

City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY ISD - ADMINISTRATION BUILDING
951 FM 2325, WIMBERLEY, TEXAS 78676
THURSDAY, JULY 21, 2022 - 6:00 PM

MINUTES

1. **CALL TO ORDER** July 21, 2022, at 6:00 PM

Mayor Gina Fulkerson called the Regular Meeting to order at 6:00 p.m.

2. **CALL OF ROLL**

Council Members Present:

Gina Fulkerson, Mayor
Rebecca Minnick, Place 1
Teresa Shell, Place 2
Jim Chiles, Place 4
David Cohen, Place 5

Staff Members Present:

Mike Boese, City Administrator
Tammy Cook, City Secretary
Charles Zech, City Attorney
Nathan Glaiser, Planning & Development
Administrator

Council Members Absent:

Christine Byrne, Place 3

3. **INVOCATION** Jim Denham - Chapel in the Hills

4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

Mayor Fulkerson led the pledges of allegiance.

5. **CITIZENS COMMUNICATIONS**

The City Council welcomes comments from citizens at regular meetings. Citizens wishing to speak must sign up prior to the meeting being called to order. We abide by the Texas Open Meetings Act, so council members are allowed only to speak about items posted on the agenda. All other inquiries will be forwarded to staff and may be placed on a future agenda for discussion. Speakers will have one opportunity to speak during the time period, and they must observe the three-minute time limit. After you state your name, staff will start the timer and you have 3 minutes to speak. We will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.

Madonna Kimble, spoke on parking issues in the Wimberley Square. These concerns included large trucks and parking for business owners/workers.

6. PRESENTATION AND POSSIBLE ACTION

- 6.1. Presentation and consider possible action regarding the City of Wimberley's Quarterly Investment Report for the third quarter of Fiscal Year 2022. *(City Administrator, Mike Boese)*

Mike Boese, City Administrator, presented the Quarterly Investment report for the third quarter of Fiscal Year 2022. A motion was made by Council Member Cohen, seconded by Council Member Minnick to accept the report as presented. The motion carried unanimously (4-0).

7. CONSENT AGENDA

A motion was made by Council Member Minnick, seconded by Council Member Chiles to approve the consent agenda. The motion to approve carried unanimously (4-0).

- 7.1. Consider approval of the following meeting minutes:
a. July 7, 2022 Regular City Council Meeting
b. July 8, 2022 Special City Council Meeting
- 7.2. Approve the appointment of Edward Davis to fill a vacancy, term expiring June 30, 2024, on the Board of Adjustments. *(Mayor Gina Fulkerson)*
- 7.3. Consider approval of Steve Klepfer to serve as Chair and Buck Baccus to serve as Vice-Chair of the Economic Support and Development Committee.

8. PUBLIC HEARINGS AND POSSIBLE ACTION

- 8.1. Hold a public hearing and take possible action on Ordinance 2022-14, amending the Zoning Map of the City (Case No. ZA-22-001), by changing the zoning for property located at 140 Oldham Street, Wimberley, Hays County, Texas from Multi-Family Residential 2 (MF-2) to Commercial – Moderate Impact (C-2); providing for findings of fact, amendment of the zoning district map; repealer, severability; effective date; and proper notice and meeting. *(Applicant: Judith and Charles Wilder)*

Council Member Minnick and Council Member Shell recused themselves from discussion and a vote, citing a conflict of interest, under Section 1.71 of the Texas Local Government Code. City Attorney, Charlie Zech stated for the purpose of a vote, Council members Minnick and Shell do not count towards a quorum and two must vote in favor of the motion to pass.

Mayor Fulkerson opened the Public Hearing at 6:10 p.m. Nathan Glaiser, Planning and Development Administrator, provided a presentation. There being no public comments, Mayor Fulkerson closed the Public Hearing at 6:19 p.m.

A motion was made by Council Member Chiles, seconded by Council Member Cohen to approve ZA-22-001, a zoning change for property located at 140 Oldham Street, Wimberley, Hays County, Texas from Multi-Family Residential 2 (MF-2) to Commercial - Moderate Impact (C-2). The motion to approve carried with a vote of 2-0.

- 8.2. Hold a public hearing and take possible action on Ordinance 2022-15, approving an application for a

Conditional Use Permit (CUP-22-006) to allow for the operation of a Vacation Rental (STR2) on a property located at 140 Oldham Street, Wimberley, Hays County, Texas; providing for findings of fact, amendment of the zoning district map; repealer, severability; effective date; and proper notice and meeting. (*Applicant: Judith and Charles Wilder*)

Council Member Minnick and Council Member Shell recused themselves from discussion and a vote, citing a conflict of interest, under Section 1.71 of the Texas Local Government Code. City Attorney, Charlie Zech stated for the purpose of a vote, Council members Minnick and Shell do not count towards a quorum and two must vote in favor of the motion to pass.

Mayor Fulkerson opened the Public Hearing at 6:21 p.m. Nathan Glaiser, Planning and Development Administrator, provided a presentation. There being no public comments, Mayor Fulkerson closed the Public Hearing at 6:24 p.m.

A motion was made by Council Member Chiles, seconded by Council Member Cohen to approve CUP-22-006, a conditional use permit to allow for the operation of a vacation rental (STR2) on a property located at 140 Oldham Street, Wimberley, Hays County, Texas. The motion to approve carried with a vote of 2-0.

- 8.3. Hold a public hearing and take possible action on Ordinance 2022-16, amending the Zoning Map of the City (Case No. ZA-22-002), by changing the zoning for portions of 308 Rocky Springs, Wimberley, Hays County, Texas from Residential Acreage (RA) to Rural Residential 1 (R1); providing for findings of fact, amendment of the zoning district map; repealer, severability; effective date; and proper notice and meeting. (*Applicant: Brett Gerhardt*)

Mayor Fulkerson opened the Public Hearing at 6:26 p.m. Nathan Glaiser, Planning and Development Administrator, provided a presentation. There being no public comments, Mayor Fulkerson closed the Public Hearing at 6:31 p.m.

A motion was made by Council Member Chiles, seconded by Council Member Cohen to approve ZA-22-002, by changing the zoning for portions of 308 Rocky Springs, Wimberley, Hays County, Texas from Residential Acreage (RA) to Rural Residential 1 (R1). The motion to approve carried unanimously (4-0).

- 8.4. Hold a public hearing and take possible action on Ordinance 2022-17, approving an application for a Conditional Use Permit (CUP-22-007) to allow for the operation of a Vacation Rental (STR2) on a property located at 130 Smith Creek, Wimberley, Hays County, Texas; providing for findings of fact, amendment of the zoning district map; repealer, severability; effective date; and proper notice and meeting. (*Applicant: Hill Country Cabin Retreat, LLC*)

Mayor Fulkerson opened the Public Hearing at 6:33 p.m. Nathan Glaiser, Planning and Development Administrator, provided a presentation. The applicants and owners, Alex and Yvette Jimenez, spoke about the property, stated they will have co-hosts that will assist while they are out of town, spoke in regards to the opposition letters received, and expressed support of the proposed conditional use permit (CUP). Laura Hopkins, provided comments, and spoke in support of this CUP. There being no further comments, Mayor Fulkerson closed the Public Hearing at 6:48 p.m.

A motion was made by Council Member Chiles, seconded by Council Member Cohen to approve CUP-22-007, a conditional use permit to allow for the operation of a vacation rental (STR2) on a property located at 130 Smith Creek, Wimberley, Hays County, Texas. The motion to approve carried unanimously (4-0).

9. DISCUSSION AND POSSIBLE ACTION

- 9.1. Discuss and consider possible action regarding Council Member David Cohen's request to miss

three consecutive Regular City Council Meetings in August and September 2022. (Place Five - Council Member David Cohen)

Council Member, David Cohen, presented his request and stated that he may not miss three consecutive meetings, but due to unforeseen travel delays there would be a potential that he would miss three consecutive in August and into September. Upon completion of discussion, a motion was made by Council Member Minnick, seconded by Council Member Chiles to approve Council Member David Cohen' s leave of absence request to miss three consecutive Regular City Council Meetings. The motion to approve carried (3-0) with Council Member Cohen abstaining from the vote.

9.2. Discuss and consider rescheduling the October 6, 2022 Regular City Council Meeting, due to the Texas Municipal League Conference.

Upon completion of discussion, a motion was made by Council Member Shell, seconded by Council Member Cohen to reschedule the October 6, 2022 regular city council meeting to September 29, 2022. The motion to approve carried unanimously (4-0).

10. **CITY COUNCIL REPORTS**

10.1. Announcements

July 28, 2022 - Historic Preservation Town Hall Meeting will be held at the Community Center at 5:30 p.m.

July 29, 2022 - Hog Wild Government Seminar will be held at the Schertz Civic Center

10.2. Future agenda items

There were no future items added.

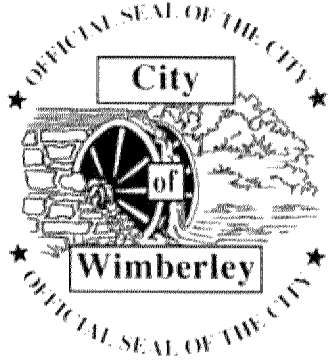
11. **ADJOURNMENT**

A motion was made by Council Member Shell, seconded by Council Member Chiles to adjourn the Regular City Council meeting at 7:08 p.m. The motion carried unanimously (4-0).

RECORDED BY:

Tammy Cook

Tammy Cook, City Secretary



APPROVED BY:

Gina V. Fulkerson

Gina V. Fulkerson, Mayor