



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

SPECIAL CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
TUESDAY, JUNE 12, 2018 – 4:00 P.M.

MINUTES

CALL TO ORDER

Mayor Susan Jagers called the meeting to order at 4:00 p.m.

CALL OF ROLL

Council Members Present: Susan Jagers Mayor
Mike McCullough Place One
Craig Fore Place Two
Allison Davis Place Three
Gary Barchfeld Place Four
Patricia Cantu Kelly Place Five

City Staff Present: Shawn Cox City Administrator
Laura Calcote City Secretary
Sandy Floyd Planning & Development Coordinator/GIS Analyst

CITIZENS COMMUNICATIONS

There were 11 citizen’s comments. They were as follows:

1. Stephanie Nestlerode spoke regarding tourism in the City, and how the restroom trailer on the Wimberley Square benefits individuals visiting Wimberley. Ms. Nestlerode also addressed the City’s ongoing wastewater project for the downtown area.
2. Linda Webb addressed Council regarding the Hotel Occupancy Tax (HOT) Committee, and how the prior HOT Committee was not successful. Ms. Webb requested to know more details about the Wimberley Valley Tourism and Lodging Association.
3. Rebecca Minnick spoke regarding the fluctuating City Council meeting schedules over the past month, and how difficult it had been for citizens to keep track of the meetings.
4. Maridel Martinez spoke in support of the current location of the restroom trailer on the Wimberley Square because it is convenient for customers.

5. Christine Byrne addressed Council pertaining to the filling or re-appointment of board, commission and committee members for the City. Ms. Byrne currently serves on the Parks and Recreation Board and requested no changes to the Board until after their June meeting.
6. Clay Ewing spoke regarding the HOT Committee, which he is a member of. Mr. Ewing noted the HOT Committee is functioning as it should, and a change in membership would disrupt the progress and process of the Committee.
7. Mac McCullough addressed Council pertaining to the restroom trailer on the Wimberley Square, and how the current location was accessible to visitors. Furthermore, Mr. McCullough stated the sporadic Council meeting schedule was problematic.
8. Jennifer Ober spoke regarding the HOT Committee, which she is a member of. Ms. Ober contended the Committee serves an important function to promote tourism within the City during slower times of the year.
9. Traci Ferguson addressed Council pertaining to the restroom trailer on the Wimberley Square, and stated the current location is good for business owners and customers.
10. Steve Klepfer spoke regarding the background of the wastewater project for the downtown area, and the restroom trailer's current location being utilized by visitors.
11. Dan Sturdivant spoke regarding the HOT Committee and how the current plan for the hotel occupancy tax is not functioning well. He suggested setting-up a new HOT Committee and guidelines for the Committee.

RECOGNITION

Council Member Gary Barchfeld requested the City follow protocol in recognizing past and present board, commission and committee members for their service.

DISCUSSION AND POSSIBLE ACTION

A. Discuss and consider possible action regarding the filling or re-appointment of board, commission and committee members.

Council Member Gary Barchfeld suggested the City have a uniform appointment date for board, commission and committee members beginning July 1st of each year, and for members to serve for one-year terms, except for the Planning & Zoning Commission, who would continue to follow their current term limits. Each Council member would still appoint a member of their choosing to the board, commission and committee. There was discussion on a uniform appointment date. Council Member Allison Davis requested the topic be tabled until ordinances establishing the entities could be thoroughly reviewed. Council Member Davis also contended the implications of politicizing City boards, commissions and committees. There was further discussion to appoint a replacement to the Planning and Zoning Commission for Place Four, and to appoint a new member for Place Five on the Commission, since Austin Weeks's term had expired in September 2017, without a formal reappointment.

Motion to nominate and appoint Craig Reitz for Place Four on the Planning and

Zoning Commission was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).

Motion to nominate and appoint Tim Dodson for Place Five on the Planning and Zoning Commission was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).

Motion for all City boards, commissions and committees to have seven members and each member to have a one-year term, without term limits, beginning and ending July 1st of each year, with the exception of the Planning & Zoning Commission, was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried as follows (4-1):

Mike McCullough	Aye
Craig Fore	Aye
Gary Barchfeld	Aye
Patricia Cantu Kelly	Aye
Allison Davis	Nay

Next, there was discussion regarding repopulating the Transportation Advisory Board and the Parks and Recreation Board and amending the ordinances establishing and defining membership, duties and authorities for the two Boards. The two Board's ordinances would be amended for the June 21st City Council Meeting. The following potential nominations or re-appointment nominations were made for the Transportation Advisory Board (TAB) members:

Mayor	Mike Moeller
Place One	Michael Murphy
Place Two	Ruth Mince
Place Three	Bert Ray
Place Four	Mike Crowley
Place Five	Gary Callon
Consensus	Rachel Emry

The TAB nominations would be formally voted on at the next City Council meeting on June 21st.

The following nominations or re-appointment nominations were made for the Parks and Recreation Board members:

Mayor	Mike Stevens
Place One	Merry Gibson
Place Two	Matt Meeks
Place Three	Vacant
Place Four	Gary Pigg
Place Five	Mark Bursiel
Consensus	Marilee Wood

The Parks and Recreation Board nominations would be formally voted on at the next City Council meeting on June 21st.

- B. Discuss and consider possible action regarding guidelines for boards, commissions and committees.
Council Member Allison Davis requested this item be tabled until the ordinances for the board, commissions and committees be reviewed. Council Member Gary Barchfeld asked Council to think about the guidelines they would like to be established for the entities.
No action was taken on this item.
- C. Discuss and consider possible action on the creation of new City board to aid in long-term planning for the City of Wimberley.
Council Member Gary Barchfeld proposed creating a City board/committee to aid in long-term planning for the future of the City of Wimberley. There was discussion about the Comprehensive Plan Review Committee, and the role it could play in assisting in the task of planning. Council Member Gary Barchfeld suggested populating the potential board with members from other City boards, commissions and committees.
No action was taken on this item.
- D. Discuss and consider possible action regarding the relocation of the restroom trailer on the Wimberley Square.
Mayor Susan Jagers stated she had received some complaints from citizens about the current location of the restroom trailer being problematic. She also suggested the trailer needed to be pumped more often. There was discussion among Council members regarding the location of the restroom trailer and what the options are for utilizing the trailer after the wastewater project is completed on the Wimberley Square. No action was taken on moving the trailer, and it was decided among Council to leave the trailer where it was located.
Motion to direct City staff to seek a proposal for a stub out connection on Oak Drive for the restroom trailer was made by Council Member Allison Davis. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (5-0).

HOTEL OCCUPANCY TAX

- A. Discuss and consider possible action regarding the mediated agreement between the Wimberley Chamber of Commerce and the Wimberley Lodging Association.
Council Member Patricia Cantu Kelly spoke regarding the background of the Memorandum of Consensus between the Wimberley Valley Chamber of Commerce and the Wimberley Valley Tourism and Lodging Association, which was signed by both parties in 2015, and supported by the City Council during that timeframe. Council Member Kelly stated the agreement had been discarded by City last year, and consequently had caused the overspending of hotel occupancy tax funds.
Motion to reinstate the mediated agreement, and to make the document binding to all parties involved, including the City of Wimberley, the Wimberley Valley Chamber of Commerce and the Wimberley Valley Tourism and Lodging Association was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Mike McCullough.
Council Member Allison Davis had requested a legal opinion from the City Attorney regarding the document in order to see if the agreement was legally binding for the City. City Administrator Shawn Cox read the legal opinion on the agreement, which stated the

City was and is not bound by the document. Council Member Davis noted the agreement and its stipulations did not work for the hotel occupancy tax in the past.

Motion carried as follows (4-1):

Mike McCullough	Aye
Craig Fore	Aye
Gary Barchfeld	Aye
Patricia Cantu Kelly	Aye
Allison Davis	Nay

- B. Discuss and consider possible action regarding an amendment to Ordinance No. 2017-020 pertaining to the Hotel Occupancy Tax Committee.

Motion to repeal Ordinance No. 2017-020 and instate Ordinance No. 2015-17, as originally written, and to modify the original language of Ordinance No. 2015-17 to acknowledge the mediated agreement and bind the City to honoring the terms of the agreement, so that no change to the mediated agreement or the Ordinance can take place without the expressed written approval of the parties involved, including the City, the Chamber and the Lodging Association was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Mike McCullough. Furthermore, the motion did not affect Ordinance No. 2018-17, which reduced the hotel occupancy tax to zero percent (0%).

Council Member Allison Davis requested a five-minute recess at 5:26 p.m., before the motion was voted upon.

Regular Session reconvened at 5:31 p.m.

There was discussion regarding the motion. Council Member Allison Davis noted that the motion would be unable to tie a future Council's hands.

Motion carried as follows (4-1):

Mike McCullough	Aye
Craig Fore	Aye
Gary Barchfeld	Aye
Patricia Cantu Kelly	Aye
Allison Davis	Nay

- C. Discuss and consider possible action regarding appointments to the Hotel Occupancy Tax Committee.

There was discussion on this topic, but no formal action was taken on this item, since the previous motion would outline the appointments to the Hotel Occupancy Tax Committee.

- D. Discuss and consider possible action regarding the Hotel Occupancy Tax Committee's scope of work.

Motion to direct the Hotel Occupancy Tax Committee to work toward building a tourism vision and plan for Wimberley that is consistent with our City's Comprehensive Plan, and that informs how we manage the tourism we currently have; the plan should also inform what public funding sources, if any, should be considered; the HOT Committee to review and recommend to City Council in the next 45 days what should be done with existing projects such as MindEcology and the Visitor Center was made by Council Member Patricia Cantu Kelly. Motion was

seconded by Council Member Mike McCullough.

There was discussion among Council members about the scope of work for the HOT Committee and the vision for the Committee being set by City Council. There was also discussion regarding the HOT Committee acting as an oversight board for contracts relating to hotel occupancy tax funds.

Motion carried as follows (4-1):

Mike McCullough	Aye
Craig Fore	Aye
Gary Barchfeld	Aye
Patricia Cantu Kelly	Aye
Allison Davis	Nay

- E. Discuss and consider possible action regarding the Hotel Occupancy Tax Fund.
Motion to direct City staff to work with our Hotel Occupancy Tax Committee and our 3rd party auditors to complete a comprehensive audit of hotel occupancy tax funds, since inception, and to present the audit findings report to our HOT Committee and City Council within the next 45 days; during this audit and review period no additional funds will be paid out and no new projects will be considered for funding was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Allison Davis.

There was discussion regarding the auditing process for the hotel occupancy tax funds. City Administrator Shawn Cox stated he would obtain an estimate from the City's current auditors to see if an audit can be completed within the 45 days. There was also discussion regarding the Visitor Center providing an audit to the City for the hotel occupancy tax funds they received for Fiscal Year 2017.

Motion carried as follows (4-1):

Mike McCullough	Aye
Craig Fore	Aye
Gary Barchfeld	Aye
Patricia Cantu Kelly	Aye
Allison Davis	Abstain

ADJOURNMENT

Mayor Susan Jagers adjourned the meeting at 6:01 p.m., without objection.

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary

APPROVED BY:

Susan Jagers
Susan B. Jagers, Mayor

