

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
OCTOBER 5, 2017 – 6:00 P.M.

AGENDA

- 1. CALL TO ORDER** OCTOBER 5, 2017 AT 6:00 P.M.
- 2. CALL OF ROLL**
- 3. INVOCATION**
- 4. PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**
- 5. CITIZENS COMMUNICATIONS**

THE CITY COUNCIL WELCOMES COMMENTS FROM CITIZENS ON ISSUES AND ITEMS OF CONCERN, NOT ON THIS AGENDA. THOSE WISHING TO SPEAK MUST SIGN IN BEFORE THE MEETING BEGINS AND OBSERVE A THREE-MINUTE TIME LIMIT WHEN ADDRESSING COUNCIL. SPEAKERS WILL HAVE ONE OPPORTUNITY TO SPEAK DURING THE TIME PERIOD. SPEAKERS DESIRING TO SPEAK ON AN AGENDA ITEM WILL BE ALLOWED TO SPEAK WHEN THE AGENDA ITEM IS CALLED. INQUIRIES ABOUT MATTERS NOT LISTED ON THE AGENDA WILL EITHER BE DIRECTED TO STAFF OR PLACED ON A FUTURE AGENDA FOR COUNCIL CONSIDERATION. COMMENTS FROM SPEAKERS SHOULD NOT BE DIRECTED TOWARDS ANY SPECIFIC MEMBER OF CITY COUNCIL OR CITY STAFF. COMMENTS SHOULD NOT BE ACCUSATORY, DEROGATORY OR THREATENING IN NATURE.

6. EXECUTIVE SESSIONS

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SUBCHAPTER D, THE CITY COUNCIL MAY CONVENE IN A CLOSED SESSION. AFTER THE EXECUTIVE SESSION, DISCUSSION ON ANY OF THE FOLLOWING ITEMS, ANY FINAL ACTION OR VOTE TAKEN WILL BE IN PUBLIC.

- A. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE FOR CONSULTATION WITH ATTORNEY TO RECEIVE LEGAL ADVICE ABOUT LITIGATION IN CAUSE NO. 16-2419; RISOLI V. CITY OF WIMBERLEY AND WIMBERLEY BOARD OF ADJUSTMENT; 207TH DISTRICT COURT, HAYS COUNTY, TEXAS.

- B. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE FOR CONSULTATION WITH ATTORNEY TO RECEIVE LEGAL ADVICE ABOUT LITIGATION IN CAUSE NO. D-1-GN-17-003757; EX PARTE CITY OF WIMBERLEY; 419TH DISTRICT COURT, TRAVIS COUNTY, TEXAS AND RELATED MATTERS.
- C. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE FOR CONSULTATION WITH ATTORNEY TO RECEIVE LEGAL ADVICE ABOUT LITIGATION IN CAUSE NO. 17-1397; CEDAR STUMP, L.P. AND JOAN BYRNE VS. CITY OF WIMBERLEY IN THE 428TH DISTRICT COURT, HAYS COUNTY, TEXAS AND RELATED MATTERS.

7. CONSENT AGENDA

THE FOLLOWING ITEMS MAY BE ACTED UPON IN ONE MOTION. NO SEPARATE DISCUSSION OR ACTION IS NECESSARY UNLESS REQUESTED BY A COUNCIL MEMBER OR CITIZEN, IN WHICH EVENT THOSE ITEMS WILL BE PULLED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION.

- A. APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 21, 2017.
- B. APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF SEPTEMBER 26, 2017 (5:00 P.M.)
- C. APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF SEPTEMBER 26, 2017 (6:00 P.M.)
- D. APPOINTMENT OF GREG DOUGLAS TO BOARD OF ADJUSTMENT. (PLACE FOUR COUNCILMEMBER GARY BARCHFELD)

8. MAYOR/ PARKS DIRECTOR REPORTS

- A. STATUS REPORT ON LAWSUITS, ETHICS COMPLAINTS, HIDDEN VALLEY LOW WATER CROSSING RECONSTRUCTION PROJECT, 40-YEAR HISTORY LOOKBACK, FOIA UPDATES.
- B. STATUS REPORT ON CENTRAL WIMBERLEY WASTEWATER PROJECT.
- C. STATUS REPORT ON BLUE HOLE REGIONAL PARK OPERATIONS.

9. RESOLUTIONS

- A. RESOLUTION BY THE CITY OF WIMBERLEY, TEXAS; SUPPORTING A CERTAIN TRANSMISSION-LINE PATH PROPOSED BY THE PEDERNALES ELECTRIC COOPERATIVE, INC.; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE. (TABLED ON 9/21/17.) (INTERIM CITY ADMINISTRATOR PARKER/MAYOR MAC MCCULLOUGH)

- B. DISCUSS AND CONSIDER POSSIBLE ACTION ON A RESOLUTION OF THE CITY OF WIMBERLEY, TEXAS SUPPORTING THE EFFORTS OF THE WIMBERLEY VALLEY DARK SKY COMMITTEE TO APPLY TO THE INTERNATIONAL DARK SKY ASSOCIATION FOR THE CITY'S DESIGNATION AS AN INTERNATIONAL DARK SKY COMMUNITY. (PLACE THREE COUNCILMEMBER ALLISON DAVIS)

10. PUBLIC HEARINGS AND POSSIBLE ACTION

- A. HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE CUP-17-007, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL ON PROPERTY ZONED SINGLE-FAMILY RESIDENTIAL 2 (R-2), LOCATED AT 300 LANGE ROAD, WIMBERLEY, HAYS COUNTY, TEXAS. (JIM & CHERYL TURNER, APPLICANTS)
- B. HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF SECOND READING OF AN ORDINANCE AMENDING TITLE III (ADMINISTRATION), CHAPTER 35 (FEE SCHEDULE), SECTION 35.01 (FEE SCHEDULE) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES; PROVIDING FOR A GENERAL SCHEDULE OF FEES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; A SAVINGS CLAUSE; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. (*PLANNING & DEVELOPMENT COORDINATOR/GIS ANALYST SANDY I. FLOYD*)
- C. HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND READING OF AN ORDINANCE AMENDING TITLE XI (BUSINESS REGULATIONS), CHAPTER 112 (REGULATION OF VACATION RENTALS AND BED AND BREAKFAST LODGINGS) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES; AND AMENDING TITLE XV (LAND USAGE), CHAPTER 155 (ZONING), SECTION 155.065 (VACATION RENTAL LODGING REQUIREMENTS) 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, AND EFFECTIVE DATE AND PROPER NOTICE AND MEETING. (*PLACE FOUR COUNCILMEMBER BARCHFELD*)
- D. HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND READING OF AN ORDINANCE AMENDING TITLE IX (GENERAL REGULATIONS), CHAPTER 95 (ON-SITE SEWAGE FACILITIES REGULATIONS), SECTION 95.02 (DEFINITIONS) AND TABLES 1.1(A), 1.1(B), AND 1.1(C); OF THE CITY OF WIMBERLEY CODE OF ORDINANCES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; A SAVINGS CLAUSE; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. (*PLANNING & DEVELOPMENT COORDINATOR/GIS ANALYST SANDY I. FLOYD*)

11. DISCUSSION AND POSSIBLE ACTION

- A. DISCUSS AND CONSIDER POSSIBLE ACTION RELATED TO TRC REPORT. (MAYOR MCCULLOUGH)

- B. DISCUSS AND CONSIDER POSSIBLE ACTION TO REVIEW AND POSSIBLY AMEND THE HOTEL OCCUPANCY TAX ORDINANCE. (MAYOR PRO TEM STEVE THURBER)
- C. DISCUSS AND CONSIDER POSSIBLE ACTION ON PROPOSED WORK PLAN SUBMITTED BY CHRIS HARTUNG CONSULTING, LLC, TO ASSIST THE CITY OF WIMBERLEY IN THE RECRUITMENT AND SELECTION OF A NEW CITY ADMINISTRATOR. (INTERIM CITY ADMINISTRATOR PAUL PARKER)
- D. DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING DIRECTION TO STAFF FOR AMENDING THE CITY CENTER OVERLAY DISTRICT TO REMOVE LIQUOR STORE AND PACKAGE STORES OF BEER AND WINE AS PROHIBITED USES. (PLANNING & DEVELOPMENT COORDINATOR/GIS ANALYST SANDY I. FLOYD)
- E. DISCUSS AND CONSIDER POSSIBLE ACTION INVOLVING THE PAVING OF THE HIDDEN VALLEY BRIDGE APPROACH DRIVES. (PLACE TWO COUNCILMEMBER CRAIG FORE)
- F. DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING AMENDING THE RULES AND SIGNAGE AT OLD BALDY PARK. (PARKS AND RECREATION BOARD MEMBER CHRISTINE BYRNE/BLUE HOLE REGIONAL PARK MANAGER REBECCA MANNING)
- G. DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING ADOPTING A RECREATIONAL SPONSORSHIP BANNER PERMIT AT BLUE HOLE REGIONAL PARK. (PARKS AND RECREATION BOARD MEMBER CHRISTINE BYRNE/BLUE HOLE REGIONAL PARK MANAGER REBECCA MANNING)
- H. DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING AMENDING THE CAMPING POLICY AT BLUE HOLE REGIONAL PARK. (PARKS AND RECREATION BOARD MEMBER CHRISTINE BYRNE/BLUE HOLE REGIONAL PARK MANAGER REBECCA MANNING)
- I. DISCUSS THE STATUS OF THE WASTEWATER LOAN FROM TEXAS WATER DEVELOPMENT BOARD. (PLACE FOUR COUNCILMEMBER BARCHFELD)

12. CITY COUNCIL REPORTS

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

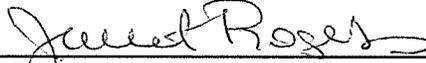
13. ADJOURNMENT

THE CITY COUNCIL MAY RETIRE INTO EXECUTIVE SESSION AT ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSING ANY MATTERS LISTED ON THE AGENDA AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE INCLUDING, BUT NOT LIMITED TO, HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION

OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087 OF THE TEXAS GOVERNMENT CODE; ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on October 2, 2017 at 5:30 p.m.



Janet Rogers, Interim City Secretary

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Janet Rogers, Interim City Secretary, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program.