



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING THURSDAY, APRIL 16, 2020 – 6:00 P.M.

MINUTES

In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Wimberley will conduct a teleconference/video conference meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The meeting will be held on **Thursday, April 16, 2020, at 6:00 p.m.**

The public may participate in this meeting via the following toll-free numbers 888-475-4499 or 877-853-5257 and/or using the meeting ID 811 0553 9117 and using the password 012623.

The public will be permitted to offer public comments and participate in any public hearing via teleconference or video conference, as provided by the agenda and as permitted by the presiding officer during the meeting.

Anyone wishing to offer public comments, participate in any public hearing, or offer written questions or comments must notify City Secretary, Laura Calcote, at lcalcote@cityofwimberley.com, at least two hours before the meeting.

A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request.

CALL TO ORDER

Mayor Pro Tem, Rebecca Minnick, called the meeting to order on April 16, 2020 at 6:00 p.m.

CALL OF ROLL

Council Members Present:	Rebecca Minnick	Place One <i>(via teleconference)</i>
	Craig Fore	Place Two <i>(via teleconference)</i>
	Christine Byrne	Place Three <i>(via teleconference)</i>
	Gary Barchfeld	Place Four <i>(via teleconference)</i>
	Bo Bowman	Place Five <i>(via teleconference)</i>
Council Members Absent:	Susan Jaggars	Mayor
City Staff Present:	Shawn Cox	City Administrator <i>(via teleconference)</i>
	Laura Calcote	City Secretary <i>(via teleconference)</i>
	Charlie Zech	City Attorney <i>(via teleconference)</i>

Terri Provost	Community Center Director <i>(via teleconference)</i>
John Provost	Public Works Superintendent <i>(via teleconference)</i>
Nathan Glaiser	Parks Maintenance & Natural Resource Manager <i>(via teleconference)</i>
Richard Shaver	Parks Operations & Programs Manager <i>(via teleconference)</i>

INVOCATION

Wimberley United Methodist Church Reverend, Wes Cain, gave the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Pro Tem, Rebecca Minnick, led the pledges to the United States and Texas flags.

CITIZENS COMMUNICATIONS

There were no citizen’s comments.

PRESENTATIONS

6.1. Presentation by Langford Community Management Services, Inc. regarding an update on HMGP/GLO projects. *(Judy Langford)*
(Place Three City Council Member, Christine Byrne, muted her microphone prior to the report and discussion).

Judy Langford and Erin Thompson provided updates to Council regarding HMGP and GLO projects for the City. The HMGP housing elevation projects were not moving forward, due to unforeseen circumstances with FEMA. The GLO housing and infrastructure projects were currently in progress. There were four rehabilitations and four reconstructions. The projects were estimated to be completed within the next six months.

6.2. Presentation by Hays County Precinct 3 Constable, Ray Helm, regarding the COVID-19 virus departmental response in Wimberley. *(Constable Ray Helm)*
 Constable, Ray Helm, updated Council regarding the handling of emergency calls during the COVID-19 pandemic. Constable Helm noted that there were no traffic stops being made, except for jailable offenses. There was discussion among Constable Helm and Council pertaining to traffic compliance within the City, and Council requested more visibility from the Constable’s Department.

CONSENT AGENDA

Motion to approve the Consent Agenda, as presented, was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

- 7.1. Approval of minutes from the Regular City Council Meeting held April 2, 2020.
- 7.2. Approval of minutes from the Special City Council Meeting held April 9, 2020.
- 7.3. Approval of Peter Lingamfelter’s resignation from the Planning and Zoning Commission.
- 7.4. Approval of Place Three Christine Byrne’s appointment of Phillip McBride to the Planning and Zoning Commission.

7.5. Approval of the second and final reading of Ordinance No. 2020-05, establishing a new prima facie speed limit of twenty-five (25) miles per hour for all roadways within the City Limits of Wimberley, which are not an officially designated or marked highway or road of the state highway system, with the exception of Spoke Hollow Road, Flite Acres Road and County Road 1492; pursuant to City of Wimberley Code of Ordinances Article 11.02 Traffic-Control Devices and Texas Transportation Code Section 545.356; and repealing the prima facie speed limit of thirty (30) miles per hour on such roadways; making certain findings; authorizing the placement of speed limit signs along such streets; providing a penalty in an amount of not less than \$1.00 or more than \$200.00 for violation of any provision hereof; and providing for severability.

CITY ADMINISTRATOR REPORT

City Administrator, Shawn Cox, updated Council regarding current and projected sales tax for Fiscal Year (FY) 2020. Sales tax had declined 7.78% from April 2019 but increased 9.71% year-to-date compared to Fiscal Year 2019. Furthermore, Mr. Cox presented a COVID-19 revised budget, which decreased the current budget's projected revenues by 50%. There was discussion concerning the FY 2020 budget's revenues and expenditures. Additionally, Mr. Cox reported on City facilities being closed to the public, the new City website's projected completion date, and the status of the revised animal nuisance agreement with Hays County. There was discussion between City staff and Council on each of these items.

PUBLIC HEARINGS AND POSSIBLE ACTION

9.1 Hold a public hearing and consider approval regarding case CUP-20-002, an application for a Conditional Use Permit to allow for the operation of a vacation rental on property zoned Single-Family Residential 2 (R-2) located at 222 Box Canyon, Wimberley, Hays County, Texas. (*Applicant Michael Bachers*)

City Administrator, Shawn Cox, presented the conditional use permit for a vacation rental (STR2). The Planning and Zoning Commission had unanimously recommended approval at their April 9th meeting.

Mayor Pro Tem, Rebecca Minnick, opened the public hearing at 7:21 p.m.

There were no public comments.

Mayor Pro Tem, Rebecca Minnick, closed the public hearing at 7:22 p.m.

Motion to approve case CUP-20-002, an application for a Conditional Use Permit to allow for the operation of a vacation rental on property zoned Single-Family Residential 2 (R-2) located at 222 Box Canyon, Wimberley, Hays County, Texas, was made by Council Member Christine Byrne. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (5-0).

9.2 Hold a public hearing and consider approval regarding case CUP-20-003, an application for a Conditional Use Permit to allow for the operation of a bar/tavern on property zoned Highway Commercial (HC) located at 9595 Ranch Road 12, Wimberley, Hays County, Texas. (*Applicant Trevor Savage*)

City Administrator, Shawn Cox, presented the conditional use permit for the operation of a bar/tavern at 9595 Ranch Road 12, Suite 10. Mr. Cox noted the terms and conditions of the permit. The Planning and Zoning Commission had unanimously recommended approval at their April 9th meeting.

Mayor Pro Tem, Rebecca Minnick, opened the public hearing at 7:23 p.m.

There were no public comments.

Mayor Pro Tem, Rebecca Minnick, closed the public hearing at 7:23 p.m.

Motion to approve case CUP-20-003, an application for a Conditional Use Permit to allow for the operation of a bar/tavern on property zoned Highway Commercial (HC) located at 9595 Ranch Road 12, Wimberley, Hays County, Texas, was made by Council Member Christine Byrne. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).

DISCUSSION AND POSSIBLE ACTION

10.1. Discuss and consider possible action regarding a request to operate a food service trailer at 411 FM 2325 in Wimberley, Texas. (*Applicant Brandon Kibby/Paradise Amusements*) Applicant, Brandon Kibby, addressed Council regarding his request to operate a food trailer at Odie's Food Court. There was discussion among Mr. Kibby and Council pertaining to the height of the food truck, business signage and the length of time the truck would be located at the property. Mr. Kibby stated the truck would temporarily be parked at the location until June 30, 2020, and the hours of operation would be from 11:00 a.m. until 6:00 p.m.

Motion to approve a request to operate a food service trailer at 411 FM 2325 in Wimberley, Texas, only until June 30th and without night lighting, was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

10.2. Discuss and consider possible action to approve Resolution No. 02-2020, observing May 9th, 2020 as World Migratory Bird Day (WMBD) at the Patsy Glenn Refuge, and, in the future, to be observed there and at other Wimberley City parks and wildlife sanctuaries on designated dates for World Migratory Bird Day. (*Parks Maintenance and Natural Resource Manager Nathan Glaiser*)

Motion to approve Resolution No. 02-2020, observing May 9th, 2020 as World Migratory Bird Day (WMBD) at the Patsy Glenn Refuge, and, in the future, to be observed there and at other Wimberley City parks and wildlife sanctuaries on designated dates for World Migratory Bird Day, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

10.3. Discuss and consider possible action to approve an expenditure in the amount of \$1,353.00 from The Grass Outlet for the delivery of six pallets of Palisades Zoysia grass to be installed in the Blue Hole Regional Park swim area. (*Parks Maintenance and Natural Resource Manager Nathan Glaiser*)

Motion to approve an expenditure in the amount of \$1,353.00 from The Grass Outlet for the delivery of six pallets of Palisades Zoysia grass to be installed in the Blue Hole Regional Park swim area was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried as follows (4-1):

Rebecca Minnick	Aye
Craig Fore	Aye
Gary Barchfeld	Aye
Bo Bowman	Aye
Christine Byrne	Nay

10.4. Discuss and consider possible action regarding a potential oak wilt policy. *(Place Four Council Member Gary Barchfeld)*
There was discussion regarding this item, but no action was taken.

10.5. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. *(City Administrator Shawn Cox)*
City Administrator, Shawn Cox, provided an update regarding Capital Excavation's line installation progress, the upcoming change order from Capital Excavation and waiting for TxDOT approval for the force main line south. Additionally, there was lengthy discussion among Mr. Cox and Council concerning status of the four conditions contingent upon the Texas Water Development Board's approval of the change in scope for the Project in March 2019.
No action was taken on this item.

10.6. Discuss and consider possible action regarding the City of Wimberley's contract with Aqua Texas for the treatment of wastewater. *(City Administrator Shawn Cox)*
There was lengthy discussion among Council and City staff regarding the conditions and terms within the draft Aqua Texas contract.
No action was taken on this item.

CITY COUNCIL REPORTS

11.1. Announcements – City Administrator, Shawn Cox, stated the City would continue to provide COVID-19 updates, as they became available.

11.2. Future agenda items – Council Member, Gary Barchfeld, requested a formal Oak Wilt Policy be brought before Council at the next regular meeting for consideration. Council Member, Rebecca Minnick, requested several items for the April 23rd Special City Council Meeting, including a plan for the reopening of City parks and the Wimberley Community Center, recommendations to businesses regarding COVID-19 safety precautions and the Wimberley Valley Chamber of Commerce Director to present.

ADJOURNMENT

Motion to adjourn the meeting at 9:13 p.m. was made by Council Member Craig Fore. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary



APPROVED BY:

Rebecca Minnick
Rebecca Minnick, Mayor Pro Tem