



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, JUNE 6, 2019 – 6:00 P.M.

MINUTES

CALL TO ORDER

Mayor Susan Jaggars called the meeting to order at 6:01 p.m.

CALL OF ROLL

Council Members Present:	Susan Jaggars	Mayor
	Rebecca Minnick	Place One
	Craig Fore	Place Two
	Christine Byrne	Place Three
	Bo Bowman	Place Five
Council Members Absent:	Gary Barchfeld	Place Four
City Staff Present:	Shawn Cox	City Administrator
	Laura Calcote	City Secretary
	Charlie Zech	City Attorney
	Megan Santee	Deputy City Attorney
	Rebecca Manning	Parks Director
	Richard Shaver	Parks Programs and Operations Manager

INVOCATION

Council Member Craig Fore gave the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Susan Jaggars led the pledges to the United States and Texas flags.

CITIZENS COMMUNICATIONS

There were nine citizen's comments. They were as follows:

1. Dwayne Patlyek spoke regarding several options for the wastewater treatment facility, including associated costs and maintenance for the plant.
2. Tara Racine and her three children spoke in support of the LGBTQ Pride Parade, and the inclusive nature of the Wimberley community. Ms. Racine promoted love, support, acceptance and inclusion for all within American society.

3. Barbara Hopson spoke in support of the Pride Parade and requested City Council's support for the event as well.
4. Chrys Grummert read a letter from Matthew and Rachel Buchanan supporting the Pride Parade. The Parade would provide economic and community benefit for Wimberley and would be a win for all.
5. James Koschoreck addressed Council regarding LGBTQ matters in society and noted the Pride Parade would provide an opportunity for marginalized individuals and groups to have a voice. Mr. Koschoreck stated the Parade would offer Wimberley the chance to show support for diversity.
6. Joshua Poole spoke regarding the Wimberley Friends of Lesbian and Gay, Bisexual, and Transgender (WFLAG) mission to provide support and opportunities for the LGBTQ community. Mr. Poole voiced his support for the Pride Parade and asked for the City Council to also be supportive.
7. Rachel Emry spoke in support of the Pride Parade.
8. Bryan Burke called for community support of the Pride Parade. Mr. Burke noted the Parade would bring revenue for local businesses and would be a chance for Wimberley to unite behind the LGBTQ community.
9. Jimmy Alan Hall spoke in support of the Pride Parade and noted all were welcome at the Trinity Church of Austin. Mr. Hall read a couple of Bible verses about loving one another and neighbors.

PRESENTATION

Presentation regarding the 2019 Wimberley LGBTQ Pride Parade set for September 21, 2019. *(David Martin)*

David Martin addressed Council regarding the history of the LGBTQ movement, starting with the Stonewall riots in New York City in the late 1960s. Mr. Martin spoke of the rise in pride marches/parades throughout the United States since that time, and the importance of these events for communities and families. Furthermore, September would be a good time for Wimberley to host a Pride Parade, since it's a slower time of year for local businesses. The Parade would be an opportunity for the Wimberley Valley to stand behind the LGBTQ community. Council Members Rebecca Minnick, Christine Byrne and Bo Bowman voiced their support for the Pride Parade in September. Mayor Susan Jaggars requested the Wimberley community show love, tolerance and respect for all.

No action was taken on this item.

PRESENTATIONS AND POSSIBLE ACTION

A. Presentation and consider possible action regarding a letter to the City Council from the Parks and Recreation Board. *(Board Member Mike Stevens)*

Parks and Recreation Board Member, Mike Stevens, presented a letter to City Council pertaining to water needs for Blue Hole Regional Park. Mr. Stevens stated the Park is an asset to Wimberley and called for a master plan for reused wastewater for the entity.

No action was taken on this item.

B. Presentation and consider possible action regarding the status of the City of Wimberley's Hazard Mitigation Grant Program (HMGP) projects. *(City of Wimberley)*

Council Member Christine Byrne recused herself from the discussion.

Judy Langford, of Langford Community Management Services, Inc., addressed Council regarding the four HMGP projects from the 2015 floods. Ms. Langford noted the City would receive up to seventy-five percent (75%) reimbursement for the projects' cost. An updated scope of work needed to be sent to FEMA and a cost analysis still needed to be completed by BEFCO before moving forward with the projects.

Motion to support the four Hazard Mitigation Grant Program projects was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (3-0).

- C. Presentation and consider possible action regarding code compliance in the City of Wimberley. *(City Administrator Shawn Cox)*

City Administrator Shawn Cox presented information pertaining to code compliance in the City, including but not limited to junked cars, weeds and prohibited signs. Mr. Cox noted the key priority is compliance, not enforcement, and how to properly handle reported violations. No action was taken on this item.

EXECUTIVE SESSION

City Council did not adjourn into Executive Session.

Executive Session pursuant to Texas Government Code, Section 551.071 (Consultation with Attorney) regarding Cause No. 19-1203; Steve Thurber vs. The City of Wimberley.

OPEN SESSION

This item was not heard.

Discuss and consider possible action resulting from Executive Session.

CONSENT AGENDA

Motion to approve the Consent Agenda was made by Council Member Craig Fore.

Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).

- A. Approval of minutes from the Regular City Council Meeting held May 16, 2019.
- B. Approval of minutes from the Special City Council Meeting held May 21, 2019.
- C. Approval of minutes from the Special City Council Meeting held May 29, 2019.
- D. Approval of Place Four Council Member Gary Barchfeld's appointment of Michael Bower to the Transportation Advisory Board.
- E. Approval of Place Four Council Member Gary Barchfeld's appointment of Natalie Meeks to the Comprehensive Plan Review Team.

CITY ADMINISTRATOR REPORT

City Attorney Charlie Zech introduced Deputy City Attorney Megan Santee.

City Administrator Shawn Cox updated Council regarding the status of the Central Wimberley Wastewater Project. The City was still waiting on TxDOT approval to cross Ranch Road 12. Additionally, Mr. Cox spoke regarding the completion of paving on Rocky Springs Road and the fish weir at the Hidden Valley bridge. Mr. Cox also presented information on the City's

Blackboard Notification System.

Motion to take a break at 7:23 p.m. was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0). Regular Session reconvened at 7:31 p.m.

DISCUSSION AND POSSIBLE ACTION

(Motion to move Item No. 12.I. – Wimberley ISD Committee to Item No. 12.A. was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0)).

- A. Discuss and consider possible action to appoint two members of City Council to a Wimberley ISD committee. *(City Administrator Shawn Cox)*
Motion to appoint Council Members Christine Byrne and Bo Bowman to a Wimberley Independent School District Committee to work with other local entities on issues impacting the area was made by Council Member Craig Fore. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0).

- B. Discuss and consider possible action to approve the second and final reading of Ordinance No. 2019-12, amending Chapter 12 Utilities, Article 12.02 Water and Sewers, Division 3 Sewer Connections and Extensions, Section 12.02.072 Connection to Sewer System Required by adding provisions authorizing interim pump and haul service for existing and new businesses; providing an effective date; providing for severability; providing for a penalty not to exceed two thousand dollars. *(City Administrator Shawn Cox)*
Motion to approve the second and final reading of Ordinance No. 2019-12, amending Chapter 12 Utilities, Article 12.02 Water and Sewers, Division 3 Sewer Connections and Extensions, Section 12.02.072 Connection to Sewer System Required by adding provisions authorizing interim pump and haul service for existing and new businesses; providing an effective date; providing for severability; providing for a penalty not to exceed two thousand dollars was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0).

- C. Discuss and consider possible action to approve Ordinance No. 2019-16, amending Article 2.04 Boards, Commissions and Committees of the Code of Ordinances by establishing Section 2.04.005, Downtown District Committee and providing for the duties, appointment and removal of committee members. *(City Administrator Shawn Cox)*
Council Member Rebecca Minnick presented Ordinance No. 2019-16, creating a new Downtown District Committee, which would help to assist and improve downtown economic development, as well as to develop a downtown master plan. The Committee would be composed of seven consensus members from various entities and organizations in Wimberley.
Motion to approve Ordinance No. 2019-16, amending Article 2.04 Boards, Commissions and Committees of the Code of Ordinances by establishing Section 2.04.005, Downtown District Committee and providing for the duties, appointment and removal of committee members was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- D. Discuss and consider possible action to accept a donation check in the amount of \$750 from the Friends of Blue Hole to support the 2019 Blue Hole Nature Camp Scholarship Program. *(Parks Director Rebecca Manning)*
Friends of Blue Hole Executive Director, Susan Neeney, presented City Council with a \$750 donation check that would allow five children to attend the 2019 Blue Hole Nature Camps for one week this summer. Council Member Christine Byrne thanked the Friends of Blue Hole for their ongoing support of the Park and Park programs.
Motion to accept a donation check in the amount of \$750 from the Friends of Blue Hole to support the 2019 Blue Hole Nature Camp Scholarship Program was made by Council Member Christine Byrne. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).
- E. Discuss and consider possible action to evaluate the acquisition of real property for the purpose of expanding the City's park system. *(Parks Director Rebecca Manning & Programs and Operations Manager Richard Shaver)*
Parks Programs and Operations Manager Richard Shaver presented information regarding a potential land acquisition of approximately 288 acres to expand the City's park system. The land acquisition would be in alignment with the previously approved 2018 Parks Master Plan. Mr. Shaver was requesting a vote of support from Council, and no funding at this time.
Motion to allow City staff to investigate the possible acquisition of real property for the purpose of expanding the City's park system was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).
- F. Discuss and consider possible action to approve Hays County's bid in the amount of \$50,523 for drainage work at the intersection of Little Ranches and Flite Acres. *(Public Works Superintendent John Provost)*
Motion to approve Hays County's bid in the amount of \$50,523 for drainage work at the intersection of Little Ranches and Flite Acres was made by Council Member Craig Fore. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0).
- G. Discuss and consider possible action to approve Resolution No. 08-2019, determining the time and date for Regular City Council meetings and providing for an effective date. *(City Administrator Shawn Cox)*
Motion to approve Resolution No. 08-2019, determining the time and date for Regular City Council meetings and providing for an effective date, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).
- H. Discuss and consider possible action on Resolution No. 09-2019, repealing Resolution No. 24-2018 and appointing the City Administrator as the primary contact with regards to the Central Wimberley Wastewater Project. *(Place One Council Member Rebecca Minnick)*
Motion to approve Resolution No. 09-2019, repealing Resolution No. 24-2018 and appointing the City Administrator as the primary contact with regards to the Central Wimberley Wastewater Project, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).

- I. Discuss and consider possible action regarding a review of City Financials, including legal expenditures, fund balances and outstanding invoices to be paid by the Texas Water Development Board. *(Place One Council Member Rebecca Minnick)*
City Administrator Shawn Cox provided an overview of the City's financials, including the General Fund, the Blue Hole Fund and the Wastewater Fund. Mr. Cox showed a five-year fiscal forecast for the City. There was discussion among Council members regarding the current financial and future financial state of the City.
No action was taken on this item.

- J. Discuss and consider possible action to appoint two members of City Council to a joint committee with the City of Woodcreek regarding updates to the Water Quality Ordinance. *(City Administrator Shawn Cox)*
Motion to appoint Council Members Christine Byrne and Bo Bowman to a joint committee with the City of Woodcreek regarding updates to the Water Quality Ordinance was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- K. Discuss and consider possible action to schedule a Central Wimberley Wastewater Project Workshop. *(City Administrator Shawn Cox)*
There was discussion to schedule a Central Wimberley Wastewater Project Workshop on Monday, June 17, 2019, at 6:00 p.m., at the Wimberley Community Center.
No action was taken on this item.

- L. Discuss and consider possible action to schedule a City Council Governance and Goal Setting Workshop. *(City Administrator Shawn Cox)*
There was discussion to schedule a City Council Governance and Goal Setting Workshop on Tuesday, June 25, 2019. A location and time still needed to be determined.
No action was taken on this item.

- M. Discuss and consider possible action regarding the renewal of the City of Wimberley's Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0013321001. *(City Administrator Shawn Cox)*
There was discussion on the TPDES permit allowing the City to operate and maintain the current Blue Hole Wastewater Treatment Facility. The original permit was amended to allow for the discharge of effluent into Deer Creek, once the proposed wastewater treatment plant was completed. The permit was set to expire on February 20, 2020, and the City would need to submit a renewal application by the end of July 2019; 180 days prior to expiration. In January 2019, the City Council had approved a draft letter stating the City did not intend to renew the permit.
Motion to direct the City Administrator to renew City of Wimberley's Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0013321001 was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried as follows (3-1):

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

N. Discuss and consider possible action regarding the City's fees for issuing residential permits.
(City Administrator Shawn Cox)

The Texas State Legislature recently passed House Bill (H.B.) 852 during the 86th Session, which prohibited municipalities from utilizing the value of a dwelling or the costs to construct or improve a dwelling when determining a permit fee. This law went into effect immediately after being signed by Governor Greg Abbott. A new fee schedule for residential permits was presented to City Council for adoption based on square footage.

Motion to approve the City's residential permit fee schedule was made by Council Member Craig Fore. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).

CITY COUNCIL REPORTS

A. Announcements – Council Member Craig Fore announced today, June 6th, was the 75th Anniversary of D-Day and the Battle of Normandy. Council Member Rebecca Minnick announced the Hill Country Alliance Workshop on August 6th and 7th in Kerrville. She noted it would be beneficial for several representatives from the City to attend the workshop.

B. Future agenda items – Council Member Rebecca Minnick requested periodic updates from the City's boards, commissions and committees during City Council meetings.

ADJOURNMENT

Motion to adjourn the meeting at 8:53 p.m. was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary

APPROVED BY:

Susan Jagers
Susan Jagers, Mayor

