



CITY OF FREDERICKSBURG
MINUTES OF CITY COUNCIL REGULAR
MEETING
DECEMBER 2, 2019

Members Present:

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

Members Absent:

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Daniel Jones, City Attorney
Brian Jordan, Development Services Director
Steve Wetz, Police Chief
Lynn Bizzell, Fire Chief
Russell Immel, Information Technology Director
Andrea Schmidt, Parks Department Director
Lea Feuge, Public Information Officer
Kelli Olfers, Health Department Director
Kris Kneese, Assistant Director of Public Works and Utilities
Garret Bonn, Assistant Engineer
Shelley Goodwin, City Secretary

1. PLEDGE OF ALLEGIANCE

Mayor Langerhans led the Pledge.

2. CALL TO ORDER

With a quorum of the City Council present, Mayor Langerhans called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, December 2, 2019, in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas 78624.

3. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, stated he did not have any recognition.

4. PUBLIC COMMENTS

Tim Lafferty spoke regarding the Executive Session item regarding Section 551.071 and the attorney the City Council has retained for the 290 E. annexation. He requested information on the legal expenses for this case.

5. CONSENT

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF CITY COUNCIL.

- A. Consider approval of the November 12, 2019, City Council Special Minutes.**
- B. Consider approval of the November 18, 2019, City Council Regular Meeting Minutes.**
- C. Consider approval of the appointments of Cathy Lindig and Wanda Detmar and the reappointment of Ruthann Hoover to the Gillespie County Health Board.**
- D. Consider approval of the 2020 City of Fredericksburg Holiday schedule.**
- E. Consider the approval of the Assessment and Collection Agreement with Gillespie Central Appraisal District effective February 1, 2020.**

Councilmember Watson pulled Agenda Item 5. D. to be considered separately.

Motion: A motion was made by Councilmember Musselman seconded by Councilmember Neffendorf, to approve the remainder of the Consent Agenda Items 5.A.-C and 5. E. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

D. Consider approval of the 2020 City of Fredericksburg Holiday schedule.

Kent Myers, City Manager reviewed the proposed City Holiday schedule and Gillespie County Holiday schedule.

Councilmember Watson stated the City should add Martin Luther King Holiday to the City Holiday schedule.

The City Council discussed other State and Federal Holidays.

Motion: A motion was made by Councilmember Watson seconded by Councilmember Musselman, to approve the 2020 Holiday schedule with the addition of January 20, 2020 Martin Luther King Holiday to the City Holiday schedule. The City Council voted four (4) for and one (1) opposed (Councilmember Kiehne). The motion carried.

6. ORDINANCE AND RESOLUTIONS

- A. Consider approval of Ordinance 2019-32 amending Article 24.000-Recreational Fees, of Appendix A – Fee Schedule, of the Code of Ordinances, to establish fees for use of the Basketball Pavilion located at Old Fair Park (first of two readings; City Council may waive second reading).**

Andrea Schmidt, Park Department Director, reviewed the history and the proposed basketball court fee for rental. She also reviewed the days and hours the court can be rented. She also reviewed the need to offer rentals.

The City Council reviewed the proposed rental fee and the rental days and hours.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kiehne, to approve of Ordinance 2019-32 amending Article 24.000-Recreational Fees, of Appendix A – Fee Schedule, of the Code of Ordinances, to establish fees for use of the Basketball Pavilion located at Old Fair Park and to waive the second reading. The City Council voted five (4) for and one (1) opposed (Councilmember Musselman), and the motion was approved.

- B. Consider approval of Ordinance 2019-33 authorizing and allowing, under the Act Governing the Texas Municipal Retirement System, “Updated Service Credits” in said system on an annual basis for service preformed by qualifying members of such system who at the effective date of the allowance are in the employment of the City of Fredericksburg; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; to increase the rate of deposits to the Texas Municipal Retirement System by the employees of the City; and establishing an effective date for the Ordinance (first of two readings; City Council may waive second reading).**

Kent Myers, City Manager, stated the City Council approved Texas Municipal Retirement System increase rate to 6% during their budget process.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to approve of Ordinance 2019-33 authorizing and allowing, under the Act Governing the Texas Municipal Retirement System, “Updated Service Credits” in said system on an annual basis for service preformed by qualifying members of such system who at the effective date of the allowance are in the employment of the City of Fredericksburg; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; to increase the rate of deposits to the Texas Municipal Retirement System by the employees of the City; and establishing an effective date for the Ordinance and waived the second reading. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. November 5, 2019, Special Election

- i. Canvass the results of the recount returns.**
- ii. Consider the approval of Resolution 2019-19 R declaring the results of the recount of the Special Election of the City of Fredericksburg, held November 5, 2019, and recount on November 22, 2019, for the purpose of a Charter Amendment.**

Mayor Langerhans stated the City of Fredericksburg received a Recount Petition, which was certified, and the Recount took place on Friday, November 22nd at 9:00 a.m. in the Fire Training Room.

The City Council reviewed the Returns and the Tally Sheets from the Recount of the City of Fredericksburg Special Election.

Councilmember Neffendorf read the Recount Results out loud.

	EARLY VOTES CAST	ELECTION DAY VOTES CAST	TOTAL VOTES CAST
YES	339	403	742
NO	674	587	1261

Mayor Langerhans stated the canvass has been completed.

Motion: A motion was made by Councilmember Neffendorf seconded by Councilmember Musselman, to approve Resolution 2019-19R declaring the results of November 22, 2019 recount of the Special Election of the City of Fredericksburg, held November 5, 2019. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Councilmember Musselman thanked everyone involved in the Recount process.

D. Consider the approval of Resolution 2019-20R of intent to establish a City of Fredericksburg Property Assessed Clean Energy (PACE) Program

Kent Myers, City Manager, stated the City Council received a presentation on the PACE Program at their November 4th Regular Meeting and this Resolution is the next in the process. He stated several local projects have indicated an interest in this type of financing.

The City Council discussed the public hearing and options for communicating the public hearing and the program.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve Resolution 2019-20R of intent to establish a City of Fredericksburg Property Assessed Clean Energy (PACE) Program. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. OTHER ACTION ITEMS AND UPDATES

A. Consider the approval of revised Interlocal Agreement with Texas Department of Public Safety (DPS) related to the program utilized by the Municipal Court.

Daniel Jones, City Attorney, reviewed the Interlocal Agreement related to a DPS program, which allows the Court to block driver's license renewals for defendants that Fail to Appear or pay judgements.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kiehne, for the approval of revised Interlocal Agreement with Texas Department of Public Safety (DPS) related to the program utilized by the Municipal Court. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the award of bid for pre-pay proposal with Siddons Martin Emergency Group, LLC for a Fredericksburg Fire Department Impel PUC Pumper.

Lynn Bizzell, Fire Chief, reviewed the project and the need for the pumper. He stated awarding the bid for the pre-pay proposal will save the City approximately \$24,357.00. He also reviewed the purchases the Fredericksburg Volunteer Fire Department is making.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kiehne, to award the bid for pre-pay proposal with Siddons Martin Emergency Group, LLC for a Fredericksburg Fire Department Impel PUC Pumper in the amount of \$811,900.31. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. CITY MANAGER'S REPORT

i. Future Annexations

Kent Myers, City Manager, reviewed the following upcoming annexations:

Live Oak Annexation ordinance, land use amendment ordinance, amendment to zoning ordinance and agreement with property owner will be held on January 6, 2020.

Stone Ridge Unit 10 Annexation- Public Hearings will be held on January 6, 2020 and January 21, 2020.

ii. Election Recount

Kent Myers, City Manager, thanked the Mayor who was the Recount Coordinator, City Attorney, and the City Secretary for their team efforts in the Recount process. He also stated the recount expenses has not been finalized, but Clean Water Fund will exceed their \$500 deposit.

Mayor Langerhans thanked all Recount Team members for all their hard work.

iii. Relief Route

Kent Myers, City Manager, stated TxDOT will be holding a Relief Route Open House on January 14, 2020 from 2 p.m. to 7 p.m. at the Farm Bureau.

9. Future Agenda

Kent Myers, City Manager, reviewed the upcoming agenda items.

10. COUNCIL COMMENTS

Councilmember Kiehne thanked everyone involved with the Christmas Tree Lighting.

11. EXECUTIVE SESSION

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

- A. Consider and discuss economic development agreement related to the construction and operation of a Hotel and Conference Center in the City; and to receive legal advice concerning said economic development agreement (Section 551.087 and Section 551.071), and**
- B. Consider and discuss E. 290 Owners Coalition vs. City of Fredericksburg, Texas, pending in the 216th District Court (Section 551.071), and**
- C. Consider and discuss enforcement of the City's water conservation ordinance, related to water utility customers located outside the City limits (Section 551.071).**

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to go out of Regular Session into Executive Session at 6:45 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Watson, to go out of Executive Session into Regular Session at 8:03 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

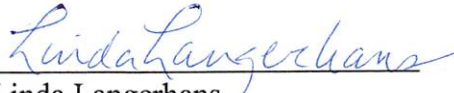
12. BUSINESS ITEM

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Watson, to appoint Councilmember Neffendorf as the Council representative for the mediation session on

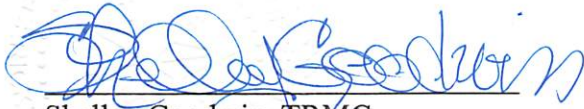
the Highway 290 E. annexation case currently pending in the 216th District Court. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

13. ADJOURN

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to adjourn the Monday, December 2, 2019, City Council Regular Meeting at 8:06 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.


Linda Langerhans
Mayor

ATTEST


Shelley Goodwin, TRMC
City Secretary