



City of Fredericksburg

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

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
Eric Whiting, Director of Information Technology
Kris Kneese, Interim Director of Public Works and Utilities
Shelby Collier, Associate Planner
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 Tuesday, September 6, 2022. He announced the quorum had been met.

2. INVOCATION

Jerry McCorkle, City resident, provided the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

4. EMPLOYEE RECOGNITIONS

Clinton Bailey, City Manager, provided the following recognitions:

- Officer Thomas Rivera, Police Department, recognized for his professionalism and for going above and beyond the call of duty
- Officer Luke Smith, Police Department, recognized for his professionalism during a traffic stop
- Officer Luke Smith, Police Department, recognized for going above and beyond.
- Officer Eric Oestreich, Police Department, recognized for his professionalism during a traffic stop
- Tom Marschall thanked Chief Bizzell and the entire Fire Department for their quick action during the fire at their business

5. PUBLIC COMMENTS ON ITEMS ON THE AGENDA

Mayor Hoover reviewed 17 written comments they received. He also noted that no one wished to sign up to speak at this agenda item.

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 the following meetings:

- i. August 15, 2022, Regular Meeting**
- ii. August 17, 2022, Work Session**
- iii. August 22, 2022, Work Session**

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to the Consent Agenda items 6 A. i. – iii. with amendments. 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 by Mark Pavlicek with Cherry Builders, LLC. for the consideration of a request for Voluntary Annexation for approximately 9.37 acres of land described as Lot 2AR of the Kinman Subdivision located at 211 Mariposa Drive (Z-2214).

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Watson, to go out of the Regular Meeting and into the Public Hearing at 6:20 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

Nancy Hiner, President of Heritage Homeowners Association, spoke against the request for Voluntary Annexation.

Jim Hambright spoke against the request for Voluntary Annexation.

Joseph Cavanaugh provided handouts (attached #1) and spoke against the request for Voluntary Annexation.

Eric Schmalbach provided handouts (attached #2) and spoke against the request for Voluntary Annexation.

Bill Sadd spoke in opposition to the proposed Voluntary Annexation.

Ruben Aguilar spoke in opposition to the proposed Voluntary Annexation.

John Hever spoke in support of the proposed Voluntary Annexation.

Martha Zeiher spoke in opposition to the proposed Voluntary Annexation.

Dena Kasberg spoke in opposition to the proposed Voluntary Annexation.

Carolyn Bleacher spoke in opposition to the proposed Voluntary Annexation.

Edwina Pellikka spoke in opposition to the proposed Voluntary Annexation.

Jessica Swanson provided pictures (attached) and spoke in opposition to the proposed Voluntary Annexation.

Allan Johnson spoke in opposition to the proposed Voluntary Annexation.

Jerry Oliver spoke in opposition to the proposed Voluntary Annexation.

Brian Swafford spoke in opposition to the proposed Voluntary Annexation.

Gene Pior spoke in opposition to the proposed Voluntary Annexation.

Mark Johnson spoke in opposition to the proposed Voluntary Annexation.

Woody Victor, the Developer, reviewed the proposed plan for the proposed Annexed area.

Mark Pavlicek, the Developer, reviewed the process used for the proposed project and how issues are being addressed.

Shelby Collier, Associate Planner, stated this item is only set for a public hearing. She provided the process and timeline for approval of the proposed annexation.

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Watson, to go out of the Public Hearing and into the Regular Meeting at 7:13 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

8. ORDINANCE AND RESOLUTION

A. Consider the approval of Ordinance 2022-29 amending Article 11.702 – Electric Rates, of Appendix A – Fee Schedule, of the Code of Ordinances, to update and amend the fees for Electric Service provided by the City.

Kris Kneese, Interim Director of Public Works and Utilities, reviewed the Electric Rate Study and recommendation for Electric Rate increase that Schneider Engineering conducted. He noted the last increase was in 2021 for 3% and before that was 2015. He stated that the proposed increase is included in the FY2023 Budget.

The City Council discussed the Capital Improvement Projects and the previous rate study.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to approve Ordinance 2022-29 amending Article 11.702 – Electric Rates, of Appendix A – Fee Schedule, of the Code of Ordinances, to update and amend the fees for Electric Service provided by the City. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Resolution 2022-18R appointing persons to serve on the Fredericksburg Convention and Visitor Bureau (CVB) Board of Directors

Ernie Loeffler, President/CEO, Fredericksburg CVB, reviewed the five Board of Directors with terms expiring on September 30, 2022. He noted these members will serve a three-year term which will expire on September 30, 2025:

- Katelyn Eames
- Kelly Criddle
- Jessica Mittel
- Mary Ann Turbeville
- Matthew Pipkin

He also stated that Katherine Graham will fill a vacancy that the term will expire on September 30, 2024.

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Watson, to approve Resolution 2022-18R appointing persons to serve on the Fredericksburg Convention and

Visitor Bureau (CVB) Board of Directors. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

9. OTHER ACTION ITEMS AND UPDATES

A. Consider the approval of a contract for completion of Phase 2 (construction) of the Broadband Project in the amount of \$1,051,843.00

Jeannette Hormuth, City resident, spoke in opposition to tax funds being used for this project.

Eric Whiting, IT Director, provide the history of the project. He also reviewed the purpose of the project and the project partners. He noted the benefits of connectivity for Gillespie County, the City, Hill Country Memorial Hospital, and the Independent School District. He also reviewed the process for private companies to get involved.

Daniel Jones, City Attorney, reviewed the purchasing cooperation agreement and the process used regarding procurement of the contract.

The City Council discussed the Project Contractor and timeframe.

Clinton Bailey, City Manager, provided the history of the design project and the benefits for the City and residents.

The City Council discussed the project and noted that this project is an essential service to the City and the residents.

Motion: A motion was made by Councilmember Joseph, seconded by Councilmember Kirchner, to approve a contract for the completion of Phase 2 (construction) of the Broadband Project in the amount of \$1,051,843.00. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of the Fredericksburg Convention and Visitor Bureau budget for the Fiscal Year October 1, 2022, through September 30, 2023.

Ernie Loeffler, President/CEO of Fredericksburg CVB, reviewed the proposed FY2023 Budget. He noted that the proposed Budget includes:

- A 26% increase in revenues
- \$500,000 will be moved into an account for expansion plans
- Salary - Cost of Living increases along with merit increases

Motion: A motion was made by Councilmember Joseph, seconded by Councilmember Kirchner, to approve the Fredericksburg Convention and Visitor Bureau budget for the Fiscal Year October 1, 2022, through September 30, 2023. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

10. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Carol Hammersen, City resident, spoke regarding her prior experience with the Federal Government.

Eric Hammersen, City resident, spoke regarding the return of the American Rescue Plan Fund Act and the need to reduce the Budget.

Tom Marschall, City resident, reiterated the written comments submitted earlier today.

MaryLee Marschall, City resident, spoke regarding the American Rescue Plan Fund Act and proposed Budget.

Kimberley Lams, City resident, spoke about the City Council need to listen to their constituents.

Jeannette Hormuth, City resident, spoke regarding Affidavits to a Cease and Desist from accepting and returning American Rescue Plan Fund Act.

April Laird, City resident, spoke regarding the American Rescue Plan Fund Act and the consequences of keeping the funds.

11. CITY MANAGER'S REPORT

A. FY2023 Budget update

- i. 2022 Tax Rate Public Hearing on September 14, 2022, at 1:00 p.m. at the Golf Course Cardinal Room.**
- ii. City Council Regular Meeting adoption of the Tax Rate and the FY2023 Budget on September 19, 2022, at 6:00 p.m. at the Law Enforcement Center.**

Clinton Bailey, City Manager, announced the upcoming Public Hearing on the 2022 Tax Rate is scheduled for September 14, 2022, at 1:00 p.m. at the Golf Course Cardinal Room. He also announced the adoption of the 2022 Tax Rate and FY2023 Budget is scheduled for September 19, 2022, at 6:00 p.m. at the Law Enforcement Center.

12. COUNCIL COMMENTS

Councilmember Kirchner announced the memorial service for Timothy Kooock is set for 1:00 p.m. on Sunday, September 11, 2022, at Marktplatz.

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 551.072 (Real Estate):

- A. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of N. Adams at Travis Street, in the City of Fredericksburg (Sec. 551.072).**

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to go out of the Regular Meeting and into the Executive Session at 8:21 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

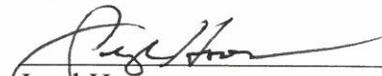
Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to go out of the Executive Session and into the Regular Meeting at 8:25 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

15. BUSINESS ITEM

The City Council did not take any action.

16. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to adjourn the Tuesday, September 6, 2022, City Council Regular Meeting at 8:25 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