



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER DRIVE, WIMBERLEY, TEXAS 78676
THURSDAY, AUGUST 1, 2019 – 6:00 P.M.

MINUTES

CALL TO ORDER

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

CALL OF ROLL

Council Members Present:

Susan Jagers	Mayor
Rebecca Minnick	Place One
Craig Fore	Place Two
Christine Byrne	Place Three
Gary Barchfeld	Place Four
Bo Bowman	Place Five

City Staff Present:

Shawn Cox	City Administrator
Laura Calcote	City Secretary
Megan Santee	Deputy City Attorney
Richard Shaver	Parks Programs and Operations Manager
John Provost	Public Works Superintendent

INVOCATION

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

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

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

CITIZENS COMMUNICATIONS

There were no citizen's comments.

PRESENTATION AND POSSIBLE ACTION

- A. Presentation and consider possible action regarding the identification of committee members for various Wimberley Valley task forces. (*Hays County Precinct 3 Commissioner Lon Shell*) Hays County Precinct 3 Commissioner, Lon Shell, presented the formation of planning committees/task forces comprised of representatives from local jurisdictions, including the City of Wimberley, to discuss four major issues facing Hays County and the Wimberley Valley, which are transportation infrastructure, commercial and residential development, water resource management and parks, trails and open space conservation. Several Council members volunteered to be placed on the task forces.

Motion to appoint Council Member Christine Byrne to the water resource management and the parks conservation task forces, Council Members Gary Barchfeld and Craig Fore to the transportation infrastructure task force and City employee, Sandy Floyd, to the commercial and residential task force was made by Council Member Christine Byrne. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (5-0).

B. Presentation and consider possible action to approve the Wings Over Wimberley Event on September 13-15 in Wimberley. *(Roy Cunningham)*

Pamela Rudd and Roy Cunningham addressed Council regarding the Wings Over Wimberley (WoW) Event scheduled for September 13th through 15th. Ms. Rudd presented a tentative map of the Event and discussed Event details with Council. Mr. Cunningham showed a promotional video for the WoW Event.

Motion to provide City support for the Wings Over Wimberley Event, including the shutting down of roads and providing of necessary barricades, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

EXECUTIVE SESSION

City Council adjourned into Executive Session at 6:30 p.m., in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purpose:

Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment duties, discipline or dismissal of a public officer or employee: City Administrator Shawn Cox.

OPEN SESSION

Regular Session reconvened at 6:53 p.m.
No action was taken.

CONSENT AGENDA

Motion to approve the Consent Agenda was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

Approval of minutes from the Regular City Council Meeting held July 18, 2019.

BOARD, COMMISSION, COMMITTEE REPORTS

Board of Adjustment Chairperson, Tracey Dean, reported on the activities of the Board for 2019. The Board had met in January and March 2019, and a potential meeting was scheduled for the end of August. Mr. Dean provided information regarding the quasi-judicial board's role and responsibilities, including the granting or denial of variances within the City.

CITY ADMINISTRATOR REPORT

City Administrator, Shawn Cox, reported that the City would meet or exceed sales tax revenue projections for Fiscal Year 2019, and discussed the upcoming Fiscal Year 2020 Budget schedule.

CITY COUNCIL WORKSHOP UPDATE

Update regarding City Council Strategic Planning Session and Goals Workshop held July 16,

2019 (City Administrator Shawn Cox)

City Administrator, Shawn Cox, presented the identified priorities for City Council for Fiscal Year 2020, including public safety, financing, transportation, development/growth, quality of life, image, function, relationships and infrastructure. Several of these topics had been discussed during the July 16th City Council Workshop. Council would need to schedule a second workshop to finish discussing and defining these priorities.

DISCUSSION AND POSSIBLE ACTION

A. Discuss and consider possible action to approve Resolution No. 12-2019, supporting the efforts of the City of Wimberley Parks Department in acquiring real property located at 288 AC Development Tract 2325 FM Wimberley, Texas 78676. (Parks Programs and Operations Manager Richard Shaver)

Parks Programs and Operations Manager, Richard Shaver, presented background information pertaining to Mt. Edith, which is a sister mountain to City-owned, Old Mt. Baldy, and located in Wimberley’s extraterritorial jurisdiction. Mr. Shaver noted the acquisition of the 288-acre property would be a significant step in assisting with land and night sky preservation efforts, along with achieving goals mentioned in the City of Wimberley’s Parks and Recreation Master Plan to acquire and protect open space. The City had received numerous letters of support for acquisition of the property. Mr. Shaver stated funding to purchase the property was currently being explored, but staff was requesting no City funding at this time.

There was discussion among Council members regarding the benefits of acquiring Mt. Edith as City property, including flood mitigation, possible land annexation, preservation of greenspace and business planning for the potential park.

Motion to approve Resolution No. 12-2019, supporting the efforts of the City of Wimberley Parks Department in acquiring real property located at 288 AC Development Tract 2325 FM Wimberley, Texas 78676, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried as follows (4-1):

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

B. Discuss and consider possible action regarding access to City email accounts. (City Administrator Shawn Cox)

The Mayor currently had access to several City employee’s email accounts, since the summer of 2018. She recently had requested access to Mayor Pro-Tem, Rebecca Minnick’s, email account through the City’s IT provider. There was discussion among Council members regarding the right to privacy and the Mayor’s role in government oversight. Deputy City Attorney, Megan Santee, advised the Mayor and Council members regarding the Mayor’s and the governing body’s power and duties, as outlined in the Texas Local Government Code, Chapter 22.

Motion for the Mayor, or City Council members, to not have access to City Council or City staff’s email accounts, including the City Administrator, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Bo Bowman. Motion carried as follows (4-1):

Rebecca Minnick	Aye
Craig Fore	Aye
Christine Byrne	Aye

Bo Bowman **Aye**
Gary Barchfeld **Nay**

C. Discuss and consider possible action to regarding the development of a handbook and training for members of the City's boards, commissions and committees. *(Place One Council Member Rebecca Minnick)*

Council Member, Rebecca Minnick, contended City board, commission and committee members should have clear direction and expectations regarding roles and responsibilities pertaining to their volunteer positions. Ms. Minnick suggested annual training, along with a handbook, should be provided to all members of City entities. There was discussion among Council members on what additional trainings, aside from the Texas Public Information Act and Texas Open Meetings Act, should be mandatory. There was also discussion on the creation of a handbook, which would be drafted by City staff and brought back to City Council for consideration by the end of October 2019.

Motion to require annual training, as outlined in the handbook, for City boards, commissions, committees and council members was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Bo Bowman. Motion carried as follows (3-2):

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

Lila McCall addressed Council after this item regarding parkland and the high cost of taxes in Austin, due to upkeep for their City parks system. Additionally, Ms. McCall spoke about the Central Wimberley Wastewater Project, including the lack of TxDOT permits and the potential Aqua Texas contract.

Motion to take a recess at 8:04 p.m. was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (5-0).

Regular Session reconvened at 8:15 p.m.

Mayor Susan Jagers left the meeting at 8:15 p.m. Mayor Pro-Tem, Rebecca Minnick, assumed the role of presiding officer.

D. Discuss and consider possible action regarding City boards, commissions and committees and the posting of agendas. *(Place Four Council Member Gary Barchfeld)*

There was further discussion among Council members regarding the board, commission and committee handbook and the posting of meeting agendas by City staff.

No action was taken on this item.

E. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. *(City Administrator Shawn Cox and Place Four Council Member Gary Barchfeld)*

There was lengthy discussion among Council members regarding the next steps for the Central Wimberley Wastewater Project, including, but not limited to, the bore location, easements, engineering costs, connecting to Aqua Texas's lines and the four stipulations set

forth by the Texas Water Development Board (TWDB) for approval of the change in scope. Furthermore, the September 6th deadline for the City to provide a timeline to the TWDB to accomplish the four items was discussed. It was decided a workshop was needed, with all vested parties included, to discuss the details surrounding the Project.

Motion to set a City Council Wastewater Workshop for Thursday, August 8th, at 9:00 a.m. was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

- F. Discuss and consider possible action regarding the status of the Public Works Department's projects, intended projects, contractors and budget amounts. *(Place Four Council Member Gary Barchfeld)*

Public Works Superintendent, John Provost, addressed Council regarding completed road projects during Fiscal Year 2019, which included River Road, Rocky Springs, Little Ranches and Flite Acres. Mr. Provost also reported on inhouse and ongoing pothole maintenance, signage within the City and upcoming projects for Fiscal Year 2020, which would include chip sealing, the Hidden Valley fish weir, Spoke Hollow Road cattleguard, tree trimming and the usage of the restroom trailer in the Wimberley Square.

No action was taken on this item.

- G. Discuss and consider possible action regarding the status of the City of Wimberley budget. *(Place Four Council Member Gary Barchfeld)*

There was discussion among the City Administrator and Council members pertaining to the remaining Fiscal Year 2019 Budget's projected revenue collection and expenditures and the upcoming Fiscal Year 2020 Budget.

No action was taken on this item.

- H. Discuss and consider possible action regarding the grant status with the General Land Office (GLO) and the Federal Emergency Management Agency (FEMA). *(Place Four Council Member Gary Barchfeld)*

Council Member Christine Byrne recused herself from the discussion.

City Administrator, Shawn Cox, advised on the status of the grant programs.

No action was taken on this item.

- I. Discuss and consider possible action regarding the pavers and cement paving of The Quarter Shops parking lot at Cypress Creek. *(Place Four Council Member Gary Barchfeld)*

City Administrator, Shawn Cox, reviewed the Board of Adjustment process for approving variances. The Quarter Shops, LLC was granted a variance in November 2018, with multiple conditions, and the applicant had followed regulations set forth in the variance. There was discussion among Council members, the City Administrator and Deputy City Attorney pertaining to the approval process for the Board of Adjustment.

No action was taken on this item.

- J. Discuss and consider possible action to schedule a joint workshop between City Council, the Planning and Zoning Commission and the Short-Term Rental Review Committee. *(Mayor Susan Jagers and Place Four Council Member Gary Barchfeld)*

Council Member Gary Barchfeld read parts of a letter sent from Short-Term Rental Review Committee Chairperson, Albert Valera, to City Council on the progress of the Committee and the Committee's recommendations/requests. There was discussion pertaining to the Committee's scope and the City's contract with Host Compliance.

Motion to schedule a joint workshop between City Council, the Planning and Zoning Commission and the Short-Term Rental Review Committee was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion failed as follows (3-2):

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

K. Discuss and consider possible action to extend the Short-Term Rental Review Committee's term for another year. (Mayor Susan Jagers and Place Four Council Member Gary Barchfeld) Motion to extend the Short-Term Rental Review Committee's term for another year was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion failed as follows (3-2):

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

CITY COUNCIL REPORTS

- A. Announcements – Council Member Rebecca Minnick noted she and Council Member Christine Byrne would be attending the Hill Country Alliance Conference next week in Kerrville.
- B. Future agenda items – Council Member Gary Barchfeld requested the cancellation of the second Regular City Council Meeting in December 2019 and the first Regular City Council Meeting in January 2020 be placed on the next agenda. Council Member Rebecca Minnick requested an enforcement item be placed on the next agenda. Council Member Christine Byrne requested a presentation and possible action item to designate Wimberley as a Film Friendly Certified Community and for the tree ordinance to be placed on the next agenda.

ADJOURNMENT

Motion to adjourn the meeting at 10:08 p.m. was made by Council Member Craig Fore. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary

APPROVED BY:

Susan Jagers
Susan Jagers, Mayor

