

# 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**  
**JANUARY 4, 2018– 6:00 P.M.**

## **MINUTES**

### **CALL TO ORDER**

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

### **CALL OF ROLL**

Council members present:

Mac McCullough	Mayor
Steve Thurber	Place One
Craig Fore	Place Two
Allison Davis	Place Three
Gary Barchfeld	Place Four
Roberta Holland	Place Five

### **INVOCATION**

Councilmember 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**

There were no citizen comments.

### **EXECUTIVE SESSION**

Councilmember Gary Barchfeld suggested postponing appointments to the Hotel Occupancy Tax Committee until there was a larger pool of applicants. Mr. Barchfeld also stated he felt the topic should be discussed in Regular Session, instead of Executive Session.

The City Council adjourned into Executive Session at 6:05 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D for the following purposes:

- A. Section 551.074 of the Texas Government Code for Personnel Matters regarding appointments to the Hotel Occupancy Tax (HOT) Committee.
- B. Section 551.074 of the Texas Government Code for Personnel Matters regarding the hiring of a Municipal Court Judge.

Regular Session reconvened at 6:37 p.m.

There was discussion regarding HOT Committee appointments, including Councilmember applicants Allison Davis and Gary Barchfeld. Both had expressed a desire to be appointed as the Councilmember Representative on the Committee. **Councilmember Steve Thurber made a motion to appoint the following members to the HOT Committee: Chris Oddo and Jennifer Ober (Lodging Operator Representatives), Clay Ewing (Chamber of Commerce Representative), Robert Cook (Arts/Historical Representative), Traci Ferguson (Merchants Association Representative), Buck Baccus (At-Large Representative) and Allison Davis (Councilmember Representative). Motion was seconded by Councilmember Roberta Holland. Motion carried as follows (2-3):**

<b>Steve Thurber</b>	<b>Aye</b>
<b>Roberta Holland</b>	<b>Aye</b>
<b>Craig Fore</b>	<b>Recused</b>
<b>Allison Davis</b>	<b>Abstained</b>
<b>Gary Barchfeld</b>	<b>Abstained</b>

### **CONSENT AGENDA**

**Motion to approve the minutes from the Regular City Council Meeting held November 16, 2017 was made by Councilmember Steve Thurber. Motion was seconded by Councilmember Allison Davis. Motion carried as follows (4-0):**

<b>Steve Thurber</b>	<b>Abstained</b>
<b>Craig Fore</b>	<b>Aye</b>
<b>Allison Davis</b>	<b>Aye</b>
<b>Gary Barchfeld</b>	<b>Aye</b>
<b>Roberta Holland</b>	<b>Aye</b>

**Motion to approve minutes from the Regular City Council Meeting held December 7, 2017, the Special Called City Council Meeting held December 14, 2017 and the August 2017, October 2017 and November 2017 Financial Statements for the City of Wimberley was made by Councilmember Steven Thurber. Motion was seconded by Councilmember Allison Davis. Motion carried unanimously (5-0).**

### **CITY ADMINISTRATOR/MAYOR REPORT**

Interim City Administrator Paul Parker provided an update regarding the status of the Wastewater Project. Mr. Parker stated Black Castle GC had been awarded the sewer treatment plant contract in November 2017. Persons Service Company, LLC had withdrawn their bid for the collection system portion of the project. Capital Excavation was the next lowest bidder for the collection system. The next steps in the Wastewater Project were to award a project manager, and to see if the Texas Water Development Board and the Economic Development Administration would approve Capital Excavation's bid. Additionally, Mr. Parker provided a fund balance update. There was discussion on project financing, along with contingency fees and possible future change orders.

## PUBLIC HEARINGS AND POSSIBLE ACTION

- A. Hold a public hearing and consider possible action regarding case ZA-17-007, an application to change the zoning from Commercial-Low Impact (C-1) to Commercial-High Impact (C-3) for property located at 14015 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. (*The Quarter Shops LLC, Applicant*)

Planning and Development Coordinator/GIS Analyst Sandy Floyd presented the zoning change to Council. The Planning and Zoning Commission had recommended Council approval of the change with a unanimous vote at their previous meeting. Councilmember Allison Davis commented that she supported diversity of businesses and options.

Mayor Mac McCullough opened the public hearing at 6:49 p.m.

There were no citizen comments.

Mayor Mac McCullough closed the public hearing at 6:50 p.m.

**Motion to approve was made by Councilmember Steve Thurber. Motion was seconded by Councilmember Allison Davis. Motion carried unanimously (5-0).**

- B. Hold a public hearing and consider possible action regarding case S-17-009, regarding the proposed Amending Plat of Lot 4 & Lot 5, Spoon Mountain Homesites, Establishing Lot 4A and related variance request from the City Subdivision Code requirements relating to minimum lot size. (*Richard McDaniel, Applicant*)

Mrs. Floyd presented the proposed variance for the property located at 200 Mountain View. The Planning and Zoning Commission had recommended Council approval of the change with a unanimous vote at their previous meeting.

Mayor Mac McCullough opened the public hearing at 6:53 p.m.

There were no citizen comments.

Mayor Mac McCullough closed the public hearing at 6:53 p.m.

**Motion to approve was made by Councilmember Craig Fore. Motion was seconded by Councilmember Steve Thurber. Motion carried unanimously (5-0).**

- C. Hold a public hearing and consider possible action regarding the proposed ordinance amending Ordinance No. 2011-028, which amended Ordinance No. 2009-042, which amended Ordinance No. ZA-01-010, which designated real property located on approximately 5.34 acres, more commonly known as 14835 Ranch Road 12, Wimberley, Hays County, Texas, as a Planned Unit Development of Commercial-Low Impact (C-1) and imposed certain development regulations. This amendment proposes to revise the concept plan by increasing the building footprint and project square footage; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*Schoch McCrocklin Properties, Applicant*)

Mrs. Floyd noted this was an amendment to an existing Planned Unit Development (PUD) with base zoning of Commercial-Low Impact (C-1). The Planning and Zoning Commission had recommended Council approval of the change with a unanimous vote at their previous meeting.

Mayor Mac McCullough opened the public hearing at 6:55 p.m.

There were no citizen comments.

Mayor Mac McCullough closed the public hearing at 6:55 p.m.

**Motion to approve was made by Councilmember Steve Thurber. Motion was seconded by Councilmember Craig Fore. Motion carried unanimously (5-0).**

- D. Hold a public hearing and consider approval of the first 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*)

First reading of a proposed ordinance amending the City Code requirements for the on-site sewage facility regulations. The previous ordinance that was passed regarding this topic changed the definition term for the Edwards Aquifer Contributing Zone, but did not revise the definition. The Planning and Zoning Commission had recommended Council approval of the change with a unanimous vote at their previous meeting.

Mayor Mac McCullough opened the public hearing at 6:57 p.m.

There were no citizen comments.

Mayor Mac McCullough closed the public hearing at 6:58 p.m.

**Motion to approve was made by Councilmember Steve Thurber. Motion was seconded by Councilmember Roberta Holland. Motion carried unanimously.**

## RESOLUTIONS

- A. Consideration and action regarding Resolution No. 01-2018 amending the 2017/2018 Operating Budget (Budget Amendment No. 2) providing for the painting of the interior of City Hall. (*Interim City Administrator Paul Parker*)

Interim City Administrator Paul Parker spoke regarding Resolution No. 01-2018, which would provide funding for the interior painting of City Hall. Mr. Parker said City Council had previously approved the painting project, but did not allocate funds to complete the project in the Fiscal Year 2017/2018 Operating Budget. Therefore, a budget amendment was needed to add money in the Building Repairs/Maintenance fund from the Unobligated Funds Balance for the project. A cost estimate had been provided from Ball Brothers to Councilmember Roberta Holland in the Summer of 2017 for the painting. Ms. Holland noted she did not bring the estimate to Council during budget deliberations for the interior painting of City Hall. There was disagreement among Councilmembers regarding how and when to fund the

painting project. Councilmember Steve Thurber stated the City is removing money from the General Fund balance too regularly, and the project should be pushed to the next budget cycle when funds can be allocated for the painting. Councilmember Allison Davis added the project did not go through the budget process, and other funding priorities could be considered. Councilmember Gary Barchfeld believed the City could afford funding the project right now by moving funds around in the Operating Budget, per the presented Resolution.

**Motion to approve Resolution No. 01-2018 amending the 2017/2018 Operating Budget (Budget Amendment No. 2) providing for the painting of the interior of City Hall was made by Councilmember Gary Barchfeld. Motion was seconded by Councilmember Roberta Holland. Motion carried as follows (3-2):**

<b>Craig Fore</b>	<b>Aye</b>
<b>Gary Barchfeld</b>	<b>Aye</b>
<b>Roberta Holland</b>	<b>Aye</b>
<b>Allison Davis</b>	<b>Nay</b>
<b>Steve Thurber</b>	<b>Nay</b>

- B. Consideration and action regarding Resolution No. 02-2018 amending the 2017/2018 Operating Budget (Budget Amendment No. 3) providing for increased appropriations to the Wastewater Fund for financial and legal services. (*Interim City Administrator Paul Parker*)
- Interim City Administrator Paul Parker provided background information regarding financing for the City of Wimberley Sewer System Project. The City had not previously gone through the Request for Qualifications process for financial and legal services, and therefore, could not use funding from the Texas Water Development Board and the Economic Development Administration to pay for invoices from Specialized Public Finance, Inc. and Bickerstaff Heath Delgado Acosta, LLP. Consequently, a budget amendment was needed to move funding from the Wastewater Unobligated Fund Balance to the Wastewater Fund Contract Services to pay for the invoices from the two entities. There was discussion among Councilmembers regarding the topic. Councilmember Steve Thurber noted the City was aware of the RFQ process, but thought moving forward without completing the process was fine, due to previous legal advice received by the City. Furthermore, the City believed there would be funds to cover the associated costs for financial and legal services in the future when the decision was made not to solicit RFQs.
- Motion to approve Resolution No. 02-2018 amending the 2017/2018 Operating Budget (Budget Amendment No. 3) providing for increased appropriations to the Wastewater Fund for financial and legal services was made by Councilmember Steve Thurber. Motion was seconded by Councilmember Craig Fore. Motion carried unanimously (5-0).**

## **ORDINANCE**

Consider approval of Ordinance No. 2018-01 ordering General and Special Elections on May 5, 2018 for the purpose of electing at-large three Council Members for Mayor, Place Two and Place Four in the General Election and at-large one Council Member for Place Five in the Special Election for the City of Wimberley City Council. *(City Secretary Laura Calcote)*

City Secretary Laura Calcote provided an update regarding the General and Special Elections set for Saturday, May 5, 2018. Positions for Mayor, Place Two and Place Four would be filled in the General Election. Position for Place Five would be filled in the Special Election. An ordinance was needed to call the elections and begin moving forward with the process.

**Motion to approve Ordinance No. 2018-01 ordering the General and Special Elections on May 5, 2018 for purpose of electing at-large three Council Members for Mayor, Place Two and Place Four in the General Election and at-large one Council Member for Place Five in the Special Election for the City of Wimberley City Council was made by Councilmember Gary Barchfeld. Motion was seconded by Councilmember Roberta Holland. Motion carried unanimously (5-0).**

## **DISCUSSION AND POSSIBLE ACTION**

- A. Discuss and consider possible action approving a proposed Election Services Contract with the Hays County Elections Administrator to conduct the May 5, 2018 General and Special Elections for the City of Wimberley. *(City Secretary Laura Calcote)*

Ms. Calcote stated the City had contracted with Hays County in previous years for election services. The proposed contract from the Hays County Elections Administrator would once again allow the two governmental organizations to enter into an agreement for election services for the May 2018 General and Special Elections.

**Motion to approve the Election Services Contract with Hays County Elections Administrator to conduct the May 5, 2018 General and Special Elections for the City of Wimberley was made by Councilmember Steve Thurber. Motion was seconded by Councilmember Craig Fore. Motion carried unanimously (5-0).**

- B. Discuss and consider possible action to award project management services to Jim Schoonover for the Central Wimberley Wastewater Project. *(Interim City Administrator Paul Parker)*

Interim City Administrator Paul Parker noted the City Council had terminated its contract with TRC Engineering, Inc. in November 2017, and requested the City solicit Request for Qualifications (RFQs) for professional project management services relating to the construction of the Central Wimberley Wastewater System Project. The City had received four RFQs from three engineering firms and one individual for project management services. Three of the four entities or individuals were interviewed by Interim City Administrator Paul Parker, Mayor Mac McCullough and Councilmember Craig

Fore. After conducting the interviews, the sub-committee recommended awarding the contract to individual Jim Schoonover for project management services for the Wastewater Project. City Council agreed that Mr. Schoonover provided an affordable rate for the project and had extensive experience in the field. The contract would still need to be negotiated between the City and Mr. Schoonover.

**Motion to authorize the City Administrator to negotiate a contract for professional project management services with Jim Schoonover and bring the contract back to City Council for approval was made by Councilmember Craig Fore. Motion was seconded by Councilmember Steve Thurber. Motion carried unanimously.**

### CITY COUNCIL REPORTS

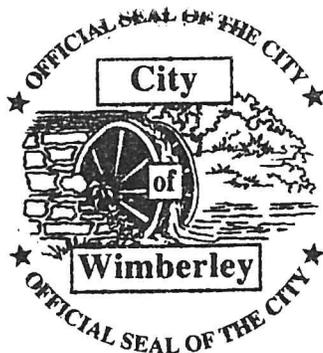
- Announcements – Councilmember Steve Thurber wanted to thank the Blue Hole Regional Park staff for organizing the Polar Bear Plunge held January 1, 2018.
- Future agenda items – There were no items.

### ADJOURNMENT

Mayor Mac McCullough adjourned the meeting at 7:27 p.m., without objection.

### RECORDED BY:

Laura J. Calcote  
Laura J. Calcote, City Secretary



### APPROVED BY:

Herschel P. "Mac" McCullough  
Herschel P. "Mac" McCullough,  
Mayor