

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
NOVEMBER 2, 2015
6:00 PM

On this the 2nd day of November, 2015, 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
CLINTON BAILEY - D.P.W.U.
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
LAURA HOLLENBEAK – DIR OF FINANCE
RUSSELL IMMEL – IT MANAGER
STEVE WETZ – POLICE CHIEF

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

PUBLIC COMMENTS – Comments were received from the following regarding the Noise Ordinance: Jim Chapman, John Graham, Patrick Keating, Mimi Taylor, David Mann, Graham Warrick, Dudley Althaus, Robert Latido, Sean Smajstrala, Susan Danzler, Susan Shanks, Patricia Henke, Janie Scolfield, Kelly Lucker, Rick Boseley, Steve Morris, and Trey O'Connor.

MINUTES – It was moved by Council Member Watson, seconded by Council Member Neffendorf, to approve the minutes of the September 2015 meetings as presented. All voted in favor and the motion carried.

ORDINANCE ANNEXING APPROXIMATELY 18.076 ACRES OF LAND OUT OF WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2, OTHERWISE KNOWN AS STONE RIDGE UNIT 9 – It was moved by Council Member Luckenbach, seconded by Council Member Watson, to adopt an Ordinance annexing approximately 18.076 acres of land out of William H. Anderson Survey No. 197, Abstract No. 2, otherwise known as Stone Ridge Unit 9. All voted in favor and the motion carried.

ORDINANCE NO. 25-029

AN ORDINANCE ANNEXING TO THE CITY OF FREDERICKSBURG, TEXAS, AN 18.076 ACRE TRACT OUT OF A REMAINING PORTION OF A 258 ACRE TRACT AS DESCRIBED IN VOLUME 63, PAGE 366, DEED RECORDS OF GILLESPIE COUNTY, TEXAS, BEING SITUATED IN THE WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2, 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. (Recorded in Ordinance Book)

LEASE AGREEMENT FOR RED BIRD GRILL – It was moved by Council Member Pearson, seconded by Council Member Luckenbach, to approve a Lease Agreement for Red Bird Grill with bob Neutze Jr. for a six-month period beginning November 5. The vote was as follows: AYE: Langerhans, Pearson, Neffendorf, Watson, and Luckenbach; NAY: None. Motion carried.

PROCESS FOR REQUESTING, APPROVING, AND REPORTING ON USE OF HOT FUNDS – Following a discussion on HOT funding requests and reporting forms, no changes were made to the process.

CITY MANAGER’S REPORT – City Manager Kent Myers reported on (1) Fire Chief Interviews, (2) Affordable Housing, (3) Parks Master Plan, and (4) City Employee Recognitions.

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, seconded by Council Member Watson, to recess the regular session and go into Executive Session at 8:58 PM. All voted in favor and the motion carried. At 9:13 PM, it was moved by Council Member Luckenbach, seconded by Council Member Pearson, 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:

CHARTER AMENDMENT – No action.

MID-YEAR PERFORMANCE REVIEW: MUNICIPAL COURT JUDGE –It was moved by Council Member Pearson, seconded by Council Member Watson, to provide a salary increase to \$50,000/year. The vote was as follows: AYE: Langerhans, Pearson, Neffendorf, Watson, and Luckenbach; NAY: None. Motion carried.

With no further discussion, Council Member Luckenbach made a motion to adjourn the meeting at 7:30 PM. Council Member Watson seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of January, 2016.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**REGULAR CITY COUNCIL MEETING
NOVEMBER 16, 2015
6:00 PM**

On this the 16th day of November, 2015, 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
GRAHAM PEARSON – COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
LAURA HOLLENBEAK – DIR OF FINANCE
CLINTON BAILEY - D.P.W.U.
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
STEVE WETZ – POLICE CHIEF

The meeting was reconvened at 6:00 PM following the Pledge of Allegiance.

PUBLIC HEARING ON Z-1517 BY PENICK REAL ESTATE (1) FOR A CHANGE IN THE LAND USE PLAN FROM LOW DENSITY RESIDENTIAL AND HIGH DENSITY RESIDENTIAL TO COMMERCIAL AND (2) CHANGE ZONING FROM R-1 SINGLE FAMILY RESIDENTIAL ON THE SOUTH SIDE OF FRIENDSHIP LANE, AND R-3 MULTI FAMILY RESIDENTIAL ON THE NORTH SIDE OF FRIENDSHIP LANE, AND R-3 MULTI FAMILY RESIDENTIAL ON THE NORTH SIDE OF FRIENDSHIP TO C-1 NEIGHBORHOOD COMMERCIAL – It was moved by Council Member Pearson, seconded by Council Member Watson, to recess the regular session and open the public hearing on Z-1517 for a Change in the land Use Plan and zoning related to property on the North Side of Friendship Lane to C-1 Neighborhood Commercial.

Comments were received by Betty Harper in opposition to the request. With no further comments from the public, it was moved by Council Member Pearson, seconded by Council Member Neffendorf, to adjourn the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

RECOMMENDATION AND ORDINANCES RE: Z-1517 – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to approve Z-1517 as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Luckenbach, Watson, and Pearson. Motion carried.

ORDINANCE NO. 25-026

AN ORDINANCE ADOPTING A CHANGE IN THE COMPREHENSIVE PLAN OF THE CITY OF FREDERICKSBURG; SPECIFICALLY IN THE LAND USE MAP AND COMPREHENSIVE PLAN AS TO TRACT 1: 22.01 ACRES OUT OF THE DeBRANT SURVEY NO. 42, ABSTRACT NO. 180, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS AND TRACT 11: 12.78 ACRES OUT OF THE G. DeBRANT SURVEY NO. 42, ABSTRACT NO. 180, SITUATED IN THE CITY OF FREDERICKSBURG, PROVIDING THAT THE PLANNED USE OF SAID TRACTS BE CHANGED TO COMMERCIAL AND THAT SAID CHANGE BECOME A PART OF THE COMPREHENSIVE PLAN AND PROVIDING FOR AN EFFECTIVE DATE. (Recorded in Ordinance Book)

ORDINANCE NO. 25-027

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG AND CHANGING THE ZONING CLASSIFICATION OF TRACT 1: 22.01 ACRES OUT OF THE DeBRANT SURVEY NO. 42, ABSTRACT NO. 180 SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS AND TRACT 11: 12.78 ACRES OUT OF THE G. DeBRANT SURVEY NO 42 ABSTRACT NO. 180, SITUATED IN THE CITY OF FREDERICKSBURG, FROM R-2 MULTI FAMILY RESIDENTIAL (TRACT 1) AND R-1 SINGLE FAMILY RESIDENTIAL (TRACT 11) TO C-1 NEIGHBORHOOD COMMERCIAL. (Recorded in Ordinance Book)

PUBLIC HEARING ON Z-1518 BY GABLE S. CORPORATION FOR A CONDITIONAL USE PERMIT TO ALLOW A HOTEL/MOTEL IN THE CBD, CENTRAL BUSINESS DISTRICT ON PROPERTY LOCATED AT 406 E. MAIN ST. – It was moved by Council Member Luckenbach, seconded by Council Member Watson, to recess the regular session and open the public hearing on Z-1518 for a Conditional Use Permit to allow a Hotel/Motel in the CBD, Central Business District on property located at 406 E. Main St. All voted in favor and the motion carried.

Shaesby Scott was on hand to present the request, describing the changes to his original plan.

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

RECOMMENDATION RE: Z-1518 – It was moved by Council Member Pearson, seconded by Council Member Neffendorf, to approve Z-1518 as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Luckenbach, Watson, and Pearson. Motion carried.

ORDINANCE AMENDING FOOD ESTABLISHMENT REGULATIONS – Kelli Olfers presented the new Texas Food Establishment Rules (TFER) found in the Texas Administrative Code Chapter 228.1 through 228.278. It was moved by Council Member Watson, seconded by Council Member Luckenbach, to adopt the Ordinance amending Food Establishment Regulations.

ORDINANCE NO. 25-028

AN ORDINANCE AMENDING CHAPTER 8 – BUSINESSES ARTICLE V. ENTITLED FOOD ESTABLISHMENT REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG TO UPDATE STATE LAW REFERENCES TO THE TEXAS ADMINISTRATIVE CODE, CORRECTING A NUMBERING ERROR AND ESTABLISHING AN EFFECTIVE DATE. (Recorded in Ordinance Book)

UPDATE ON DOG PARK AGREEMENT – Jody Donavon presented a request to extent the agreement for the Dog Park to January 2017. It was moved by Council Member Pearson, seconded by Council Member Watson, to approve the request to extend the Dog Park Agreement to January 2017. The vote was as follows: AYE: Langerhans, Neffendorf, Luckenbach, Watson, and Pearson. Motion carried.

HEALTH BOARD APPOINTMENTS – It was moved by Council Member Pearson, seconded by Council Member Watson, to approve the appointments to the Health Board as follows: David Kemp and Brett Beyer to three year terms, and reappoint Cynthia England to another (three-year) term. The vote was as follows: AYE: Langerhans, Neffendorf, Luckenbach, Watson, and Pearson. Motion carried.

FCVB BOARD NOMINATIONS – It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to approve the reappointments to the FCVB as follows: Eric Bryla, Bobbi McDaniel, and Kathy Gutierrez (three-year terms). The vote was as follows: AYE: Langerhans, Neffendorf, Luckenbach, Watson, and Pearson. Motion carried.

VOTES FOR GILLESPIE CENTRAL APPRAISAL DISTRICT BOARD – It was moved by Council Member Pearson, seconded by Council member Watson, to split the votes equally (72) between the nominees, with the extra vote going to Tim Dooley (73). All voted in favor and the motion carried.

CONTRACT FOR PROFESSIONAL SERVICES – TDS AND CHLORIDE STUDY – Kris Kneese presented the background on the Professional Services Contract – TDS and Chloride Study. It was moved by Council Member Pearson, seconded by Council Member Watson, to approve the contract with HDR Engineering for \$43,200.00. The vote was as follows: AYE: Langerhans, Neffendorf, Luckenbach, Watson, and Pearson. Motion carried.

CITY MANAGER’S REPORT - City Manager’s Report included (1) Golf Course Financial Update, (2) Proposed Animal Shelter, (3) Parks Master Plan, (4) City Employee Recognitions.

PUBLIC COMMENTS – Russ Rose commented on the golf course.

COUNCIL COMMENTS – Council Members commented on various board meetings attended.

With no further business, Council Member Neffendorf made a motion to adjourn the meeting at 9:35 PM. Council Member Pearson seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of January, 2016.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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

**SPECIAL CITY COUNCIL MEETING
NOVEMBER 30, 2015
4:00 PM**

On this the 30th day of November, 2015, 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
GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER

PRESENTATION FROM JUSTIN BREGIEL, GENERAL COUNSEL FOR THE TEXAS HOTEL & LODGING ASSOCIATION, ON THE DEVELOPMENT OF CONVENTION CENTERS IN THE STATE OF TEXAS – Following the presentation from Justin Bregiel, General Counsel for The Texas Hotel & Lodging Association on the development of convention centers in the State of Texas, no action was taken.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 5:16 PM. Council Member Watson seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of January, 2016.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR