



# 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, NOVEMBER 7, 2019 – 6:00 P.M.**

## MINUTES

### CALL TO ORDER

Mayor Pro Tem, Rebecca Minnick, called the meeting to order at 6:00 p.m.

### CALL OF ROLL

Council Members Present: Rebecca Minnick Place One  
Craig Fore Place Two  
Christine Byrne Place Three  
Gary Barchfeld Place Four  
Bo Bowman Place Five

Council Members Absent: Susan Jagers Mayor

City Staff Present: Shawn Cox City Administrator  
Sarah Griffin Deputy City Attorney  
Richard Shaver Parks Operations & Programs Manager  
Nathan Glaiser Natural Resource and Maintenance Manager

### INVOCATION

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

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

Mayor Pro Tem, Rebecca Minnick, led the pledges to the United States and Texas flags.

### CITIZENS COMMUNICATIONS

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

1. Miles Grant, a Junior at the Katherine Anne Porter School, spoke regarding the upcoming Wimberley Youth Summit to be held on November 9<sup>th</sup> and invited Council and the audience to attend.
2. Dan Gauthier thanked City Council and the Friends of Blue Hole for the shade canopy at the playground area at the Park and spoke about the success of the Boo! Hole Halloween Event.

### BOARD, COMMISSION, COMMITTEE REPORT

Parks and Recreation Board Chairperson, Mark Bursiel, addressed Council regarding the achievements and goals of the Board over the past year. Some of the achievements included the passage of the revised City of Wimberley Parks and Recreation Master Plan, the passage of

the Cypress Creek Nature Preserve and Trail Master Plan, trash clean-up around the Lumberyard, usage of the soccer fields by two separate groups and multiple discussions regarding an agreement between the Friends of Blue Hole and the City of Wimberley. Upcoming goals of the Board included mitigating rain runoff from Alexis Point onto the Patsy Glenn Refuge, working to finalize the agreement between the Friends of Blue Hole and the City, utilizing an area of Blue Hole Regional Park for new recreational fields and repaving the hike and bike trail from Blue Hole Regional Park to the Wimberley Square.

### **DONATION AND POSSIBLE ACTION**

Discuss and consider possible action to accept and designate a \$50,000.00 donation check from Sonora Bank. (*Mayor Susan Jagers*)

Sonora Bank Wimberley Branch Manager, Josh Smith, addressed Council regarding the \$50,000 donation. Mr. Smith indicated the money was donated to reinvest in the City and community, and might be beneficial to utilize for capital improvements in the downtown area.

**Motion to accept the \$50,000.00 donation check from Sonora Bank was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).**

### **EXECUTIVE SESSION**

City Council adjourned into Executive Session at 6:16 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purposes:

- 8.3. Section 551.071 (Consultation with Attorney), to receive legal advice regarding Cause No. 19-1203; Steve Thurber vs. The City of Wimberley, including offer of settlement.
- 8.4. Section 551.071 (Consultation with Attorney) to receive legal advice regarding litigation in Cause No. 16-2419; Risoli v. City of Wimberley and Wimberley Board of Adjustment; 207th District Court, Hays County, Texas.
- 8.5. Section 551.071 (Consultation with Attorney) to receive legal advice regarding litigation in Cause No. 13-0895-C; Creekhaven, LLC, and William D. Appleman v. City of Wimberley Board of Adjustment.
- 8.6. Section 551.071 (Consultation with Attorney) to receive legal advice regarding litigation in Cause No. 19-0279-C; Madrone Office Park & Storage, LLC v. City of Wimberley Board of Adjustment.

### **OPEN SESSION**

Regular Session reconvened at 6:42 p.m.

No action was taken.

### **PRESENTATION AND POSSIBLE ACTION**

Presentation and consider possible action to approve the City of Wimberley's Quarterly Investment Report for the fourth quarter of Fiscal Year 2019. (*City Administrator Shawn Cox*) City Administrator, Shawn Cox, presented the City's fourth quarter (July-September 2019) investment report for FY 2019. There was discussion among Council members regarding CDs and maturity dates, including interest earned.

**Motion to approve the City of Wimberley's Quarterly Investment Report for the fourth quarter for Fiscal Year 2019 was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).**

### **CONSENT AGENDA**

**Motion to approve the Consent Agenda was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).**

10.1. Approval of minutes from the Regular City Council Meeting held October 17, 2019.

10.2. Approval of minutes from the Special City Council Meeting held October 31, 2019.

10.3. Approval of the City of Wimberley Financial Statements for August 2019.

### **CITY ADMINISTRATOR REPORT**

City Administrator, Shawn Cox, provided updates regarding the increase in sales tax over the past year, the successful Boo! Hole Halloween Event at Blue Hole Regional Park and the upcoming Polar Bear Plunge set for January 1, 2020. Additionally, Mr. Cox provided information regarding the recently adopted 2015 International Building Code and the informational meeting held on October 24<sup>th</sup> between the City and local builders. There was discussion pertaining to ordinances from 2017 that were not properly codified, along with updating the City's website. The Hidden Valley Bridge fish weir was also discussed by Mr. Cox and Council members.

### **PUBLIC HEARING AND POSSIBLE ACTION**

Hold a public hearing and consider approval of the second and final reading of an ordinance of the City of Wimberley, Texas amending Chapter 9 (Planning & Development Regulations) Article 9.02 (Subdivision Control), Division 5 (Off-street Parking & Loading Requirements) Section 9.02.157 (Design Standards) of the City of Wimberley Code of Ordinances; and providing for the following: findings of fact, a savings clause, a repealing clause, a severability clause, effective date, and proper notice and meeting. *(Place Two Council Member Craig Fore)* Mayor Pro Tem, Rebecca Minnick, opened the public hearing at 7:13 p.m.

There were no public comments.

Mayor Pro Tem, Rebecca Minnick, closed the public hearing at 7:13 p.m.

**Motion to approve the second and final reading of an ordinance of the City of Wimberley, Texas amending Chapter 9 (Planning & Development Regulations) Article 9.02 (Subdivision Control), Division 5 (Off-street Parking & Loading Requirements) Section 9.02.157 (Design Standards) of the City of Wimberley Code of Ordinances; and providing for the following: findings of fact, a savings clause, a repealing clause, a severability clause, effective date, and proper notice and meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).**

### **DISCUSSION AND POSSIBLE ACTION**

14.1. Discuss and consider possible action to approve the first reading of Ordinance No. 2019-37, amending Chapter 3 "Animal Control"; Article 3.02 "Sale of Animals, Animal Protection, and Other Restrictions"; by adding a new section 3.02.009 "Animal Nuisances"; providing findings of fact; a penalty provision; a repealing clause; a savings and severability clause; an effective date; and proper notice and meeting. *(City Administrator Shawn Cox)*

There was discussion among Council members pertaining to the entity responsible for enforcement of the potential ordinance, including the Sheriff's Department, the Constable's Office or the City Administrator. Deputy City Attorney, Sarah Griffin, advised on the prosecution process for implementing the ordinance. There was discussion regarding the issuance of a warning notice before a citation would be given for disruptive animals.

**Motion to approve the first reading of Ordinance No. 2019-37, amending Chapter 3 "Animal Control"; Article 3.02 "Sale of Animals, Animal Protection, and Other Restrictions"; by adding a new section 3.02.009 "Animal Nuisances"; providing findings of fact; a penalty provision; a repealing clause; a savings and severability clause; an effective date; and proper notice and meeting was made by Council Member Christine Byrne. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).**

- 14.2. Discuss and consider possible action to approve Resolution No. 17-2019, adopting a Naming Policy for municipal parks, facilities and infrastructure. *(City Administrator Shawn Cox)*

There was lengthy discussion on this item, but no action was taken. The Naming Policy would be revised and brought back to a future City Council meeting for consideration.

- 14.3. Discuss and consider possible action to approve a contract with Mariposa Cleaning for an amount not to exceed \$14,580.00 to provide for the cleaning of restrooms at Blue Hole Regional Park, the Martha Knies Community Park and the downtown restroom trailers. *(City Administrator Shawn Cox)*

There was discussion among Council members regarding the frequency of restroom cleaning provided for within the presented contract, especially mopping floors and sanitizing the walls once a week.

**Motion to approve a contract with Mariposa Cleaning as presented, with the option for the City Administrator to negotiate the mopping of floors from once a week to three times a week, for an amount not to exceed the Fiscal Year 2020 budgeted amount of \$16,500.00 to provide for the cleaning of restrooms at Blue Hole Regional Park, the Martha Knies Community Park and the downtown restroom trailers was made by Council Member Craig Fore. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).**

- 14.4. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. *(City Administrator Shawn Cox)*

City Council adjourned into Executive Session at 7:50 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purpose:

Section 551.072 regarding acquisition of real property for the Central Wimberley Wastewater Project.

Regular Session reconvened at 8:05 p.m.

No action was taken.

There was further discussion regarding the status of the Central Wimberley Wastewater Project, including a Project timeline.

No action was taken.

**EXECUTIVE SESSION**

City Council adjourned into Executive Session at 8:14 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purposes:

8.1. Section 551.074 (Personnel Matters) City Council will meet to discuss the restructuring of the Parks Department.

8.2. 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 9:05 p.m.  
No action was taken.

**CITY COUNCIL REPORTS**

15.1. Announcements – None.

15.2. Future agenda items – There was discussion pertaining to zoning cases and the tree ordinance that would be presented to the Planning and Zoning Commission at their upcoming meeting. Council Member, Christine Byrne, requested an update on fish weir and scheduling a possible town hall meeting concerning the Central Wimberley Wastewater Project. Council Member, Rebecca Minnick, requested an update from the Tourism Management and Development Committee at the next regular Council meeting.

**ADJOURNMENT**

**Motion to adjourn the meeting at 9:10 p.m. by Council Member Craig Fore. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (5-0).**

**RECORDED BY:**

Laura J. Calcote  
Laura J. Calcote, City Secretary

**APPROVED BY:**

Susan Jagers  
Susan Jagers, Mayor

