

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
NOVEMBER 5, 2012
7:00 PM

On this the 5th day of November, 2012, 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:

JERYL HOOVER - MAYOR
TIM DOOLEY - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER
SCOTT JONES - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT MCGOWAN - CITY ATTORNEY
BRIAN JORDAN - DIR. DEVELOPMENT SERVICES
CRAIG WALLENDORF - D.P.W.U.
STEVE WETZ - ACTING CHIEF OF POLICE
LEA FEUGE - ENGINEERING TECHNICIAN
RUSSELL IMMEL- INFORMATION SYSTEMS MANAGER
ERIC WHITING - INFORMATION SYSTEMS TECHNICIAN

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

APPOINTMENTS TO CVB BOARD - It was moved by Council Member Jones, seconded by Council Member Sanford, to appoint Claude Saunders, Eric Bryla, Kathy Gutierrez, and Bobbi McDaniel as members of the CVB Board for three-year terms. The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

AWARD BID FOR CHRISTMAS STORAGE BUILDING - It was moved by Council Member Dooley, seconded by Council Member Pearson, to award the bid for the construction of a 40'X60' Christmas storage building to DR Welding for \$62,877.00 as presented. The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

ENCROACHMENT TO CITY RIGHT-OF-WAY ON AUSTIN STREET - Owners of the property at the corner of Austin and Elk St. requested a Right-of-Way Encroachment Agreement. Following a lengthy discussion, it was moved by Council Member Sanford, seconded by Council member Jones, to grant the option of (1) either a ROW encroachment agreement or to (2) grant a permanent agreement that allows them to build the sidewalk on Austin St, with the city manager to negotiate the final amount to escrow for a sidewalk. The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

PROPOSED AMENDMENTS TO THE NOISE ORDINANCE - No action taken.

FUTURE AGENDA ITEMS - None.

CITY MANAGER'S REPORT - City Manager's Report included (1) City Council Retreat, (2) Department Head Retreat, (3) Special Council meeting with TxDOT Representatives, (4) Water Forum, (5) Cross Mountain Park, and (6) Subdivision Regulations.

PUBLIC COMMENT - Russ Rose commented on the pool, Ralph Bartell commented on noise and flooding issues, and Deborah Payne commended Council on using common sense with building issues.

COUNCIL COMMENT - Scott Jones commented on the FHS marching band performing that night at the State finals, and he also reminded everyone to vote.

With no further business, Council Member Dooley made a motion to adjourn the meeting at 8:30 PM. Council Member Jones seconded the motion. Motion carried.

Passed and approved this the 7th day of January, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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

**REGULAR CITY COUNCIL MEETING
NOVEMBER 19, 2012
7:00 PM**

On this the 19th day of November, 2012, 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:

- JERYL HOOVER - MAYOR
- TIM DOOLEY - COUNCIL MEMBER
- GRAHAM PEARSON - COUNCIL MEMBER
- KATHY SANFORD - COUNCIL MEMBER
- SCOTT JONES - COUNCIL MEMBER

ABSENT: NONE

- ALSO PRESENT:
- KENT MYERS - CITY MANAGER
- SHELLEY BRITTON - CITY SECRETARY
- PAT MCGOWAN - CITY ATTORNEY
- BRIAN JORDAN - DIR. DEVELOPMENT SERVICES
- STEVE WETZ - ACTING CHIEF OF POLICE
- JIMMY ALEXANDER - DIR OF PARKS & REC
- RUSSELL IMMEL- INFORMATION SYSTEMS MANAGER

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

MINUTES OF OCTOBER 2012 MEETINGS - It was moved by Council Member Sanford, seconded by Council Member Jones, to approve the minutes of the October 2012 meetings as presented. All voted in favor and the motion carried.

PUBLIC HEARING Z-1214 BY SAN ANTONIO DESIGN GROUP ON BEHALF OF PLEASANTON PARTNERS LP FOR AN AMENDMENT TO THE PUD FOR BARON'S CREEK SHOPPING CENTER TO ALLOW AN INCREASE IN BUILDING SQUARE FOOTAGE AND AN ADDITIONAL GROUND SIGN ON LOT 1BB-AR LOCATED AT 1426 E MAIN ST - It was moved by Council Member Dooley, seconded by Council Member Jones, to recess the regular meeting and open the Public Hearing on Z-1214 for an amendment to the Planned Unit Development for Baron's Creek Shopping Center to allow an increase in building square footage and an additional ground sign on Lot 1BB-AR located at 1426 E Main St. All voted in favor and the motion carried.

Tony Saucedo of San Antonio Design Group was on hand to present the request; no comments were received from the public.

It was moved by Council Member Dooley, seconded by Council Member Jones, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

ORDINANCE FOR REQUEST Z-1214 - Based on the recommendation of the Planning & Zoning Commission and staff, it was moved by Council Member Dooley, seconded by Council Member Sanford, to adopt an ordinance approving the PUD Amendment for additional building square footage on the vacant pad site (Lot 1 BB-RR-AR) and site circulation changes, but to deny the request for additional signage. The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

ORDINANCE NO. 22-029

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG TO APPROVE AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT PERTAINING TO A 1.475 ACRE PORTION OF SAID PLANNED UNIT DEVELOPMENT BEING LOT 1 BB-RR-AR BARON'S CREEK PUD, A RESUBDIVISION PLAT OF WHICH IS FOUND OF RECORD IN THE PLAT RECORDS OF GILLESPIE COUNTY.
(Recorded in Ordinance Book)

PUBLIC HEARING Z-1215 BY DONNA CROY FOR A CONDITIONAL USE PERMIT TO ALLOW PERSONAL IMPROVEMENT SERVICES IN A C-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AT 109 E HACKBERRY ST. - It was moved by Council Member Dooley, seconded by Council Member Sanford, to recess the regular session and open the Public Hearing on Request Z-1215 by Donna Croy for a Conditional Use Permit to allow personal improvement services in a C-1 Neighborhood Commercial Zoning District at 109 E Hackberry St. All voted in favor and the motion carried.

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

REQUEST Z-1215 - It was moved by Council Member Dooley, seconded by Council Member Sanford, to approve Request Z-1215 as presented. The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

PUBLIC HEARING Z-1216 BY STEPHEN AND BEVERLY ALLAN FOR A CONDITIONAL USE PERMIT TO ALLOW PERSONAL IMPROVEMENT SERVICES IN A C-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AT 109 E HACKBERRY ST. - It was moved by Council Member Dooley, seconded by Council Member Sanford, to recess the regular session and open the Public Hearing on Request Z-1216 by Stephen and Beverly Allan for a Conditional Use Permit to allow personal improvement services in a C-1 Neighborhood Commercial Zoning District at 109 E Hackberry St. All voted in favor and the motion carried.

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

REQUEST Z-1216 - It was moved by Council Member Dooley, seconded by Council Member Sanford, to approve Request Z-1216 as presented. The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

SELECT CONSULTING FIRM FOR UPDATE OF SUBDIVISION ORDINANCE - It was moved by Council Member Sanford, seconded by Council Member Dooley, to select Freese and Nichols for the update of the Subdivision Ordinance. The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

PROPOSAL FROM FREDERICKSBURG OPTIMIST CLUB TO CONVERT EXISTING PRACTICE FIELD INTO GAME FIELD FOR T-BALL - It was moved by Council Member Pearson, seconded by Council Member Jones, to accept a \$20,000 donation from the Fredericksburg Optimist Club to convert the existing practice field at Lady Bird Johnson Park into a game field to use for T-Ball, and to name the field "Optimist Club T-Ball Field". The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

AMENDMENT TO NOISE ORDINANCE - It was moved by Council Member Jones, seconded by Council Member Sanford, to amend the Noise Ordinance relating to waivers. The vote was as follows: AYE: Hoover, Sanford, Dooley, Jones, and Pearson. Motion carried.

ORDINANCE NO. 22-030

AN ORDINANCE RESTATING AND ADOPTING AMENDMENTS TO PROVISIONS RELATING TO NOISE AND SOUND LEVEL REGULATION CONTROL IN THE CITY LIMITS OF THE CITY OF FREDERICKSBURG; AMENDING THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG SPECIFICALLY, THE PROVISIONS DESIGNATED AS ARTICLE 7.1100 SECTIONS 7.1101 THROUGH 7.1107 TO SAID CODE, BEING DEFINITIONS, GENERAL PROHIBITIONS, NOISY VEHICLES,

NOISY ANIMALS AND BIRDS, MAXIMUM PERMISSIBLE SOUND LEVELS, METHOD OF SOUND MEASUREMENT, PERMIT REQUIRED FOR USE OF CERTAIN EQUIPMENT, DEFENSES AND PENALTY; ESTABLISHING AN EFFECTIVE DATE; REPEALING ALL INCONSISTENT PROVISIONS AND PROVIDING FOR PARTIAL INVALIDITY. (Recorded in Ordinance Book)

UPDATE FROM CITY ATTORNEY REGARDING GAS UTILITY RATE JURISDICTION - City Attorney Pat McGowan updated council regarding gas utility rate jurisdiction. No action taken.

CITY MANAGER'S REPORT - City Manager's Report included (1) City Council Retreat, (2) November 26 Special City Council Meeting, (3) Town Pool Construction.

FUTURE AGENDA ITEMS - Included in the list of future agenda items were Wayfinding, Austin St. Bridge, Morning Glory Drive, Utility Rate Study, EDC Board Appointments, Subdivision Regulations, and Hospital Authority Bond Financing.

PUBLIC COMMENT - None.

COUNCIL COMMENT - None.

With no further business, Council Member Dooley made a motion to adjourn the meeting at 8:30 PM. Council Member Jones seconded the motion. Motion carried.

PASSED AND APPROVED this 7th day of January, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
NOVEMBER 26, 2012
10:00 AM

On this the 26th day of November, 2012, City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR
GRAHAM PEARSON - COUNCIL MEMBER
TIM DOOLEY - COUNCIL MEMBER
KATHY SANFORD - COUNCIL MEMBER

ABSENT: SCOTT JONES - COUNCIL MEMBER

ALSO PRESENT:

KENT MYERS - CITY MANAGER
JIMMY ALEXANDER - DIR OF PARKS & REC
STEVE WETZ - ACTING POLICE CHIEF
JOHN CULPEPPER - DIR OF EMERGENCY SERVICES
BRIAN JORDAN - DIR. DEVELOPMENT SERVICES
CRAIG WALLENDORF - D.P.W.U.

The meeting was called to order at 10:00 AM.

OKTOBERFEST - Council met with Debbie Farquhar-Garner and the Oktoberfest board to discuss the 2012 event and plans for future Oktoberfest events. No action was taken.

TxDOT - Council met with TxDOT officials including Terry McCoy, Austin Director of Transportation Planning and Development, and Howard Lyons, Burnet Area Engineer. Representative Doug Miller was also present. Various State highway projects were discussed, including the alternate truck route. No action was taken.

COUNTY OFFICIALS - At noon, the meeting was moved to Adelsverein Halle at Market Square for lunch with the County Judge and Commissioners.

With no further business, the meeting adjourned at 12:45 PM.

PASSED AND APPROVED this 7th day of January, 2013.

SHELLEY BRITTON, CITY SECRETARY

JERYL HOOVER, MAYOR

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