



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING **THURSDAY, FEBRUARY 4, 2021 – 6:00 P.M.**

MINUTES

In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Wimberley will conduct a teleconference/video conference meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The meeting will be held on **Thursday, February 4, 2021, at 6:00 p.m.**

The public may participate in this meeting via the following toll-free numbers 888-475-4499 or 877-853-5257 and/or using the Zoom meeting ID 854 2850 7878 and using the password 520654.

The public will be permitted to offer public comments and participate in any public hearing via teleconference or video conference, as provided by the agenda and as permitted by the presiding officer during the meeting.

Anyone wishing to offer public comments, participate in any public hearing, or offer written questions or comments must notify City Secretary, Laura Calcote, at lcalcote@cityofwimberley.com, at least two hours before the meeting.

A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request.

CALL TO ORDER

Mayor, Gina Fulkerson, called the meeting to order on February 4, 2021 at 6:01 p.m.

CALL OF ROLL

Council Members Present:

Gina Fulkerson	Mayor (<i>via teleconference</i>)
Rebecca Minnick	Place One (<i>via teleconference</i>)
Teresa Shell	Place Two (<i>via teleconference</i>)
Christine Byrne	Place Three (<i>via teleconference</i>)
Jim Chiles	Place Four (<i>via teleconference</i>)
Bo Bowman	Place Five (<i>via teleconference</i>)

City Staff Present:

Paul Parker	Interim City Administrator (<i>via teleconference – arrived at 6:33 p.m.</i>)
Laura Calcote	City Secretary (<i>via teleconference</i>)

Sarah Griffin	City Attorney (<i>via teleconference</i>)
Nathan Glaiser	Planning & Development Coordinator (<i>via teleconference</i>)
John Provost	Public Works Superintendent (<i>via teleconference</i>)
Terri Provost	Wimberley Community Center Director (<i>via teleconference</i>)
Richard Shaver	Parks Director (<i>via teleconference</i>)

INVOCATION

Unity Church of Wimberley Spiritual Leader, Kit Holmes, gave the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor, Gina Fulkerson, led the pledges to the United States and Texas flags.

CITIZENS COMMUNICATIONS

There were no citizen's comments.

PROCLAMATIONS

- 6.1. Proclamation of the City of Wimberley, Texas proclaiming February 2021 as Black History Month. (*Place Three Council Member, Christine Byrne*)
Council Member, Christine Byrne, thanked the authors of the proclamation.
Mayor, Gina Fulkerson, read aloud the proclamation.
- 6.2. Proclamation of the City of Wimberley, Texas declaring the week of February 1, 2021 to February 7, 2021 as National Gun Violence Survivors Week. (*Place Three Council Member, Christine Byrne*)
Mayor, Gina Fulkerson, read aloud the proclamation.
- 6.3. Proclamation of the City of Wimberley, Texas proclaiming February 22, 2021 as President George Washington Day. (*Texas Society of the Sons of the American Revolution – William Hightower Chapter*)
Texas Society of the Sons of the American Revolution – William Hightower Chapter Representative, Stu Hoyt, addressed City Council regarding the proclamation.
Mayor, Gina Fulkerson, read aloud the proclamation.

CONSENT AGENDA

Motion to approve the Consent Agenda, as presented, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

Approval of minutes from the Regular City Council Meeting held January 21, 2021.

PUBLIC HEARING AND POSSIBLE ACTION

Hold a public hearing and consider possible action regarding case CUP-21-001, an application for a Conditional Use Permit to allow for the sale of beer and wine for on-premise consumption and the sale of beer and wine for off-premise consumption on a property zoned Commercial –

Low Impact (C-1) located at 13510 RR 12, Wimberley, Hays County, Texas. (*Planning and Development Coordinator, Nathan Glaiser*)

Council Members, Rebecca Minnick and Teresa Shell, recused themselves from the discussion and vote.

Mayor, Gina Fulkerson, opened the public hearing at 6:17 p.m.

Owners, Kathryn and Max Saballet, spoke in favor of the permit.

Mayor, Gina Fulkerson, closed the public hearing at 6:18 p.m.

Planning and Development Coordinator, Nathan Glaiser, presented the CUP. Mr. Glaiser recommended Council waive the \$650 application fee, due to the applicants paying a previous and unnecessary conditional use permit fee in December 2020. Furthermore, Mr. Glaiser highlighted the three terms and conditions in the ordinance for the CUP.

Motion to approve case CUP-21-001, an application for a Conditional Use Permit to allow for the sale of beer and wine for on-premise consumption and the sale of beer and wine for off-premise consumption on a property zoned Commercial – Low Impact (C-1) located at 13510 RR 12, Wimberley, Hays County, Texas, with the three terms and conditions, as presented, and to waive the \$650 application fee, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (3-0).

DISCUSSION AND POSSIBLE ACTION

9.1. Discuss and consider possible action regarding Resolution No. 03-2021, on the matter of Wimberley City Council support for legislative approval of changes in the enabling legislation of the Hays Trinity Groundwater Conservation District. (*Place Three Council Member, Christine Byrne*)

Motion to postpone this item until the February 18th Regular City Council Meeting was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

9.2. Discuss and consider possible action regarding proposed speed limit changes within the City limits. (*Mayor, Gina Fulkerson*)

Mayor, Gina Fulkerson, presented the map of the proposed speed limit changes in the City. Mayor Fulkerson stated Hays County Commissioner, Lon Shell, was requesting City Council input concerning the modifications.

Motion to approve the speed limit modifications within the City limits, as presented, was made by Council Member Teresa Shell. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

9.3. Discuss and consider possible action regarding a bid in the amount of \$6,800 from Element 5 Architecture for construction drawings for an expanded Parks Department office at Blue Hole Regional Park. (*Parks Director, Richard Shaver*)

Parks Director, Richard Shaver, presented the bid for the proposed office expansion project at Blue Hold Regional Park. There was discussion among City staff and Council regarding the current office space and funding for the expansion.

Motion to determine that Element 5 Architecture is the most highly qualified architectural provider for the services, as provided, and to authorize approval of \$6,800 for the construction drawings for an expanded Parks Department office, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

- 9.4. Discuss and consider possible action on accepting an in-kind donation from Keep Wimberley Beautiful pursuant to Texas Local Government Code Section 332.006 to use in support of public recreation facilities and programs as described and constructed in accordance with their Agreement with Cypress Creek Outdoor Services, LLC, dated January 31, 2021, with final donation acceptance to become effective upon completion of work to the satisfaction of Keep Wimberley Beautiful and City, this action specifically includes authorization for construction on City owned property. (*Parks Director, Richard Shaver*)

Parks Director, Richard Shaver, presented the contract, which the City was a third-party beneficiary of. City Attorney, Sarah Griffin, advised on the parameters of the contract and the donation the City was receiving.

Motion to accept the in-kind donation, as presented, from Keep Wimberley Beautiful, with the final donation acceptance to become effective upon completion of work to the satisfaction of Keep Wimberley Beautiful and the City, and this action specifically includes authorization for construction on City owned property, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 9.5. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. (*Project Manager, Craig Fore*)

Mayor, Gina Fulkerson, stated the Project was at a standstill, and the City was waiting on the Texas Water Development Board for approval of Change Order No. 6 and clearance to move forward with Phase II of the Project.

No action was taken on this item.

- 9.6. Discuss and consider possible action regarding the first reading of Ordinance No. 2021-03, repealing and replacing portions of Chapter 12 (Utilities), Article 12.02 Water and Sewers, Division 2. "Rates and Charges", Sec. 12.02.034 "Rates and Charges Established" of the City of Wimberley Code of Ordinances; establishing a rate schedule; providing for: findings of fact; relation to other ordinances; conflicts; effective date; severability; proper notice and meeting. (*Interim City Administrator, Paul Parker*)

Interim City Administrator, Paul Parker, presented Ordinance No. 2021-03, and noted the Council would need to formally adopt wastewater rates, in order to repay the Texas Water Development Board loan and to fund the contract with Aqua Texas for treatment of wastewater. Additionally, the City would need to generate revenue to help with maintenance expenses related to the wastewater system.

Motion to approve the first reading of Ordinance No. 2021-03, repealing and replacing portions of Chapter 12 (Utilities), Article 12.02 Water and Sewers, Division 2. "Rates and Charges", Sec. 12.02.034 "Rates and Charges Established" of the City of Wimberley Code of Ordinances; establishing a rate schedule; providing for: findings of fact; relation to other ordinances; conflicts; effective date; severability; proper notice and meeting, was made by Council Member Teresa Shell. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

CITY COUNCIL REPORTS

- 10.1. Announcements – Council Member, Rebecca Minnick, announced the first round of wayfinding signs would be installed within the next couple of weeks. Mayor, Gina

Fulkerson, reminded the citizenry to utilize Hays County's website www.haysinformed.com to find up-to-date information pertaining to COVID-19 vaccinations.

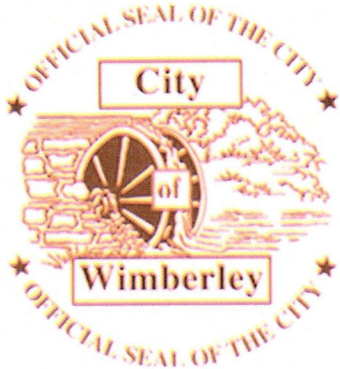
- 10.2. Future agenda items – Council Member, Bo Bowman, requested review of the previously proposed tree ordinance. Council Member, Teresa Shell, wanted to discuss enforcement of the dark sky ordinance.

ADJOURNMENT

Motion to adjourn the meeting at 7:05 p.m. was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary



APPROVED BY:

Gina V. Fulkerson
Gina V. Fulkerson, Mayor