



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 78676
THURSDAY, APRIL 5, 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

City Staff Present: Shawn Cox, City Administrator
Laura Calcote, City Secretary

INVOCATION

Freedom Valley Fellowship Pastor Michael Hogan led the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

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

PROCLAMATIONS

Hays-Caldwell Women's Center representatives Zoe O'Balle and Cari Borremans addressed Council and the audience regarding child abuse and sexual assault issues within the County. Mayor Mac McCullough read aloud the two proclamations.

- A. Proclamation of the City of Wimberley, Texas proclaiming April 2018 as Child Abuse Prevention and Awareness Month. *(Hays-Caldwell Women's Center)*
- B. Proclamation of the City of Wimberley, Texas proclaiming April 2018 as Sexual Assault Awareness and Prevention Month. *(Hays-Caldwell Women's Center)*

CITIZENS COMMUNICATIONS

Friends of Blue Hole Executive Director Susan Nenney presented the City with a \$2,000 check for the Concert in the Park 2018 series.

Susan Jagers spoke regarding the Fiscal Year 2018 budget, along with road concerns within the City.

EXECUTIVE SESSION

City Council adjourned into Executive Session at 6:15 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D for the following purposes:

- 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.

Regular Session reconvened at 6:28 p.m.

No action was taken.

CONSENT AGENDA

Motion to approve Items A, B, C, E and F was made by Council Member Steve Thurber. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (5-0).

Item D was pulled for discussion.

- A. Approval of minutes from the Regular City Council Meeting held March 15, 2018.
- B. Approval of minutes from the Special Joint City Council and Hotel Occupancy Tax Advisory Committee Meeting held March 27, 2018.
- C. Approval of minutes from the Special City Council Meeting held March 29, 2018.
- D. Approval of the December 2017, January 2018 and February 2018 Financial Statements for the City of Wimberley.
Council Member Gary Barchfeld had several questions pertaining to the financial statements provided. Mr. Barchfeld was concerned funds had not been spent in the road maintenance budget line item for FY 2018 and had questions concerning the wastewater fund.
Motion to approve Item D was made by Council Member Steve Thurber. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (5-0).
- E. Approval of the resignation of Robert Cook as the Arts/Historical Attraction Representative from the Hotel Occupancy Tax Advisory Committee.

- F. Approval of the appointment of Julie Ray as the Arts/Historical Attraction Representative to the Hotel Occupancy Tax Advisory Committee.

CITY ADMINISTRATOR REPORT

City Administrator Shawn Cox updated Council regarding the status of the Central Wimberley Wastewater Project. A notice to proceed had been issued to Capital Excavation on April 5th. There would be a kickoff meeting for the collection system portion of the Project on April 18th at 6:00 p.m. at the Wimberley Community Center. A groundbreaking ceremony for the Project would also be held in the future. A date and time had not yet been set for the ceremony. Mr. Cox also provided an update on the upcoming General and Special Elections set for May 5, 2018.

DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action authorizing the City Administrator to expend funds over \$1,000 for City employee drug testing by Wimberley Wellness, PLLC. *(City Administrator Shawn Cox)*

Motion to authorize the City Administrator to expend funds over \$1,000 for City employee drug testing by Wimberley Wellness, PLLC was made by Council Member Craig Fore. Motion was seconded by Council Member Roberta Holland. Motion carried as follows (4-1):

Steve Thurber	Aye
Craig Fore	Aye
Gary Barchfeld	Aye
Roberta Holland	Aye
Allison Davis	Nay

- B. Discuss and consider possible action regarding the allocation of \$20,000 to be utilized for hotel occupancy tax grant proposals. *(City Administrator Shawn Cox)*

The Hotel Occupancy Tax Advisory Committee had requested this item be brought before Council to authorize \$20,000 in hotel occupancy tax grant funding for Fiscal Year 2018.

Motion to approve Resolution No. 16-2018 providing for the allocation of \$20,000 to be utilized for hotel occupancy tax grant proposals was made by Council Member Steve Thurber. Motion was seconded by Council Member Allison Davis. Motion carried as follows (4-1):

Steve Thurber	Aye
Craig Fore	Aye
Allison Davis	Aye
Roberta Holland	Aye
Gary Barchfeld	Nay

- C. Discuss and consider possible action regarding the policies and procedures relating to placement of temporary signs at the Wimberley Community Center. *(City Administrator Shawn Cox)*

City Administrator Shawn Cox presented several examples of surrounding governmental entities' policies and procedures relating to political signs. There was discussion among Council members relating to when and where political signs should be placed at the

Wimberley Community Center.

Council directed staff to locate the area that is furthest away from the road behind the Thrift Store sign or the Wimberley Community Center sign to place stakes and political signs. This item would be brought back to the next City Council meeting on April 19th.

- D. Discuss and consider possible action to approve the first reading of Ordinance No. 2018-11, amending Chapter 50, Section 50.63(B)(2) of the Code of Ordinances, establishing the requirements for mandatory connection to a public wastewater system. *(Place One Council Member Steve Thurber)*

City Administrator Shawn Cox informed Council that a limited number of properties had installed new septic systems since 2015 in the area set for the Central Wimberley Wastewater Project. There was discussion the timeline for allowing individuals who had installed new septic systems within area to tie on to the wastewater system and adding a grandfather clause to the Ordinance.

Council directed staff to redline Ordinance No. 2018-11 to show the differences between Ordinance No. 2010-014, and to add a five-year grandfather clause dating back to January 1, 2013 for property owners who had installed new septic systems within the timeframe. No formal action was taken.

- E. Discuss and consider possible action to instruct the Parks and Recreation Board, at its next scheduled meeting on April 18, 2018, to identify the 18 acres of irrigation expansion area as required by the Settlement Agreement between the City of Wimberley and the Blanco River Cypress Creek Water Association, KKP3237, LLC, Paradise Valley Property Owners Association, and Rocky River Ranch, Inc. *(Place Four Council Member Gary Barchfeld)*

Council Member Gary Barchfeld reviewed the Settlement Agreement between the City of Wimberley and various parties. Mr. Barchfeld highlighted Section 4.a. and 4.b. of the Agreement, calling for the City to identify an additional 18 acres for irrigation expansion. He wanted the Parks and Recreation Board to identify the 18 acres at their next meeting on April 18th.

There were two citizen's comments. First, Erik Wollam spoke regarding the validity of the Agreement. Next, Gail Pigg stated the 18 acres needed to be identified to ensure there would be no discharge into Deer Creek.

There was discussion among Council members concerning when and how the 18 acres would be identified per the Agreement. Parks and Recreation Board Chairperson Christine Byrne addressed Council concerning the Parks Master Plan, which was different from the Blue Hole Master Plan. The Board had been working on updating the Parks Master Plan at their previous Board meetings but had not addressed identifying the 18 acres to date. City Administrator Shawn Cox advised the 18 acres did not have to be identified yet.

Motion to instruct the Parks and Recreation Board, at its next scheduled meeting on April 18, 2018, to identify the 18 acres of irrigation expansion area as required by the Settlement Agreement was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion failed as follows (2-3):

Gary Barchfeld	Aye
Craig Fore	Aye
Steve Thurber	Nay
Allison Davis	Nay
Roberta Holland	Nay

CITY COUNCIL REPORTS

A. Announcements – None.

B. Future agenda items – None.

ADJOURNMENT

Motion to adjourn the meeting at 7:43 p.m. was made by Council Member Steve Thurber. Motion was seconded by Council Member Roberta Holland. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary



APPROVED BY:

H
Herschel P. "Mac" McCullough,
Mayor