

**City of Wimberley**  
City Hall, 221 Stillwater  
Wimberley, Texas 78676  
**Minutes of Regular Meeting of City Council**  
April 6, 2017 at 6:00 p.m.

City Council meeting called to order at 6:00 p.m. by Mayor Mac McCullough.

Councilmember Fore gave the Invocation and Councilmembers led the Pledge of Allegiance to the United States and Texas flags.

Councilmembers Present: Mayor Mac McCullough, Councilmembers Bob Dussler, Craig Fore, Sally Trapp, and John White. Councilmember Barchfeld was absent.

Staff Present: Assistant City Administrator/City Secretary Cara McPartland

**Proclamations**

- A. A proclamation proclaiming April 2017 as *Child Abuse Prevention and Awareness Month* in the City of Wimberley. (*Hays-Caldwell Women’s Center*)

Mayor McCullough presented the proclamation to Hays-Caldwell Women’s Center Prevention Educator Jemm Corona-Morris.

- B. A proclamation proclaiming April 2017 as *Sexual Assault Awareness and Prevention Month* in the City of Wimberley. (*Hays-Caldwell Women’s Center*)

Mayor McCullough presented the proclamation to Hays-Caldwell Women’s Center Prevention Educator Jemm Corona-Morris, CASA representative Tricia Schneider, and Greater San Marcos Youth Council representative Bridgette Andrews, all of whom thanked Mayor McCullough and spoke on services provided by their organizations.

**Citizens Communications**

No citizen comments were heard.

**1. Consent Agenda**

- A. Approval of minutes of the Regular City Council meeting of March 16, 2017
- B. Approval of minutes of the First Special City Council meeting of March 16, 2017
- C. Approval of minutes of the Second Special City Council meeting of March 16, 2017
- D. Approval of minutes of the Special City Council meeting of March 20, 2017
- E. Approval of minutes of the Special City Council meeting of March 21, 2017
- F. Approval of minutes of the Special City Council meeting of March 27, 2017

This item was heard after Agenda Item 3.

Councilmember White moved to approve all Consent Agenda Items, as presented. Councilmember Fore seconded. Motion carried on a vote of 4-0.

## **2. Mayor/Staff Reports**

- Status report on the Central Wimberley Wastewater Project

Mayor McCullough reported that the pre-bid conferences were well-attended and that the bid openings have been extended until April 19, 2017 due to certain alternate tank designs.

- Status report Hidden Valley Low Water Crossing Reconstruction Project

Mayor McCullough reported that the notice to proceed was issued April 3<sup>rd</sup> and noted that the project timeline has been extended 7-14 days, due to the additional “weir” feature required to meet Texas Parks and Wildlife requirements relating to fish passage.

- Status report on Blue Hole Regional Park operations

Park Manager Rebecca Manning reported on the Concert in the Park series held every Friday night in April, number of half-price 10-punch passes sold to date, summer camp programs/registration, and weekend activities at the Park, included guided hikes. She advised that construction on the new maintenance barn is anticipated to begin next week. Mayor McCullough reported on Park clean-up efforts.

In addition, Mayor McCullough announced the upcoming retirement of Bill Bowers and noted that an internal candidate, currently employed at Blue Hole Regional Park, is beginning training next week to assume public works and permitting duties. Discussion addressed the anticipated completion date for the Hidden Valley Low Water Crossing Reconstruction Project and it was noted that the additional weir design will not change the bridge’s appearance.

## **3. Presentation**

Presentation on election procedures for the upcoming General Election on May 6, 2017.  
(*Hays County Elections Administrator Jennifer Anderson*)

Hays County Elections Administrator Jennifer Anderson thanked Council for contracting with her office and provided information on early voting, election day voting, poll worker training, number of registered voters, voter registration deadlines, types of ballots, Early Voting Ballot Board procedures, election equipment testing, election night tabulations, and results reporting.

## **4. Public Hearings and Possible Action**

- A. Hold a public hearing and consider approval of an ordinance approving an application for a conditional use permit submitted by Robert and Trudi Allison to operate a vacation rental facility on property located at 303 Lange Road, Wimberley, Hays County, Texas, zoned Single Family Residential 3 (R-3); and imposing certain conditions; and providing

for findings of fact; amendment of the zoning district map; repealer; severability; effective date; proper notice and meeting; and providing for certain conditions. (*Robert and Trudi Allison, Applicants*)

This item was heard after Agenda Item 5B.

Assistant City Administrator McPartland reviewed the subject property's location, current/proposed zoning and uses, and existing 2-bedroom residence. She advised the applicant requested a maximum occupancy of four (4) people. Based on a review of the septic system, staff recommended a maximum occupancy of three (3) people. In addition to the applicant's house rules, Assistant City Administrator McPartland read a list of conditions to be made part of the requested CUP, should Council desire to recommend approval. She advised that verbal opposition was received from an adjacent property owner at the Planning and Zoning Commission's March 23<sup>rd</sup> meeting regarding concerns about the behavior of renters, including noise and trespassing. It was noted that the applicant agreed to install a wooden fence and place a lock on an existing gate. Following the public hearing, the Planning and Zoning Commission unanimously recommended approval of the CUP request, including the additional conditions requiring the applicants to install a wooden fence and a lock on the subject gate.

Mayor McCullough opened the public hearing. Hearing no comments, Mayor McCullough closed the public hearing.

Councilmember Trapp moved to approve the ordinance, as presented. Councilmember White seconded. Motion carried on a vote of 3-1. Councilmember Dussler voted against.

- B. Hold a public hearing and consider approval of an ordinance approving an application for a conditional use permit submitted by Chris Oddo to operate a vacation rental facility on property located at 103 Oak Drive, Wimberley, Hays County, Texas, zoned Commercial – High Impact (C-3); and imposing certain conditions; and providing for findings of fact; amendment of the zoning district map; repealer; severability; effective date; proper notice and meeting; and providing for certain conditions. (*Chris Oddo, Applicant*)

Assistant City Administrator McPartland reviewed the subject property's location, current/proposed zoning and uses, and existing two-bedroom residence. She advised there is a properly functioning on-site septic system that serves the residence for which the CUP is being sought, along with an adjacent residence currently used as a long-term rental. City staff recommended a maximum occupancy of two guests, as requested, and the applicant has agreed to limit the capacity of the adjacent residence to one person. In addition to the applicant's house rules, Assistant City Administrator McPartland read a list of conditions to be made part of the requested CUP, should Council desire to recommend approval. She noted that no comments were received in opposition to the CUP request. She advised that one surrounding property owner spoke in support of the CUP request at the Planning and Zoning Commission's March 23<sup>rd</sup> public hearing. Following the public hearing, the Planning and Zoning Commission voted unanimously to recommend approval of the requested CUP, as presented.

Mayor McCullough opened the public hearing.

Downtown property owner Phil Van Ostrand spoke in support of the CUP, commended the applicant for his renovation of the subject property, and looked forward to bringing more guests to the downtown area.

Hearing no comments, Mayor McCullough closed the public hearing.

Councilmember White moved to approve the ordinance, as presented. Councilmember Fore seconded. Motion carried on a vote of 3-1. Councilmember Dussler voted against.

- C. Hold a public hearing and consider approval of an ordinance approving an application for a conditional use permit submitted by Horace Wilson and Holly Hall to operate a vacation rental facility on property located at 904 Flite Acres Road, Wimberley, Hays County, Texas, zoned Rural Residential 1 (R-1); and imposing certain conditions; and providing for findings of fact; amendment of the zoning district map; repealer; severability; effective date; proper notice and meeting; and providing for certain conditions. (*Horace Wilson and Holly Hall, Applicants*)

Assistant City Administrator McPartland reported that this item will be continued until Council's meeting on May 4<sup>th</sup> due to a technical error requiring re-notification of the requested zoning action. No Council action was required.

## **5. Discussion and Possible Action**

- A. Discuss and consider possible action regarding a proposed rate increase for commercial solid waste and recycling collection services within the corporate limits of the City of Wimberley. (*Texas Disposal Systems*)

Mayor McCullough invited Texas Disposal Systems representative Ray Bryant, who highlighted proposed increases for commercial trash, recycling, and roll-off services, which if approved, would go into effect on June 1, 2017. Discussion addressed efforts to increase recycling incentives for commercial customers, including the Wimberley ISD and certain restaurants.

Councilmember White moved to approve the proposed rate increase for commercial solid waste and recycling collection services within the corporate limits of the City of Wimberley. Councilmember Fore seconded. Motion carried on a vote of 4-0.

- B. Discuss and consider possible action regarding the proposed Texas Municipal League Intergovernmental Employee Benefits Pool (TMLIEBP) rerate documents. (*Assistant City Administrator*)

This item was heard after Agenda Item 2.

Mayor McCullough spoke highly of TML employees and the insurance services provided to the City. TMLIEBP representative Beth Ellison provided information on health care benefits, statistics on her organization, including its provider network, and sustainable rate structure. Ms.

Ellison offered to answer any questions. Discussion addressed the methodology used to determine rates and a slight increase in generic prescription co-pays.

Councilmember Trapp moved to approve the Texas Municipal League Intergovernmental Employee Benefits Pool (TMLIEBP) rerate documents. Councilmember White seconded. Motion carried on a vote of 4-0.

- C. Discuss and consider possible action regarding the development of an interlocal agreement with Hays County for floodplain administration services. (*Place Three Councilmember Sally Trapp*)

This item was heard after Agenda Item (Proclamations).

Hays County Development Services Director Clint Garza spoke of his office's authorization by Hays County Commissioners Court to provide interim services to the City for a period of six months (or longer, if needed). Mr. Garza also spoke on the Blanco River clean-up program, including statistics on work to date, and was commended by Council for exemplary clean-up efforts.

Councilmember Trapp moved to approve development of an interlocal agreement with Hays County for floodplain administration services. Councilmember Fore seconded. Motion carried on a vote of 4-0.

- D. Discuss and consider action regarding a proposal to reconsider the recent appointments to the Wastewater Impact Fee Advisory Committee. (*Place Four Councilmember Gary Barchfeld*)

This item was heard after Agenda Item 5A.

Mayor McCullough advised this item will be continued until Councilmember Barchfeld can be in attendance.

- E. Discuss and consider action on results of an analysis by Raftelis Financial Consultants on additional scenarios related to development of user charges for the proposed Central Wimberley Wastewater System. (*Place Two Councilmember Craig Fore*)

Councilmember Fore requested the status of the additional rate analysis and Mayor McCullough stated that he has signed the original contract and is proceeding with working with Raftelis on completing its agreed-upon additional services. Discussion addressed terms in the agreement related to provision of data to Raftelis and possible impact on completion of additional results.

- F. Discuss and consider possible action regarding proposed changes in *The Hotel Occupancy Tax Advisory Committee Responsibilities, Accountabilities, Authorities and Guidelines* and FAQ documents. (*Hotel Occupancy Tax Advisory Committee*)

Hotel Occupancy Tax (HOT) Advisory Committee Chair Mark Bursiel presented details on changes recommended to resolve conflicts between the subject documents and City regulations. He noted that clarifying language was included in the FAQ document relating to expenditure of HOT. He reported that the Committee voted to unanimously recommend approval of the changes in both documents, as presented.

Councilmember Dussler and Chair Bursiel discussed specific conflicting language that the revised documents addressed and cleaned up.

Councilmember Trapp moved to approve the proposed changes in *The Hotel Occupancy Tax Advisory Committee Responsibilities, Accountabilities, Authorities and Guidelines* and FAQ documents, as presented. Councilmember White seconded. Motion carried on a vote of 4-0.

G. Discuss and consider possible action regarding proposed changes to the Hotel Occupancy Tax Committee Funding Application. (*Hotel Occupancy Tax Advisory Committee*)

Chair Bursiel reported that the form language was clarified and made more user-friendly for applicants, who can download the form and line and submit electronically. He advised the Committee voted unanimously to recommend approval of the proposed changes.

Councilmember Fore moved to approve the proposed changes, as presented. Councilmember Dussler seconded. Motion carried on a vote of 4-0.

H. Discuss and consider possible action regarding the proposed tourism vision and target proposal as articulated by the Comprehensive Plan Review Committee in the City of Wimberley Comprehensive Plan and based on the January 31, 2017 City Council Workshop with the Hotel Occupancy Tax Advisory Committee. (*Hotel Occupancy Tax Advisory Committee*)

Chair Bursiel presented background information on development of the tourism vision and target proposal. He requested Council's approval of the Committee's recommendations, as follows:

- “Adopt the Tourism Vision as discussed and agreed to at the City Council Workshop – i.e., “Grow tourism organically and responsibly, while making certain any increased tourism is incremental and low impact.”
- Until the sewer project construction is completed, set the annual incremental overnight tourism growth target between 0 -3,500 more overnight tourists during the first and fourth quarters of the calendar year, Sunday through Thursday.”

Councilmember White moved to approve the Committee's abovementioned recommendations, as presented. Councilmember Trapp seconded. Motion carried on a vote of 4-0.

## 6. City Council Reports

- Announcements
- Future Agenda Items

Mayor McCullough announced that Council will hold a special meeting on Monday, April 10<sup>th</sup> at 9:30 a.m. on the transition of duties and search for a new city administrator, including interviews with applicants. Discussion addressed possible timeframes and scheduling issues.

Hearing no further announcements or future agenda items, Mayor McCullough called the meeting adjourned.

**Adjournment:** Council meeting adjourned at 7:40 p.m.

Recorded by:

*Cara McPartland*

Cara McPartland

These minutes approved on the 20<sup>th</sup> of April, 2017.

**APPROVED:**

*Mac McCullough*

**Mac McCullough, Mayor**

