

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

**SPECIAL CITY COUNCIL MEETING
AUGUST 6, 2018
8:30 AM**

On this the 6th day of August, 2018, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Fire Station Meeting Room, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY – ACM/DPWU
DANIEL JONES – CITY ATTORNEY

WORKSHOP WITH COUNTY OF GILLESPIE – Council held a joint workshop with Gillespie County Commissioners Court to discuss the following:

- Gillespie county Health Services
- City/County Emergency Management Services
- City Fire Department
- County Rural Fire Services
- City EMS Department
- Law Enforcement Center (LEC)
- Combined Emergency Dispatch Center
- City Animal Shelter
- Sports Park

No action was taken.

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 11:00 AM. Council Member Luckenbach seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of September 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
AUGUST 6, 2018
6:00 PM

On this the 6th day of August, 2018, 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
CHARLIE KIEHNE - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - A.C.M./D.P.W.U.
BRIAN JORDAN - DIR DEVELOPMENT SERVICES
SHELLEY BRITTON - CITY SECRETARY
DANIEL JONES - CITY ATTORNEY

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

EMPLOYEE RECOGNITIONS – City Manager Kent Myers recognized

PUBLIC COMMENT – Mo Saiide recommended changes to “The Beginning” Annexation Agreement.

ANNEXATION AGREEMENT ON APPROXIMATELY 11.7 ACRES LOCATED IN THE NW CORNER OF SMOKEHOUSE ROAD AND THE EXTENSION OF W. WINDCREST DRIVE, OTHERWISE KNOWN AS “THE BEGINNING” – It was moved by Council Member Musselman, seconded by Council Member Luckenbach, to approve the Annexation Agreement on “The Beginning” Subdivision with the changes in Sec 5B as recommended. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: None. Motion carried.

ANNEXATION ORDINANCE FOR APPROXIMATELY 24.77 ACRES LOCATED AT THE NW CORNER OF SMOKEHOUSE ROAD AND THE EXTENSION OF W. WINDCREST DRIVE, INCLUDING “THE BEGINNING” - It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to adopt the Ordinance annexation approx.. 24.77 acres located at the NW corner of Smokehouse Road and the extension of W. Windcrest Drive, including “The Beginning”. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: None. Motion carried.

ORDINANCE NO. 28-008

AN ORDINANCE ANNEXING TO THE CITY OF FREDERICKSBURG TEXAS APPROXIMATELY 24.77 ACRES OF LAND, BEING CERTAIN LOT OF THE SEIPP SUBDIVISION LOCATED ALONG SMOKEHOUSE ROAD, GILLESPIE COUNTY, TEXAS; EXTENDING TO CORPORATE LIMITS OF THE CITY OF FREDERICKSBURG TEXAS, SO AS TO INCLUDE SAID TERRITORY; GRANTING TO ALL INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY ALL OF THE RIGHT AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF FREDERICKSBURG, TEXAS; BING THE INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY BY ANY AND ALL ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF SAID CITY OF FREDERICKSBURG, TEXAS; AND PROVIDING FOR AN ANNEXATION AGREEMENT FOR THE EXTENSION OF MUNICIPAL SERVICES INTO SAID TERRITORY AND THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES RELATED TO SUCH ANNEXATION. (Recorded in Ordinance Book)

ZONING ORDINANCE ESTABLISHING R-1A ZONING ON APPROXIMATELY 11.7 ACRES LOCATED IN THE NW CORNER OF SMOKEHOUSE ROAD AND THE EXTENSION OF W. WINDCREST DRIVE, OTHERWISE KNOWN AS "THE BEGINNING"

– It was moved by Council Member Neffendorf, seconded by Council Member Luckenbach, to adopt Ordinance establishing R-1A Zoning on "The Beginning" Subdivision as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: None. Motion carried.

ORDINANCE NO. 28-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING DISTRICT AS TO CERTAIN LOT OF THE SEIPP SUBDIVISION LOCATED ALONG SMOKEHOUSE ROAD, UPON ANNEXATION INTO THE CITY OF FREDERICKSBURG, TEXAS; ESTABLISHING RESIDENTIAL ZONING FOR SAID PROPERTY UPON ANNEXATION; AND PROVIDING FOR AN EFFECTIVE DATE. (Recorded in Ordinance Book)

BUDGET AMENDMENT FOR MUNICIPAL COURT RELOCATION – It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to approve a budget amendment of \$60,000 to cover the costs for renovation of lease space and purchase of furniture to accommodate the new Municipal court offices. All voted in favor and the motion carried.

AMENDMENT TO LEASE FOR THE UNIVERSITY CENTER PROPERTY – It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to approve the Amendment to the Lease for the University Center Property. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: None. Motion carried.

LEASE AGREEMENT FOR MUNICIPAL COURT OFFICE SPACE – It was by Council Member Luckenbach, seconded by Council Member Musselman, to approve the Lease Agreement for 1500 square feet at 103 Industrial Loop at a beginning monthly lease rate of \$1500. All voted in favor and the motion carried.

VACATION OF NORTH STREET IN THE VICINITY OF HIGHWAY STREET - Council Member Kiehne moved, seconded by Council Member Luckenbach, to approve the

Vacation of North as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: None. Motion carried.

PRESENTATION ON THE STATUS OF THE WATER SUPPLY – Clinton Bailey, Asst City Manager, and Paul Tybor, Hill Country Underground Water Conservation District Manager, gave a joint presentation regarding the City of Fredericksburg Water Supply. No action taken.

CITY MANAGERS REPORT – The City Manager’s report included: (1) Annexation Update, (2) Art Guild Building (3) Ordinance Waiving Impact Fees, and (4) September City Council Retreat.

FUTURE AGENDA ITEMS - Council discussed future agenda items.

COUNCIL COMMENTS – Council Member Kiehne commented on attending a rally for Beto O’Rourke, Candidate for Texas Senate.

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

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 9:29 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 17th day of September, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
AUGUST 10, 2018
3:00 PM

On this the 10th day of August, 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
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
BRIAN JORDAN – DIR DEVELOPMENT SERVICES
DANIEL JONES – CITY ATTORNEY

Mayor Langerhans called the meeting to order at 3:00 PM.

EXECUTIVE SESSION TO DISCUSS THE PURCHASE, EXCHANGE, and LEASE OR VALUE OF REAL PROPERTY LOCATED IN THE VICINITY OF OAKCREST MUNICIPAL PARK - No action was taken.

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 4:10 PM. Council Member Luckenbach seconded the motion. Motion carried.

PASSED AND APPROVED this the 17th day of September, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**SPECIAL CITY COUNCIL MEETING
AUGUST 13, 2018
4:00 PM**

On this the 13th day of August, 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
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
LAURA HOLLENBEAK – DIR OF FINANCE

Mayor Langerhans called the meeting to order at 4:00 PM.

BUDGET WORKSHOP - Council held a Budget Workshop on FY 2018-2019.

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 6:30 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 17th day of September, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**REGULAR CITY COUNCIL MEETING
AUGUST 20, 2018
6:00 PM**

On this the 20th day of August, 2018, 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
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - ACM/D.P.W.U.
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES
DANIEL JONES - CITY ATTORNEY
RUSSELL IMMEL - IT MANAGER

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

EMPLOYEE RECOGNITIONS –

MINUTES - It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to approve the minutes of the July 2018 minutes as presented. All voted in favor and the motion carried.

PUBLIC COMMENTS – None.

PUBLIC HEARING Z-1807 TO CHANGE THE ZONING FROM R1 SINGLE FAMILY RESIDENTIAL TO C2 COMMERCIAL ON 1.538 ACRES LOCATED AT 1332 E. MAIN ST. - It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to recess the regular session and open the Public Hearing on Z-1807 to change the Zoning from R1 Single Family Residential to C2 Commercial on 1.538 acres located at 1332 E. Main St. All voted in favor and the motion carried.

Several people spoke against the proposed rezoning, stating that it would negatively affect the surrounding property owners. It was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1807 – Considering the protests of ten property owners within 200' of the subject property, it was moved by Council Member Musselman, seconded by Council Member

Luckenbach, to deny Z-1807 as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: None. Motion carried.

PUBLIC HEARING Z-1811 TO (1) CHANGE THE ZONING FROM R2 MIXED RESIDENTIAL TO C2 COMMERCIAL AND (2) CHANGE THE LAND USE FROM MEDIUM DENSITY RESIDENTIAL TO MIXED USE CORRIDOR ON APPROX. 3 ACRES LOCATED OFF OF E. MAIN ST. - It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to recess the regular session and open the Public Hearing on Z-1811 to (1) change the zoning from R2 Mixed Residential to C2 Commercial and (2) change the Land Use from Medium Density Residential to Mixed Use Corridor on approx. 3 acres located off of E. Main St. All voted in favor and the motion carried.

The property owner presented his arguments in favor of the request; no other comments were received.

It was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1811 – Based on the staff recommendation and the protests of property owners within 200’ of the subject property, it was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to deny Z-1811 as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: None. Motion carried.

PUBLIC HEARING Z-1808 FOR AN AMENDMENT TO THE PUD FOR WAL-MART AT 1435 E. MAIN ST. - It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to recess the regular session and open the Public Hearing on Z-1808 for an Amendment to the PUD for Wal-Mart at 1435 E. Main St. All voted in favor and the motion carried.

No comments were received; it was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

ORDINANCE RE: REQUEST Z-1808 – It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to approve Z-1808 as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Musselman, and Luckenbach; NAY: Kiehne. Motion carried.

ORDINANCE NO. 28-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY TO APPROVE A SECOND AMENDMENT TO THE PLANNED UNIT DEVELOPMENT PERTAINING TO 23.35 ACRES OF LAND BEING ALL OF THAT CERTAIN TRACT OF LAND AS IS SHOWN ON THE PUD SITE PLAN FOR WALMART SUPERCENTER, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS. (Recorded in Ordinance Book)

PUBLIC HEARING Z-1809 TO ESTABLISH PUD ZONING AND A CONDITIONAL USE PERMIT GENERAL DEVELOPMENT PLAN FOR A PROPOSED HOTEL AND

CONFERENCE CENTER (SEVEN HILLS RESORT AND CONFERENCE CENTER) ON APPROX. 22.03 ACRES LOCATED AT THE INTERSECTION OF US HWY 87 N AND US HWY 290 W-

It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to recess the regular session and open the Public Hearing Z-1809 to establish PUD Zoning and a Conditional Use Permit General Development Plan for a Proposed Hotel and Conference Center (Seven Hills Resort And Conference Center) on approx. 22.03 acres located at the Intersection of US Hwy 87 N and US Hwy 290 W. All voted in favor and the motion carried.

No comments were received; it was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1809 – It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to approve Z-1809 as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Musselman, Kiehne, and Luckenbach; NAY: None. Motion carried.

PUBLIC HEARING ON THE PROPOSED 2019 CITY BUDGET – It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to recess the regular session and open the Public Hearing on the Proposed 2019 City Budget. All voted in favor and the motion carried.

Citizen Mo Saiide expressed his concerns; no other comments were received.

It was moved by Council Member Neffendorf, seconded by Council Member Musselman, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

EFFECTIVE TAX RATE – It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to approve the Effective Tax Rate of \$ 0.2167. The vote was as follows: AYE: Langerhans, Neffendorf, Musselman, Kiehne, and Luckenbach; NAY: None. Motion carried.

PROPOSED TAX RATE – It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to approve the proposed property tax rate of \$0.2283, a rate that is 5.4% above the effective tax rate of \$0.2167, as presented. The vote was as follows: AYE: Langerhans, Kiehne, and Luckenbach; NAY: Neffendorf, and Musselman. Motion carried.

ORDINANCE PROVIDING FOR THE ABANDONMENT, VACATION AND CLOSURE OF EAST STREET – It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to adopt an Ordinance providing for the Abandonment, Vacation and Closure of East Street. All voted in favor and the motion carried.

ORDINANCE NO. 28-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, PROVIDING FOR THE ABANDONMENT, VACATION AND CLOSURE OF EAST STREET; PROVIDING FOR THE TERMS AND CONDITIONS OF ABANDONMENT, VACATION AND CLOSURE; AND AUTHORIZING THE CITY

MANAGER TO EXECUTE A DEED ON BEHALF OF THE CITY. (Recorded in Ordinance Book)

REQUEST FOR STREET CLOSURE FOR BEST FEST 2018 – It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to approve the request for a street closure for Best Fest 2018. The vote was as follows: AYE: Langerhans, Musselman, Kiehne, and Luckenbach; NAY: Neffendorf. Motion carried.

CITY MANAGER'S REPORT - City Manager's Report included: (1) City Council Retreat, (2) Golf Course Update, (3) Utility Bond Project, and (4) Historic Resources Survey/

FUTURE AGENDA ITEMS - Council discussed future agenda items.

COUNCIL COMMENTS – Charlie Kiehne encouraged people to be mentoring volunteers at FISD, Jerry Luckenbach reported on the Airport Board.

With no further discussion, Council Member Neffendorf made a motion to adjourn the meeting at 9:01 PM. Council Member Musselman seconded the motion. Motion carried.

PASSED AND APPROVED this the 17th day of September, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR