



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING FEBRUARY 4, 2019

Members Present:

Mayor Linda Langerhans
Councilmember Charlie Kiehne
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Gary Neffendorf

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director Public Works and Utilities
Daniel Jones, City Attorney
Brian Jordan, Development Services Director
Russell Immel, Information Technology Director
Steve Wetz, Police Chief
Lea Feuge, Public Information Officer
Kris Kneese, Assistant Director Public Works and Utilities
Garret Bonn, Assistant City Engineer
Kris Kammlah, Detective
Shelley Goodwin, City Secretary

1. Pledge of Allegiance

Mayor Langerhans led the Pledge of Allegiance.

2. Call to Order

With all members of the City Council present, Mayor Langerhans called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, February 4, 2019, in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas 78624.

3. Employee Recognitions

Kent Myers, City Manager, stated at the Department Head Retreat Community Involvement, one of the Core Values of our City Mission Statement, was discussed. He stated he used Russell Immel as an example of community involvement and representing the City in all he does.

Kent Myers, City Manager, also shared the following employee recognitions:

- Email from Kent Olson complimenting Justin Hagendorf for all he does at the LBJ RV Park,
- Phone call from Pete Dosser who observed John Strackbein assisting an elderly woman with her trash can.

- Email from Cindy Zinger thanking Jeff Wanek and David Feller for their quick response with an electric situation.

4. Public Comments

Jerry McCorkle, 503 W. Centre Street, spoke regarding concerns he has heard from local businesses. He also encouraged everyone to read and support HB2 and SB2 property tax cap.

Gary Saucier, 130 Leyendecker Rd., spoke regarding concerns about the Relief Route. He also stated a group has been created named Citizens for an Informed Relief Route (CIRR) to help with communications because they feel citizens need to be heard.

5. CONSENT

A. Consider approval of the January 15, 2019 City Council Retreat/Workshop Minutes.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Neffendorf, to approve the Consent Agenda 5.A., with corrections. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

6. PUBLIC HEARING

A. Hold a public hearing to receive comments on the voluntary annexation of approximately 94 acres of land extending from Friendship Lane to US Highway 87, otherwise known as the Dale Crenwelge property (1st of 2 required hearings).

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of Regular Session into a Public Hearing at 6:14 p.m. The motion carried unanimously.

Kevin Spraggins, HK Real Estate Development, reviewed the annexation, the proposed plan and Land Use Map. He stated the development would include commercial, small residential lots, and apartments.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of the Public Hearing and back into Regular Session at 6:19 p.m. The motion carried unanimously.

Brian Jordan, Development Services Director, reviewed the schedule of the process for the annexation, annexation agreement, and zoning. The public hearings are intended to gather information. Then the Planning and Zoning Commission's recommendation will come to the City Council at the Regular Meeting scheduled for February 18, 2019 for consideration.

The City Council discussed the current zoning for the property in the future.

Kent Myers, City Manager, stated at the next hearing a map of this area will be provided so City Council can review and see if additional areas need to be annexed.

4. ORDINANCE

A. Consider approval of Ordinance 2019-04 calling for General Election on May 4, 2019 for the City of Fredericksburg for the purpose of electing two (2) City Councilmembers to City Council; making provisions for the conduct of such election and resolving other matters related to the conduct of such election.

Kent Myers, City Manager, pointed out the Ordinance 2019-04 calls for Early Voting and Election Day voting to be located at the Girl Scout Cabin.

Councilmember Musselman expressed concern with holding Early Voting and Election Day voting at the Girl Scout Cabin due to parking and residents usually voting at City Hall and with Fredericksburg ISD at Middle School.

Shelley Goodwin, City Secretary, stated communication and signage would need to be provided to inform the public about the move of the Early Voting and Election Day voting. She also stated she has not received word that Fredericksburg ISD will be holding an election. She stated if the school holds an election, then the City and the school will need to enter into a Joint Election Agreement and the Ordinance will need to be amended.

Clay Binford, Bond Counsel, stated Ordinance 2019-04 can still be considered because it is calling for the May 4, 2019 Election. He stated a Joint Election Agreement will need to be considered if Fredericksburg ISD is holding an Election and the Ordinance can be amended at that time.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Kiehne, to approve Ordinance 2019-04 calling for a General Election on May 4, 2019 for the City of Fredericksburg for the purpose of electing two (2) City Councilmembers to City Council; making provisions for the conduct of such election and resolving other matters related to the conduct of such election. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Ordinance 2019-05 calling a Bond Election (Special 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.

Dan Wegmiller, Specialized Public Finance, Inc., stated Ordinance 2019-05 calling for a Bond Election in the amount \$6.1 million. He also stated the term of the Bond is for 20 years at a rate of 3.5%, which would represent a tax rate increase of 1.67 per \$100 of taxable assessed valuation.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to approve Ordinance 2019-05 calling a Bond Election (Special 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. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Mayor Langerhans then moved up Agenda Item # 8E.

C. Consider the approval of Ordinance 2019-06 amending Chapter 20 - Offenses and Miscellaneous Provisions - of the Code of Ordinances, establishing regulations related to the operation of motor assisted scooters in the City, and providing a penalty clause for violations.

Kent Myers, City Manager, stated Ordinance 2019-06 establishing regulations related to scooters come from the discussion of the City Council Retreat. He stated if Ordinance 2019-06 is approved, then a press release will be created due to public interest.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Luckenbach, to approve 2019-06 amending Chapter 20 - Offenses and Miscellaneous Provisions - of the Code of Ordinances, establishing regulations related to the operation of motor assisted scooters in the City limits, and providing a penalty clause for violations. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

D. Consider the approval of Ordinance 2019-07 creating Section 20-3. - Sex Offenders - of Chapter 20 - Offenses and Miscellaneous Provisions - of the Code of Ordinances, to establish regulations related to the proximity of child sex offenders to areas commonly utilized by children; and providing a penalty clause for violations.

Kris Kammlah, Detective, reviewed the PowerPoint regarding the Sex Offender Ordinance.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to approve Ordinance 2019-07 creating Section 20-3. - Sex Offenders - of Chapter 20 - Offenses and Miscellaneous Provisions - of the Code of Ordinances, to establish regulations related to the proximity of child sex offenders to areas commonly utilized by children; and providing a penalty clause for violations. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

E. Consider the approval of Ordinance 2019-08 amending Article 16.000 – Water and Sewer Rates and Fees, of Appendix A – Fee Schedule, of the Code of Ordinances, to update and amend the fees for Water and Sewer Utility Service provided by the City.

Kent Myers, City Manager, stated there has not been a utility rate increase in over five years and last year a rate study was conducted by HDR Engineering. He stated the City Council has received several presentations as a result of the study. He also reviewed the increase in rates which would depend on the usage.

Clinton Bailey, Assistant City Manager and Director of Public Works, stated the rate increase will help pay for the projects in the Master Plan. He stated the projects will need to be ranked so the most critical projects can be addressed first.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to approve Ordinance 2019-08 amending Article 16.000 – Water and Sewer Rates and Fees, of Appendix A – Fee Schedule, of the Code of Ordinances, to update and amend the fees for Water and Sewer Utility Service provided by the City. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

8. RESOLUTIONS – OTHER ACTION ITEMS - DISCUSSION ITEMS

A. Consider the approval of Resolution 2019-02R supporting a designation of the City as an eligible central municipality, to allow for participation in an existing State Economic Development Program related to a Hotel and Conference Center Project.

Kent Myers, City Manager, stated this Resolution would support legislation that would provide reimbursement for HOT paid to the State for the convention/conference center hotels. This reimbursement of the 6% State taxes covers a 10-year period.

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to approve Resolution 2019-02R supporting a designation of the City as an eligible central municipality, to allow for participation in an existing State Economic Development Program related to a Hotel and Conference Center Project. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of a 2019FY Budget amendment for the reimbursement of \$87,611 to reimburse the Convention and Visitor Bureau for Hotel/Motel Occupancy Taxes.

Kent Myers, City Manager, stated that last summer City staff met with staff from the Convention and Visitor Bureau regarding Hotel/Motel Occupancy Taxes collections. Both the City and Convention

and Visitor Bureau staff were concerned about the collections and \$87,611 was withheld from CVB payment. He stated during the final months of the fiscal year the HOT collections increased and now CVB is requesting reimbursement of the funds withheld.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve a 2019FY Budget amendment for the reimbursement of \$87,611 to reimburse the Convention and Visitor Bureau for Hotel/Motel Occupancy Taxes. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider the approval of the City Manager 2019 Performance Goals.

Kent Myers, City Manager, reviewed the proposed 2019 Performance Goals. He provided updates on the proposed Performance Goals. He also suggested rewording item #7 to read Communicate Relief Route feasibility study to local citizens.

The City Council discussed switching #10 and #2. They also recommended getting Gillespie County involved with the expanding broadband services.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Kiehne, to approve the City Manager 2019 Performance Goals. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

D. Consider the approval of a lease agreement with the Art Guild for a 2-year period.

Kent Myers, City Manager, stated the Art Guild has been leasing the City building for \$150 a month. He stated that, with the recent major improvements to the building, the monthly rate will be increased to \$550 for the first year and \$600 for the second year. He stated the lease agreement will be for a 2-year period.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve a lease agreement with the Art Guild for a 2-year period. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

E. Presentation by Bond Counsel on City Council guidelines for participation in Municipal Bond Elections.

Clay Binford, Bond Counsel, reviewed the Legal and Ethical guidelines for City Council and City staff's participation in Municipal Bond Elections. He also provided a handout for additional guidelines that need to be followed and shared with City staff.

9. CITY MANAGER'S REPORT

A. Lighting Ordinance

Kent Myers, City Manager, stated Daniel Jones and Brian Jordan have been working with him on the Dark Sky application and amending the lighting Ordinance. He recommended bringing on a Consultant to assist with the technical language of the application and the ordinance.

The City Council agreed by consensus to bring on a consultant to assist with the application and amending the lighting Ordinance.

B. Special City Council Meetings on February 7th and February 11th.

Kent Myers, City Manager, reminded City Council of the upcoming City Council and Planning and Zoning Commission Joint Meeting on February 7, 2019 at 5:30 p.m. at the Law Enforcement Center,

and the City Council Workshop on February 11, 2019 at 4:00 p.m. in the City Hall Conference Room to review allocations of the Hotel/Motel Occupancy Tax.

C. Legislative updates.

Kent Myers, City Manager, reported that Legislation is back in session and they are getting busy. He stated the Governor and LT Governor are pushing the Revenue Cap Bill again. He also stated staff will be looking at the bills to see what will impact the City.

10. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the Future Agenda Items for the February 18, 2019 City Council Meeting

Councilmember Musselman inquired the status of traffic study for Friendship Lane.

Brian Jordan, Director of Development Services, stated the report has been completed and will be presented to the City Council at the February 18, 2019 Regular Meeting.

11. COUNCIL COMMENTS

Councilmember Luckenbach reported on February 9, 2019 the airport will be holding Aviation Career Day for High School and Middle School; students are invited to attend. He also reported that Jet Fuel is up 82% compared to 2018.

Councilmember Kiehne inquired to staff to reach out to the Citizens for an Informed Relief Route regarding assist with getting information to the citizens.

Kent Myers, City Manager, stated several City representatives met with TxDOT last week. He stated staff will be putting together a Q&A sheet.

12. EXECUTIVE SESSION

Pursuant to Texas Government Code Section 551.072 – Consider and discuss the purchase, exchange, lease, or value of real property owned by the City, located in the vicinity of Old San Antonio Road.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of Regular Session into Executive Session at 7:37 p.m. The motion carried unanimously.

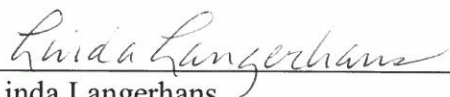
Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Keinhe, to go out of Executive Session into Regular Session at 8:22 p.m. The motion carried unanimously.

13. BUSINESS ITEMS

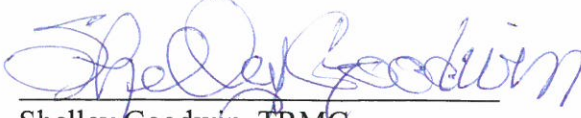
The City Council did not take any action.

14. ADJOURN

Motion: A motion was made by Councilmember Neffendorf, seconded by Councilmember Musselman, to adjourn the Monday, February 4, 2019 City Council Regular Meeting at 8:22 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.


Linda Langerhans
Mayor

ATTEST


Shelley Goodwin, TRMC
City Secretary