



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING FEBRUARY 1, 2021

The City of Fredericksburg City Council met in a regular session on Monday, February 1, 2021, at 6 p.m. This meeting was held remotely via Zoom Teleconferencing. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Members Present:

Mayor Charlie Kiehne
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Polly Rickert
Councilmember Bobby Watson

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Daniel Jones, City Attorney
Lynn Bizzell, Fire Chief
Steve Wetz, Police Chief
Russell Immel, Director of Information Technology
Eric Whiting, Information Technology
Andrea Schmidt, Parks Department Director
Laura Hollenbeck, Finance Director
Lea Feuge, Public Information Officer
Justin Calhoun, Emergency Management Coordinator
Reagan Rabke, Fire Marshall
Kris Kneese, Assistant Director of Public Works and Utilities
Garrett Bonn, Assistant Engineer
Jennifer Krupa, Special Events Coordinator
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Kiehne called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, February 1, 2021, via Zoom Teleconference. Mayor Kiehne announced a quorum of the City Council present.

2. PLEDGE OF ALLEGIANCE

Mayor Kiehne led the Pledge.

3. UPDATE ON CORONAVIRUS (COVID-19) PANDEMIC

Lynn Bizzell, Fire Chief, reported as of 2-1-2021:

World		United States					
102,584,351 Positive Cases		26,034,475 Positive Cases					
Texas Counties	Texas Total Cases	Texas Deaths	Texas Daily New Deaths	Texas Active Cases	Texas Daily New Cases	Texas Recovered	Texas Probable
254 out of 254	2,857,170	36,539	48	364,238	11,885	1,974,072	305,000
Region 8 Counties	Region 8 Total Cases	Region 8 Deaths	Region 8 Active Cases	Region 8 Pending investigation	Region 8 Recovered	Region 8 Probable	Region 8 Confirmed
28 out of 28	221,666	2,823	20,307	7,948	198,547	32,732	179,986

COVID-19 totals of the adjacent counties' information (DSHS as of 2-1-2021):

County	Cases	Active	Recovered	Fatalities
Gillespie County	2,163	115	2,006	42
Kerr County	3,575	217	3,275	84
Kendall County	2,308	148	2,105	55
Mason County	338	14	320	4
Llano County	1,270	298	937	35
Blanco County	265	148	104	13

FISD reporting 10 positive cases

Vaccines -Texas

Doses Allocated	Doses Shipped	People vaccinated – 1 dose	People fully vaccinated
3,898,900	3,500,000	1,883,000	475,461

Vaccines -Gillespie County

People vaccinated – 1 dose	People fully vaccinated
2,239	460

Hospital Data- Texas 11,967 and Hill Country Memorial 4

Lynn Bizzell, Fire Chief, reported on the following:

- CDC Guidelines
- Social distancing to eliminate community spread

Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

7. RESOLUTION

- A. Consider the approval of Resolution 2021-01R, authorizing the use of the power of eminent domain, to condemn and acquire property from Arch Ray, LLC, as follows: 1) a 0.12 acre temporary construction easement; 2) a 0.24 acre water line easement; 3) a 0.29 acre water line easement; and 4) a 0.89 acre temporary construction easement; said property located along or adjacent to the northern boundary of US 290 E, approximately two (2) miles east of the City limits, for the public purpose of installing and maintaining public utility water pipe lines and all laterals and appurtenances necessary or incident thereto (Daniel Jones, City Attorney).**

This item was taken up after Agenda Item #12.

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider the approval of an Election Order to call the General Election on May 1, 2021 for the purpose of electing two (2) City Councilmembers to City Council, adding the provisions for the conduct of such election. (Shelley Goodwin, City Secretary).**

Shelley Goodwin, City Secretary, reviewed the proposed Order calling the Saturday, May 1, 2021, General Election. She noted Early Voting is proposed to be held at Girl Scout Cabin and Election Day at the Fredericksburg Middle School in the Library. She also recommended the following changes:

- Receiving Applications for Ballot by Mail in-person and by mail change to read 5 p.m.
- Adding City Secretary email address and phone #.
- Holding Early Voting on Saturday, April 24th, from 7:30 a.m. to 11:30 a.m.

The City Council discussed the Order and the recommended changes.

Motion: A motion was made by Councilmember Rickert, seconded by Councilmember Musselman, to approve the Election Order calling the General Election on May 1, 2021 for the purpose of electing two (2) City Councilmembers to City Council, adding the provisions for the conduct of such election, with the following amendment to the Order:

- Change the time to receiving Applications for Ballot by Mail in-person and by mail to read 5 p.m.
- Adding City Secretary email address and phone #.
- Add Saturday, April 24th from 7:30 a.m. to 11:30 a.m. to the Early Voting days.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

- B. Consider and discuss the Emergency Declaration/Metrics (Justin Calhoun, Emergency Management Coordinator).**

Jeannette Hormuth spoke regarding how the mask mandate violates individual rights. She stated she does not believe the COVID shot are not vaccines.

George Studor read a statement regarding the Fredericksburg Emergency Management Plan. He stated the Plan needs to show how to get back to normal and recommended establishing goals that define normal.

Justin Calhoun, Emergency Management Coordinator, provided a PowerPoint regarding the Emergency Declaration/Metrics related to the pandemic.

The City Council discussed the difference between the local Governor's Order and the Mayor's Order, current vaccinations, and education opportunities for the residents using metrics. They also provided suggestions to include in a Metrics to be brought back to City Council in March.

C. Consider, discuss, and take action regarding a Fredericksburg Farmers Market request to move from Kinder Halle to Adelsverein Halle, set the fee, and approve the Health and Safety Plan (Jennifer Krupa, Special Events Coordinator).

Jennifer Krupa, Special Events Coordinator, stated the Fredericksburg Farmers Market has requested to move to Adelsverein Halle at Marktplatz for future markets. She stated currently, the Market pays for Kinder Halle and that hanging the banner is \$650. She noted the new rate for Adelsverein Halle's use and to hang the banner would total \$1,000. She also reviewed their Health and Safety Plan. The City Council discussed the Adelsverein Halle fees and their Health and Safety Plan.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to approve the Fredericksburg Farmers Market request to move from Kinder to Adelsverein Halle, set the fee at \$1,000 (including hanging the banner), and approve the Health and Safety Plan.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

D. Consider, discuss and take action regarding approving the Health and Safety Plan and closure of W. Austin Street between N. Adams and N. Crockett Streets Street on April 24, 2021 from 6 a.m. to 12 a.m. for the Wildflower Run (Jennifer Krupa, Special Events Coordinator)

Jennifer Krupa, Special Events Coordinator, stated the Fredericksburg Wildflower Run & Walk is an annual event sponsored by Hill Country Memorial Wellness Center, benefitting the Fredericksburg Academic Booters. She noted they are requesting the closure at W. Austin Street between N. Adams Street and N. Crockett Street for six hours during the event. She also reviewed their Health and Safety Plan.

The City Council discussed the Health and Safety Plan for the Wildflower Run. They also discussed the street closure and the cost of closing the streets.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve the Health and Safety Plan and closure of W. Austin Street between N. Adams and N. Crockett Streets Street on April 24, 2021, from 6 a.m. to 12 a.m. for the Wildflower Run.

On roll call, the City Council voted:

Mayor Kiehne	aye
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Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

E. Consider, discuss and take action regarding approving the Health and Safety Plan for the following events:

i. Wanderlust Run on March 20, 2021

Jennifer Krupa, Special Events Coordinator, stated the Scallywampus Event of Wanderlust Half Marathon submitted a Health & Safety Plan for review at the January 19, 2021 City Council meeting and no action was taken on the item. She reviewed the updated Plan.

The City Council discussed the Health & Safety Plan, estimated attendance, temperature checks, and award ceremony.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to approve the Health and Safety Plan for the Wanderlust Run scheduled for March 20, 2021.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	nay
Councilmember Watson	aye

Motion passes unanimously four (4) for, and one (1) opposed (Councilmember Rickert).

ii. Redbud Artisan Market on April 3, 2021 (Jennifer Krupa, Special Events Coordinator)

Jennifer Krupa, Special Events Coordinator, stated the Redbud Artisan Market submitted a Health & Safety Plan scheduled on April 3, 2021. She reviewed the updated Plan.

The City Council discussed the Health & Safety Plan.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve the Health and Safety Plan for the Redbud Artisan Market scheduled for April 3, 2021.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

9. CITY MANAGER REPORT

A. February City Council Work Session

Kent Myers, City Manager, reviewed the different agenda items and possible dates.

The City Council agreed by consensus to hold the meeting the first week of March, so it can be held as a hybrid meeting.

B. Legislative Update

Kent Myers, City Manager, provided an update on legislative activity. He also noted there will likely be a special session this year to address re-districting.

C. Options for Hybrid Council Meetings

Kent Myers, City Manager, reviewed the direction the City Council previously gave him regarding hybrid meetings. He noted the challenges staff is facing regarding a large enough venue and internet connection. He stated the City could work with a local company to assist with meetings until they get equipment. He noted the estimated cost of the equipment is \$45,000.

The City Council discussed different venues and their capacities. They also agreed by consensus to borrow the equipment and consider the purchase of our own equipment to hold hybrid meetings and to continue to find a venue large enough.

10. ITEMS FOR FUTURE AGENDA

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

11. COUNCIL COMMENTS

Councilmember Rickert stated she attended the Chamber of Commerce Board of Directors Meeting and the Relief Route Task Force Meeting. The Relief Route Task Force created several sub-committees.

Councilmember Musselman stated the Hill Country Memorial Hospital rolled out the vaccine process, which was overwhelming at first but now things are going smooth. There are no vaccines going to waste. He stated there is an estimated 8,500 IB residents, so the public needs to be patient.

Councilmember Luckenbach stated he attended Gillespie County Commissioner's Court, and they will be holding a public hearing on March 8, 2021, on Boot Ranch. They also did a refinancing on the Jail Bond, which created major savings.

Mayor Kiehne stated HCM needs volunteers at the Vaccination Site; he encouraged everyone to assist with this process.

12. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections (551.074 – Personnel Matters) and 551.072 (Deliberation Regarding Real Property):

- A. Consider and discuss the annual evaluation of the City Manager, City Attorney, and Municipal Court Judge (Sec. 551.074) and**
- B. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of US 290 E at the Pedernales River crossing, approximately two miles to the east of the City of Fredericksburg (Sec. 551.072).**
- C. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of US 290 E and RR 1376, approximately three miles to the east of the City of Fredericksburg (Sec. 551.072).**

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to go out of the Regular Session into Executive Session at 8:29 p.m. On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to go out of Executive Session into the Regular Session at 8:55 p.m.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

The City Council then considered Agenda Item 7. A.

7. A. Consider the approval of Resolution 2021-01R, authorizing the use of the power of eminent domain, to condemn and acquire property from Arch Ray, LLC, as follows: 1) a 0.12 acre temporary construction easement; 2) a 0.24 acre water line easement; 3) a 0.29 acre water line easement; and 4) a 0.89 acre temporary construction easement; said property located along or adjacent to the northern boundary of US 290 E, approximately two (2) miles east of the City limits, for the public purpose of installing and maintaining public utility water pipe lines and all laterals and appurtenances necessary or incident thereto (Daniel Jones, City Attorney).

Daniel Jones City Attorney, stated the City Council provided an initial and final offer for these easements and both were declined by the property owner. He also noted that these offers were both above the appraised value of the easement.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve Resolution 2021-01R, authorizing the use of the power of eminent domain, to condemn and acquire property from Arch Ray, LLC, as follows: 1) a 0.12 acre temporary construction easement; 2) a 0.24 acre water line easement; 3) a 0.29 acre water line easement; and 4) a 0.89 acre temporary construction easement; said property located along or adjacent to the northern boundary of US 290 E, approximately two (2) miles east of the City limits, for the public purpose of installing and maintaining public utility water pipe lines and all laterals and appurtenances necessary or incident thereto.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of the Regular Session into Executive Session at 9:05 p.m. on Agenda Item 12. A. On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Rickert, to go out of Executive Session into the Regular Session at 10:40 p.m.

On roll call, the City Council voted:

Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.

13. BUSINESS ITEM

No action was taken following this executive session.

14. ADJOURN

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to adjourn the Monday, February 1, 2021, City Council Regular Meeting at 10:43 p.m.

On roll call, the City Council voted:

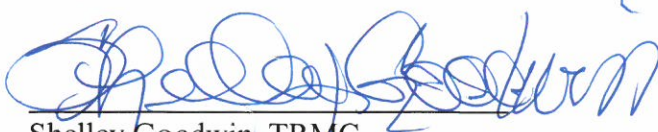
Mayor Kiehne	aye
Councilmember Luckenbach	aye
Councilmember Musselman	aye
Councilmember Rickert	aye
Councilmember Watson	aye

Motion passes unanimously five (5) for, and none (0) opposed.



Charlie Kiehne
Mayor

ATTEST



Shelley Goodwin, TRMC
City Secretary

