

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
SEPTEMBER 2, 2014
7:00 PM

On this the 2nd day of September, 2014, 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
JERRY LUCKENBACH - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT MCGOWAN - CITY ATTORNEY
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES
BRAD KOTT - DIRECTOR OF FINANCE
CLINTON BAILEY - D.P.W.U.
STEVE WETZ - CHIEF OF POLICE
RUSSELL IMMEL - INFORMATION SYSTEMS MANAGER

The meeting was called to order at 7:00 PM, following the Pledge of Allegiance.

CONSENT AGENDA - It was moved by Council Member Watson, seconded by Council Member Pearson, to approve the consent agenda as follows:

1. Approval of FCVB Board Appointments: Brian Heath, Krista Gratigni, and Shannon Hanna.

All voted in favor; motion carried.

APPROVAL OF FY 2014-2015 BUDGET - It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to approve the FY 2014-2015 Budget as presented and amended. All voted in favor and the motion carried. It was then moved by Council Member Pearson, seconded by Council Member Watson, to waive the second reading and to proceed with the ordinance. All voted in favor and the motion carried.

ORDINANCE NO. 24-015

AN ORDINANCE OF THE CITY OF FREDERICKSBURG, TEXAS, ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND TERMINATING SEPTEMBER 30, 2015, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT AND ACCOUNT. (Recorded in Ordinance Book)

2014 PROPERTY TAX RATE ORDINANCE – It was moved by Council Member Pearson, seconded by Council Member Luckenbach, to waive the 2nd reading and adopt an ordinance on the 2014 Property Tax Rate. The vote was as follows: YEA: Langerhans, Neffendorf, Watson, Luckenbach, and Pearson; NAY: None. Motion carried.

ORDINANCE NO. 24-016

AN ORDINANCE LEVYING A TAX RATE

FOR THE CITY OF FREDERICKSBURG FOR THE TAX YEAR 2014

Be it ordered and ordained by the City Council of the City of Fredericksburg that we, the City Council of Fredericksburg, do hereby levy and adopt the tax rate on \$100 valuation for this City for the tax year 2014 as follows:

\$0.1992 for the purposes of maintenance and operations
\$0.0490 for the payment of principal and interest on the debt of the City
\$0.2482 total tax rate

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

This ordinance is effective from the date of its passage and publication in accordance with applicable law(s).

Passed and approved this 2nd day of September, 2014.

/s/ Linda Langerhans, Mayor

Attest: /s/ Shelley Britton, City Secretary

ANIMAL CONTROL ORDINANCE FEE ADJUSTMENT - Police Chief Wetz briefed council on the proposed fee adjustment. It was moved by Council Member Watson, seconded by Council Member Pearson, to waive the second reading and to adopt the Animal Control Fee Adjustment as presented. All voted in favor and the motion carried.

ORDINANCE NO. 24-017

AN ORDINANCE AMENDING APPENDIX A - FEE SCHEDULES ARTICLE 4.000 OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG AS TO THE ANIMAL CONTROL IMPOUNDMENT FEES AND CHARGES; ENACTING INCREASED FEES REPEALING INCONSISTENT PROVISIONS AND ESTABLISHING AN EFFECTIVE DATE. (Recorded in Ordinance Book)

ORDINANCE CONCERNING USE OF CITY LANDFILL - Clinton Bailey briefed Council on the proposed ordinance concerning use of the City Landfill. It was moved by Council Member Pearson, seconded by Council Member Luckenbach, to waive the 2nd reading and adopt an ordinance concerning use of the City Landfill. All voted in favor and the motion carried.

ORDINANCE NO. 24-018

AN ORDINANCE AMENDING CHAPTER 8, BUSINESSES, ARTICLE VI, GARBAGE HAULING SERVICE OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG, SPECIFICALLY TO ADD SECTION 8-148 USE OF CITY LANDFILL, PROVIDING FOR SEVERABILITY, REPEAL OF INCONSISTENT PROVISIONS, PENALTIES AND AN EFFECTIVE DATE. (Recorded in Ordinance Book)

ORDINANCE CONCERNING USE OF CITY RIGHT-OF-WAY - Council Member Pearson moved, seconded by Council Member Watson, to waive the 2nd reading and adopt an ordinance concerning use of City right-of-way. Council Member Pearson seconded the motion. The vote was as follows: YEA: Langerhans, Watson, Pearson, Neffendorf, and Luckenbach; NAY: None. Motion carried.

ORDINANCE NO. 24-019

AN ORDINANCE TO ESTABLISH UNIFORM RULES AND REGULATIONS GOVERNING THE CONSTRUCTION AND USE OF CITY PUBLIC RIGHTS OF WAY, AND MAY BE KNOWN AS THE "CITY PUBLIC RIGHTS OF WAY MANAGEMENT ORDINANCE". (Recorded in Ordinance Book)

ORDINANCE CONCERNING SOLID WASTE, WASTE WATER, AND ELECTRIC FEES - Council Member Watson moved to waive the 2nd reading and adopt the ordinance regarding solid waste, waste water, and electric fees as presented. All voted in favor and the motion carried.

ORDINANCE NO. 24-020

AN ORDINANCE AMENDING APPENDIX A FEE SCHEDULE ARTICLE 11.702 ELECTRIC RATES, ARTICLE 14.000, GARBAGE AND TRASH FEES, SPECIFICALLY SEC. 14.100 GARBAGE COLLECTION RATES, SECTION 16.000 WATER AND SEWER RATES FEES, SPECIFICALLY SECTION 16.400 SEWER DEPARTMENT UTILITY RATES AND ARTICLE 18.00 FEES FOR SANITARY LANDFILL ESTABLISHING AN EFFECTIVE DATE, REPEALING INCONSISTENT PROVISIONS, AND PROVIDING FOR PARTIAL INVALIDITY. (Recorded in Ordinance Book)

ANNEXATION OF 290 E AREA - It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to not proceed with the US Highway 290 E Annexation at this time. The vote was as follows: YEA: Langerhans, Watson, Pearson, Neffendorf, and Luckenbach; NAY: None. Motion carried.

CITY MANAGER'S REPORT - City Manager Kent Myers reported on the (1) September 8 Special City Council Meeting, (2) October City Council Retreat, (3) Consolidated Dispatch Center, (4) and Employee Recognitions, including Tony Robles from the Golf Department for the Golf Course float in the Fair parade, and Lee Dryer, EMS.

PUBLIC COMMENT - Russ Rose commended the PD for not hiring a consultant.

COUNCIL COMMENT - Bobby Watson thanked the Electric Department for their quick response in resetting a power pole after an accident.

EXECUTIVE SESSION - At 8:30 PM, Council Member Luckenbach made a motion to recess the regular session and go into Executive Session. Council Member Pearson seconded the motion, and the motion carried. At 9:00 PM, Council Member Pearson made a motion to adjourn the Executive Session and reconvene the regular session. Council Member Luckenbach seconded, the motion carried.

Following Executive Session, the following actions were taken:

LCRA LITIGATION - No action taken.

WASHBURN PROPERTY - No action taken.

CHARTER AMENDMENT LAWSUIT - No action taken.

With no further business, Council Member Luckenbach made a motion to adjourn the meeting at 9:02 PM. Council Member Neffendorf seconded the motion. All voted in favor and the motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**SPECIAL CITY COUNCIL MEETING
SEPTEMBER 8, 2014
5:30 PM**

On this the 8th day of September, 2014, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
JERRY LUCKENBACH - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: BOBBY WATSON - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
BRIAN JORDAN - DIR. OF DEVELOPMENT SERVICES
CLINTON BAILEY - D.P.W.U.

JOINT SESSION WITH PLANNING & ZONING COMMISSION AND HISTORIC REVIEW BOARD:

WORKSHOP – Council held a workshop on the Comprehensive Plan Update.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 7:00 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**REGULAR CITY COUNCIL MEETING
SEPTEMBER 15, 2014
7:00 PM**

On this the 15th day of September, 2014, 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
GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER

ABSENT: JERRY LUCKENBACH - COUNCIL MEMBER

ALSO PRESENT: SHELLEY BRITTON - CITY SECRETARY
PAT McGOWAN - CITY ATTORNEY
STEVE WETZ - CHIEF OF POLICE
BRIAN JORDAN - DIR DEVELOPMENT SERVICES
KRIS KNEESE - ASST. CITY ENGINEER
ERIC WHITING - INFORMATION TECHNOLOGY SPECIALIST

The meeting was called to order at 7:00 PM following the Pledge of Allegiance.

MINUTES – It was moved by Council Member Watson, seconded by Council Member Pearson, to approve the minutes of the August 2014 City Council meetings as presented. All voted in favor and the motion carried.

PUBLIC HEARING - Z-1408 BY DANIEL AND VERNA FRITZ FOR A CHANGE IN ZONING FROM C-1 NEIGHBORHOOD COMMERCIAL TO C-2 COMMERCIAL ON APPROXIMATELY ONE ACRE OF LAND OUT OF A SIX ACRE TRACT LOCATED AT 402 E CREEK ST - It was moved by Council Member Neffendorf , seconded by Council Member Watson, to adjourn the regular session and open a public hearing on Z-1408 by Daniel and Verna Fritz for a change in zoning from C-1 Neighborhood Commercial to C-2 commercial on approx. one acre of land out of a six acre tract located at 402 E Creek. All voted in favor and the motion carried.

Carroll Bryla, representing the applicant, presented the request. Comments were heard from Dr. Fritz, Dr. Hoffman, and Tom Musselman in favor of the request.

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

RECOMMENDATION AND ORDINANCE REGARDING Z-1408 – Dir. of Development Services, Brian Jordan presented the recommendation of the Planning & Zoning Commission.

It was moved by Council Member Pearson, seconded by Council Member Watson, to deny Request for C-2 Zoning and to direct staff to research an amendment to the expansion of Non-Conforming Uses in all zones.

FY 2014 BUDGET AMENDMENTS – Director of Finance Brad Kott presented Budget Amendments for FY 2014. It was moved by Council Member Neffendorf, seconded by Council Member Watson, to approve the 2014 Budget Amendments as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Watson, and Pearson. NAY: None. Motion carried.

CONTRACTS FOR WORK ORDER SYSTEM – It was moved by Council Member Pearson, seconded by Council Member Watson, to award the Contracts for the Work Order and Asset Management System to VUEWorks and to authorize the Director of Public Works & Utilities to enter into the Customer Software License and Professional Services Agreements to provide a GIS-Centric Work Order & Asset Management System and mobile data collection for the City of Fredericksburg. The vote was as follows: YEA: Langerhans, Watson, Pearson, and Neffendorf; NAY: None. Motion carried.

FUTURE AGENDA ITEMS - Lease Purchase Financing will be on an upcoming agenda.

PUBLIC COMMENT - No comments.

COUNCIL COMMENT - No comments.

With no further business, Council Member Watson made a motion to adjourn the meeting at 7:55 PM. Council Member Pearson seconded the motion. Motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**SPECIAL CITY COUNCIL MEETING
SEPTEMBER 22, 2014
5:30 PM**

On this the 22nd day of September, 2014, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Law Enforcement Center with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR

BOBBY WATSON - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: JERRY LUCKENBACH - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - D.P.W.U.
BRIAN JORDAN - DIR. OF DEVELOPMENT SERVICES

JOINT SESSION WITH PLANNING & ZONING COMMISSION AND HISTORIC REVIEW BOARD:

WORKSHOP – Council held a workshop on the Comprehensive Plan Update.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 7:00 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**SPECIAL CITY COUNCIL MEETING
SEPTEMBER 24, 2014
8:00 AM**

On this the 24th day of September, 2014, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Fire Department Training Room at City Hall with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
BOBBY WATSON - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER

ABSENT: JERRY LUCKENBACH - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - D.P.W.U.

LEADERSHIP GILLESPIE COUNTY - Council and various department heads took part in Leadership Gillespie County.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 10:00 AM. Council Member Watson seconded the motion. Motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR