

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

**SPECIAL CITY COUNCIL MEETING
MAY 1, 2017
NOON**

On this the 1ST day of May, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, 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
CLINTON BAILEY – ACM/DPWU
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES

DOWNTOWN PARKING STUDY – Council held a lengthy discussion of the Downtown Parking Study; no action was taken.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 1:30 PM. Council Member Neffendorf seconded the motion. Motion carried.

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

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**REGULAR CITY COUNCIL MEETING
MAY 1, 2017
6:00 PM**

On this the 1st day of May, 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
GRAHAM PEARSON – COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT McGOWAN - CITY ATTORNEY
CLINTON BAILEY – A.C.M./D.P.W.U.
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
RUSSELL IMMEL – IT MANAGER
LAURA HOLLENBEAK – DIR OF FINANCE

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

EMPLOYEE RECOGNITIONS – The City Manager recognized Fire/EMS employees as well as Scott Allen from the Fredericksburg Standard for his recent award.

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

- Abandonment of Sewer Line Easement
- Ft. Martin Scott Advisory Board Appointment
- Purchase of Portable Generator
- Resolution for Historic Preservation Month
- Interlocal Agreement and Board Resolution to Join TIPS Program

All voted in favor; motion carried.

ANNUAL AUDIT REPORT – CPA Patrick Klein presented an “unmodified, clean opinion”, the highest possible rating, for the 2016 fiscal year. It was moved by Council Member Pearson, seconded by Council Member Watson, to accept the report as presented. All voted in favor and the motion carried.

KAYAKING CONTRACT – It was moved by Council Member Pearson, seconded by Council Member Watson, to approve the contract with Hill Country Outdoor Sports for non-motorized watercraft concessions at Lady Birds Johnson Park from Memorial Day weekend through Labor Day weekend. All voted in favor and the motion carried.

CITY MANAGER’S REPORT - City Manager’s Report included (1) April 24 Council Retreat Follow-Up Items, (2) Regulation of Bed & Breakfast Establishments, and (3) Highway 290 Meeting.

PUBLIC COMMENTS – Tom Musselman commented on the sale of land to the county.

COUNCIL COMMENTS – Councilman Pearson also commented on the sale of land to the county, and the PCAA summers concerts. Charlie Kiehne commented on the Wings Over the Hills event.

EXECUTIVE SESSION - It was moved by Council Member Neffendorf, seconded by Council Member Watson, to recess the regular session and go into Executive Session at 6:55 PM. All voted

in favor and the motion carried. At 9:13 PM, it was moved by Council Member Watson, seconded by Council Member Pearson, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

Following Executive Session, the following action was taken:

SALE OF CITY OWNED LAND TO GILLESPIE COUNTY – No action taken.

HOTEL CONFERENCE CENTER PROJECT – PHASE 2 – It was moved by Council Member Watson, seconded by Council Member Pearson, to approve Murphree and Company, Inc. for Phase 2 of the Hotel Conference Centre Project. All voted in favor and the motion carried.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 7:45 PM. Council Member Watson seconded the motion. Motion carried.

PASSED AND APPROVED this the 5th day of July, 2016.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**REGULAR CITY COUNCIL MEETING
MAY 15, 2017
6:00 PM**

On this the 15th day of May, 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
JERRY LUCKENBACH - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY – ACM/D.P.W.U.
SHELLEY BRITTON - CITY SECRETARY
PAT McGOWAN - CITY ATTORNEY
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
LAURA HOLLENBEAK – DIR OF FINANCE
RUSSELL IMMEL – IT MANAGER
STEVE WETZ – POLICE CHIEF

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

PUBLIC HEARING Z-1702 BY PARKER ATKINS FOR A LAND USE PLAN CHANGE FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL ON APPROX. 24.8 ACRES LOCATED ON THE WEST SIDE OF SMOKEHOUSE RD., NORTH OF THE EXTENSION OF WINDCREST DR. AND TO ESTABLISH R-2 MIXED RESIDENTIAL ZONING ON SAID PROPERTY

– It was moved by Council Member Luckenbach, seconded by Council Member Watson, to recess the regular session and open a public hearing on Z-1702 by Parker Atkins for a Land Use Plan Change from Low Density Residential to Medium Density Residential on approx. 24.8 acres, located on the West Side of Smokehouse Rd., North of the Extension of Windcrest Dr. and to establish R-2 Mixed Residential Zoning on said property. All voted in favor and the motion carried.

Council received comments from the following: Marlene Pylate, Ken Carsey, Hugh Jons, Priscilla Murphy, Helen Usener, Stephen Harris, David Pedregon, Suzie Thompson, Jill Elliott, Jim Roeder, Troy Sifford, Danny Elliott, Tim Squyres, Eleizabeth Loggie, Ivy Lozano, Laura Rice, Jerry Smith, Jody Yonki, and Larry Adhrens

Following a lengthy discussion, it was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

RECOMMENDATION ON Z-1702 – No action was taken.

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

- Appointment of New CVB Board Member
- Performance Agreement for Keller Subdivision Lot 2R-PT

All voted in favor; motion carried.

REVISIONS TO SOUND ORDINANCE – It was moved by Council Member Luckenbach, seconded by Council Member Watson, to approve the 2nd reading of the revisions to the Sound Ordinance, along with the changes submitted. The vote was as follows: AYE: Neffendorf, Luckenbach, Watson, and Kiehne; NAY: Langerhans. Motion carried.

ORDINANCE NO. 27-006

AN ORDINANCE AMENDING, RESTATING AND ADDING SECTIONS TO CHAPTER 20 SECTIONS 20-207 THROUGH 20-213 (SOUND ORDINANCE) OF THE CITY OF FREDERICKSBURG CODE OF ORDINANCES TO PROVIDE DEFINITIONS, PROHIBITIONS, PROVISIONS WITH REGARD TO NOISY ANIMALS AND BIRDS, METHODS OF SOUND MEASUREMENT, PERMITS FOR CONSTRUCTION OR USE OF TOOLS, EQUIPMENT, EXEMPTIONS AND DEFENSES, PENALTIES, SUNSET, AND AMENDMENT TO APPENDIX A ESTABLISHING A PERMIT FEE, PROVIDING FOR SEVERABILITY, REPEAL, PENALTIES AND AN EFFECTIVE DATE. (Recorded in Ordinance Book)

COUNCIL POLICY STATEMENT – WORKFORCE HOUSING – It was moved by Council Member Neffendorf, seconded by Council Member Watson, to approve the Policy Statement Regarding Workforce Housing as presented. All voted in favor and the motion carried.

CITY OF FREDERICKSBURG
WORKFORCE HOUSING POLICY STATEMENT

General Statement

The City of Fredericksburg has identified the need for additional workforce housing as an important community issue that requires a combined effort by both the public sector and the private sector. We have determined that the failure to address this issue in the near future will cause a negative impact on the local economy and community growth. With this in mind, the City wants to take an active role in facilitating and encouraging the development of quality workforce housing that fits into the overall character of the community.

City Assistance

The City understands that, due to land prices and other factors, developers may need assistance from the City in order to develop housing that is affordable to our local workforce. This assistance may include incentives such as the waiver of building permit fees and construction of infrastructure such as electrical, water, wastewater and street improvements. The types of workforce housing developments that qualify for waiver of City permit fees are defined by a separate City ordinance.

The City Council will consider requests for assistance with the development of infrastructure on an individual project by project basis. This consideration will be based upon a number of different factors including, but not limited to, the following:

1. Financial status of the City and its capability to finance the requested improvements.
2. Number of units provided by the project.
3. Projected monthly rents or sales prices for units.
4. Location of the project including proximity to major work sites.
5. Benefits provided by improvements to other adjacent properties.
6. Total cost of the improvements.

All requests for City assistance should be submitted in writing to the City Manager for the City of Fredericksburg. City staff will evaluate each proposal including the estimated costs and provide a recommendation to the City Council.

Passed and approved by the City Council on May 15, 2017.

RESOLUTION APPROVING SUBMISSION OF SIDEWALK GRANT APPLICATION -

It was moved by Council Member Watson, seconded by Council Member Neffendorf, to approve the submission of an Sidewalk Grant Application. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

RESOLUTION
CITY OF FREDERICKSBURG

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR THE TRANSPORTATION ALTERNATIVES SET-ASIDE (TA SET-ASIDE) PROGRAM; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Texas Department of Transportation's (TxDOT) Public Transportation Division administers federal grant programs including Federal Highway Administration (FHWA) grants relating to TxDOT's Bicycle and Pedestrian Program and Federal Transit Administration (FTA) grants for transit in Texas; and

WHEREAS, TxDOT has announced a statewide call for projects under its TA Set-Aside Program for population areas of 200,000 or less; and

WHEREAS, eligible project activities are limited to pedestrian and bicycle infrastructure projects, infrastructure projects for non-driver access to public transportation, projects that enhance mobility, and Safe Routes to School infrastructure projects; and

WHEREAS, the TA Set-Aside Program reimburses up to 80% of eligible construction expenditures for selected projects; and

WHEREAS, the Fredericksburg City Council, having already committed to improving sidewalk conditions throughout the City as part of the annual Citywide and Main St. Sidewalk Improvement Programs, finds it in the best interest of the citizens of Fredericksburg to apply for funding for eligible projects through the TA Set-Aside Program; and

WHEREAS, the City of Fredericksburg supports funding this project as described in the 2017 TA Set-Aside Nomination Form (including the construction budget, the department's 15% administrative cost, and the required local match) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing; and

WHEREAS, the City of Fredericksburg is willing and able to enter into an agreement with the department by resolution or ordinance, should the project be selected for funding; and

WHEREAS, the Fredericksburg City Council designates the City Manager as the grantee's authorized official.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, THAT:

1. The Fredericksburg City Council authorizes and directs the City Manager to apply for the TA Set-Aside Program. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.
2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that the public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this, the 15th day of May, 2017.

THE CITY OF FREDERICKSBURG, TEXAS

/s/ Linda Langerhans, Mayor
City of Fredericksburg

ATTEST: /s/ Shelley Britton, City Secretary
City of Fredericksburg

**RESOLUTION APPROVING SUBMISSION OF APPLICATION FOR DESIGNATION
AS AN INTERNATIONAL DARK SKY COMMUNITY** – It was moved by Council Member

Watson, seconded by Council Member Neffendorf, to approve the submission of an application for designation as an International Dark Sky Community. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG
SUPPORTING THE APPLICATION TO THE INTERNATIONAL DARK-SKY ASSOCIATION
FOR DESIGNATION AS AN INTERNATIONAL DARK SKY
COMMUNITY

Whereas, the residents of the City of Fredericksburg recognize the importance of a clear view of the starry night skies as part of our rural heritage and of the breathtaking natural beauty of the Fredericksburg area; and

Whereas, the influx of people into the region and accompanying light trespass from area lighting fixtures has been steadily on the rise, and these factors have impacted the natural environment and quality of life of the people of this region; and

Whereas, the historical view of the night skies has been eroding in many nearby areas and generations are growing up with limited, if any, view of the wonders of the universe; and

Whereas, several Hill Country communities and parks have received International Dark Skies distinctions, including Enchanted Rock State Natural Area, South Llano State Park, and Dripping Springs; and

Whereas, preserving the rich historic heritage that is embodied in the starry night skies of Fredericksburg is a significant part of preserving our history and enhancing tourism; and

Whereas, the City of Fredericksburg, has shown its commitment to supporting practices that limit or minimize light trespass from night lighting fixtures in order to protect the beauty of the night skies by adopting the Resolution Supporting the Preservation of our Night Skies, on March 18, 2013 (the Resolution); and

Whereas, the City of Fredericksburg has continued in its commitment to protect the beauty of the night skies by enacting an outdoor lighting ordinance in August 2014 at Ord. No. 24-014, 8-18-2014 (the Outdoor lighting Ordinance);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS that:

1. The City Council of the City of Fredericksburg continues to support the use of outdoor lighting fixtures and practices that preserve and restore our historic starry night skies as described in the Resolution and as reflected in the Outdoor Lighting Ordinance.
2. The City Council of the City of Fredericksburg supports the application to the International Dark-Sky Association for the City of Fredericksburg to obtain the designation as an International Dark Sky Community.

PASSED AND APPROVED THIS 15th OF MAY, 2017, BY THE CITY OF FREDERICKSBURG CITY COUNCIL.

/s/ Linda Langerhans, Mayor
City of Fredericksburg

/s/ Gary Neffendorf, Council Member

/s/ Bobby Watson, Council Member

/s/ Charlie Kiehne, Council Member

/s/ Jerry Luckenbach, Council Member

ATTEST: /s/ Shelley Britton, City Secretary

MID YEAR BUDGET REPORT – The Mid-Year Budget Report was presented; no action was taken.

CHANGE MONDAY JULY 3 MEETING TO WEDNESDAY JULY 5 – Due to the July 4th Holiday, it was moved by Council Member Watson, seconded by Council Member Kiehne, to change the Monday July 3 meeting to Wednesday July 5. All voted in favor and the motion carried.

CITY MANAGER'S REPORT – City Manager Kent Myers reported on (1) Community-wide Visioning Process, (2) Hotel Conference Center, (3) 2018 Budget Process, and (4) Future City Annexations.

PUBLIC COMMENTS – None.

COUNCIL COMMENTS – None.

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, seconded by Council Member Watson, to recess the regular session and go into Executive Session at 8:00 PM. All voted in favor and the motion carried. At 8:55 PM, it was moved by Council Member Watson, seconded by Council Member Kiehne, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

Following Executive Session, the following action was taken:

SALE OF CITY OWNED LAND TO GILLESPIE COUNTY – It was moved by Council Member Neffendorf, seconded by Council Member Watson, to approve the sale of approximately 10 acres of land off the southwest part of the 52.23 acres recently acquired from the Ham Estate, for a total price of \$653,400.00. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

MUNICIPAL JUDGE POSITION – No action taken.

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 9:00 PM. Council Member Watson seconded the motion. Motion carried.

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

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
MAY 24, 2017
4:00 PM

On this the 24th day of May, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, 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
PAT McGOWAN – CITY ATTORNEY

EXECUTIVE SESSION - It was moved by Council Member Watson, seconded by Council Member Kiehne, to recess the regular session and go into Executive Session at 4:00 PM. All voted in favor and the motion carried. At 5:07 PM, it was moved by Council Member Watson, seconded by Council Member Luckenbach, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

Following Executive Session, the following action was taken:

APPOINT NEW MUNICIPAL COURT JUDGE – Following interviews for Municipal Court Judge, it was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to appoint Terry Langehennig as Municipal Court Judge, at a salary of \$51,510.00. The vote was as follows: AYE: Langerhans, Neffendorf, and Luckenbach. NAY: Kiehne and Watson. Motion carried.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 5:10 PM. Council Member Neffendorf seconded the motion. Motion carried.

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

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
MAY 30, 2017
1:00 PM

On this the 30th day of May, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, with the following members present to constitute a quorum:

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

ABSENT: GARY NEFFENDORF - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY – ACM/DPWU
LAURA HOLLENBECK – DIR OF FINANCE

2018 BUDGET WORKSHOP – Council held a budget workshop, no action was taken.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 2:30 PM. Council Member Kiehne seconded the motion. Motion carried.

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

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR