

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

**SPECIAL CITY COUNCIL MEETING
APRIL 3, 2017
4:00 PM**

On this the 3rd day of April, 2017, 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:

LINDA LANGERHANS - MAYOR
CHARLIE KIEHNE - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
PAT MCGOWAN - CITY ATTORNEY
BRIAN JORDAN - DIR. OF DEVELOPMENT SERVICES

FRIEDEN LAKES ANNEXATION AGREEMENT – Brian Jordan, Director of Development Services, presented various development issues concerning the proposed Frieden Lakes Annexation Agreement. Council held a lengthy discussion concerning the following items:

- Annexation
- Gated or Private Development
- Phasing of Project and Infrastructure
- Mariposa Drive
- Park Dedication
- Zoning

No action was taken.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 5:20 PM. Council Member Kiehne seconded the motion. Motion carried.

PASSED AND APPROVED this the 5th day of June, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

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

* * * * *

**REGULAR CITY COUNCIL MEETING
APRIL 3, 2017
6:00 PM**

On this the 3rd day of April, 2017, 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:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
GRAHAM PEARSON – COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
LAURA HOLLENBEAK – DIR OF FINANCE
PAT McGOWAN - CITY ATTORNEY
STEVE WETZ – POLICE CHIEF
JOHN CULPEPPER – DIR OF COMMUNITY SUPPORT
CLINTON BAILEY – ACM/DPWU
RUSSELL IMMEL - IT

The meeting was called to order at 6:00 PM following the Pledge of Allegiance.

EMPLOYEE RECOGNITIONS - None

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

- Request for Use of Market Square for the Lutheran Fall Festival, 3rd Weekend in September, Yearly
- Request for Pioneer Pavilion Reservation for the Indian Artifact Show, 4th Weekend of January, March, and October, Yearly.

All voted in favor; motion carried.

The following items were removed from the Consent Agenda and after a brief discussion, it was moved by Council Member Pearson, seconded by Council Member Kiehne, to approve the following:

- Reduced Rates for Adelsverein Halle for the PCAA Summer concert Series, 6 Sundays from May – September, Yearly
- Reduced Rates for Adelsverein Halle for the Kinder Halle for Farmers Market, May – Aug, Yearly
- Reduced Rates for Kinder Halle or Adelsverein Halle for Eisbahn, Nov – Jan, Yearly

All voted in favor; motion carried.

CURFEW ORDINANCE REVIEW – No action taken.

TEXAS APA 2017 “GREAT PLACES IN TEXAS” AWARD – Chance Sparks from Texas Chapter of the American Planning Association presented an Award to the City of Fredericksburg designating Main Street Fredericksburg as a Great Place in Texas. Main Street is one of six places in Texas that was designated due to its design, functionality, sustainability, character, quality, and participation.

SOUND ORDINANCE REVISIONS – Council heard comments from members of the Sound Ordinance Committee John Weisinger and John Graham. No action was taken.

HIRE NEW CITY ATTORNEY – It was moved by Council Member Pearson, seconded by Council Member Watson, to hire Daniel Jones as the new full time City Attorney, at a salary of \$85,000, starting July 1, 2017, with the present City Attorney, Pat McGowan staying on as a consultant until September 2017, All voted in favor and the motion carried.

JOINT RESOLUTION IN SUPPORT OF TxDOT RELIEF ROUTE STUDY – It was moved by Council Member Pearson, seconded by Council Member Watson, to adopt the Joint Resolution in Support of a TxDOT Relief Route Study as presented and corrected. The vote was as follows: AYE: Langerhans, Pearson, Neffendorf, Watson, and Kiehne; NAY: None. Motion carried.

A JOINT RESOLUTION

A JOINT RESOLUTION BETWEEN THE COUNTY OF GILLESPIE AND THE CITY OF FREDERICKSBURG REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) COMPLETE A FEASIBILITY STUDY ON A PROPOSED GILLESPIE COUNTY RELIEF ROUTE

WHEREAS, Gillespie County and the City of Fredericksburg are experiencing substantial growth and are projected to potentially double within 40 years; and

WHEREAS, three (3) major highways- U.S. Highway 87, U.S. Highway 290, and State Highway 16- converge and funnel their traffic onto the City of Fredericksburg’s Main Street; and

WHEREAS, this convergence of vehicular traffic, combining with an ever-increasing amount of pedestrian traffic from the tourist industry creates congestion in the downtown area; and

WHEREAS, the increased population of residents in Gillespie County and Fredericksburg creates more vehicular traffic on a daily basis causing traffic delays and decreased mobility; and

WHEREAS, Gillespie County and the City of Fredericksburg are considering the future transportation infrastructure needs of the community; and

WHEREAS, the roadways, according to recent vehicular studies, will be reaching their capacity within 10 years or less; and

WHEREAS, an alternate vehicular route would potentially benefit not only trucks but other vehicular traffic as well; and

WHEREAS, in 1986 TxDOT adopted a minute order supporting this alternate route that was subsequently cancelled; and

WHEREAS, downtown congestion is a safety issue for our citizens and tourists; and

WHEREAS, in 2013 the Fredericksburg City Council and Gillespie County Commissioners Court approved the formation of a City/County Task Force to consider the need for an alternate relief route; and

WHEREAS, in 2013 the former Acting Public Works Director for the City of Fredericksburg, Walter Ragsdale P.E., completed a report on the need for an alternate route to relieve increasing traffic congestion and indicated that within 5-6 years the roadways in the downtown area would reach capacity; and

WHEREAS, a recent study by the Texas Transportation Institute indicated that approximately 1900 large trucks travel through the downtown area of Fredericksburg on an average daily basis; and

WHEREAS, current traffic conditions in Fredericksburg and Gillespie County could have a negative impact on economic development and tourism; and

WHEREAS, current traffic congestion is having an impact on the response times for emergency vehicles to Law Enforcement, Fire, and EMS calls; and

WHEREAS, Gillespie County and the City of Fredericksburg desire to partner with TXDOT to complete a feasibility study on a proposed Relief Route; and

WHEREAS, the route to be considered is a new location "outer route" similar to the route identified in previous studies while at the same time being user friendly to our citizens and adjacent landowners; and

WHEREAS, Gillespie County and the City of Fredericksburg intend to actively and openly participate as project sponsors in the outreach and education component of this project through the efforts of the Relief Route Task Force; and

WHEREAS, the Relief Route Task Force wants to insure that as an appointed committee it remains in active participation by defining the scope of the feasibility study and is included in regular briefings by the study consultant; and

WHEREAS, Gillespie County and the City of Fredericksburg intend to be active financial partners where possible based on budget process, budget restraints, and citizen approval; and

WHEREAS, progression is dependent on successful completion of various stages of project development and continued support from Gillespie County and the City of Fredericksburg. However, it is understood that no commitments have been made by TXDOT for future funding,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMISSIONERS COURT OF GILLESPIE COUNTY AND THE FREDERICKSBURG CITY COUNCIL that they agree to work in collaboration with the Texas Department of Transportation to address current traffic issues and plan for future growth by conducting a comprehensive feasibility study on the need for a Gillespie County Relief Route and that TXDOT will closely work with the Relief Route Task Force in the completion of this study.

PASSED AND APPROVED THIS 3RD OF APRIL, 2017, BY THE CITY OF FREDERICKSBURG CITY COUNCIL.

/s/ Linda Langerhans, Mayor

/s/ Charlie Kiehne, Council Member

/s/ Gary Neffendorf, Council Member

/s/ Graham Pearson, Council Member

/s/ Bobby Watson, Council Member

ATTEST:

/s/ Shelley Britton, City Secretary

RESOLUTION FOR FROST CAPITAL MARKETS SERVICES SAFEKEEPING AGREEMENT, FROST WIRE TRANSFER RESOLUTION, AND RESOLUTION AUTHORIZING THE USE OF BANKWIRE TRANSFER SERVICES – It was moved by Council Member Watson, seconded by Council Member Pearson, to approve the Resolution for Frost Capital Markets Services Safekeeping Agreement, Frost Wire Transfer Resolution, and Resolution Authorizing the Use of Bankwire Transfer Services. The vote was as follows: AYE: Langerhans, Pearson, Neffendorf, Watson, and Kiehne; NAY: None. Motion carried.

**FROST CAPITAL MARKETS SERVICES
RESOLUTION (GOVERNMENTAL INSTITUTION)**

BE IT RESOLVED THAT

LAURA HOLLENBEAK, DIRECTOR OF FINANCE
DANA SMITH, SENIOR CITY ACCOUNTANT
JANELLE CHAPMAN, ACCOUNTING ADMIN ASST

RESOLVED, that the Frost Bank be and is hereby designated a depository of the City of Fredericksburg for the safekeeping of securities.

FURTHER RESOLVED, that the listed individuals are hereby authorized in the name and on behalf of this Government Institution to enter into a Safekeeping/Custody Services Agreement with Frost Bank upon such terms and conditions as may be agreed upon, to deposit securities with Frost Bank, to withdraw and otherwise deal with same, all pursuant to the provisions of said agreement.

LOCAL MUNICIPALITY (Type of Government Institution)

I, Laura Hollenbeak, of the City of Fredericksburg, hereby certify that the foregoing is a true copy of a resolution duly adopted by the City Council of said City of Fredericksburg at a meeting duly held on the 3rd day of April, 2017 at which a quorum was present and voting and that the same has not been repealed or amended and remains in full force and effect and does not conflict with the City Charter.

Date: April 3, 2017

/s/ Kent Myers, City Manager

FROST WIRE TRANSFER RESOLUTION
(GOVERNMENTAL ENTITY)

On the 3rd day of April 2017, at a meeting of the Governing Board or Authority of the City of Fredericksburg, a Local Entity, held in the City of Fredericksburg, County of Gillespie, and in the State of Texas, with a quorum of the Governing Board present, it was duly moved and seconded that the following Resolution be adopted:

RESOLUTIONS AUTHORIZING TRANSFER OF FUNDS

“From time to time, this Governmental Entity may request Frost Bank, a Texas state bank, to transfer funds from accounts of this Governmental Entity at the Bank to other accounts at the Bank for credit to persons or accounts designated by this Governmental Entity, or to other banks of institutions for credit to persons or accounts designated by this Governmental Entity.

BE IT RESOLVED THAT Laura Hollenbeak, Director of Finance, Dana Smith, Senior City Accountant, Janelle Chapman, Accounting Admin Assistant, of this Governmental Entity are hereby authorized to agree upon with representatives of the Bank, and to enter into agreement(s) on behalf of this Governmental Entity with the Bank, setting forth the terms and conditions upon which the Bank will act upon such requests or orders for the transfer of funds belonging to this Governmental Entity and that such terms and conditions may authorize the Bank to act upon requests or orders received by voice (person to person or telephonic) communication, may specify means for authenticating or verifying such request or orders as those of this Governmental Entity, and may provide that this Governmental Entity relieve the Bank from liability if Bank acts in accordance with such agreement(s);

BE IT FURTHER RESOLVED, that the above designated authorized person(s) is (are) hereby authorized for and on behalf of this Governmental Entity to appoint and delegate from time to time such persons who may request such transfers on behalf of the Governmental Entity in accordance with any agreement entered into by said authorized person on behalf of the Governmental Entity;

BE IT FURTHERED RESOLVED, that the bank is authorized to act upon requests or orders for the transfer of funds belonging to this Governmental Entity upon the terms and conditions set forth in any agreement entered into on behalf of this Governmental Entity, including, if agreed to, those received by the Bank through voice (person to person or telephonic) communications;

BE IT FURTHER RESOLVED, that any secretary or other appropriate Governmental Entity official of this Governmental Entity is hereby authorized and directed to certify these Resolutions to the Bank; and

BE IT FURTHER RESOLVED; that the Bank be promptly notified in writing by the Secretary or other appropriate official of this Governmental Entity of any change in these Resolutions and until it has actually received such notice in writing, the Bank is authorized to act pursuant to these Resolutions.”

This Governmental Entity is authorized by Texas Local Government Code.

This Governmental Entity is Local Entity.

I, Shelley Britton, City Secretary for the City of Fredericksburg:

Certify that these Resolutions are within the power of and were passed in accordance with the governing documents of this Governmental Entity and the laws of the state of Texas. I further certify that the officers or other officials of the Governmental Entity hereunder set forth have been duly elected or appointed to the Governmental Entity and as of the date hereof hold such positions as specified in the foregoing Resolutions, and that the signature(s) set forth beside each person’s name is the true and correct signature of such person, and that the above and forgoing constitute a true and correct copy of a part of the minutes of the Governing Board or Authority held on the 3rd day of April, 2017.

/s/ Shelley Britton, City Secretary

RESOLUTION AUTHORIZING THE USE OF BANKWIRE TRANSFER SERVICES

BE IT RESOLVED that the Governing Board of the City of Fredericksburg, (the “Government Entity”) authorizes the following individual(s) to complete, execute and periodically update any and all necessary agreements and forms associated with the implementation and outgoing use of a checking/depository clearing account through Frost Bank of this Government Entity.
Authorized Individual(s):

Laura Hollenbeak, Director of Finance
Dana Smith, Senior City Accountant
Janelle Chapman, Accounting Administrative Assistant

This action has been adopted and approved in accordance with the governing documents of this Governmental Entity and all applicable laws.

/s/ Kent Myers, City Manager

CITY MANAGER'S REPORT - City Manager's Report included (1) Community Visioning Process, (2) Legislative Meeting, (3) April City Council Retreat, and (4) City Council Work Sessions.

UPCOMING AGENDA ITEMS – Council reviewed upcoming agenda items.

PUBLIC COMMENTS – Penny McBride commented on the upcoming Affordable Housing Charrette.

COUNCIL COMMENTS – None.

EXECUTIVE SESSION - It was moved by Council Member Kiehne, seconded by Council Member Watson, to recess the regular session and go into Executive Session at 6:50 PM. All voted in favor and the motion carried. At 7:20 PM, it was moved by Council Member Pearson, seconded by Council Member Neffendorf, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

Following Executive Session:

CITY ATTORNEY POSITION – No action taken.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 7:20 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 5th day of June, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
APRIL 17, 2017
6:00 PM

On this the 17th day of April, 2017, 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:

LINDA LANGERHANS - MAYOR
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
PAT McGOWAN - CITY ATTORNEY
CLINTON BAILEY – ACM/DPWU
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
LAURA HOLLENBEAK – DIR OF FINANCE
RUSSELL IMMEL – IT MANAGER
STEVE WETZ – POLICE CHIEF

It was called to order at 6:00 PM., followed by the Pledge of Allegiance.

EMPLOYEE RECOGNITIONS – The City Manager recognized Laura Hollenbeak, Dana Smith, Lea Feuge, and Marian Wiggins for their work on the annual budget.

MINUTES – It was moved by Council Member Watson, seconded by Council Member Neffendorf, to approve the minutes of the March 2017 meetings. All voted in favor and the motion carried.

SOUND ORDINANCE – Following the first reading of the Sound Ordinance, it was agreed to hold the second reading on May 15. No action taken.

WATERING RESTRICTIONS – Council received a staff presentation at the March 20 meeting regarding the City water supply and a broad overview of the status of the statewide drought and its effect on municipal supplies. Staff was directed to bring back the item to Council in 30 days to set the watering stage for 2017. Following a brief discussion, it was moved by Council Member Watson, seconded by Council Member Kiehne, to continue Stage 3 of the City watering restrictions. All voted in favor and the motion carried.

CURFEW ORDINANCE REVIEW - In accordance with Texas Government Code 370.002, Council reviewed the Juvenile Curfew Ordinance and received recommendations from Police Chief Steve Wetz. It was moved by Council Member Pearson, seconded by Council Member Watson, to continue the ordinance as is and make no changes. All voted in favor and the motion carried.

UPDATE ON LEADERSHIP PROJECT AT LADY BIRD JOHNSON PARK – Members of Gillespie County Leadership gave an update on their class project, the revitalization of the area beneath Pavilion #2 at Lady Bird Park.

UPDATE ON ARUNDO DONAX TREATMENT – Monica McGarrity with Texas Parks & Wildlife briefed Council on the Arundo Donax treatment program in Fredericksburg, including the successes of the program since 2015, local landowner participation, and future treatment of Arundo Donax and other invasive plant species along Baron's Creek and Town Creek.

CITY MANAGER'S REPORT – City Manager Kent Myers reported on (1) April 24 Council Retreat, (2) Affordable Housing Charrette, (3) Downtown Parking Study, (4) Municipal Court Judge Position, and (5) Mid-Year Budget Review.

PUBLIC COMMENTS – Tom Musselman commented that the Sound Ordinance should be enforced in the ETJ, and reported on the FHS Tiny House Project.

COUNCIL COMMENTS – Graham Pearson commented on the Affordable Housing Charrette.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 7:26 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 5th of June, 2016.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *