



# City of Fredericksburg

## CITY COUNCIL REGULAR MEETING MONDAY, JANUARY 4, 2021 ~ 6:00 P.M.

Charlie Kiehne, Mayor  
Tom Musselman, Councilmember  
Bobby Watson, Councilmember

Jerry Luckenbach, Councilmember  
Polly Rickert, Councilmember  
Kent Myers, City Manager

### VERBAL COMMENTS

Comment Form #	Name	Address	Contact Information
1.	Annette Bennett		713-201-1451
2.	Matt Long		830-992-9010
3.	Timothy Riley	408 E Schubert Street	

### WRITTEN COMMENT

Comment Form #	Name	Address
1	Tonya Benson	

January 4, 2021

Dear Mayor and City Council,

On November 16<sup>th</sup>, Mayor Kiehne and Councilmen Mussleman and Luckenbach, you were sworn into office. You did not take an oath to uphold laws nor unlawful mandates. You took an oath to uphold the US and Texas Constitutions – to preserve, to protect and defend it. The purpose of government and of the Constitution then, is to protect our God-given rights. How is it that so many elected officials have either forgotten this fact or ignore it? As part of the Executive Branch of government, mayors cannot legislate. The mandate is in violation of Separation of Powers and unlawful. That is why sheriffs and law enforcement across the state are refusing to enforce these unenforceable mandates.

During your campaign, Mayor Kiehne, along with the two other mayoral candidates assured us multiple times that you would not implement a mandate. You even shared the account of a woman calling you to complain that her waiter was not wearing a mask. You recommended she choose another restaurant.

Government derives its powers from the governed –the people. Your job is to protect our God-given rights and your duty is to uphold the Constitution. When asked at the candidate forum if the Constitution can be suspended in a time of crisis, Charlie Kiehne quickly replied. “NO:”. And that is correct. Mayor you have an obligation to honor your promise to us during the campaign to not implement a mandate. Removing the mandate will disable the alleged need for a reporting tool, unburden the already overwhelmed city staff from managing an unnecessary task and eliminate the excuse to use resources and time the city doesn't have.

Mayor Kiehne, what happened to your values and principles in the past few weeks? What happened to your campaign promise? Were those empty words? Where are your ethics and morals? Your conscience? Oh, and what about that Oath you swore to uphold, that you have now violated, along with separation of powers? The same questions go to the entire Council.

Do you actually expect us to believe you haven't been aware of all the daily onslaught of COVID news and status of the pandemic? Were you being dishonest and making a false campaign promise?

RE COVID TRACKER TOOL:

Non-compliance reporting programs are evil and will damage the very trust we will need to rebound from this crisis. As I addressed in my comments last meeting, none of Kent Myers justifications for implementing this 'snitch on your neighbor' idea hold much weight or credibility. What his narrative of 'educating' us appears to be is an intent to intimidate, control, harass, social shame and surveille. It is indoctrination. The Nazis wrote the Stasi playbook of psychological policing by using citizens as informers and denouncers. In that kind of tattle culture, reporting your neighbors for minor wrongdoing

could keep you safe. The secret police were able to gather abundant personal information about citizens and this led to absolute power because they didn't need to fine or arrest you; they socially paralyzed you. Totalitarian governments have turned neighbor against neighbor and family against family, in order to maintain the illusion of social cohesion. Authoritarians use this tactic because there are never enough police to force compliance upon an entire population, unless everyone consents to become an agent of his or her own mutual oppression.

We are now living amid the very tactics that the West once criticized, with state controls on commerce, industry, speech and media. Not one of us misunderstood nor needed to be educated, Mr. Myers. Not one of us was confused. We need to hear for the mayor and council.

Mayor and City Council, you have failed to respond to our grievances, and we have only heard second hand that the tool was removed. But it wasn't dismantled otherwise and continues to operate. It ought to be removed and dismantled in all its capacities, 100% and never to be resurrected again.

Here is a solution to Kent Myer's groundless reporting program.

*Regrettably, the city does not have staff and resources nor authority to enforce COVID-19 guidelines for anyone who chooses not to or who is unable to comply with the guidelines. These recommendations and guidelines have been made public and given to all local residents and businesses. Information is continually shared so that residents and businesses know what the most up-to-date recommendations are. Everyone is encouraged to manage their health and their individual risks as they see fit. Thank you for your understanding.*

Sincerely,  
Tonya Benson