



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING NOVEMBER 1, 2021

The City of Fredericksburg City Council held their regular session on Monday, November 1, 2021 at 6 p.m. This meeting was held in person at the Law Enforcement Center and live streamed on the Fredericksburg YouTube Channel.

Members Present:

Mayor Charlie Kiehne
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Kathy O'Neill
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
Steve Wetz, Police Chief
Braxton Roemer, Police Lt.
Eric Whiting, Information Technology Director
Lea Feuge, Public Information Officer
Andrea Schmidt, Parks and Recreation Director
Jason Lutz, Development Services Director
Kris Kneese, Assistant Public Works Director
Garret Bonn, Assistant City Engineer
Leslie Ball- Embrey, Administrative Assistant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Kiehne called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, November 1, 2021.

2. INVOCATION

Tom Fait led the Invocation.

3. PLEDGE OF ALLEGIANCE

Kimberly Lams led the Pledge of Allegiance.

4. PROCLAMATION

A. Walk to End Alzheimer's Day

Mayor Kiehne read the Proclamation and proclaimed November 13, 2021 as The Walk to End Alzheimer's Day in Fredericksburg. He presented the Proclamation to Kristy Beyer and Christy Hill.

5. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, did not provide any recognitions.

6. PUBLIC COMMENTS

Annette Bennett, City resident, spoke regarding the American Rescue Funding.

Mary Lee Marschall, City resident, spoke regarding Constitution and the American Rescue Funding.

Teresa Wirereck, City resident, spoke regarding the American Rescue Funding.

Jerry McCorkle, City resident, spoke regarding the Relief Route.

Kimberley Lams, City resident, spoke regarding Vares COVID Report and American Rescue Funding.

George Studor, City resident, spoke regarding American Rescue Funding.

Mary Studor, City resident, spoke regarding American Rescue Funding.

Kathy Lux, County resident, spoke regarding American Rescue Funding.

Ruben Aguilar, City resident, spoke regarding patriotism.

Tom Marschall, City resident, spoke regarding the practice of the City Council to correct misinformation.

Wesley Hensley, City resident, spoke regarding the American Rescue Funding.

Tracy Knudson, City resident, spoke regarding the American Rescue Funding.

Susan King, County resident, spoke regarding the annexation and the cost.

Carmine Armstrong, City resident, spoke regarding the American Rescue Funding.

Jett Burns, County resident, spoke regarding the American Rescue Funding.

Robert Phoenix, County resident, spoke regarding the American Rescue Funding.

Jeannette Hormuth, City resident, spoke regarding the American Rescue Funding. She also provided a signed Notice of Intent of Violation Rights from the City Secretary.

Kent Myers, City Manager, provided clarification to comments made regarding the American Rescue Funding.

Daniel Jones, City Attorney, provided clarification regarding the process and requirements of the American Rescue Funding.

Shelley Goodwin, City Secretary, provided the process used to include citizen comments in the minutes for the July 19, 2021 City Council Regular Meeting.

7. 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 City Council Minutes (Shelley Goodwin, City Secretary):

i. October 11, 2021 Special Meeting

ii. October 18, 2021 Regular Meeting

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to approve Consent Agenda items 7. A. i. and ii. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

8. ORDINANCES AND RESOLUTIONS

A. Consider the approval of Ordinance 2021-26 amending Section 8.100 – Temporary Use Types, of Appendix B – Zoning Ordinance, of the Code of Ordinances; to amend the permitted temporary uses of tents for the Historic Overlay (HO) Zoning District in the City; and providing for an effective date (Z-2119) (2nd reading) (Jason Lutz, Development Services Director).

Jason Lutz, Development Services Director, reviewed the changes that were made since the last meeting.

The City Council discussed the changes to the Ordinance.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to amending Section 8.100 – Temporary Use Types, of Appendix B – Zoning Ordinance, of the Code of Ordinances; to amend the permitted temporary uses of tents for the Historic Overlay (HO) Zoning District in the City; and providing for an effective date (Z-2119) on second reading. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Resolution 2021-14R approving the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documents required in connection therewith (Fire Pumper Tanker for the Fire Department) (Laura Hollenbeak, Finance Director).

Laura Hollenbeak, Finance Director, reviewed the acquisition and lease-purchase financing of the Fire Pumper Tanker for the Fire Department.

The City Council discussed the County's share of acquisition.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to approve Resolution 2021-14R approving the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documents required in connection therewith (Fire Pumper Tanker for the Fire Department). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

C. Consider the approval of Resolution 2021-15R approving the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documents required in connection therewith (vehicles/equipment) (Laura Hollenbeak, Finance Director).

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to approve Resolution 2021-15R approving the acquisition and lease-purchase financing of public equipment and authorizing the execution and delivery of documents required in connection therewith (vehicles/equipment). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

D. Consider the approval of Resolution 2021-16R casting a ballot for the Gillespie County Appraisal Board of Directors for a two-year term beginning January 1, 2022 (Kent Myers, City Manager).

Kent Myers, City Manager, reviewed the process of electing the Gillespie County Appraisal Board of Directors.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve Resolution 2021-16R casting a ballot for the Gillespie County Appraisal Board of Directors for a two-year term beginning January 1, 2022 (giving each candidate 65 votes, except for Tim Dooley who would receive 66 votes). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

9. OTHER ACTION ITEMS AND UPDATES

A. Consider initiation of a text amendment to the City's Zoning Ordinance, related to clarifying the definition of "height" in the Zoning Ordinance, and clarifying the measurement of same (Jason Lutz, Development Services Director).

Jason Lutz, Development Services Director, reviewed the need for clarification to the definitions and the measurements for building heights

The City Council discussed the different definitions and the need for clarifications on building heights.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to initiate a text amendment to the City's Zoning Ordinance, related to clarifying the definition of "height" in the Zoning Ordinance, and clarifying the measurement of same. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

B. Consider the approval of a Lease Extension with the Fredericksburg Art Guild (Kent Myers, City Manager).

Kent Myers, City Manager, stated the City has a lease agreement with the Art Guild for the building at 308 East Austin Street at a rate of \$600 a month. The lease ends in February 2022, and the Art Guild is requesting an extension. He noted that he explained to the Art Guild that there is a possibility that the City would need the building for future office space.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember O'Neill, to approve a Lease Extension with the Fredericksburg Art Guild for 1 year at the same rate (\$600). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

C. Consider the approval of the 2022 City Employee Holidays (Shelley Goodwin, City Secretary)

Shelley Goodwin, City Secretary, reviewed the list of proposed 2022 City Holidays and the Monday holidays, that will cause a City Council meeting to fall on Tuesdays.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember O'Neill, to approve the 2022 City Holidays. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

D. Receive an update on the City of Fredericksburg Municipal Court (Shelley Becker, Municipal Judge).

Shelley Becker, Municipal Judge, reviewed the following:

- Disposition of cases
- Inactive cases
- Number of increased cases
- Changes recently made (provide paperwork in person, contact information, payment instructions, definitions, and the addition of a part-time clerk position).
- Warrant process, procedures, and audit currently being conducted.
- Issues with courtroom and Zoom.
- Courtroom security.

The City Council discussed the options of the courtroom and the progress the Municipal Judge has made.

10. CITY MANAGER REPORT

A. American Rescue Plan Act (ARPA) Funds

Kent Myers, City Manager, reported that the City has received the first payment and will receive the 2nd half in August 2022. He reviewed the items the Funds can be used for and the process being used to receive applications for non-profit organizations.

B. Downtown Parking Study

Kent Myers, City Manager, reported on the Phases for the study and noted Phase 1 is now completed, which was the submission of a grant.

C. Police Station Architecture Services

Kent Myers, City Manager, reported that the City is now accepting Requests for Proposals for architectural services the Public Safety Facility (Police Station).

D. Electric Car Charging Stations

Kent Myers, City Manager, stated that more charging stations would be needed with the push for electric cars. He also noted that the Fredericksburg Shines had donated \$18,000 towards charging stations. He noted the push is for the private sector to install charging stations.

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, reviewed the cost of charging the vehicle and installing a charging station.

11. ITEMS FOR FUTURE AGENDA

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

12. COUNCIL COMMENTS

Councilmember O'Neill spoke regarding the STR Ordinance timeline.

Councilmember Luckenbach spoke regarding COVID vaccines.

13. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections 551.071 (Consultation with Attorney) and 551.072 (Deliberations related to Real Property):

- A. Consider and discuss personal injury claim against the City by Susanna Boyer (Section 551.071) and**
- B. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of S. Milam Street at Whitney Street, in the City of Fredericksburg, Texas (551.072).**

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of Regular Meeting into Executive Session at 8:54 p.m. The City Council voted five (5) for, and none (0) opposed.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of Executive Session into the Regular Meeting at 8:12 p.m. The City Council voted five (5) for, and none (0) opposed.

14. BUSINESS ITEM

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember O'Neill, to deny paying the personal injury claim against the City by Susanna Boyer. The City Council voted five (5) for, and none (0) opposed.

15. ADJOURN

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to adjourn the Monday, October 18, 2021, City Council Regular Meeting at 8:13 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.



Charlie Kiehne
Mayor



Shelley Goodwin, TRMC
City Secretary