



City of Fredericksburg

REGULAR CITY COUNCIL MEETING MINUTES MONDAY, JULY 18, 2022 ~ 6:00 P.M. LAW ENFORCEMENT CENTER 1601 E. MAIN STREET FREDERICKSBURG, TEXAS 78624

The City of Fredericksburg City Council held their Regular Meeting on Monday, July 18, 2022 at 6 p.m. This meeting was held in person at the Law Enforcement Center and live streamed on the Fredericksburg YouTube Channel.

Members Present:

Mayor Jeryl Hoover
Mayor Pro-Tem Bobby Watson
Councilmember Emily Kirchner
Councilmember Tony Klein
Councilmember Sharon Joseph

Members Absent:

None.

City Staff Present:

Clinton Bailey, City Manager
Daniel Jones, City Attorney
Brian Vorauer, Police Chief
Lynn Bizzell, Fire Chief
Eric Whiting, Information Technology Director
Lea Feuge, Public Information Officer
Krista Wareham, Finance Manager
Laura Hollenbeck, Finance Director
Anna Hudson, Historic Preservation Officer
Shelby Collier, Associate Planner
Tammie Loth, Human Recourse Director
Leslie Ball-Embrey, Administrative Assistant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Hoover called the Regular Meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, July 18, 2022.

2. INVOCATION

Eric Hammersen, City resident, led the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

4. EMPLOYEE RECOGNITIONS

Clinton Bailey, City Manager, provided the following recognitions:

- Evan Smith for going above and beyond the call of duty when assisting a visitor.
- Brian Davis for going above and beyond the call of duty when assisting a resident.
- Chance Mohr for going above and beyond the call of duty when assisting a resident.

5. PUBLIC COMMENTS ON ITEMS ON THE AGENDA

Mayor Hoover announced that he received four written comments.

Sandra McDonald, City resident, thanked the City Council for listening to the public. She also spoke on the American Rescue Fund Act and the need to return the funds.

Annette Bennett, City resident, spoke regarding government involvement, tax rate, and unintended consequences of the American Rescue Fund Act.

Jerry McCorkle, City resident, spoke regarding American Rescue Fund Act and the need to return the funds.

Gwen Hannah, City resident, thanked the City Council for their time and service. She also spoke regarding the economy and American Rescue Fund.

Eric Hammersen, City resident, spoke regarding proposed Ordinance 2022-28 Stage 4 water hours and American Rescue Funds' return.

Sylvia Hicks, City resident, spoke regarding the American Rescue Fund Act and the need to return the funds.

6. CONSENT

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF CITY COUNCIL.

A. Consider approval of City Council Minutes for:

i. July 5, 2022 Regular Meeting

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Watson, to approve Consent Agenda item 6. A. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. PUBLIC HEARING

A. Hold a public hearing to receive comments for or against a request for Zoning Classification of Single Family Residential (R1) from Mark Cornett with Cornett Engineering for 6.1 acres of land described as Altstadt Village Subdivision Phase II, located at 701 E. Morse Street (Z-2209).

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to open the public hearing at 6:27 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Josh Leamons, Project Surveyor, reviewed the project and encouraged the City Council to approve the zoning and annexation agreement.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to close the public hearing at 6:28 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

The City Council discussed the issues the adjacent landowner brought to their attention. They also discussed the Annexation Agreement, the road that will be built, and parkland dedication.

Josh Leamons stated he reviewed the deed and survey and found no issue. He noted that the road is scheduled to be built as part of the project, but other roads would be at the owners' expense.

B. Hold a public hearing to receive comments for or against requests by Brenda Burrier for property located at 528 South Milam (Z-2210)

- i. Land Use change from Low Density Residential (LDR) to Commercial (C)**
- ii. Zoning change from Single-Family Residential (R1) to Neighborhood Commercial (C1)**

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to open the public hearing at 6:32 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Adam Hahn, requestor, provided the history of the property and the reasons for the request.

Shelby Collier, Associate Planner, stated that the requestor's request was different than what the Planning and Zoning Commission approved. She noted that the Planning and Zoning Commission took a more conservative approach to the request, and the Commission unanimously approved the information in the packet.

Debra Habecker, City resident, is concerned about the area and allowing gas stations.

Shelby Collier, Associate Planner, approved the allowable businesses within the C1 zoning, which would not allow gas stations.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to close the public hearing at 6:43 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

8. ORDINANCE AND RESOLUTIONS

The City Council approved Agenda Item 9.A. before considering 8. A.

- A. Consider the approval of Ordinance 2022-25 annexing approximately 6.168 acres of land out of an Unnumbered Outlot, as shown on the map of Fredericksburg and Environs by the German Emigration Company in Gillespie County, Texas, near the intersection of E. Morse Street and N. Lee Street; 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; and amending the Zoning Ordinance of the City to establish the Zoning District of said territory as R-1: Single Family Residential (Z-2209), (City Council may waive the second reading).**

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to approve Ordinance 2022-25 annexing approximately 6.168 acres of land out of an Unnumbered Outlot, as shown on the map of Fredericksburg and Environs by the German Emigration Company in Gillespie County, Texas, near the intersection of E. Morse Street and N. Lee Street; 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; and amending the Zoning Ordinance of the City to establish the Zoning District of said territory as R-1: Single Family Residential (Z-2209) and waived the second reading. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of requests by Brenda Burrier for approximately 2.42 acres of land, comprised of a part of Outlot No. 95, and a part of Outlot No. 96, located at 528 South Milam, situated in the City (Z-2210)

- i. Ordinance 2022-26 adopting a change in the Comprehensive Plan of the City specifically in the Land Use Map; changing said property from Low Density Residential (LDR) to Commercial (C); providing that the change become a part of the Comprehensive Plan and providing for an effective date and City Council may waive the second reading.**

The City Council discussed the ability to make the entire area C1.

Shelby Collier, Associate Planner, stated this was being discussed, but this request came in first.

Daniel Jones, City Attorney, reviewed the Ordinance, which reflects the Planning and Zoning Commission's recommendation.

Motion: A motion was made by Councilmember Joseph, seconded by Councilmember Klein, to approve Ordinance 2022-26 adopting a change in the Comprehensive Plan of the City specifically in the Land Use Map; changing said property from Low Density Residential (LDR) to Commercial (C); providing that the change become a part of the Comprehensive Plan, and providing for an effective date and waived the second reading. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- ii. Ordinance 2022-27 amending the Zoning Ordinance of the City and Changing the Zoning District said property from Single Family Residential (R-1) to Neighborhood Commercial (C-1) ; and providing for an effective date and waived the second reading.**

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to approve Ordinance 2022-27 amending the Zoning Ordinance of the City and Changing the Zoning District said property from Single Family Residential (R-1) to Neighborhood Commercial (C-1); and providing for an effective date and waived the second reading. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider the approval of Ordinance 2022-28 adopting an amended schedule for outdoor irrigation under Stage 4 of the City's Water Conservation Measures; providing for an effective date and waived the second reading.

Kris Kneese, Interim Director of Public Works and Utilities, reviewed the proposed changes to Stage 4 watering hours due to the evaporation. He also noted that the City is currently in Stage 3.

The City Council discussed the evaporation rate in the morning vs. evening.

Kris Kneese reviewed the different evaporation rates for the times of the day.

Clinton Bailey, City Manager, stated that when changing the Water Stages in 2013, they spoke to landscapers about the deep water the roots need. The recommendation was not to divide up the watering hours.

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Watson, to approve Ordinance 2022-28 adopting an amended schedule for outdoor irrigation under Stage 4 of the City's Water Conservation Measures; and providing for an effective date and waived the second reading. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

D. Consider the approval of Ordinance 2022-21 adopting and approving amendments to the City Budget for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022, and making amended appropriations for each affected department and account (postponed from June 6, 2022 Regular Meeting).

Krista Wareham, Finance Manager, provided a PowerPoint regarding increases.

The City Council discussed the gas and oil increases.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to approve Ordinance 2022-21 adopting and approving amendments to the City Budget for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022, and making amended appropriations for each affected department and account. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

9. OTHER ACTION ITEMS AND UPDATES

A. Consider approval of a Voluntary Annexation Agreement with the City and Shepherds Glen Partners for the Altstadt Village Phase II Subdivision.

This item was considered before Agenda Item 8. A.

Daniel Jones, City Attorney, reviewed the two different Agenda Items to be approved and the reason for the order.

Motion: A motion was made by Councilmember Joseph, seconded Councilmember Klein, to approve the Voluntary Annexation Agreement with the City and Shepherds Glen Partners for the Altstadt Village Phase II Subdivision. The City Council voted five (5) for and none (0) opposed. The motion passed unanimously.

B. Consider and discuss a presentation on City's electric rate study from Schneider Engineering, LLC.

Kris Kneese, Interim Public Works Director, stated that an electric rate study was conducted as part of the FY 2022 Budget directions.

Ramsey Krait with Schneider Engineering, LLC., provided a PowerPoint regarding service costs and the rate study. He reviewed the proposed rate changes and the residential rate comparison. He also recommended conducting a rate study every 3 to 5 years.

The City Council discussed the Capital Improvement Plan and the balance of bonded debt.

Kris Kneese, Interim Public Works Director, reviewed the projects included in the bond, the Electric Building, electric meter change out, and Main Street lights.

The City Council discussed the cost to the customer and the outstanding customer services the residents receive.

Kris Kneese, Interim Public Works Director, stated that many budget meetings are coming up and wanted the City Council to have this information first.

C. Consider and discuss a presentation on two Hotel/Conference Center proposals received in response to a Request for Proposal (RFP)

Clinton Bailey, City Manager, reviewed the RFP process and the DC Partners and Artison Partners.

Artison Group-Steve Wilkie, President of Artison and hotel on the hilltop. Skip Preble and Thor Peterson and Bill Show. Provided a PowerPoint for Conference Center and Hotel and reviewed the 5 benefits he feels their project will bring to the City.

DC Partners - Acho Azuike provided a PowerPoint presentation. He also reviewed their history of building luxury condos and hotels, most recent the Thompson Hotel in San Antonio.

10. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA.

Ruben Aguilar, City residents, spoke regarding critical race theory and the need to support American Border Patrol.

Annette Bennett, City resident, thanked the City Council for their service. She encouraged the City Council to return the American Rescue Fund Act.

Kathy Lux, County resident, encouraged the City Council to return the American Rescue Fund Act.

Tom Marschall, City resident, encouraged the City Council to return the American Rescue Fund Act.

Sally Clark, property owner in City and County, inquired about the plans for developing a road on the property she sold to the City.

11. CITY MANAGER'S REPORT

A. Water supply update

Clinton Bailey, City Manager, stated that there had been a decrease in water usage, which has increased to suitable levels. He noted he attended Hill Country Underground Water Meeting, in which they voted to approve a 90-day moratorium on drilling commercial water wells in Gillespie County. He noted that the City currently is in Stage 3, and he feels that with education efforts, conservation, and following the watering rules, the City can meet the needs and not move into Stage 4.

Kris Kneese, Interim Public Works Director, stated that the Cross Mountain Pump is up and running now, which will also help with the water demands.

B. FY2023 Budget update

- i. Proposed Enterprise Fund Budgets on July 22, 2022, at 9:30 a.m. in the Fire Training Room**
- ii. Proposed General Fund Budgets on July 27, 2022, at 4 p.m. in the Cardinal Room at the Lady Bird Golf Course.**

- iii. **Budget Workshop with the County Commissioners on August 1, 2022, at 8:30 a.m. in the Cardinal Room at the Lady Bird Golf Course.**
- iv. **File Proposed Budget with the City Secretary on August 5, 2022.**
- v. **City Council Workshop for Public Hearing on proposed FY2023 Budget and No-New-Revenue Tax Rate on August 22, 2022, at 4 p.m. in the Cardinal Room at the Lady Bird Golf Course.**
- vi. **City Council Regular Meeting adoption of the Tax Rate and the FY2023 Budget on September 19, 2022, at 6 p.m. at the Law Enforcement Center.**

Clinton Bailey, City Manager, reviewed the upcoming FY2023 Budget Meetings and noted a Work Session for all funds scheduled for August 10, 2022. This meeting will be held at 4 p.m. in the Cardinal Room at the Golf Course.

12. COUNCIL COMMENTS

No comments.

13. ITEMS FOR FUTURE AGENDA

Clinton Bailey, City Manager, reviewed the Future Agenda spreadsheet.

14. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney):

- A. **Consider and discuss the appointment, evaluation, and/or duties of a public officer or employee, specifically the Director of Special Projects (Section 551.074); and**
- B. **Consider and discuss legal advice concerning contract provisions related to an agreement with U.S. Department of the Treasury (Sec. 551.071)**

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Joseph, to go out of the Regular Meeting and into the Executive Session at 9:15 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

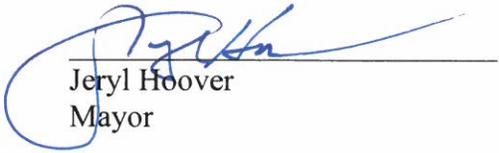
Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to go out of the Executive Session and into the Regular Meeting at 10:05 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

15. BUSINESS ITEM

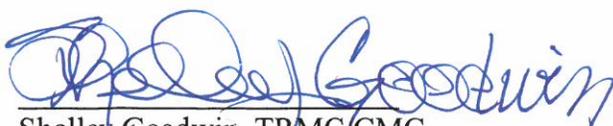
The City Council took no action.

16. ADJOURN

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Kirchner to adjourn the Monday, July 18, 2022, City Council Regular Meeting at 10:06 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.



Jeryl Hoover
Mayor



Shelley Goodwin, TRMC/CMC
City Secretary