



# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

**REGULAR CITY COUNCIL MEETING**  
**WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS**  
**221 STILLWATER, WIMBERLEY, TEXAS**  
**NOVEMBER 16, 2017 – 6:00 P.M.**

## **MINUTES**

### **CALL TO ORDER**

Mayor Mac McCullough called the meeting to order at 6:00 p.m.

### **CALL OF ROLL**

City Secretary Laura Calcote called the roll. Mayor Pro Tem Steve Thurber was absent.

### **INVOCATION**

Council member Gary Barchfeld gave the invocation.

### **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

Mayor Mac McCullough led the pledges to the United States and Texas flags.

### **CITIZENS COMMUNICATIONS**

Jeanne Ann Cope addressed City Council regarding the right-of-way at Mill Race Lane and the bridge. Ms. Cope expressed dissatisfaction with the vines, brush and trees in the right-of-way blocking driver's views. She requested the City act in cleaning-up this area.

Mike McCullough also spoke regarding the trash left behind at the new entry way at the South River Subdivision. He requested the City remove the debris as soon as possible. Furthermore, Mr. McCullough made a comment about the restroom trailer on the square.

### **EXECUTIVE SESSIONS**

City Council did not convene into Executive Session.

### **CONSENT AGENDA**

- Approval of minutes of the Regular City Council Meeting on October 19, 2017.
- Approval of minutes of the Regular City Council meeting on November 2, 2017.
- Approval of the September 2017 Financial Statements for the City of Wimberley.

Council member Allison Davis noted two corrections to the minutes before approval.

**Motion to approve the consent agenda, pending the noted corrections to the minutes, was made by Council member Craig Fore. Motion was seconded by Council member Allison Davis. Motion carried unanimously (4-0).**

### **MAYOR/PARKS DIRECTOR REPORTS**

Interim City Administrator Paul Parker provided an update regarding sales tax within the City for 2016 and 2017 to date. Overall, the City's sales tax revenue was down from the previous year. There was discussion among Council members on this topic. Mr. Parker advised Council that detailed information regarding 2017 sales tax would be available in February 2018.

### **PRESENTATION**

Donald Wheeler was not present at the meeting. His presentation regarding Texas Department of Transportation (TXDOT) guardrail safety was moved forward to the next City Council agenda.

### **PUBLIC HEARINGS AND POSSIBLE ACTION**

- Hold a public hearing and consider possible action regarding the proposed vacate & replat lot 1, Harrison Resort Sec. 2 and lot 16, breezeway subdivision, and plat 0.119 acres out of the Amasa Turner Survey, abstract no. 461 establishing the P.R. Anderson addition, and related variance requests from the City Subdivision Code requirements relating to lot shape and average depth to average width ratio and minimum lot size. (*Planning & Development Coordinator/GIS Analyst Sandy I. Floyd*)

Mayor Mac McCullough opened the public hearing at 6:18 p.m.

Kelly Kilber spoke representing property owners Peter and Rita Anderson.

Mayor Mac McCullough closed the public hearing at 6:21 p.m.

**Motion to approve was made by Council member Gary Barchfeld. Motion was seconded by Council member Roberta Holland. Motion carried unanimously (4-0).**

- Hold a public hearing and consider possible action regarding the proposed amending plat of 2.43 acres, a portion of lot 20, Lea Acres and related variance requests from the City Subdivision Code requirements relating to minimum lot size. (*Planning & Development Coordinator/GIS Analyst Sandy I. Floyd*)

Mayor Mac McCullough opened the public hearing at 6:23 p.m.

There were no citizen comments.

Mayor Mac McCullough closed the public hearing at 6:23 p.m.

**Motion to approve was made by Council member Allison Davis. Motion was seconded by Council member Craig Fore. Motion carried unanimously (4-0).**

- Hold a public hearing and consider possible action regarding the proposed ordinance amending Ordinance No. 2017-012, which amended Ordinance No. ZA-06-013, which designated real property located on approximately 15.4 acres,

more commonly known as 14100 Ranch Road 12, Wimberley, Hays County, Texas, as a Wimberley Planned Development District of Commercial-Moderate Impact (C-2), and imposed certain development regulations. This amendment proposes to revise the concept plan for parcel 3 to combine two cottages into one and to include lap siding as part of the acceptable exterior materials; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*David Ferrette, Trepex Construction, LLC, Applicant*)

Mayor Mac McCullough opened the public hearing at 6:25 p.m.

David Ferrette commented on the Wimberley Planned Development District behind Brookshire Brothers. There was discussion on the exterior materials that would be used to construct the cottages. Council member Craig Fore objected to the use of cheaper materials due to better fire protection rating.

Mayor Mac McCullough closed the public hearing at 6:27 p.m.

**Motion to approve was made by Council member Gary Barchfeld. Motion was seconded by Council member Allison Davis. Motion carried unanimously (4-0).**

- Hold a public hearing and consider possible action regarding Case ZA-17-006, an application to change the zoning from Single-Family Residential 2 (R-2) to Single-Family Residential 3 (R-3) for property located at 215 Rim Road, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*City of Wimberley*)

Mayor Mac McCullough opened the public hearing at 6:29 p.m.

There were no citizen comments. The City was recommending the zoning change for the property, since it had not been correctly zoned when the City was incorporated.

Mayor Mac McCullough closed the public hearing at 6:30 p.m.

**Motion to approve was made by Council member Craig Fore. Motion was seconded by Council member Roberta Holland. Motion carried unanimously (4-0).**

#### **DISCUSSION AND POSSIBLE ACTION**

- Discussion and consider possible action regarding facility reservation fees at Blue Hole Regional Park. (*Parks Director Rebecca Manning*)

Parks Director Rebecca Manning presented a revised fee schedule for Blue Hole Regional Park facilities. She stated the current fee schedule has rates higher than surrounding areas and consequently, the public is not renting as frequently. The prices that would be affected by the proposed change were for the "Other Facilities Available." The "Swimming Hole Area" pricing would remain unchanged.

**Motion to change facility reservation fees at Blue Hole Regional Park was made by Council member Allison Davis. Motion was seconded by Council member Craig Fore. Motion carried unanimously (4-0).**

- Discuss and consider possible action regarding the City's "Code of Ethics" Ordinance. (*Mayor Mac McCullough*)

Mayor Mac McCullough led the discussion regarding the City's "Code of Ethics" ordinances. Citizen Casey Craig made a public comment concerning the Code of Ethics ordinance listed on the City's website differing from Ordinance No. 2006-10 and Ordinance No. 2007-005 included in the agenda packet. Mayor McCullough responded the Ethics Commission needed help to revise and draft a new Code of Ethics ordinance for the City. The Mayor suggested hiring Attorney Alan Bojorquez to handle the task. There was discussion among Council members regarding the cost and benefits of hiring an outside attorney to guide the Ethics Commission in drafting a new ethics ordinance for Council approval. Council directed Interim City Administrator Paul Parker to receive and present proposal from Mr. Bojorquez at a future Council meeting for further discussion and consideration.

- Discuss and consider possible action regarding the location of restroom trailer on Wimberley Square. (*Place Two Councilmember Craig Fore*)

Council member Craig Fore began the lengthy discussion concerning the location of the restroom trailer on the Wimberley Square by requesting Council to reconsider the location of the trailer, due to citizen complaints. Two alternate locations were introduced and discussed. One was behind the Wimberley Cafe, and the second was to move the trailer to a parking lot off the square. Several Council members agreed the trailer was convenient for visitors in the current location, and a central bathroom is needed to attract tourist to the area.

**Motion to move the restroom trailer to an alternate location was made by Council member Craig Fore. Council member Gary Barchfeld attempted to second the motion, but Mayor Mac McCullough killed the motion.**

Council member Robert Holland said she would like to see the trailer decorated by Keep Wimberley Beautiful. Council member Allison Davis added that creating an aesthetic barrier around the trailer would help minimize its appearance. She also noted Council should consider cost comparing solutions before taking any action.

There were three public comments regarding the topic. First, Robin McCullough, owner of The Wimberley Cafe, stated the restroom trailer is a short-term solution for when the Wastewater Project begins on the square. She continued that the businesses and restaurants on the square need a central restroom facility to send visitors. Second, Mary Dell Martinez, a business owner on the Wimberley Square, stated the trailer's location is fine, and she does not want to lose customers if Council decides to move it. Third, Casey Craig noted she is not a fan of the location.

**Motion to determine the cost to move the restroom trailer behind the Wimberley Cafe was made by Council member Allison Davis. Motion was seconded by Council member Gary Barchfeld. Motion carried unanimously (4-0).**

Motion to take a five minute recess was made by Council member Allison Davis at 7:35 p.m. Regular session was reconvened at 7:42 p.m.

- Discussion and consider possible action regarding how to thank City volunteer board/committee members for their service, as well as how to end their terms of service. *(Place Four Councilmember Gary Barchfeld)*

Council member Gary Barchfeld stated a recognition process should be implemented by the City to thank board/committee members for their service. He suggested sending a letter and certificate to thank individuals for volunteering their time.

Interim City Administrator Paul Parker asked Council to consider setting a uniform start and end date for all board/committee member terms. This suggestion would be brought back to Council in the future.

- Discuss and consider possible action regarding sewer collection system. *(Place Four Councilmember Gary Barchfeld)*

There was discussion regarding the sewer collection system. Interim City Administrator Paul Parker advised details were still trying to be ironed out with the lowest bidder on the collection system.

- Discuss and consider possible action regarding issuance of a City credit card. *(Interim City Administrator Paul Parker)*

Interim City Administrator Paul Parker noted the City does not currently have a credit card. There was discussion on placing a dollar limit on the card.

**Motion to approve issuance of a City credit card was made by Council member Allison Davis. Motion was seconded by Council member Craig Fore. Motion carried unanimously (4-0).**

- Discussing and consider possible action regarding cancellation of Projects Inspection Contract with TRC. *(Interim City Administrator Paul Parker)*

Council discussed cancelling the Projects Inspection Contract with TRC, and the necessary steps to do so. The company had exceeded their original quote. Mayor Mac McCullough proposed the City going back out for bids. Council member Gary Barchfeld suggested waiting to cancel the TRC contract until the City had found a replacement contractor.

**Motion to cancel the Projects Inspection Contract with TRC was made by Council member Allison Davis. Motion was seconded by Council member Roberta Holland. Motion carried as follows (4-1):**

Mac McCullough	Aye
Robert Holland	Aye
Allison Davis	Aye
Craig Fore	Aye
Gary Barchfeld	Nay

- Award Sewer Treatment Plant Contract to Black Castle GC. (*Interim City Administrator Paul Parker*)

Interim City Administrator presented the Black Castle GC bid for the sewer treatment plant for the Wasterwater Project. Mr. Parker noted the company has a good reputation within the area and can begin work quickly, once the project is underway. There was lengthy discussion among Council members regarding the proposed contract. Council member Craig Fore stated he could not support the bid because the existing plant could have been upgraded and not moved for less than half of the bid cost. Mr. Fore continued that upgrading the plant and not moving the plant would have still met the requirements of the BRCCWA. Council member Gary Barchfeld said there was no need to rush into things, and did not believe the plant could be pumped effectively with current bid specifications. Council member Roberta Holland said she would like to see the City move forward with the project and award the bid. Additionally, Council member Allison Davis articulated her support for the project and awarding the bid as presented. Ms. Davis noted the City has money in the bank to fund the project, and this is a long-term solution to manage growth in the Wimberley area.

**Motion to award the Sewer Treatment Plant Contract to Black Castle GC was made by Council member Allison Davis. Motion was seconded by Council member Roberta Holland. Motion carried as follows:**

<b>Mac McCullough</b>	<b>Aye</b>
<b>Roberta Holland</b>	<b>Aye</b>
<b>Allison Davis</b>	<b>Aye</b>
<b>Gary Barchfeld</b>	<b>Nay</b>
<b>Craig Fore</b>	<b>Nay</b>

**CITY COUNCIL REPORTS**

- Announcements – None.
- Future agenda items – Council member Allison Davis requested the Wimberley Dark Sky Committee application topic be placed on the next agenda. Ms. Davis would provide an update on the application process.

**ADJOURNMENT**

Mayor Mac McCullough adjourned the meeting at 8:35 p.m., without objection.

**Recorded by:**

*Laura J. Calcote*  
 Laura J. Calcote, City Secretary



**APPROVED BY:**

*[Signature]*  
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 Herschel P. "Mac" McCullough,  
 Mayor