-year terms).

All voted in favor and the motion carried.

REVISED TRANSPORTATION CODE – No action taken.

FILMING GUIDELINES – It was moved by Council Member Dooley, seconded by Council Member Sanford, to approve the Filming Guidelines as presented. The vote was as follows: AYE: Hoover, Neffendorf, Dooley, Sanford, and Pearson. NAY: None. Motion carried.

LADY BIRD JOHNSON PARK POOL - It was moved by Council Member Dooley, seconded by Council Member Sanford, to approve the original design for the Lady Bird Johnson Park Pool, and to direct staff to come back to council with limited tax note data. The vote was as follows: AYE: Hoover, Dooley, Sanford, and Neffendorf. NAY: Pearson. Motion carried.

WASTEWATER PLANT MASTER PLAN – It was moved by Council Member Dooley, seconded by Council Member Pearson, to award the contract for the Wastewater Plant Master Plan to HDR Engineering for a total of \$111,500.00. The vote was as follows: AYE: Hoover, Neffendorf, Dooley, Sanford, and Pearson. NAY: None. Motion carried.

CITY MANAGER’S REPORT – City Manager Kent Myers reported on (1) Budget Update, (2) October City Council Retreat, (3) Morning Glory Drive, (4) TxDOT – Hwy 290 Bridge Project, and (5) Fort Martin Scott.

PUBLIC COMMENTS – John Detmar and Russ Rose commented on Lady Bird Johnson Pool and George Burns commented on the Transportation Code.

COUNCIL COMMENTS – No comments.

With no further discussion, Council Member Dooley made a motion to adjourn the meeting at 8:30 PM. Council Member Pearson seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
SEPTEMBER 9, 2013
5:00 PM

On this the 9th day of September, 2013, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT MCGOWAN - CITY ATTORNEY
STEVE WETZ - CHIEF OF POLICE

REVOCATION OF TAXI PERMIT - ARMADILLO TAXI OF FREDERICKSBURG -

The Council received information concerning complaints against Joe Duke who is the owner and operator of Armadillo Taxi. Information presented included that he was in the taxi and was passed out in the middle of the road, that he was not coherent when approached, and was later arrested for DUI by the Gillespie County's Sherriff's office. Deputy Sherriff Wesley Rheinhardt was present and provided his police report and video of events to the Council. Mr. Duke was present and admitted that he had been under the influence of medications and was tired. Due to the danger to the travelling public, it was moved by Council Member Dooley, seconded by Council Member Sanford, to revoke the Taxi Permit of Armadillo Taxi of Fredericksburg, and to schedule a public hearing for the September 23, 2013 City Council meeting. The vote was as follows: Aye: Hoover, Pearson, Sanford, Neffendorf, and Dooley. Nay: None. Motion carried.

With no further discussion, Council Member Dooley made a motion to adjourn the meeting at 6:10 PM. Council Member Pearson seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

* * * * *
STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

* * * * *
REGULAR CITY COUNCIL MEETING
SEPTEMBER 16, 2013
7:00 PM

On this the 16th day of September, 2013, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
GRAHAM PEARSON - COUNCIL MEMBER
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT MCGOWAN - CITY ATTORNEY
CLINTON BAILEY - D.P.W.U.
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES
BRAD KOTT - DIR OF FINANCE
JIMMY ALEXANDER - DIR. OF PARKS & RECREATION
BRIAN JORDAN - DIR. DEVELOPMENT SERVICES
STEVE WETZ - CHIEF OF POLICE

The meeting was called to order at 7:00 PM following the Pledge of Allegiance.

CONSENT AGENDA - It was moved by Council Member Dooley, seconded by Council Member Neffendorf, to approve the consent agenda as follows:

1. BUDGET AMENDMENT
2. NEW PARK FEES

The vote was as follows: AYE: Hoover, Sanford, Pearson, Neffendorf and Dooley; NAY: None. Motion carried.

PUBLIC HEARING - REVOCATION OF TAXI PERMIT OF ARMADILLO TAXI OF FREDERICKSBURG, JOE DUKE - It was moved by Council Member Dooley, seconded by Council Member Pearson, to open the public hearing on the revocation of the Taxi Permit of Armadillo Taxi of Fredericksburg - Joe Duke. All voted in favor and the motion carried.

Comments were received from Mr. Duke, and one of his regular customers, Michelle Bennett, asking that Council allow his permit to remain in affect provided he find another driver until his legal issues are resolved.

With no further comments, it was moved by Council Member Dooley, seconded by Council Member Pearson, to recess the public hearing and reconvene the regular session. All voted in favor and the motion carried.

REVOCATION OF TAXI PERMIT OF ARMADILLO TAXI OF FREDERICKSBURG, JOE DUKE – It was moved by Council Member Pearson, seconded by Council Member Sanford, to keep the revocation of the Taxi Permit of Armadillo Taxi of Fredericksburg in place at this time, with the agreement that when he finds another driver his permit could be reinstated The vote was as follows: Aye: Hoover, Pearson, Sanford, Neffendorf, and Dooley. Nay: None. Motion carried.

PUBLIC HEARING Z-1304 BY THE CITY OF FREDERICKSBURG TO CONSIDER AN AMENDMENT TO SECTION 2.100 OF THE ZONING ORDINANCE PERTAINING TO THE DEFINITION OF BED & BREAKFAST FACILITIES AS A PERMITTED USE AND/OR A USE SUBJECT TO A CONDITIONAL USE PERMIT IN R-1 SINBGLEL FAMILY RESIDENTIAL, R-2 MIXED RESIDENTIAL R-3 MULTI FAMILY RESIDENTIAL, C-1 NEIGHBORHOOD COMMERCIAL, C-2 COMMERCIAL AND CBD CENTRAL BUSINESS DISTRICT – It was moved by Council Member Dooley, seconded by Council Member Pearson, to open the Public Hearing on Z-1304 by the City of Fredericksburg to consider an amendment to Section 2.100 of the zoning ordinance pertaining to the definition of Bed & Breakfast Facilities as a permitted use and/or a use subject to a conditional use permit in R-1 Single Family Residential, R-2 Mixed Residential R-3 Multi-Family Residential, C-1 Neighborhood Commercial, C-2 Commercial and CBD Central Business District. All voted in favor and the motion carried.

With no comments from the public, it was moved by council Member Dooley, seconded by Council Member Pearson, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

RECOMMENDATION AND ORDINANCE ON REQUEST Z-1304 BY THE CITY OF FREDERICKSBURG TO CONSIDER AN AMENDMENT TO SECTION 2.100 OF THE ZONING ORDINANCE PERTAINING TO THE DEFINITION OF BED & BREAKFAST FACILITIES AS A PERMITTED USE AND/OR A USE SUBJECT TO A CONDITIONAL USE PERMIT IN R-1 SINBGLEL FAMILY RESIDENTIAL, R-2 MIXED RESIDENTIAL R-3 MULTI FAMILY RESIDENTIAL, C-1 NEIGHBORHOOD COMMERCIAL, C-2 COMMERCIAL AND CBD CENTRAL BUSINESS DISTRICT – It was moved by Council Member Dooley, seconded by Council

Member Pearson, to approve Request Z-1304 to amend Section 2.100 of the Zoning Ordinance pertaining to the definition of Bed & Breakfast Facilities as a permitted use subject to a Conditional Use Permit in R-1 Single Family Residential, R-2 Mixed Residential, R-3 Multi-Family Residential, C-1 Neighborhood Commercial, C-2 Commercial and CBD Central Business District The vote was as follows: AYE: Hoover, Pearson, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

ORDINANCE NO. 23-014

AN ORDINANCE AMENDING THE TEXT OF THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG TO FURTHER DEFINE BED AND BREAKFAST USE, TO PERMIT THE USE OF BED AND BREAKFAST IN THE RESIDENTIAL DISTRICTS OF R-1, R-2 AND R-3 AND IN THE COMMERCIAL DISTRICTS OF C-1, C-2 AND CBD UNDER CERTAIN CONDITIONS, PROHIBITING THE SAME IN THE RESIDENTIAL DISTRICTS OF R-1-A, R-4 AND R-5 AND IN THE MANUFACTURING DISTRICTS OF M-1, M-2 AND M-3 AND IN THE PUBLIC FACILITIES PF DISTRICT DEFINING THE CONDITIONS AND ADDING CERTAIN REQUIREMENTS FOR USE OF PROPERTY AS A BED AND BREAKFAST, ADDING A REQUIREMENT FOR A USE PERMIT FOR BED AND BREAKFAST USE, PROVIDING FOR PARTIAL INVALIDITY, REPEALING INCONSISTENT PROVISIONS AND ESTABLISHING AN EFFECTIVE DATE. (Recorded in Ordinance Book)

RESOLUTION AND DECLARATION OF OFFICIAL INTENT TO ENTER IN LEASE/PURCHASE OF FIRE DEPT PUMPER – Council Member Pearson moved, seconded by Council Member Dooley, to adopt a Resolution and Declaration of Official Intent to Enter in Lease/Purchase of Fire Department Pumper with JP Morgan Chase for \$526,520.00. The vote was as follows: AYE: Hoover, Pearson, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

(Resolution goes here)

ORDINANCE FOR NEW UTILITY RATES – It was moved by Council Member Sanford, seconded by Council Member Neffendorf, to adopt an ordinance adopting new Utility Rates. The vote was as follows: AYE: Hoover, Pearson, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

ORDINANCE NO. 23-015

AN ORDINANCE AMENDING CHAPTER 5 BUILDING AND BUILDING REGULATIONS, ARTICLE X. IMPACT FEES SEC. 5-287 (d) IMPACT FEES TO ADD SUCH FEES TO APPENDIX A AND PROVIDE THAT NO FEE WILL BE COLLECTED ON AN ADDITIONAL METER, AND CHAPTER 47 UTILITIES ARTICLE I WATER AND SEWER SYSTEM IN GENERAL SPECIFICALLY SECTION 47-7 DEPOSIT REQUIRED, SECTION 47-11 BILLING: DISCONNECTION OF SERVICE FOR NONPAYMENT; RECONNECTION FEE, ARTICLE VI. ELECTRIC LIGHT AND POWER DISTRIBUTION SYSTEM SPECIFICALLY SECTIONS 47-222 DEFINITIONS, 47-223 SCHEDULE OF RATES, 47-234 DEPOSIT TO ENSURE PAYMENT, SECTION 47-235 BILLING AND APPENDIX A FEE SCHEDULE ARTICLE 11.701 UTILITY DEPOSITS AND BILLING, ARTICLE 11.702 RATES AND ARTICLE 16.000 WATER AND SEWER RATES FEES, SPECIFICALLY, SECTIONS 16.100 CHARGE FOR CONNECTION TO WATER SYSTEM, SECTION 16.200 DEPOSIT FEE FOR WATER SERVICE, SECTION 16.300 WATER DEPARTMENT UTILITY RATES, SECTION 16.400 SEWER DEPARTMENT UTILITY RATES, AND SECTION 16.500 RECONNECTION AFTER DISCONNECTION, ARTICLE 19.000 ELECTRIC AND POWER RATES AND FEES SPECIFICALLY SECTION 19.108 CONNECTIONS AND DISCONNECTIONS, 19.300 DEPOSIT FOR ELECTRICAL SERVICE, AND 19.400 RETURNED CHECK FEE AND ADDING ARTICLE 26.000 MISCELLANEOUS FEES, SPECIFICALLY SEC 26.100 RETURNED CHECK FEES, ESTABLISHING AN EFFECTIVE DATE, REPEALING INCONSISTENT PROVISIONS, AND PROVIDING FOR PARTIAL INVALIDITY. (Recorded in Ordinance Book)

ORDINANCE FOR NEW DEVELOPMENT FEES – It was moved by Council Member Pearson, seconded by Council Member Neffendorf, to adopt an ordinance to approve new Development Fees as presented. The vote was as follows: AYE: Hoover, Pearson, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

ORDINANCE NO. 23-016

AN ORDINANCE AMENDING CHAPTER 38 SUBDIVISIONS SPECIFICALLY SECTION 38-6 FEES, APPENDIX A FEE SCHEDULE ARTICLES 5.-- CONSTRUCTION FEES AND PERMITS, 5.500 APPLICATION FEES, 6.000 FEES FOR GENERAL CONTRACTOR LICENSE AND BOND AND 15 FILING FEES FOR PLATS APPENDIX B ZONING ORDINANCE SPECIFICALLY SECTIONS 5.230, 5.420, 5.710 AND 7.120 REGARDING FEES, OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG TO SET OUT AND AMEND DEVELOPMENT FEES

FOR THE CITY, ESTABLISHING AN EFFECTIVE DATE, REPEALING INCONSISTENT PROVISIONS, AND PROVIDING FOR PARTIAL INVALIDITY.
(Recorded in Contract Book)

ORDINANCE FOR NEW HEALTH FEES - Council Member Pearson moved, seconded by Council Member Neffendorf, to adopt an ordinance to approve new Health Fees. The vote was as follows: AYE: Hoover, Pearson, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

ORDINANCE NO. 23-017

AN ORDINANCE AMENDING APPENDIX A FEE SCHEDULE TO AMEND CHAPTER 8 BUSINESSES ARTICLE V. FOOD ESTABLISHMENT REGULATIONS, SECTION 8-111 (c), (d), AND (e) REGARDING FEES, AND TO ADD APPENDIX A ARTICLE 25 HEALTH DEPARTMENT FEES, ESTABLISHING AN EFFECTIVE DATE, REPEALING INCONSISTENT PROVISIONS, AND PROVIDING FOR PARTIAL INVALIDITY. (Recorded in Contract Book)

ORDINANCE FOR NEW GOLF FEES - It was moved by Council Member Neffendorf, seconded by Council Member Sanford, to adopt an ordinance approving new Golf Fees. The vote was as follows: AYE: Hoover, Pearson, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

ORDINANCE NO. 23-018

AN ORDINANCE AMENDING APPENDIX A FEE SCHEDULE ARTICLE 24 RECREATIONAL FEES, SPECIFICALLY SECTION 24.100 GOLF FEES, AMENDING RATES AND ESTABLISHING RATES FOR JUNIOR MEMBERS, ESTABLISHING AN EFFECTIVE DATE, REPEALING INCONSISTENT PROVISIONS, AND PROVIDING FOR PARTIAL INVALIDITY. (Recorded in Contract Book)

HOSPITAL AUTHORITY REPORT - Tony Klein updated council on what the Hospital Authority has accomplished this past year and their future plans. No action taken.

CVB BUDGET - Ernie Loeffler, Executive Director of the Convention and Visitors Bureau, was on hand to present the 2014 CVB Budget. It was moved by Council Member Pearson, seconded by Council Member Sanford, to approve the CVB Budget as presented. The vote was as follows: AYE: Hoover, Pearson, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

CONTRACT FOR BANKING SERVICES – Following comments from Director of Finance, Brad Kott, it was moved by Council Member Pearson, seconded by Council Member Sanford, to award the contract for banking services to Security State Bank and Trust. The vote was as follows: AYE: Hoover, Pearson, Neffendorf, Sanford, and Dooley. NAY: None. Motion carried.

2014 BUDGET – After a lengthy discussion:

- (1) It was moved by Council Member Sanford, seconded by Council Member Pearson, to keep the TMRS cost of living benefit in the budget. The vote was as follows: AYE: Hoover, Pearson, and Sanford. NAY: Dooley. ABSTAIN: Neffendorf. Motion carried.
- (2) It was moved by Council Member Neffendorf, seconded by Council Member Dooley, to reduce the FY2014 budgeted expenditures for the Electric, Water & Wastewater, Sanitation and Drainage funds so that the FY2014 budget for each fund is balanced. The vote was as follows: AYE: Neffendorf and Dooley. NAY: Hoover, Sanford, and Pearson. Motion failed.
- (3) It was moved by Council Member Pearson, seconded by Council Member Dooley, to reduce the FY2014 budgeted expenditures for the Water & Wastewater fund so that the FY2014 budget for this fund only is balanced. The vote was as follows: AYE: Hoover, Pearson, Neffendorf, and Dooley. NAY: Sanford. Motion carried.
- (4) It was moved by Council Member Pearson, seconded by Council Member Sanford, to approve the Budget as presented with the change in (3) above to the Water & Wastewater Fund, and to include amendments to the Police fund to accommodate the latest information from the County regarding shared expenses at the Law Enforcement Center. The vote was as follows: AYE: Hoover, Pearson, and Sanford. NAY: Neffendorf and Dooley. Motion carried.

2014 TAX RATE - It was moved by Council Member Neffendorf, seconded by Council Member Sanford, to adopt a Property Tax Rate for 2013 at \$0.2600. The vote was as follows: AYE: Hoover, Dooley, Neffendorf, Sanford, and Pearson. NAY: None. Motion carried.

ORDINANCE NO. 23-019

AN ORDINANCE LEVYING A TAX RATE FOR THE CITY OF FREDERICKSBURG FOR THE TAX YEAR 2013

Be it ordered and ordained by the City Council of the City of Fredericksburg that we, the City Council of Fredericksburg, do hereby levy and adopt the tax rate on \$100 valuation for this City for the tax year 2013 as follows:

\$0.1879 for the purposes of maintenance and operations

\$0.0721 for the payment of principal and interest on the debt of the City

\$0.2600 total tax rate

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

This ordinance is effective from the date of its passage and publication in accordance with applicable law(s).

Passed and approved this 16th day of September, 2013.

/s/ Jeryl Hoover, Mayor

Attest:

/s/ Shelley Britton, City Secretary

CITY MANAGERS REPORT – The City Manager reported on (1) Oktoberfest, (2) Transportation Code, (3) Former Texas Ranger Heritage Center, (4) Water Leak Detection Program, (5) Employee Recognition (Steve Wetz – graduated Cum Laude, Midwestern State University).

FUTURE AGENDA ITEMS – None.

PUBLIC COMMENTS – Russ Rose thanked Council for all the hard work on the budget.

COUNCIL COMMENTS – No comments.

With no further discussion, Council Member Dooley made a motion to adjourn the meeting at 9:48 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of October, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR



CITY COUNCIL MEMO

DATE: October 3, 2013

TO: City Council

FROM: Shelley Britton, City Secretary

SUBJECT: Taxi Permit - Bluebonnet Taxi

Summary:

Application for reinstatement of a Taxi Permit has been received from Christopher King (Bluebonnet Taxi) to provide taxi service in the City of Fredericksburg.

Recommendation:

It is recommended that this request be approved.

Background / Analysis:

Mr. King was originally permitted in September 2011. When he failed to renew his permit in 2012, a letter was sent out, but it was returned "unclaimed". Recently Annette made contact with him and he came in and filed to have his permit reinstated.

Mr. King has met insurance requirements. There are currently two other taxi services licensed.

23

The City of Fredericksburg

126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861

CITY OF FREDERICKSBURG
APPLICATION FOR ANNUAL PERMIT FOR TAXI SERVICE

PERMIT FEE PAID: _____

1. BUSINESS NAME: Bluebonnet Taxi
2. NAME & ADDRESS OF APPLICANT: Christopher King
810 Pecan St.
Fredericksburg, TX 78602
3. TYPE OF BUSINESS (CORPORATION, PARTNERSHIP, ETC.): Sole proprietor

(IF NOT AN INDIVIDUAL, ATTACH A COPY OF DOCUMENTS ESTABLISHING THE BUSINESS)

4. LIST INDIVIDUALS HAVING INTEREST IN THE BUSINESS:

830-998-2882

A. NAME Christopher King
ADDRESS 810 Pecan St. Fredericksburg, TX 78602
CITIZENSHIP United States

B. NAME _____
ADDRESS _____
CITIZENSHIP _____

5. LIST DRIVER'S LICENSE AND SOCIAL SECURITY NUMBER OF TAXI DRIVERS:

A. NAME: Christopher King DL# 15483005 SS# [REDACTED]
B. NAME: _____ DL# _____ SS# _____

6. STATEMENT OR EVIDENCE OF OWNERSHIP OF ALL TAXI'S EQUIPMENT SUBMITTED: _____

7. DESCRIBE PAST BUSINESS EXPERIENCE OF APPLICANT, PARTICULARLY IN PROVIDING PASSENGER TRANSPORTATION SERVICES: Ran a taxi business in Fredericksburg for 2 years, drove for "Fredericksburg Taxi" for 2 years.

8. DESCRIBE ANY REVOCATION OR SUSPENSION OF A PERMIT HELD BY APPLICANT OR BUSINESS BEFORE THE DATE OF FILING THE APPLICATION: _____

9. GIVE NUMBER AND DESCRIPTION OF TAXI: Dodge Grand Caravan
VIN# 1D4GP44303B119782

10. DESCRIBE SERVICES TO BE OFFERED: standard taxi service, local
airport service, wine tours

11. LOCATION OF FIXED FACILITIES: 810 Pecon St. Frederickburg, TX 78624

12. INSURANCE

A. TYPE: COMPREHENSIVE GENERAL (PUBLIC) LIABILITY

B. AMOUNT: \$300,000.00 (COMBINED SINGLE LIMIT FOR BODILY INJURY &
PROPERTY DAMAGE PER OCCURRENCE)

C. INCLUDES: ☐ PREMISES/OPERATIONS
☐ INDEPENDENT CONTRACTORS
☐ PERSONAL INJURY
☐ PRODUCTS/COMPLETED OPERATIONS
☐ CONTRACTUAL LIABILITY
☐ OPERATION OF TAXI
☐ CITY NAMED A ADDITIONAL INSURED
☐ WAIVER OF SUBROGATION
☐ THIRTY (30) DAYS ADVANCE NOTICE, IN WRITING,
OF CANCELLATION OR MATERIAL CHANGE

D. FEE PAID: _____ DATE: _____

13. I HAVE READ A COPY OF THE ORDINANCE AND AGREE TO ABIDE BY ITS
TERMS:

SIGNATURE OF APPLICANT: Christopher King

THE STATE OF TEXAS X
 X
COUNTY OF GILLESPIE X

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 24th DAY OF September, 192013,
BY Christopher King.



Karen Kiehne
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

MY COMMISSION EXPIRES: 6.21.17
KAREN KIEHNE
PRINTED NAME OF NOTARY

APPROVAL OF CITY COUNCIL: _____ DATE: _____

EXPIRATION DATE OF PERMIT: _____

TEXAS LIABILITY INSURANCE CARD

COMPANY PHONE NO.

COMPANY

1-888-330-6477

American Country Insurance Co

POLICY NUMBER

TX100000048 01

EFFECTIVE DATE

3/19/2013

EXPIRATION DATE

3/19/2014

YEAR

2003

MAKE/MODEL

Dodge Caravan

VEHICLE IDENTIFICATION NUMBER

1D4GP44303B119782

AGENCY

Vaught Insurance Services

AGENCY PHONE NO.

281-647-9100

PO Box 218870

Houston, Texas 77218-8870

INSURED

Bluebonnet Taxi & Shuttle
810 N. Pecan St.
Fredericksburg, TX 78624

This policy provides at least the minimum amounts of liability insurance required by the Texas Motor Vehicle Safety Responsibility Act for the Specified vehicle and named insureds and may provide coverage for other persons and other vehicles as provided by the insurance policy.

Texas Liability Insurance Card

Keep this card.

IMPORTANT: This card or a copy of your insurance policy must be shown when you apply for or renew your:

- o motor vehicle registration
- o driver's license
- o motor vehicle safety inspection sticker.

You also may be asked to show this card or your policy if you have an accident or if a peace officer asks to see it.

All drivers in Texas must carry liability insurance on their vehicles or otherwise meet legal requirements for financial responsibility. Failure to do so could result in fines up to \$1,000, suspension of your driver's license and motor vehicle registration, and impoundment of your vehicle for up to 180 days (at a cost of \$15 per day).

SPANISH TRANSLATION

TRADUCCION DE ESPANOL

Tarjeta de Seguro de Responsabilidad de Texas

Guarde esta tarjeta.

IMPORTANTE: Esta tarjeta o una copia de su póliza de seguro debe ser mostrada cuando usted solicite o renueve su:

- o registro de vehículo de motor
- o licencia para conducir
- o etiqueta de inspección de seguridad para su vehículo.

Puede que usted tenga también que mostrar esta tarjeta o su póliza de seguro si tiene un accidente o si un oficial de la paz se la pide.

Todos los conductores en Texas deben de tener seguro de responsabilidad para sus vehículos, o de otra manera llenar los requisitos legales de responsabilidad civil. Fallo en llenar este requisito pudiera resultar en multas de hasta \$1,000, suspensión de su licencia para conducir y de su registro de vehículo de motor, y la retención de su vehículo por un período de hasta 180 días (a un costo de \$15 por día).



NON-STATE CHARTERED BUSINESS ASSUMED NAME CERTIFICATE OF OWNERSHIP

NOTICE: "CERTIFICATES OF OWNERSHIP" ARE VALID ONLY FOR A PERIOD NOT TO EXCEED 10 YEARS FROM THE DATE FILED IN THE COUNTY CLERK'S OFFICE (Chapter 36, Sect. 1, Title 4 - Business and Commerce Code)

NUMBER OF YEARS THIS BUSINESS NAME WILL BE USED (Not to exceed 10 years) 10 YEARS

NAME IN WHICH BUSINESS IS OR WILL BE CONDUCTED: Christopher King DBA Bluebonnet Taxi and Shuttle

BUSINESS ADDRESS: 1003 E. Highway St. Apt. 14

CITY Fredericksburg STATE TX ZIP 78624

BUSINESS IS A (check one):

☒ SOLE PROPRIETORSHIP ☐ GENERAL PARTNERSHIP ☐ UNINCORPORATED NONPROFIT ASSOCIATION

I/WE, THE UNDERSIGNED, ARE THE OWNER(S) OF THE ABOVE BUSINESS AND MY/OUR NAME(S) AND ADDRESS GIVEN IS/ARE TRUE AND CORRECT, AND THERE IS/ARE NO OWNERSHIP(S) IN SAID BUSINESS OTHER THAN LISTED BELOW.

NAME Christopher King SIGNATURE Christopher King

ADDRESS 1003 E. Highway St. Apt. 14 CITY Fredericksburg STATE TX ZIP 78624

(residence)

NAME _____ SIGNATURE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

(residence)

NAME _____ SIGNATURE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

(residence)

NAME _____ SIGNATURE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

(residence)

STATE OF TEXAS - COUNTY OF Wilkespie

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED:

Christopher King

KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY SIGNED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 27 day of October, 2011.

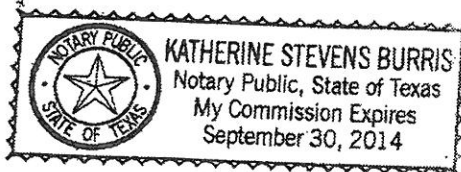
Katherine Stevens Burris

SIGNATURE OF NOTARY

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

COMMISSION EXPIRES: SEPT 30, 2014

PLACE NOTARY SEAL BELOW



DO NOT WRITE OR TYPE BELOW THIS LINE, FOR CLERK'S USE



CITY COUNCIL MEMO

DATE: September 30, 2013

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Annexation of approximately 15.29 acres out of the William H. Anderson Survey No. 197, Abstract No. 2, otherwise known as Stone Ridge Unit 8 (1st of two public hearings).

Summary:

A petition to annex the abovementioned tract has been filed by Mr. Levi Ellebracht, owner of said property. The property is located to the north of Stone Ridge Unit 5 and west of Unit 2 (see the attached exhibit. The required public hearings are scheduled for October 7 and October 21, 2013. The Institution of Annexation Proceedings will need to occur in a special meeting during the week of November 11-14, 2013. The property will come into the City as R-1, Single Family Residential zoning.

Recommendation:

Staff recommends conducting the public hearing. No action is required at this time.

Background / Analysis:

The preliminary plat for this phase has been submitted for review by the Planning and Zoning Commission. As part of the platting of this property, the developer will be responsible for the

extension of utilities necessary to serve this phase, drainage improvements and the appropriate dedication of street rights-of-way. Unit 8 consists of 33 single-family lots, consistent in size as previous phases. The total number of lots included in Units 1-8 will be 310.

PETITION TO ANNEX

STATE OF TEXAS §

COUNTY OF GILLESPIE §

To the Honorable City Council of the City of Fredericksburg, Texas: Stone Ridge Development Co., Inc., being the sole owner of the hereinafter described 15.29 acres of land in Gillespie County, Texas, joined herein by the lienholder thereon, American Bank of Texas, N. A., said 15.29 acres being contiguous and adjacent to the City of Fredericksburg, Texas, a home rule city, respectfully requests that the said 15.29 acres, hereinafter described, and shown on map attached as Exhibit "A, on which less than three (3) qualified voters reside, be annexed to the City of Fredericksburg, Texas, said tract sought to be annexed being described by metes and bounds as follows, to-wit:

BEING 15.29 acres of land in Gillespie County, Texas, being out of the remaining portion of a 258 acre tract of land, described in Volume 63, Page 366, Deed Records of Gillespie County, Texas, being out of the William H. Anderson Survey No. 197, Abstract No. 2, Gillespie County, Texas, said 15.29 acres of land being more particularly described by metes and bounds in Exhibit "B", attached hereto and made a part hereof.

WHEREFORE, the undersigned respectfully pray that the above described tract of land be annexed to the City of Fredericksburg, Texas.

EXECUTED this the 28th day of August, 2013.

OWNERS:

STONE RIDGE DEVELOPMENT CO., INC.

By: _____

Levi Ellebracht, President

THE STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 28th day of August, 2013, by Levi Ellebracht, President of Stone Ridge Development Co., Inc., on behalf of said corporation.

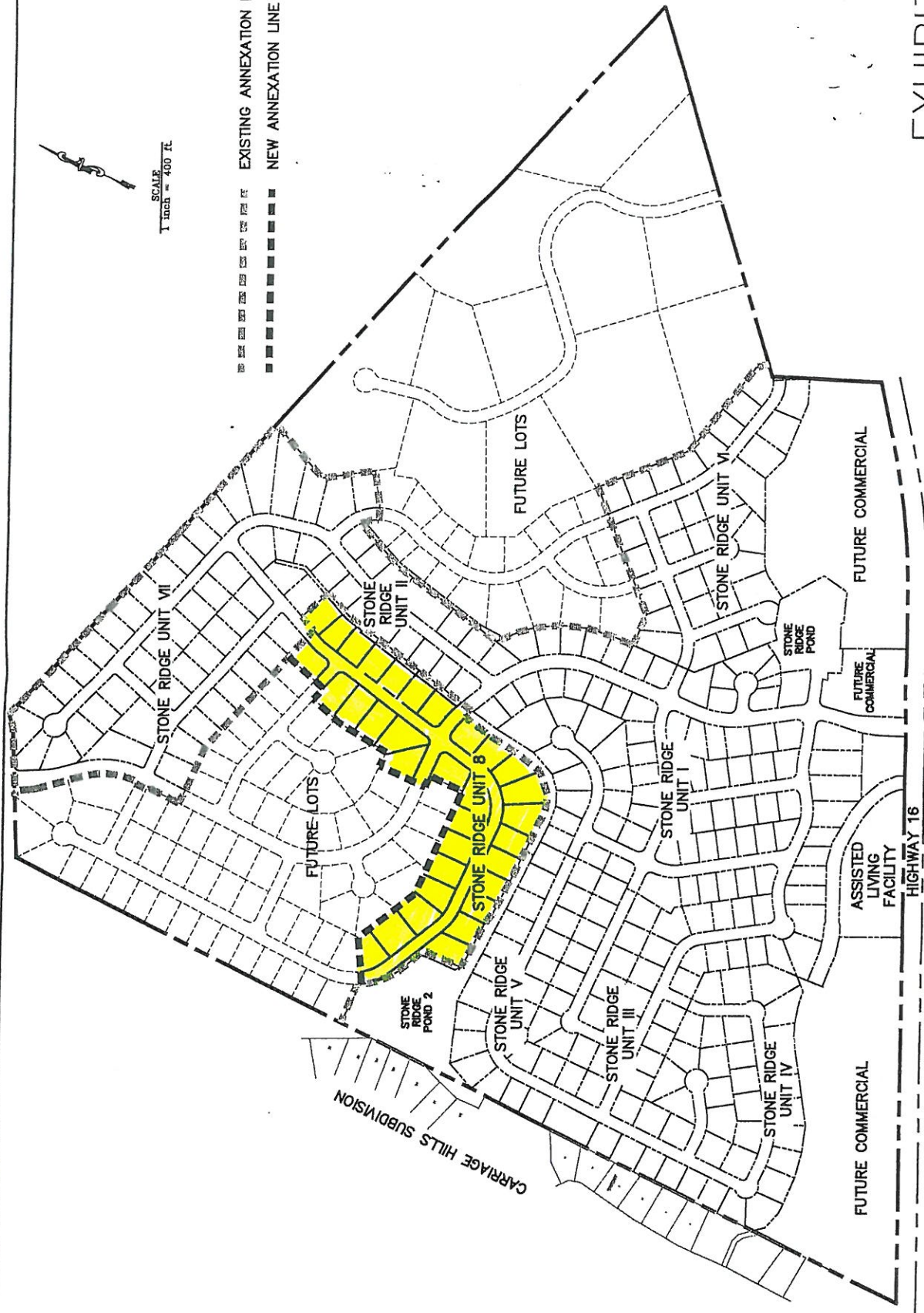


Tina Merz
Notary Public in and for
The State of Texas



SCALE
1 inch = 400 ft.

EXISTING ANNEXATION LINE
NEW ANNEXATION LINE



CITY COUNCIL MEMO

City of Fredericksburg

DATE: October 1, 2013

FROM: PAT MCGOWAN, CITY ATTORNEY

SUBJECT: PARKING OF VEHICLES IN CITY

SUMMARY: Attached is an ordinance limiting parking of vehicles, trailers and the like to areas where there is an improved surface, requiring screening and not permitting parking of such vehicles in residential areas where visible. Exceptions are provided.

RECOMMENDATION: Adoption of the ordinance

BACKGROUND/ ANALYSIS: Based on complaints to the Mayor and the Code Enforcement Officer, the City staff discussed the type of complaints received. It was determined that enacting the following regulations would solve the complaints and enhance the commercial areas and neighborhoods.

City- wide parking should be limited to parking in front yards to proper surfaces, in side yards only where the vehicle is screened and on a proper surface.

In residential areas no tractors, trailers, boats, etc. shall be parked at all except:

- if enclosed or screened and not visible from a street or alley, or
- parked temporarily for servicing (48 hours maximum time allowed.)

All areas:

- no use of vehicles to store trash or
- no use of vehicles for living if that is a use not normally associated with the use of the vehicle.

Loading and unloading and parking for construction projects during daylight hours are exempted as well as is for emergencies.

Staff: Kent Myers, Brian Jordan, Steve Wetz, Annette Loth and Pat McGowan

10/3/13 draft after discussion with Kent, Brian, Steve and Annette and comments from Steve

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 44, TRAFFIC AND MOTOR VEHICLES, ARTICLE VI, STOPPING, STANDING AND PARKING, SECTION 44-224, PARKING REGULATIONS CONCERNING TRUCKS, TRACTORS, TRAILERS AND RECREATIONAL, ADDING SECTION 44-225 PARKING IN RESIDENTIALLY ZONED AREAS OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG PROVIDING LIMITATION ON PARKING IN ALL AREAS OF THE CITY AND GREATER LIMITATIONS ON PARKING IN RESIDENTIALLY ZONED AREAS OF THE CITY AND AMENDING CHAPTER 14, ENVIRONMENT, ARTICLE II, UNSIGHTLY OR INSANITARY ACCUMULATIONS- PUBLIC NUISANCE ADDING SECTION 14- 19 (b) TO PROVIDE THAT IT IS A NUISANCE TO USE A VEHICLE FOR THE STORAGE OF TRASH; PROVIDING FOR PENALTIES, AND SETTING AN EFFECTIVE DATE.

WHEREAS, The City Council has determined that the parking of vehicles such as large commercial vehicles, recreational vehicles, tractors, trailers and the like over sidewalks, in yards, long term in certain areas, without screening and the like is prevalent in the City of Fredericksburg and is detrimental to the safety, orderliness, peace and tranquility of the City and that the same need to be regulated; and

WHEREAS, the City Council of the City of Fredericksburg has determined that the following regulations should be adopted to further the health, safety and welfare of the citizens of the City of Fredericksburg; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS THAT THE FOLLOWING ORDINANCE BE AND IS HEREBY ENACTED AND THAT SECTION 44-224 BE AMENDED, THAT SECTION 44-225 BE ADDED AND THAT SECTION 14-19 (b) BE ADDED AND EXISTING 14-19 (b) BE RE-NUMBERED TO BE SECTION 14-19 (c) ALL OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG AS FOLLOWS:

Chapter 44

TRAFFIC AND MOTOR VEHICLES

Article VI Stopping, Standing and Parking

Sec. 44-224 Parking in general. It is declared to be a nuisance and is unlawful for any person to park, store, allow to remain, or permit another to park, store or allow to remain a motor vehicle (please note this section applies City-wide and applies only to motor vehicles), whether operative or not, or whether containing all of its parts or not, as defined in the Transportation code of the State of Texas, or as specified below, in violation of the following:

(a) No vehicle shall be parked in the front yard of any property other than on an All Weather Surface measuring a minimum of the size set forth in the City Zoning Ordinance for a parking space (currently set forth in Section 7.860 being eight and one-half (8.5') feet

by eighteen and one-half (18.5') feet for each vehicle.)

(b) No vehicle shall be parked in the side or rear yard of any property other than on an All Weather Surface a measuring a minimum of the size set forth in the City Zoning Ordinance for a parking space (currently set forth in Section 7.860 being eight and one-half (8.5') feet by eighteen and one-half (18.5') feet for each vehicle) unless such vehicle is concealed from view from all points along public streets and alleys by:

1. A solid, opaque fence or wall providing full screening from the ground to a minimum of six (6) feet; or

2. Vegetation consisting of a solid hedgerow of evergreen trees or shrubs or evergreen trees and shrubs, providing full screening from the ground to a minimum of six (6) feet; or

3. Any combination of the above.

4. All Weather Surface, for the purpose hereof shall mean a solid surface, asphalt, gravel-on-base material, concrete, concrete pavers or other approved material pavers, all constructed in accordance with city standards and compliant with the total allowed impervious cover permitted for the particular property. Provided, however, no residentially zoned property may contain an All Weather Parking surface of more than fifty (50%) of the front yard of the property.

5. All Weather Surfaces for parking shall be maintained in good and safe conditions, and shall be free of defects affecting the use, safety, appearance or drainage of the Improved Surface or the adjoining property.

It is a defense to this section that the vehicle was so parked during daylight hours for the purpose of construction on the property in question.

(c) No vehicle shall be parked so as to extend into any sidewalk, public right of way or

easement unless properly parked in approved parking spaces or areas.

(d) It is a defense to prosecution under this section that the vehicle was so parked during daylight hours because of an emergency or for the purpose of construction on the property in question, if it was necessary to do so.

44- 225 **Parking in residentially zoned areas.** It is declared to be a nuisance and is unlawful for any person to park, store, allow to remain or permit another to park, store or allow to remain a motor vehicle, whether operative or not, or whether containing all of its parts or not, as defined in the Transportation code of the State of Texas, or a non-motorized vehicle as specified below in violation of the following:

(a) No farm type tractor, semi-tractor/trailer rig, bus, truck (other than pick-up trucks) or other trailer, recreational vehicle, travel trailer, boat, boat trailer, or flat bed trailer shall be parked within a residentially zoned property or within a street or alley which is bordered by a residentially zoned property. Provided however, any of the above can be stored where fully enclosed in a building or screened as set forth in 44-224 (a) above and not visible from the public street or alley. Additionally, recreational vehicles and boats may be parked in residentially zoned areas for up to 48 hours for the purpose of stocking, cleaning repairing and the like. (Discussion with Council as to whether to allow farm tractors and trailers to park in residential areas. The way it is written now prohibits them from parking in residential areas unless they fit under (b) below- basically loading and unloading which would not be why they are usually there.)

(b) It is a defense to prosecution under this section that the vehicle was actively being utilized in the expeditious loading or unloading of material, goods or passengers, or was so parked during daylight hours because of an emergency or for the purpose of

construction on the property in question, if it was necessary to do so, and was so parked or found to be on or adjacent to the property for which it was being utilized.

Chapter 14

ENVIRONMENT

ARTICLE I. IN GENERAL

Sec. 14-19 Public nuisance declared.

(b) It shall be unlawful for any person or entity who shall own or occupy any property in the City to use or allow the use of a vehicle, trailer, part of a vehicle or trailer or other vehicle attachment for the storage of junk, trash and/or debris or for housekeeping, living, or sleeping quarters not normally associated with the intended use of the said item.

Sec. 14-19 (b) beginning: For the purposes hereof, the following definitions are used:
is hereby re-numbered to be Sec. 14-19 (c) .

Other than as hereinabove set out, all sections and parts of sections not changed shall remain as written.

-----End of Code Text-----

Severability / Invalidity.

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Repealer

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Penalties

Penalties provided for in the Code Ordinances of the city of Fredericksburg shall apply to violations hereof.

This ordinance shall take effect from and after the date of its passage and publication in accordance with the law.

PASSED AND APPROVED this the _____ day of _____, 2013

Jeryl Hoover, Mayor
City of Fredericksburg

ATTEST:

Shelley Britton, City Secretary

APPROVED AS TO FORM:

Pat McGowan, City Attorney