

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
THURSDAY, JANUARY 18, 2018 – 6:00 P.M.

AGENDA

1. **CALL TO ORDER** January 18, 2018 at 6:00 p.m.
2. **CALL OF ROLL** City Secretary
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**
5. **CITIZENS COMMUNICATIONS**

The City Council welcomes comments from citizens on issues and items of concern, not on this agenda. Those wishing to speak must sign in before the meeting begins and observe a three-minute time limit when addressing Council. Speakers will have one opportunity to speak during the time period. Speakers desiring to speak on an agenda item will be allowed to speak when the agenda item is called. Inquiries about matters not listed on the agenda will either be directed to staff or placed on a future agenda for Council consideration. Comments from speakers should not be directed towards any specific member of City Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.

6. **EXECUTIVE SESSION**

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may convene in a closed session. After the Executive Session, discussion on any of the following items, any final action or vote taken will be in public.

- A. Executive Session pursuant Section 551.071 of the Texas Government Code for Consultation with Attorney to receive legal advice about litigation in Case No. 16-2419; Risoli v. City of Wimberley and Wimberley Board of Adjustment; 207th District Court, Hays County, Texas.
- B. Executive Session pursuant Section 551.071 of the Texas Government Code for Consultation with Attorney to receive legal advice about litigation in Case No. 13-0895-C; Creekhaven, LLC, and William D. Appleman v. City of

Wimberley Board of Adjustment.

- C. Executive Session pursuant Section 551.074 of the Texas Government Code for Personnel Matters regarding the hiring of a City Attorney. (*Interim City Administrator Paul Parker*)
- D. Executive Session pursuant to Section 551.071 of the Texas Government Code for consultation with attorney to receive legal advice regarding reimbursement to Mayor Mac McCullough for legal expenses incurred during the ethics hearing/case.
- E. Discussion and possible action regarding items discussed in Executive Session.

7. CONSENT AGENDA

The following item/s may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.

- A. Approval of minutes from the Special Called City Council Meeting held January 4, 2018.
- B. Approval of minutes from the Regular City Council Meeting held January 4, 2018.
- C. Approval of minutes from the Special Called City Council Meeting held January 10, 2018.
- D. Approval of minutes from the Special Called City Council Meeting held January 11, 2018.

8. PRESENTATION AND POSSIBLE ACTION

Presentation and consider possible action regarding plans for the 2018 Wimberley Wine Walk on Thursday, April 5, 2018. (*Wimberley Community Civic Club*)

9. PUBLIC HEARINGS AND POSSIBLE ACTION

- A. Hold a public hearing and consider possible action regarding case CUP-17-010, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental on property zoned Commercial-Low Impact (C-1) for property located at 13510 Ranch Road 12, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*Sherry Macha, Applicant*)

- B. Hold a public hearing and consider possible action regarding case CUP-17-011, an application for a Conditional Use Permit to allow for the operation of a drive-in eating establishment on property zoned Commercial-High Impact (C-3) for property located at 14015 Ranch Road 12, Ste. 100, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. *(Tiffany Paul, Applicant)*
- C. Hold a public hearing and consider approval of the second and final reading of an ordinance amending Title IX (General Regulations), Chapter 95 (On-Site Sewage Facilities Regulations), and Section 95.02 (Definitions) of the City of Wimberley Code of Ordinances; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. *(Planning & Development Coordinator/GIS Analyst Sandy I. Floyd)*

10. RESOLUTIONS

- A. Consideration and action regarding Resolution No. 03-2018 amending the 2017/2018 Operating Budget (Budget Amendment No. 4) providing for increased revenue in the General Fund Court Costs, Fees and Charges and to increase expenses in the Municipal Court Operation Funds. *(Interim City Administrator Paul Parker)*
- B. Consideration and action regarding Resolution No. 04-2018 amending the 2017/2018 Operating Budget (Budget Amendment No. 5) providing for the transfer of funds in the General Fund Unobligated Fund Balance to the Administration Department. *(Interim City Administrator Paul Parker)*

11. HOTEL OCCUPANCY TAX

- A. Consider approval of Ordinance No. 2018-02 to increase the tax rate to be imposed on hotel occupancy within the corporate limits and the extraterritorial jurisdiction of the City from zero percent (0%) to five percent (5%), effective April 1, 2018. *(Interim City Administrator Paul Parker)*
- B. Discuss and consider possible action regarding the Visitor Center Operations Agreement between the City of Wimberley and the Wimberley Convention and Visitors Bureau Foundation. *(Place One Councilmember Steve Thurber)*
- C. Consideration and action regarding Resolution No. 05-2018 amending the 2017/2018 Operating Budget (Budget Amendment No. 6) providing for the transfer of funds in the Hotel Occupancy Tax Unobligated Fund Balance to the Hotel Occupancy Tax Operation Fund. *(Interim City Administrator Paul Parker)*

- D. Consideration and action regarding Resolution No. 06-2018 amending the 2017/2018 Operating Budget (Budget Amendment No. 7) providing for an increase of revenue in the Hotel Occupancy Tax Fund and to increase expenses in the Hotel Occupancy Tax Fund. *(Interim City Administrator Paul Parker)*

12. DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action regarding the City of Wimberley Investment Policy. *(Interim City Administrator Paul Parker)*
- B. Discuss and consider possible action to approve the contract between the City of Wimberley and Jim Schoonover for project management services for the Central Wimberley Wastewater Project. *(Interim City Administrator Paul Parker)*

13. SEWER COLLECTION SYSTEM

- A. Discuss and consider possible action regarding alternate solutions to the City's existing Wastewater Collection System. *(Place Four Councilmember Gary Barchfeld)*
- B. Discuss and consider possible action regarding options to save funds on the Sewer Treatment Plant bid. *(Place Two Councilmember Craig Fore)*
- C. Discuss and consider possible action to award the Sewer Collection System Contract to Capital Excavation. *(Interim City Administrator Paul Parker)*
- D. Discuss and consider possible action to amend the original contract with Capital Excavation to allow for the approval of Change Order No. 1. *(Interim City Administrator Paul Parker)*

14. CITY COUNCIL REPORTS

- Announcements
- Future agenda items

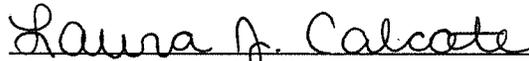
15. ADJOURNMENT

The City Council may retire into Executive Session at any time between the meeting's opening and adjournment for the purpose of discussing any matters listed on the agenda as authorized by the Texas Government Code including, but not limited to, homeland security pursuant to Chapter 418.183 of the Texas Government Code; consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberations about gifts and donations pursuant to Chapter 551.076

of the Texas Government Code; discussion of economic development pursuant to Chapter 551.087 of the Texas Government Code; action, if any, will be taken in open session.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on Monday, January 15, 2018 by 5:00 p.m.



Laura J. Calcote, City Secretary

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Laura Calcote, City Secretary, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program.