

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

**REGULAR CITY COUNCIL MEETING
JUNE 6, 2011
7:00 PM**

On this the 6th day of June, 2011, 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:

TOM MUSSELMAN - MAYOR
TIM DOOLEY - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
TOMMY SEGNER - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: GARY NEFFENDORF - CITY MANAGER
PAT McGOWAN - CITY ATTORNEY
PAUL OESTREICH - CHIEF OF POLICE
JIMMY ALEXANDER - DIR. PARKS & RECREATION
BRIAN JORDAN - DIRECTOR DEVELOPMENT SERVICES

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

POOL CONSULTANT CONTRACT - Council directed the City Manager and City Attorney to research if all the information needed has been received from the pool consultants.

APPOINT MAYOR PRO-TEM - It was moved by Council Member Pearson, seconded by Council Member Jones, to appoint Tim Dooley as Mayor Pro-Tem. The vote was as follows: AYE: Musselman, Dooley, Jones, Pearson and Segner; NAY: None. Motion carried.

REPORT FROM CHRISTMAS COMMITTEE - Council received a request from Jeryl Hoover on behalf of the City's Christmas Committee for funding for the 2011 Holiday Season. Comments were heard from Steve O'Brien, Mike Clark, Walter Moldenhauer, John Detmar, and Kathy Gutierrez. It was moved by Council Member Pearson, seconded by Council Member Dooley to authorize \$32,500 for disbursements to the Christmas Committee in preparation for the upcoming holiday season. The vote was as follows: AYE: Musselman, Dooley, Jones, Pearson and Segner; NAY: None. Motion carried.

APPOINT COMMITTEE TO MAKE RECOMMENDATIONS ON POOL OPTIONS - Council heard from Walter Moldenhauer, Russ Rose, Steve O'Brien, John Martinez, Linda Langerhans, John Detmar, Steve Thomas, Jordan Anderson, Jimmy Lukacs, Larry Werts, and Isabel Werts concerning the appointment of a committee to make recommendations on pool options. No action was taken.

FORMATION OF PARKS AND RECREATION ADVISORY BOARD, - Council discussed the formation of a Parks and Recreation Advisory Board. Comments were received from Dawn Bourgeois, Al Carr, Larry Werts, John Detmar, Karen Oestreich, Bjorn Kirchdorfer, Walter Moldenhauer, and Leonard Bentsch. No action taken.

DATE FOR FIRST MEETING IN JULY - Council set July 5th for the first meeting in July.

PUBLIC COMMENT - Comments were received from Steve O'Brien regarding the candidates' forum and from Sharon Wahrmund requesting longer pool hours and adult swim times.

COUNCIL COMMENT - Scott Jones and Tommy Segner thanked the community.

EXECUTIVE SESSION - At 9:15 PM, Council Member Pearson made a motion to recess the regular session and go into Executive Session. Council Member Dooley seconded, and the motion carried. At 10:00 PM, Council Member Pearson made a motion to adjourn the Executive Session and reconvene the regular session. Council Member Segner seconded and the motion carried.

CONSULTATION WITH ATTORNEY/POTENTIAL LITIGATION - WASTEWATER PERMIT AGREEMENT AND OTHER RELATED POTENTIAL LITIGATION - No action taken.

CONSULTATION WITH ATTORNEY/POTENTIAL LITIGATION - SALE OF LAND
No action taken.

With no further business, it was moved by Council Member Dooley, seconded by Council Member Pearson, to adjourn the meeting at 11:05 pm. Motion carried.

PASSED AND APPROVED this the 6th day of September, 2011.

SHELLEY BRITTON, CITY SECRETARY

TOM MUSSELMAN, MAYOR

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

**REGULAR CITY COUNCIL MEETING
JUNE 20, 2011
7:00 PM**

On this the 20th day of June, 2011, City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law enforcement Center, 1601 E. Main Street, with the following members present to constitute a quorum:

TOM MUSSELMAN - MAYOR
TIM DOOLEY - COUNCIL MEMBER
TOMMY SEGNER - COUNCIL MEMBER
SCOTT JONES - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: GARY NEFFENDORF - CITY MANAGER
PAUL OESTREICH - CHIEF OF POLICE

PAT MCGOWAN - CITY ATTORNEY
CRAIG WALLENDORF - D.P.W.U.
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES
JIMMY ALEXANDER - DIR OF PARKS & REC

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

PUBLIC HEARING Z-1102 BY BURY & PARTNERS ON BEHALF OF HEB GROCERY COMPANY AT 407 S. ADAMS TO AMEND PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW A PERMANENT SHADE CANOPY WITHIN THE FRONT SIDEWALK AND THE ADDITION OF A SINGLE DIESEL FUEL DISPENSER ISLAND WITH CANOPY COVER

- It was moved by Council Member Dooley, seconded by Council Member Pearson, to recess the regular session and open the public hearing on Request Z-1102 by Bury & Partners on behalf of HEB Grocery Company at 407 S. Adams to amend the PUD (Planned Unit Development) to (1) allow a permanent shade canopy within the front sidewalk and (2) the addition of a single diesel fuel dispenser island with canopy cover. All voted in favor and the motion carried.

Following comments from applicant Mark Johnson of Bury & Partners, Mary Rohrer and Kathy Bowen of HEB Grocery Company, it was moved by Council Member Dooley, seconded by Council Member Pearson, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1102 - It was moved by Council Member Dooley, seconded by Council Member Jones, to approve the Request Z-1102 to amend the PUD (Planned Unit Development) to allow a permanent shade canopy within the front sidewalk. Staff was directed to review (with the Planning & Zoning Committee) regulations regarding gas pump islands. The vote was as follows: AYE: Musselman, Segner, Dooley, Pearson, and Jones; NAY: None. Motion carried.

PUBLIC HEARING Z-1103 BY THE CITY OF FREDERICKSBURG TO: (A) CHANGE THE LAND USE PLAN FROM PUBLIC/SEMI-PUBLIC TO CBD (CENTRAL BUSINESS DISTRICT) UPTOWN ON PROPERTY LOCATED AT 610 W. MAIN ST. AND (B) CHANGE IN ZONING FROM PF PUBLIC FACILITIES TO C-2 COMMERCIAL ON SUBJECT PROPERTY

- It was moved by Council Member Dooley, seconded by Council Member Pearson, to recess the regular session and open the public hearing by the City of Fredericksburg for (A) a change in the Land Use Plan from Public/Semi-Public to CBD Uptown for 610 W. Main St.(Hill Country Credit Union), and (B) a change in zoning from PF to C-2. All voted in favor and the motion carried.

Comments were received from Steve O'Brien about the notification process. With no further comments, it was moved by Council Member Dooley, seconded by Council Member Pearson, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1103 - It was moved by Council Member Pearson, seconded by Council Member Dooley, to approve (A) the change in the Land Use Plan from Public/Semi-Public to CBD Uptown, and (B) a change in zoning from PF to C-2 for 610 W. Main St. The vote was as follows: AYE: Musselman, Segner, Dooley, Pearson, and Jones; NAY: None. Motion carried.

CLARIFICATIONS AND AMENDMENTS TO EXISTING DROUGHT

CONTINGENCY PLAN - Dir of Public Works & Utilities Craig Wallendorf was on hand to review clarifications and amendments to the existing DROUGHT Contingency Plan, specifically clarifying inconsistencies in the watering days, methods, and definitions. It was moved by Council Member Pearson, seconded by Council Member Jones, to approve the ordinance changing the DROUGHT Contingency Plan as corrected. The vote was as follows: AYE: Musselman, Segner, Dooley, Pearson, and Jones; NAY: None. Motion carried.

ORDINANCE NO. 21-006

AN ORDINANCE AMENDING THE WATER CONSERVATION MEASURES ORDINANCE BEING CHAPTER 47 ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG, TO CLARIFY THE DEFINITIONS OF WATERING DEVICES AND LANDSCAPED AREAS/IRRIGATION USE, TO AMEND THE TIME FOR ALLOWABLE WATERING IN STAGES THREE AND FOUR, SETTING AN EFFECTIVE DATE AND REPEALING ALL ORDINANCES OR PARTS THEREOF INCONSISTENT WITH THE PROVISIONS HEREOF. (Recorded in Ordinance Book)

STAGE 3 WATER RESTRICTIONS - Stage 3 water restrictions will commence June 21, 2011.

UPDATE ON PUBLIC WORKS AND ENGINEERING DEPARTMENTS AND ON VARIOUS PUBLIC WORKS PROJECTS THROUGHOUT THE CITY - D.P.W.U. Craig Wallendorf gave a PowerPoint presentation to familiarize Council and citizens of the departments within the Public Works, Utilities and Engineering and to brief Council on current and proposed projects.

CREATION OF A CITY SWIMMING POOL COMMITTEE AND PARKS & RECREATION ADVISORY BOARD - Council heard from members of the community including Larry Werts, Walter Moldenhauer, Russ Rose, Steve O'Brien, Tonya Benson, Kelly Musselman, Linda Langerhans and John Detmar about various aspects of the creation of a Pool Committee and a Parks & Recreation Advisory Board.

Following a lengthy discussion, it was moved by Council Member Jones, seconded by Council Member Segner, to create a City Pool Advisory Committee as follows:

1. Consisting of nine voting members, with one council member, the City Manager, and the City Parks & Rec Director serving as ex-officio members.
2. To meet on an as-needed basis.
3. Tasked with presenting three options for pool configurations and/or locations with projected costs.
4. Potential funding such as grants and fund-raising opportunities.
5. The Pool Committee, upon completion, would become a permanent Parks Advisory Board by a vote of the Council.
6. Staff was directed to gather information on Parks Advisory Board creation and organization.

The vote was as follows: AYE: Segner and Jones; NAY: Musselman, Pearson, and Dooley. The motion failed.

It was then moved by Council Member Dooley, seconded by Council Member Pearson, to create a Pool Committee with the following criteria:

1. Solicit names from council and the general public.
2. Number of voting members yet to be determined, with one councilman, the Director of Parks and Recreation, and the city manager as ex-officio members.
3. Solicit comments and direction from the public via public meetings and other forms of oral or written comments.
4. Committee shall meet at their discretion.
5. Present plan or plans along with cost estimates and suggest timely and realistic funding options beyond Bond Indebtedness.
6. Use available information in place from Kimley-Horn to begin discussion.
7. Seek Council approval to solicit Requests for Proposals from other firms for consulting services if deemed necessary.
8. Request the services of a Task Facilitator to be provided by LCRA.
9. Appoint said committee at 7/5/11 Council meeting.

The vote was as follows: AYE: Musselman, Pearson, and Dooley: NAY: Segner and Jones. The motion carried.

CITY COUNCIL MINUTES OF MEETINGS - Council considered a suggestion from Council Members Jones and Segner regarding the submission of Council Minutes. No action was taken.

PUBLIC COMMENT - Walter Moldenhauer commented that “every drop (of water) counts”.

COUNCIL COMMENT - Mayor Musselman appealed to citizens to use water reasonably.

EXECUTIVE SESSION - At 9:55 PM, Council Member Dooley made a motion to recess the regular session and go into Executive Session. Council Member Pearson seconded; motion carried. At 10:05 PM, Council Member Jones made a motion to adjourn the Executive Session and reconvene the regular session, Council Member Segner seconded; the motion carried.

EXECUTIVE SESSION - Real Estate - Sale of land.

Following Executive Session, no action was taken.

With no further discussion, Council Member Segner made a motion to adjourn the meeting at 10:08 PM. Council Member Dooley seconded; motion carried.

PASSED AND APPROVED this the 6th day of September, 2011.

SHELLEY BRITTON, CITY SECRETARY

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TOM MUSSELMAN, MAYOR

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STATE OF TEXAS

SPECIAL CITY COUNCIL MEETING

**COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**JUNE 30, 2011
8:00 AM**

On this the 30th day of June, 2011, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, with the following members present to constitute a quorum:

TOM MUSSELMAN - MAYOR
TIM DOOLEY - COUNCIL MEMBER
SCOTT JONES - COUNCIL MEMBER
TOMMY SEGNER - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: GARY NEFFENDORF - CITY MANAGER
JIMMY ALEXANDER - DIR OF PARKS & REC

The meeting was called to order at 8:00 AM.

METHODOLOGY, MEMBERSHIP, AND INSTRUCTIONS TO POOL COMMITTEE - Council met with 34 individuals interested in serving on the Pool Committee: Karen and Dwight Oestreich, Bjorn Kirchdorfer, John Detmar, Walter Moldenhauer, Larry Werts, Mercedes Stenberg, Sharon Wahrmond, Linda Langerhans, John Dodds, Dorothy Klaerner, George Burns, Sherman Durst, David Bullion, Dean Haase, Dorothy Jesse, John Martinez Jr., Zephyr Stone, Phyllis Malinak, Russ Rose, Lilli Peters, Tonya Benson, Jerry Farley, Alicia and Keith Hayward, Wanda Carroll, Nick Thompson, Al Carr, Dawn Bourgeois, Lee Miller, Jimmy Lukacs, Stephen Harris, and Mattie Boos.

It was agreed that each member of the committee should have one vote, whether or not they be part of a husband and wife team.

With no further business, it was moved by Council Member Dooley, seconded by Council Member Segner, to adjourn the meeting at 9:10 am. Motion carried.

PASSED AND APPROVED this the 6th day of September, 2011.

SHELLEY BRITTON, CITY SECRETARY

TOM MUSSELMAN, MAYOR