



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, OCTOBER 18, 2018 – 5:30 P.M.

MINUTES

CALL TO ORDER

Mayor Susan Jagers called the meeting to order at 5:30 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
	John Provost	Public Works Superintendent
	Sandy Floyd	Planning & Development Coordinator/GIS Analyst

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.

PRESENTATION AND POSSIBLE ACTION

Wimberley Merchants Association President Craig Calley presented information regarding plans for the Association’s 11th annual Winter’s Eve – A Christmas Festival event set for Saturday, December 8, 2018, from 5:00 p.m. to 10:00 p.m. Mr. Calley requested the City’s ongoing support for the event by providing the following services or items: a temporary electric pole for the main stage, additional lighting on the Square, accessible restroom trailer for attendees and restroom cleaning and restocking of supplies.

Motion to approve the Wimberley Merchants Association’s requests for the Winter’s Eve event on December 8, 2018 was made by Council Member Craig Fore. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (5-0).

CITIZENS COMMUNICATIONS

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

1. Jim Neff addressed Council regarding the San Marcos Area Youth Soccer Organization's presentation on October 16, 2018 to the Parks and Recreation Board. Mr. Neff was speaking in support of the organization and continued use of the soccer fields at Blue Hole Regional Park.

2. William Bowman spoke regarding the Central Wimberley Wastewater Project, and the financial consequences for cancelling the Black Castle contract. Mr. Bowman also addressed how there would no longer be reclaimed water for Blue Hole Regional Park by cancelling the contract, and how the City could possibly lose the Texas Water Development Board loan. Mr. Bowman asked if the Mayor would still hold her Town Hall meeting as promised before the vote to cancel the contract was taken.

EXECUTIVE SESSION

City Council adjourned into Executive Session at 5:47 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purpose: Section 551.071 (Consultation with Attorney) regarding the Texas Open Meetings Act.

Regular Session reconvened at 6:29 p.m.

No action was taken.

CONSENT AGENDA

Motion to approve the Consent Agenda was made by Council Member Gary Barchfeld. Council Member Allison Davis offered an amendment the motion by requesting Item A – October 4th minutes be pulled from the Consent Agenda for consideration at a future meeting. The amendment was accepted, and the motion amended to approve Items B and C on the Consent Agenda. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (5-0).

A. Approval of minutes from the Regular City Council Meeting held October 4, 2018.

B. Approval of minutes from the Special City Council Meeting held October 9, 2018.

C. Approval of August 2018 Financial Statements for the City of Wimberley.

CITY ADMINISTRATOR REPORT

City Administrator Shawn Cox updated Council regarding the status of the Central Wimberley Wastewater Project. Capital Excavation was still working on Old Kyle Road, and would start next on Ranch Road 12. Mr. Cox also spoke regarding City road projects, as well as an emergency tree removal on River Road earlier in the week. Additionally, Mr. Cox noted City sales tax for Fiscal Year 2018 had come in higher than expected projections, but the City was still below Fiscal Year 2017 earnings. Council Member Allison Davis requested an update from the Texas Water Development Board meeting held on October 17th.

PUBLIC HEARINGS AND POSSIBLE ACTION

A. Hold a public hearing and consider approval regarding case CUP-18-013, an application for a Conditional Use Permit to allow for the operation of a drive-through (bank & savings and loan) on property zoned Commercial-Low Impact (C-1) for Lot 48 & 49, South River, Unit One, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*Sonora Bank/Peter Lewis, Applicant*)

Planning & Development Coordinator/GIS Analyst Sandy Floyd presented the CUP. The

Planning and Zoning Commission had voted unanimously at their October 11th meeting to approve the permit. Mike Schultz of Sonora Bank addressed Council regarding the application. There was discussion regarding potential traffic issues in the area once the drive-through bank was built.

Mayor Susan Jagers opened the public hearing at 6:43 p.m.

There were no comments.

Mayor Susan Jagers closed the public hearing at 6:44 p.m.

Motion to approve was made by Council Member Allison Davis. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).

- B. Hold a public hearing and consider approval regarding case ZA-18-008, an application to change the zoning from Residential Acreage (RA) to Rural Residential 1 (R-1) for Lot 1, Lot 2, Lot 3 & Lot 4, Hacienda del Cielo, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*City of Wimberley, Applicant*)

Planning & Development Coordinator/GIS Analyst Sandy Floyd presented the zoning change for four lots on W. Spoke Hill Drive. The Planning and Zoning Commission had voted unanimously at their October 11th meeting to approve the change.

Mayor Susan Jagers opened the public hearing at 6:45 p.m.

There were no comments.

Mayor Susan Jagers closed the public hearing at 6:45 p.m.

Motion to approve was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (5-0).

DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action regarding the purchase of a lawnmower for the Public Works Department.

Motion to approve the purchase of a lawnmower in an amount no to exceed \$4,000 for the Public Works Department was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Mike McCullough. Motion carried unanimously (5-0).

- B. Discuss and consider possible action to grant a fence variance at 305 Lange Road.

Public Works Superintendent John Provost presented the requested fence variance at 305 Lange Road. Council members discussed the City's fence ordinance, which states that any fence that faces a street or road within the incorporated limits of the City and is more than four feet in height shall have a solid to void ratio no greater than 1:8. There was discussion on amending the fence ordinance in the future. Council members agreed they needed more time and information before deciding on the variance.

Motion to continue the item at the next City Council meeting was made by Council Member Allison Davis. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).

Before moving forward to the next agenda item, Mr. Richard Roederer requested to address Council regarding the fence issue. There was discussion among Mr. Roederer and City Council pertaining to the requested fence variance.

Motion to withdraw the previous motion to continue the item was made by Council Member Allison Davis. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).

Motion to grant a fence variance at 305 Lange Road was made by Council Member

Allison Davis. Motion was seconded by Council Member Craig Fore. Motion carried as follows (4-0-1):

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

- C. Discuss and consider possible action to approve ATS inspection rates. ATS inspection rates for the City had not increased since 2004. These fees were pass through, and the applicant would pay the fee charged by ATS. Rich Emerson of ATS addressed Council regarding the new inspection rates.
Council Member Allison Davis left the meeting at 7:07 p.m.
Motion to approve the ATS inspection rates was made by Council Member Craig Fore. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (4-0).
- D. Discuss and consider possible action to approve two bids from Mow Town Lawn Service in an amount not to exceed \$9,350 for tree trimming.
Motion to approve two bids from Mow Town Lawn Service in an amount not to exceed \$9,350 for tree trimming was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Mike McCullough. Motion carried unanimously (4-0).
- E. Discuss and consider possible action to approve a quote from Dan McCuistion in an amount not to exceed \$2,100 for tree removal.
This item was not heard, and no action was taken.
- F. Discuss and consider possible action regarding the City of Wimberley's agreements with two local soccer organizations utilizing Blue Hole Soccer Fields.
Motion to table this item was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).
- G. Discuss and consider possible action to approve the first reading of Ordinance No. 2018-41, adopting and enacting a new Code of Ordinances; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof not exceeding \$500 generally or exceeding \$2,000 for violations relating to fire safety, zoning or public health and sanitation or exceeding \$4,000 for violations relating to dumping of refuse; providing for the amendment of such code; and providing when such code and this ordinance shall become effective.
City Secretary Laura Calcote presented the new Code of Ordinances to Council members. The City's ordinances had not been codified since early 2007, and the recodification process had taken nearly a year for the City's ordinances to be edited and reviewed by Franklin Legal Publishing. An ordinance adopting and enacting the new Code would need two readings before becoming effective.
Motion to approve the first reading of Ordinance No. 2018-41, adopting and enacting a new Code of Ordinances, was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

H. Discuss and consider possible action to award the proposal to Langford Community Management Services, Inc. for administration of the Texas Water Development Board's Clean Water State Revolving Fund (CRSF) Loan Program for the Central Wimberley Wastewater Project.

There was discussion among Council members regarding the items the Texas Water Development Board requested before approving the proposal from Langford Community Management Services, Inc.

Motion to postpone the item until the November 1st City Council meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (4-0).

I. Discuss and consider possible action regarding the volume of public information requests (open records requests) and the associated costs within the past several months.

There was discussion, but no action taken on this item.

CITY COUNCIL REPORTS

A. Announcements – Council Member Patricia Cantu Kelly noted lighting issues within the City, and cleaning-up debris near a bridge in town. Public Works Superintendent John Provost updated Council on low-water crossings in the City.

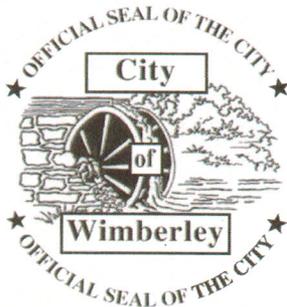
B. Future agenda items – None.

ADJOURNMENT

Motion to adjourn the meeting at 7:31 p.m. was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary



APPROVED BY:

Susan Jagers
Susan Jagers, Mayor