

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
AUGUST 7, 2017
8:30 AM

On this the 7th day of August, 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
BOBBY WATSON - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: GARY NEFFENDORF - COUNCIL MEMBER

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

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

- Health Department Budget - City
- Emergency Management Budget - City
- Fire Departments Budget - City and County
- EMS Fund Budget - City
- New Animal Shelter - City
- LEC Budget - County
- Consolidated Dispatch Center Budget - County
- Project Updates - Sportspark, Relief Route, Attainable Housing, Visioning Process

No action was taken.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 10:15 AM. Council Member Luckenbach seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of September, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

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

**REGULAR CITY COUNCIL MEETING
AUGUST 7, 2017
6:00 PM**

On this the 7th day of August, 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
SHELLEY BRITTON - CITY SECRETARY
DANIEL JONES - 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 Brock Schultz and Kyle Staudt.

BETHANY LUTHERAN CHURCH APPRECIATION FOR EMERGENCY RESPONDERS – Members of Bethany Lutheran Church Youth Group made a presentation to Fredericksburg Emergency Responders in appreciation of their service.

ORDINANCE ANNEXING FRIEDEN DEVELOPMENT (1st READING) – Director of Development Services, Brian Jordan, briefed Council on the Frieden Development. Comments were received by Martha Zehyer and Pat Saad. It was moved by Council Member Luckenbach, seconded by Council Member Watson, to adopt the Ordinance annexing Frieden Development and to waive the 2nd reading. The vote: Aye: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

ORDINANCE NO. 27-008

AN ORDINANCE ANNEXING TO THE CITY OF FREDERICKSBURG, TEXAS 219.46 ACRES OF LAND BEING OUT OF THE SAMUEL R. WILSON SURVEY NO. 38, ABSTRACT 735 AND THE JOHN OWENS SURVEY NO. 54, ABSTRACT NO. 537, GILLESPIE COUNTY, TEXAS; EXTENDING THE 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 RIGHTS AND PRIVILEGES OF OTHER

CITIZENS OF THE CITY OF FREDERICKSBURG, TEXAS; BINDING 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)

ORDINANCE CHANGING LAND USE OF FRIEDEN DEVELOPMENT (1st READING) - It was then moved by Council Member Watson, seconded by Council Member Luckenbach, to adopt the Ordinance changing the Land Use of Frieden Development and to waive the 2nd reading. The vote was as follows: Aye: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

ORDINANCE NO. 27-009

AN ORDINANCE ADOPTING CHANGE IN THE COMPREHENSIVE PLAN OF THE CITY OF FREDERICKSBURG; SPECIFICALLY THE LAND USE MAP PROVIDING THAT THE CHANGE MADE BECOME A PART OF THE COMPREHENSIVE PLAN AND PROVIDING FOR AN EFFECTIVE DATE, RELATING TO 219.46 ACRES OF LAND BEING OUT OF THE SAMUEL R. WILSON SURVEY NO. 38, ABSTRACT 735 AND THE JOHN OWENS SURVEY NO. 54, ABSTRACT NO. 537, GILLESPIE COUNTY, TEXAS. (Recorded in Ordinance Book)

ORDINANCE ESTABLISHING ZONING OF FRIEDEN DEVELOPMENT (1st READING) - It was then moved by Council Member Kiehne, seconded by Council Member Luckenbach, to adopt the Ordinance establishing the zoning of Frieden Development and to waive the 2nd reading. The vote was as follows: Aye: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

ORDINANCE NO. 27-010

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG AND CHANGING THE ZONING CLASSIFICATION OF 219.46 ACRES OF LAND BEING OUT OF THE SAMUEL R. WILSON SURVEY NO. 38, ABSTRACT 735 AND THE JOHN OWENS SURVEY NO. 54, ABSTRACT NO. 537, GILLESPIE COUNTY, TEXAS TO ZONE 32.411 ACRES THEREOF AS PLANNED UNIT DEVELOPMENT C-2 COMMERCIAL, 56.27 ACRES THEREOF AS PLANNED UNIT DEVELOPMENT C-1 NEIGHBORHOOD COMMERCIAL AND R-3 MULTI FAMILY RESIDENTIAL, AND 130.782 ACRES THEREOF PLANNED UNIT DEVELOPMENT R-1 SINGLE FAMILY RESIDENTIAL. (Recorded in Ordinance Book)

AMENDMENT TO CITY'S PUBLIC RIGHTS-OF-WAY MANAGEMENT ORDINANCE (1ST READING) – Clinton Bailey presented the Amendment to the City's public rights-of-way ordinance regarding wireless facilities and accompanying design guidelines. It was moved by Council Member Watson, seconded by Council Member Neffendorf, to adopt the amendment to the City's Rights-of-Way Management Ordinance and to waive the 2nd reading. The vote was as follows: Aye: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

ORDINANCE NO. 27-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS AMENDING CHAPTER 35, "STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY", AND ARTICLE V "PUBLIC RIGHT-OF-WAY MANAGEMENT" OF THE CODE OF ORDINANCES BY CONFORMING PROVISIONS OF ARTICLE V. TO STATE LAW AND ADDING PROVISIONS RELATED TO WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY; BY ADDING APPLICATIONS FEES AND PUBLIC RIGHT-OF-WAY RATES FOR USE OF THE PUBLIC RIGHT-OF-WAY BY WIRELESS NETWORK PROVIDERS IN APPENDIX A; BY ADOPTING A DESIGN MANUAL FOR SITING AND CRITERIA FOR THE INSTALLATION OF WIRELESS MICRO NETWORK NODES, NETWORK NODES, NODE SUPPORT POLES AND RELATED GROUND EQUIPMENT IN THE PUBLIC RIGHT-OF-WAY AS APPENDIX C; AND PROVIDING FOR A PENALTY OF FINE FOR VIOLATIONS. (Recorded in Ordinance Book)

PARKS IMPROVEMENTS FINANCING - Dan Wegmiller reported on financing for the Park Improvements; no action taken.

BOARD APPOINTMENTS – It was moved by Council Member Watson, seconded by Council Member Kiehne, to approve the following appointments:

BOARD OF ADJUSTMENT:

Reappointments: Jim McAfee, Donnie Finn, and Robert Deming

PLANNING & ZONING COMMISSION

Reappointments: Jim Warren, Brenda Segner, Chris Kaiser, and Daryl Whitworth

HISTORIC REVIEW BOARD

Reappointments: Sharon Joseph, and Karen Oestreich (Alternate)

Appointment: Jessica Davis

All voted in favor and the motion carried.

LOCAL TRAINING ASSISTANCE WITH THE UNITED STATES ARMY SPECIAL OPERATION COMMAND – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to approve a Letter of Support for Local Training Assistance with the United States Army Special Operation Command as presented. The vote was as follows: Aye: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

RESALE OF PROPERTY AND ASSOCIATED GROUNDWATER WELL SITE OFF OF ARMORY ROAD – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to approve the resale of property and associated groundwater well site off of Armory Road as presented. The vote was as follows: Aye: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

RELEASE OF ELECTRIC EASEMENT AT 1102 THIELE LANE – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to release the Electric Easement at 1102 Thiele Lane. The vote was as follows: Aye: Langerhans, Neffendorf, Kiehne, Luckenbach, and Watson; NAY: None. Motion carried.

ORDINANCE FOR COUNCIL SALARIES – Based on information from City Attorney Daniel Jones and Charter Review Committee Member Tom Musselman, no action was taken regarding an ordinance setting council salaries.

CITY MANAGER'S REPORT - City Manager's Report included (1) August City Council Meetings, (2) Community Visioning Process, (3) Golf Course Lease Proposals, and (4) Special Legislative Session.

PUBLIC COMMENTS – Tom Musselman commented on the four inches of rain received and that the detention pond worked well.

COUNCIL COMMENTS – Jerry Luckenbach commented that not only do we need to support EMS, Fire and Police, but other departments, such as Electric, Water and Sewer departments.

WORKSHOP ON ATTAINABLE HOUSING – Council held a workshop on Attainable Housing; no action was taken.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 8:35 PM. Council Member Kiehne seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of September, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

* * * * *

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

**SPECIAL CITY COUNCIL MEETING
AUGUST 10, 2017
5:30 PM**

On this the 10th day of August, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Cardinal Room, Lady Bird Johnson Golf Course, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER

JERRY LUCKENBACH - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: BOBBY WATSON - COUNCIL MEMBER

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

ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF FREDERICKSBURG, TEXAS, MAKING PROVISION FOR THE CONDUCT OF AN ELECTION. AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION – It was moved by Council Member Kiehne, seconded by Council Member Neffendorf, to approve the Ordinance Calling a Bond Election in the amount of \$12.6 million. The vote was as follows: Aye: Langerhans, Neffendorf, Kiehne, and Luckenbach; NAY: None. Motion carried.

ORDINANCE NO. 27-012

AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF FREDERICKSBURG, TEXAS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION.
(Recorded in Ordinance Book)

UPDATE ON RECENT PROGRESS AND FUTURE PLANS FOR FORT MARTIN SCOTT – Council received and in-depth report on the recent progress and future plans for Ft. Martin Scott from the Ft. Martin Scott Friends.

With no further discussion, Council Member Neffendorf made a motion to adjourn the meeting at 7:15 PM. Council Member Luckenbach seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of September, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

* * * * *

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
AUGUST 14, 2017
4:00 PM

On this the 14th 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
JERRY LUCKENBACH - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

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

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, 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 5:08 PM, it was moved by Council Member Luckenbach, 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:

COMMERCIAL OR FINANCIAL INFORMATION THE COUNCIL HAS RECEIVED FROM A BUSINESS PROSPECT SEEKING TO DEVELOP A HOTEL AND CONFERENCE CENTER (“PROJECT”) IN THE CITY; AND TO DELIBERATE THE POSSIBLE OFFER OF FINANCIAL OR OTHER INCENTIVES TO THE BUSINESS PROSPECT AND TO RECEIVE LEGAL ADVISE CONCERNING ECONOMIC NEGOTIATIONS RELATED TO THE PROJECT - No action was taken.

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 7:15 AM. Council Member Luckenbach seconded the motion. Motion

PASSED AND APPROVED this the 18th day of September, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
AUGUST 21, 2017
6:00 PM

On this the 21st day of August, 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
CHARLIE KIEHNE - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER

ABSENT: JERRY LUCKENBACH - COUNCIL MEMBER

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

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

EMPLOYEE RECOGNITIONS – The City Manager recognized the Electric Department.

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

PUBIC HEARING ON 2018 CITY BUDGET - It was moved by Council Member Watson, seconded by Council Member Kiehne, to recess the regular meeting and open the Public Hearing on the 2018 Budget, all voted in favor and the motion carried.

Comments were received by Tom Musselman, suggesting that Council reconsider the COLA and Merit Raises for City Employees.

With no other comments, it was moved by Council Member Watson, seconded by Council Member Neffendorf, to close the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

PUBLIC HEARING Z-1706 CONDITIONAL USE PERMIT TO ALLOW DRIVE-THRU'S FOR TWO DRIVE IN/FAST FOOD RESTAURANTS AT 1455 E. MAIN (TACO BELL/STARBUCKS) – It was moved by Council Member Watson, seconded by Council Member Kiehne, to recess the regular meeting and open the public hearing on Z-1706 for a Conditional Use Permit to Allow Drive-Thru's for two Drive In/Fast Food Restaurants at 1455 E. Main (Taco Bell/Starbucks); All voted in favor and the motion carried.

No comments were received. It was moved by Council Member Watson, seconded by Council Member Kiehne, to close the public hearing and reconvene the regular session. All voted in favor and the motion carried.

Z-1706 – It was moved by Council Member Watson, seconded by Council Member Kiehne, to approve Z-1706 as presented, with the recommendations of the Planning & Zoning commission. The vote was as follows: AYE: Langerhans, Neffendorf, Watson, and Kiehne. NAY: None. Motion carried.

PUBLIC HEARING Z-1708 CONDITIONAL USE PERMIT TO ALLOW A BED & BREAKFAST UNIT ON THE GROUND FLOOR IN THE CBD AT 341 E. MAIN ST. –

It was moved by Council Member Watson, seconded by Council Member Kiehne, to recess the regular session and open the public hearing on Z-1708. All voted in favor and the motion carried.

No public comments were received. It was moved by Council Member Watson seconded by Council Member Neffendorf, to adjourn the All voted in favor and the motion carried.

Z-1708 – It was moved by Council Member Watson, seconded by Council member Neffendorf, to approve Z-1708 Conditional Use Permit to Allow a Bed & Breakfast Unit on the Ground Floor in the CBD at 341 E. Main St. All voted in favor and the motion carried.

DESIGNATION AS HISTORIC LANDMARK AND PRESERVATION PRIORITY RATING OF THE PROPERTY AT 1293 US 87 (KLINGELHOEFER HOUSE) – Following

a lengthy discussion, it was moved by Council Member Kiehne, seconded by Council Member Watson, to approve the Historic Landmark and Preservation Priority Rating for the property at 1293 US 87 as presented. AYE: Langerhans, Watson, and Kiehne. NAY: Neffendorf. Motion carried.

ADDITIONAL CHANGES TO PROPOSED 2018 CITY BUDGET – No action taken.

2017 EFFECTIVE AND ROLLBACK TAX RATE CALCULATIONS – It was moved by Council Member Watson, seconded by Council Member Kiehne, to accept the 2017 Effective and Rollback Tax Rate Calculation as presented. All voted in favor and the motion carried.

PROPERTY TAX RATE, RECORD VOTE ON PROPOSED TAX RATE, AND SCHEDULE SPECIAL PUBLIC HEARINGS – It was moved by Council Member Watson,

seconded by Council Member Kiehne, to approve the proposed property tax rate of \$.024 as presented, and to schedule two public hearings on Tax Increase for August 30 and September 5. The vote was as follows: AYE: Langerhans, Watson, and Kiehne. NAY: Neffendorf. Motion carried.

ARMORY WELL CONVEYANCE - Council Member Neffendorf moved, seconded by Council Member Watson, to approve the re-conveyance of the Armory Water Well without the license agreement. All voted in favor and the motion carried.

MANAGER'S REPORT – City Manager Kent Myers reported on (1) Community Visioning Process, (2) Short-Term Rentals, (3) Attainable Housing, (4) Special Legislative Session, (5) Parks Bond Election, and Asst City Manager Clinton Bailey reported on (6) the Golf Course Lease.

PUBLIC COMMENTS – Roxanne Frantzen commented on traffic issues, Kelly Musselman commented on property tax for landlords over 65 years old, and Russ Rose commented on Historic Preservation constituting a government takeover, and on the proposed Special Events Coordinator position.

COUNCIL COMMENTS – None.

With no further discussion, Council Member Neffendorf made a motion to adjourn the meeting at 9:08 PM. Council Member Watson seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of September, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

* * * * *

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

**SPECIAL CITY COUNCIL MEETING
AUGUST 30, 2017
6:00 PM**

On this the 30th day of August, 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
GARY NEFFENDORF - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

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

PUBLIC HEARING – PROPOSED FY 2017-2018 TAX RATE (1st OF TWO) – It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to recess the regular

session and open the public hearing on the proposed FY 2017-2018 Tax Rate. All voted in favor and the motion carried.

With no comments, it was moved by Council Member Luckenbach, seconded by Council Member Watson, to close the public hearing and reconvene the regular session. All voted in favor and the motion carried.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 6:25 AM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of September, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *