

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

**REGULAR CITY COUNCIL MEETING
FEBRUARY 5, 2018
6:00 PM**

On this the 5th day of February, 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
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: JERRY LUCKENBACH – COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - A.C.M./D.P.W.U.
SHELLEY BRITTON - CITY SECRETARY
DANIEL JONES - CITY ATTORNEY
RUSSELL IMMEL - IT MANAGER

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

EMPLOYEE RECOGNITIONS - City Manager Kent Myers recognized the Street Department and the Police Department.

CONSENT AGENDA - It was moved by Mayor Langerhans, seconded by Council Kiehne Luckenbach, to remove three items from the consent agenda, and to approve the following:

- Resolution Authorizing Transfer of Funds to the 175th Anniversary Committee

All voted in favor and the motion carried.

Following a brief discussion, it was moved by Council Member Kiehne, seconded by Council Member Watson, to approve the following:

- Street Closure for Wildflower Run
- Street Closure for Crawfish Festival
- Street Closure for City Open House/Touch-A-Truck Event

All voted in favor and the motion carried.

REQUEST FOR DISCOUNTED FIELD USE FOR ST. MARY'S SCHOOL – After a lengthy discussion, it was moved by Charlie Kiehne, seconded by Bobby Watson, to approve a fee discount of \$300 per month. All voted in favor and the motion carried.

AGREEMENT WITH FBG MORNING ROTARY CLUB FOR BASKETBALL PAVILION – It was moved by Council Member Watson, seconded by Council Member Neffendorf, to approve the license agreement between the City of Fredericksburg and the Fbg Morning Rotary Club to build a basketball pavilion at Old Fair Park. The vote was as follows: AYE: Langerhans, Kiehne, Neffendorf, and Watson; NAY: None. Motion carried.

ORDINANCE CALLING MAY 5, 2018 ELECTION – It was moved by Council Member Watson, seconded by Council Member Neffendorf, to adopt an Ordinance Calling a Regular City Election on May 5, 2018. The vote was as follows: AYE: Langerhans, Kiehne, Neffendorf, and Watson; NAY: None. Motion carried.

ORDINANCE NO. 28-004

AN ORDINANCE CALLING A REGULAR CITY ELECTION ON MAY 5, 2018, FOR THE ELECTION OF A MAYOR AND TWO (2) COUNCIL MEMBERS FOR THE CITY OF FREDERICKSBURG, TEXAS; ESTABLISHING PROCEDURES, RULES AND REGULATIONS FOR CONDUCTING SUCH ELECTION; AND PROVIDING FOR NOTICE OF SUCH ELECTION. (Recorded in Ordinance Book)

ALLOCATION OF 2018 HOT FUNDS – It was moved by Council Member Watson, seconded by Council Member Kiehne, to approve the allocation of 2018 HOT Funds as follows:

1. Hill Country Antique Tractors	3,000
2. Fbg 4 th of July Parade	5,000
3. Fbg Art Guild	4,400
4. Optimist - Hill Country Run	5,000
5. 2018 Veterans Day Parade	8,000
6. GCFFA	45,000
7. Fbg Chamber - Christmas Parade	12,000
8. Vereins Quilt Guild of Fbg	5,000
9. Systems GO	3,500
10. Fbg Tennis Association	3,150
11. Fbg Band Boosters	4,000
12. Friends of the Fbg Nature Center	2,500
13. Hill Country Film Festival	8,000
14. GCHS	65,250
15. Hill Country Food Truck Festival	7,500
16. Church of Colored People of Gillespie County	00
17. Holy Ghost - Global Leadership Summit	1,500
18. Fbg Social Turn Verein - Turner Hall	00
19. Cherry Mtn Community Club	7,220
20. BGC - Mah Jongg Tournament	1,500
21. Heritage School - Eisbahn	5,000
22. BGC - Shopping Tournament	1,500

23. Admiral Nimitz Foundation	125,000
24. Fbg Chorale	2,500
25. Fbg Theater Company	25,000
26. Friends Gillespie County Country Schools	61,730
27. Former Texas Rangers - Celebrate Texas	10,000
28. Former Texas Rangers - History Symposium	10,000
29. German Choirs of Fredericksburg	2,500
30. Die Kunstler von Fbg	3,000
31. Fbg Community Orchestra	3,000
32. Friends of Enchanted Rock	5,000
33. Ft Martin Scott Friends	14,930
34. Farmers Market	3,000
35. Jaycees - Crawfish Festival	10,000

The vote was as follows: AYE: Langerhans, Kiehne, Neffendorf, and Watson; NAY: None. Motion carried.

(The 175th Anniversary Committee request was tabled, Mayor Langerhans and Council Member recused themselves due to serving on the committee and only two other members were present to vote)

LANDMARK DESIGNATION OF 612 S. WASHINGTON ST – It was moved by Council Member Kiehne, seconded by Council Member Neffendorf, to accept the Historic Review Board's recommendation to designate the property at 612 S Washington a Historic Landmark, with the priority rating of high. The vote was as follows: AYE: Kiehne, Neffendorf, and Watson; NAY: None. Motion carried. (Mayor Langerhans abstained; she is the owner of the property)

CONTRACT FOR HISTORIC SURVEY – It was moved by Council Member Watson, seconded by Council Member Neffendorf, to approve the contract with Cox/McLain Environment Consulting for a Historic Resource Survey in the amount of \$40,000. The vote was as follows: AYE: Langerhans, Kiehne, Neffendorf, and Watson; NAY: None. Motion carried.

CITY MANAGERS REPORT - City Manager Kent Myers reported on (1) Community Visioning Process, (2) Attainable Housing, (3) University Center, (4) Short-Term Rental Ordinance, and (5) Touchstone Golf.

FUTURE AGENDA ITEMS - Council discussed future agenda items.

PUBLIC COMMENTS - None

COUNCIL COMMENTS - None

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 6:45 PM. Council Member Watson seconded the motion. Motion carried.

PASSED AND APPROVED this the 16th day of April, 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
FEBRUARY 19, 2018
6:00 PM**

On this the 19th day of February, 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
BOBBY WATSON - 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
SHELLEY BRITTON - CITY SECRETARY
LAURA HOLLENBEAK - FINANCE DIR
DANIEL JONES - CITY ATTORNEY
RUSSELL IMMEL - IT MANAGER

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

PUBLIC HEARING Z-1714 TO AMEND THE EXISTING BARON'S CREEK PLANNED UNIT DEVELOPMENT TO ADD ANOTHER BUILDING AND OBTAIN A CONDITIONAL USE PERMIT TO ALLOW A DRIVE-THRU ASSOCIATED WITH A DRIVE-IN FAST FOOD FACILITY- It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to recess the regular session and open the Public Hearing on Z-1714 to amend the existing Baron's Creek Planned Unit Development to add another building and obtain a Conditional Use Permit to allow a drive-thru associated with a drive-in fast food facility. All voted in favor and the motion carried.

With no comments from the public, it was moved by Council Member Watson, 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-1714 - Council Member Watson moved, seconded by Council Member Kiehne, to approve Z-1714 to amend the existing Baron's Creek Planned Unit Development to add another building and obtain a Conditional Use Permit to allow a drive-thru associated with a drive-in fast food facility. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne, and Neffendorf; NAY: None. Motion carried.

RESOLUTION AUTHORIZING TRANSFER OF FUNDS TO THE 175TH ANNIVERSARY CELEBRATION – This item was approved on the Feb 5 Consent Agenda, but is being placed back on the agenda since one council member was absent from the meeting and two members are also on the 175th Anniversary Committee. To ensure that there is not a conflict of interest, Council Member Luckenbach moved, seconded by Council Member Kiehne, to approve the Resolution Authorizing the Transfer of Funds to the 175th Anniversary Committee. The vote was as follows: AYE: Watson, Luckenbach, and Kiehne; ABSTAIN: Langerhans and Neffendorf. Motion carried.

**A RESOLUTION OF THE CITY OF FREDERICKSBURG, TEXAS, AUTHORIZING
THE TRANSFER OF DONATED FUNDS TO THE 175TH ANNIVERSARY COMMITTEE**

WHEREAS, the 150th Anniversary Committee raised money to hold the 150th Anniversary Event in 1996, celebrating the founding of the City of Fredericksburg ("City"); and

WHEREAS, following the 150th Anniversary Event in 1996, the 150th Anniversary Committee donated the remaining 150th Anniversary funds ("Event Funds") to the City, for the restricted purpose of funding the 175th Anniversary Event; and

WHEREAS, the 175th Anniversary Committee has now been created to plan and prepare for the upcoming 175th Anniversary Event.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Fredericksburg, Texas, that:

1. The City Council hereby finds that transferring the Event Funds to the 175th Anniversary Committee serves a legitimate public purpose.
2. The City Council hereby finds that transferring the Event Funds to the 175th Anniversary Committee complies with the restricted purpose of the donation made to the City by the 150th Anniversary Committee.
3. The City Council hereby authorizes the transfer of the Event Funds held by the City to the 175th Anniversary Committee, for use in planning and preparing for the upcoming 175th Anniversary Event.

PASSED AND APPROVED this 19th day of February, 2018.

/s/ Mayor Linda Langerhans

ATTEST:

/s/ City Secretary Shelley Britton

APPROVED AS TO FORM:

/s/ City Attorney Daniel Jones

RESOLUTIONS FOR LANDMARK PROPERTIES: 502 E MAIN AND 612 S WASHINGTON – Council Member Kiehne moved, seconded by Council Member Neffendorf, to approve the Resolution for Landmark Properties for 502 E. Main St. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne, & Neffendorf. Motion carried. It was then moved by Council Member Kiehne, seconded by Council Member Watson, to approve the Resolution for Landmark Properties for 612 S Washington. The vote was as follows: AYE: Watson, Luckenbach, Kiehne, & Neffendorf. ABSTAIN: Langerhans (property owner). Motion carried.

A RESOLUTION OF THE CITY OF FREDERICKSBURG, TEXAS, DESIGNATING A LOCAL HISTORIC LANDMARK PURSUANT TO §23-57 OF THE CODE OF ORDINANCES, CITY OF FREDERICKSBURG, TEXAS.

WHEREAS, the designation "Historic Landmark" recognizes that a historic location, or a building or other appurtenance upon a historic location, are of vital importance for the preservation of culture and neighborhoods, economic development, and promotion of tourism; and

WHEREAS, as a matter of public policy, the City of Fredericksburg ("City") desires to preserve features in the City which have historical, cultural, or architectural merit, thereby promoting the prosperity, education, and general welfare of the people living in and visiting Fredericksburg; and

WHEREAS, the City's Historic Review Board has considered a request for designation of the subject location as a historic landmark, at a meeting held in accordance with the procedures set forth in §23-60 of the Code of Ordinances, City of Fredericksburg, Texas; and

WHEREAS, the City Council has duly considered the recommendations of City staff and the City's Historic Review Board related to this designation of a historic landmark.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Fredericksburg, Texas, that the City hereby designates the property located at *502 E. Main Street, Fredericksburg, Texas*, as a "Historic Landmark" pursuant to §23-57 of the Code of Ordinances, City of Fredericksburg, Texas.

PASSED AND APPROVED this 19th day of February, 2018.

/s/ Mayor Linda Langerhans

ATTEST:

/s/ City Secretary Shelley Britton

APPROVED AS TO FORM:

/s/ City Attorney Daniel Jones

**A RESOLUTION OF THE CITY OF FREDERICKSBURG, TEXAS, DESIGNATING A LOCAL
HISTORIC LANDMARK PURSUANT TO §23-57 OF THE CODE OF ORDINANCES, CITY OF
FREDERICKSBURG, TEXAS.**

WHEREAS, the designation "Historic Landmark" recognizes that a historic location, or a building or other appurtenance upon a historic location, are of vital importance for the preservation of culture and neighborhoods, economic development, and promotion of tourism; and

WHEREAS, as a matter of public policy, the City of Fredericksburg ("City") desires to preserve features in the City which have historical, cultural, or architectural merit, thereby promoting the prosperity, education, and general welfare of the people living in and visiting Fredericksburg; and

WHEREAS, the City's Historic Review Board has considered a request for designation of the subject location as a historic landmark, at a meeting held in accordance with the procedures set forth in §23-60 of the Code of Ordinances, City of Fredericksburg, Texas; and

WHEREAS, the City Council has duly considered the recommendations of City staff and the City's Historic Review Board related to this designation of a historic landmark.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Fredericksburg, Texas, that the City hereby designates the property located at *612 S. Washington Street, Fredericksburg, Texas*, as a "Historic Landmark" pursuant to §23-57 of the Code of Ordinances, City of Fredericksburg, Texas.

PASSED AND APPROVED this 19th day of February, 2018.

/s/ Mayor Linda Langerhans

ATTEST:

/s/ City Secretary Shelley Britton

APPROVED AS TO FORM:

/s/ City Attorney Daniel Jones

ANNUAL SIDEWALK PROGRAM – ADDITIONAL WORK AUTHORIZATION – It was moved by Council Member Neffendorf, seconded by Council Member Luckenbach, to authorize the remaining \$50,000 from the approved FY 2018 Budget amount of \$100,000 for sidewalk improvements at Pioneer Museum (Main St.), Windcrest to Liveoak Sts., and N Crockett St. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, and Neffendorf; NAY: Kiehne. Motion carried.

HOT FUNDING FOR THE 175TH ANNIVERSARY CELEBRATION – It was moved by Council member Kiehne, seconded by Council Member Watson, to approve HOT funds in the amount of \$15,000 for the 175th Anniversary Celebration. The vote was as follows: AYE: Watson, Luckenbach, and Kiehne; ABSTAIN: Langerhans & Neffendorf. Motion carried.

ATTAINABLE HOUSING STUDY – Council received a report on the Housing Demand Study recently completed by Darrell Jack with Apartment Market Data LLC. No action was taken.

REVISED GOLF COURSE BUDGET – Representatives from Touchstone Golf gave a presentation on the revised Golf Course Budget proposed by Touchstone. It was then moved by Council Member Neffendorf, seconded by Council Member Watson, to approve the revisions in and to move forward on the 2018 CIP, understanding that the city would be leasing the equipment, in accordance with their financial plan without depreciation. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne and Neffendorf; NAY: None. Motion carried.

FT. MARTIN SCOTT TRAIL DESIGNATION – It was moved by Council Member Watson, seconded by Council Member Kiehne, to designate the property behind Ft. Martin Scott on the west side of Barons Creek as a city trail. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne, and Neffendorf; NAY: None. Motion carried.

PROPERTY MANAGEMENT OF THE UNIVERSITY CENTER – Council discussed options for future leasing and property management of the University Center campus. No action taken.

RESOLUTION APPROVING AGREEMENT RELATED TO CONFERENCE CENTER OPERATIONS AND CONFERENCE CENTER MARKETING AND AUTHORIZING EXECUTION OF SAID AGREEMENT – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to approve the Economic Development Agreement for the new conference center, and to amend it to authorize the city manager to execute. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne and Neffendorf; NAY: None. Motion carried.

**A RESOLUTION OF THE CITY OF FREDERICKSBURG, TEXAS, APPROVING
AN AGREEMENT RELATED TO CONFERENCE CENTER OPERATIONS AND CONFERENCE
CENTER MARKETING, AND AUTHORIZING EXECUTION OF SAID AGREEMENT**

WHEREAS, conventions, meetings, tourism and tourism related industries and the money spent by conventioners, meeting attendants, tourists, and visitors are essential components of a diverse local economy aiding in the creation of jobs for local residents, increased revenues for local businesses, and increased local tax revenue; and

WHEREAS, the City of Fredericksburg ("City") expects that the operation and marketing of a large conference center in the City will attract additional conventions, meetings, tourists, and other visitors to the City that are critical to the City's goals and promotional efforts relating to attracting tourists, visitors, meetings, and conventions to the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Fredericksburg, Texas, that:

1. The City Council hereby approves the *Conference Center Operations and Conference Center Marketing Agreement*, a copy of which is attached hereto as Exhibit A; and
2. The City Council hereby authorizes Kent Myers, in his capacity as City Manager, to execute the *Conference Center Operations and Conference Center Marketing Agreement* on behalf of the City.

PASSED AND APPROVED this 19th day of February, 2018.

/s/ Mayor Linda Langerhans

ATTEST:

/s/ City Secretary Shelley Britton

APPROVED AS TO FORM:

/s/ City Attorney Daniel Jones

PUBLIC COMMENTS – Russ Rose commented on manufactured homes; Larry Wertz commented on S. Milam St, from Live Oak St. to Walsh St. being dangerous for pedestrians.

COUNCIL COMMENTS – Luckenbach reported on the airport board and Kiehne commented that more mentors were needed at Fisd.

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 8:45 PM. All voted in favor and the motion carried. At 8:50 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, no action was taken.

With no further discussion, Council Member Neffendorf made a motion to adjourn the meeting at 8:52 PM. Council Member Luckenbach seconded the motion. Motion carried.

PASSED AND APPROVED this the 16th day of April, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR