

# 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, SEPTEMBER 20, 2018 – 5:30 P.M.**

## MINUTES

### CALL TO ORDER

Mayor Susan Jagers called the meeting to order at 5:32 p.m.

### CALL OF ROLL

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

Council Members Absent: Mike McCullough Place One

City Staff Present: Shawn Cox City Administrator  
Laura Calcote City Secretary  
Rebecca Manning Parks Director  
Sandy Floyd Planning & Development Coordinator/GIS Analyst  
John Provost Public Works/Code Enforcement Superintendent

### INVOCATION

Council Member Gary Barchfeld gave the invocation.

### PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

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

### PROCLAMATIONS

Mayor Susan Jagers read aloud the two proclamations. Deputy Mark Andrews accepted the National Night Out proclamation, and three representatives from the National Society Daughters of the American Revolution accepted the Constitution Week proclamation.

- A. Proclamation of the City of Wimberley, Texas proclaiming Tuesday, October 2, 2018, as National Night Out.
- B. Proclamation of the City of Wimberley, Texas proclaiming the week of September 17<sup>th</sup> through September 23<sup>rd</sup> as Constitution Week.

## **PRESENTATIONS AND POSSIBLE ACTION**

A. Presentation and consider possible action regarding the status of the Short-Term Rental Review Committee and recommendation for STR software.

*(This item was heard under Discussion and Possible Action – Item No. B.)*

B. Presentation and consider possible action regarding the Wimberley Valley Radio and Friends of Blue Hole community event at Blue Hole Regional Park.

John Brown from Wimberley Valley Radio presented a community-wide event set for Saturday, October 13<sup>th</sup>, at Blue Hole Regional Park. The event would be hosted by the Wimberley Valley Radio station and the Friends of Blue Hole to bring the Wimberley community together. The two organizations were requesting the fees for the event be waived at the Park, since the event would benefit the community as a whole.

There was discussion among Council members regarding the event and the associated cost for having the event at the Park, which amounted to around \$1,000.

**Motion to waive the \$750 facility rental fee at Blue Hole Regional Park, and to have the Wimberley Valley Radio and Friends of Blue Hole pay \$250 for staffing the event was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (4-0).**

## **CITIZENS COMMUNICATIONS**

There were 4 citizens comments. They were as follows:

1. Nanette Mackenroth invited Council and the audience to the Keep Wimberley Strong Health Fair on Saturday, September 29<sup>th</sup>, from 10:00 a.m. to 4:00 p.m. at the Wimberley Community Center.

2. Rebecca Reisberg spoke regarding City Council's recent motion on August 28<sup>th</sup> to cancel the Black Castle contract and remove Blue Hole Regional Park from the scope of the project. Ms. Reisberg requested to know details of the new plan, including funding, the Texas Water Development Board loan and when the Town Hall meeting that was promised by the Mayor would take place.

3. William Bowman read questions he had regarding the Central Wimberley Wastewater Project. These questions included the status of the cancellation of the Black Castle contract, the status of the Texas Water Development Board loan, back-up funding for the Project, the City's Certificate of Convenience and Necessity, user rates and a moving forward with Aqua Texas.

4. Bo Bowman addressed Council regarding the construction site of the plant for the Central Wimberley Wastewater Project that dirt that had been moved into at Blue Hole Regional Park. Mr. Bowman noted the environmental fencing at the southwest corner of the dirt was starting to deteriorate, and the site would have to be remediated to address this problem. He also stated if the dirt falls into Deer Creek that it might cause an environmental violation.

## **CONSENT AGENDA**

**Motion to approve items A, D, and E on the Consent Agenda was made by Council Member Allison Davis. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).**

**Motion to approve items B and C on the Consent Agenda was made by Council Member Allison Davis. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried as follows (3-0-1):**

<b>Craig Fore</b>	<b>Aye</b>
<b>Gary Barchfeld</b>	<b>Aye</b>
<b>Patricia Cantu Kelly</b>	<b>Aye</b>
<b>Allison Davis</b>	<b>Abstain</b>

- A. Approval of minutes from the Special City Council Meeting held August 28, 2018.
- B. Approval of minutes from the Special City Council Meeting held September 4, 2018.
- C. Approval of minutes from the Regular City Council Meeting held September 11, 2018.
- D. Approval of the July 2018 Financial Statements for the City of Wimberley.
- E. Approval of the cancellation of the December 20, 2018 Regular City Council Meeting.

**CITY ADMINISTRATOR REPORT**

City Administrator Shawn Cox provided an update regarding the status of the Central Wimberley Wastewater Project. Mr. Cox noted the crosscut on Ranch Road 12 had been completed and that Capital Excavation would be working on Old Kyle Road in the coming weeks. There was discussion among Council members and Mr. Cox pertaining to signage. Council Member Allison Davis asked Mr. Cox several questions regarding the Project, including but not limited to grant administration updates and the status of the Texas Water Development Board loan. There had been no changes to the financials for the Project since the last Council meeting. However, Mr. Cox noted a change order from Capital Excavation might be considered at a future meeting, but that there would be a cost savings for the City. Additionally, Mr. Cox updated Council on City road projects, including the Arrowlake Road Bridge, Hidden Valley Drive and tree trimming within the City.

**PUBLIC HEARING AND POSSIBLE ACTION**

Hold a public hearing and consider approval regarding case ZA-18-007, an application to change the zoning from Commercial-Low Impact (C-1) to Commercial-Moderate Impact (C-2) for property located at 110 Old Kyle Road, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. *(Bert & Julie Ray, Applicants)*

Planning & Development Coordinator/GIS Analyst Sandy Floyd present the zoning change. The Planning and Zoning Commission had voted unanimously at their September 13<sup>th</sup> meeting to approve the change. The City had received no objections and three letters of support.

There was discussion among Council members pertaining to parking concerns in the area. Raquel Gottsch, owner of Rancho Queso, located at 110 Old Kyle Road, addressed Council regarding their concerns. Al Sander, the owner of the property to the right of the business, had offered his vacant lot for additional parking space. The C-2 zoning change would allow for more flexibility for Rancho Queso.

Mayor Susan Jagers open the public hearing at 6:24 p.m.

There were no comments.

Mayor Susan Jagers closed the public hearing at 6:24 p.m.

**Motion to approve the zoning change was made by Council Member Craig Fore. Motion was seconded by Council Member Allison Davis. Council Member Patricia Cantu Kelly offered an amendment to the motion to add a letter from the business's neighbor to use**

the vacant lot for additional parking. The amendment was accepted. Motion carried unanimously (4-0).

**DISCUSSION AND POSSIBLE ACTION**

A. Discuss and consider possible action regarding temporary signs for the 5-K Run-Walk for Barnabas Connection.

Public Works Superintendent John Provost presented the request to waive the ordinance requirement for four temporary signs to be placed more than seven days in advance of the 5-K Run-Walk for the Barnabas Connection on October 20<sup>th</sup>.

**Motion to approve the placement of four temporary signs for more than seven days prior to the Barnabas Connection 5-K Run-Walk event on October 20<sup>th</sup> was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (4-0).**

B. Presentation and consider possible action regarding the status of the Short-Term Rental Review Committee and recommendation for STR software.

Short-Term Rental (STR) Review Committee Member Suzanne Davis presented the status of the STR Review Committee and the Committee’s recommendation for STR software. There was lengthy discussion between Council members and Ms. Davis pertaining to the history and current state of short-term rentals within the corporate limits and extraterritorial jurisdiction, as well as the software that may assist in locating properties that are out of compliance. Council Member Allison Davis was interested in the methodology used by the Committee in locating these properties and the associated costs. The STR software could be beneficial for enforcement purposes. The software proposals would come before Council at a later date for consideration and possible action.

**Motion to direct staff to move forward with Request for Proposals (RFPs) for short-term rental software was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (4-0).**

C. Discuss and consider possible action to approve Ordinance No. 2018-34, repealing the hotel occupancy tax.

**Motion to approve Ordinance No. 2018-34, repealing the hotel occupancy tax, was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Gary Barchfeld. Motion carried as follows (3-1):**

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

D. Discuss and consider possible action to approve Ordinance No. 2018-35, dissolving the Hotel Occupancy Tax Advisory Committee.

**Motion to approve Ordinance No. 2018-35, dissolving the Hotel Occupancy Tax Advisory Committee, was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion carried as follows (3-1):**

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

E. Discuss and consider possible action to approve Ordinance No. 2018-36, creating the Tourism Management and Development Committee.

Council Member Patricia Cantu Kelly introduced Ordinance No. 2018-36, creating the Tourism Management and Development Committee. There was discussion regarding the new Committee's membership and tourism plan and goals. Council Member Allison Davis noted the Chamber of Commerce did not have a representative on the new Committee, and that she had concerns regarding the membership make-up.

**Motion to approve Ordinance No. 2018-36, creating the Tourism Management and Development Committee, was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Gary Barchfeld. Motion carried as follows (3-1):**

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

### **CITY COUNCIL REPORTS**

A. Announcements – There were several announcements. Council Member Allison Davis thanked Council for supporting the “No Kill” Policy Resolution at the September 11<sup>th</sup> meeting. City Administrator Shawn Cox updated Council on the FY 2018 amended budget. Mayor Susan Jagers considered having a Town Hall meeting on September 30<sup>th</sup> at 3:00 p.m. at the Wimberley Community Center, if the date and time was available.

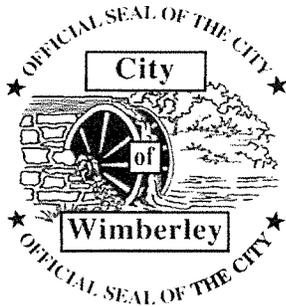
B. Future agenda items – None.

### **ADJOURNMENT**

**Motion to adjourn the meeting at 7:26 p.m. was made by Council Member Craig Fore. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (4-0).**

### **RECORDED BY:**

Laura J. Calcote  
Laura J. Calcote, City Secretary



### **APPROVED BY:**

Susan Jagers  
Susan Jagers, Mayor