



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING **THURSDAY, MARCH 18, 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, March 18, 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 867 2452 6759 and using the password 310336.

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 March 18, 2021 at 6:01 p.m.

CALL OF ROLL

Council Members Present:

Gina Fulkerson
Rebecca Minnick
Teresa Shell
Jim Chiles

Mayor (*via teleconference*)
Place One (*via teleconference*)
Place Two (*via teleconference*)
Place Four (*via teleconference*)

Council Members Absent:

Christine Byrne
Bo Bowman

Place Three
Place Five

City Staff Present:	Paul Parker	Interim City Administrator <i>(via teleconference)</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

Mayor, Gina Fulkerson, observed a moment of silence.

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.

PROCLAMATION

Proclamation of the City of Wimberley, Texas proclaiming the trailhead of the Cypress Creek Nature Preserve shall be name and dedicated as "The Martha Knies Community Park." *(Place Three Council Member, Christine Byrne)*

Mayor, Gina Fulkerson, read aloud the proclamation, and noted there would be a small dedication ceremony held on Saturday, March 20, 2021 at the Park.

PRESENTATION AND POSSIBLE ACTION

Presentation and possible action relating to a life jacket loaner program at Blue Hole Regional Park. *(Parks Director, Richard Shaver)*

Eagle Scout, Aiden Boger, presented the life jacket kiosk that he would be constructing prior to the beginning of the 2021 swim season. The life jacket loaner program would be funded by Friends of Blue Hole. There was discussion relating to the budget for the project.

Motion to accept funds and to approve the life jacket loaner program and project to be completed by May 1, 2021 was made by Council Member Jim Chiles. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (3-0).

CONSENT AGENDA

Motion to approve the Consent Agenda, as presented, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (3-0).

8.1. Approval of minutes from the Regular City Council Meeting held March 4, 2021.

8.2. Approval of the January 2021 Financial Statements for the City of Wimberley.

PUBLIC HEARINGS AND POSSIBLE ACTION

- 9.1. Hold a public hearing and consider possible action regarding case SUB-21-001, an application for a proposed replat of Lot 1, Village Library of Wimberley, located at 400 FM 2325, Wimberley, Hays County, Texas, to establish Lot 1-A. (*Applicant: Wimberley Village Library District, Jon Thompson, agent*)
Mayor, Gina Fulkerson, opened the public hearing at 6:17 p.m.
Planning and Development Coordinator, Nathan Glaiser, presented the replat of the Wimberley Village Library to aid in the library expansion. The Planning and Zoning Commission had voted unanimously at their March 11th meeting to recommend approval of the application.
Dell Hood, from the Village Library of Wimberley, spoke in support of the replat, due to the need to expand the facility because of the growth in the Wimberley area.
Mayor, Gina Fulkerson, closed the public hearing at 6:21 p.m.
Motion to approve case SUB-21-001, an application for a proposed replat of Lot 1, Village Library of Wimberley, located at 400 FM 2325, Wimberley, Hays County, Texas, to establish Lot 1-A, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (3-0).
- 9.2. Hold a public hearing and consider possible action regarding case ZA-21-002, an application for a Zoning Amendment to change the zoning for the property located at 400 FM 2325, Wimberley, Hays County, Texas.; the request is to change the zoning from Commercial – Moderate Impact (C-2) and Commercial – Low Impact (C-1) to just Commercial – Moderate Impact (C-2). (*Applicant: Wimberley Village Library District, Jon Thompson, agent*)
Mayor, Gina Fulkerson, opened the public hearing at 6:23 p.m.
Planning and Development Coordinator, Nathan Glaiser, presented the zoning change for the Wimberley Village Library. The zoning change was contingent upon the approved replat for the library. The Planning and Zoning Commission had voted unanimously at their March 11th meeting to recommend approval of the application.
Mayor, Gina Fulkerson, closed the public hearing at 6:26 p.m.
Motion to approve case ZA-21-002, an application for a Zoning Amendment to change the zoning for the property located at 400 FM 2325, Wimberley, Hays County, Texas.; the request is to change the zoning from Commercial – Moderate Impact (C-2) and Commercial – Low Impact (C-1) to just Commercial – Moderate Impact (C-2), was made by Council Member Teresa Shell. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (3-0).
- 9.3. Hold a public hearing and consider possible action regarding case ZA-21-004, an application for a Zoning Amendment to change the zoning for the property located at 13501 Ranch Road 12, Wimberley, Hays County, Texas, from Neighborhood Services (NS) to Commercial – Low Impact (C-1). (*Applicant: Myer's Land & Investments, LLC, Greg Myers*)
Mayor, Gina Fulkerson, opened the public hearing at 6:28 p.m.
Planning and Development Coordinator, Nathan Glaiser, presented the zoning amendment. One letter of support from an adjacent property owner had been received by the City. The Planning and Zoning Commission had voted unanimously at their March 11th meeting to recommend approval of the application.
Mayor, Gina Fulkerson, closed the public hearing at 6:34 p.m.

Motion to approve case ZA-21-004, an application for a Zoning Amendment to change the zoning for the property located at 13501 Ranch Road 12, Wimberley, Hays County, Texas, from Neighborhood Services (NS) to Commercial – Low Impact (C-1), was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (3-0).

- 9.4. Hold a public hearing and consider possible action regarding case CUP-21-002, an application for a Conditional Use Permit to operate a Vacation Rental (STR2) on a property zoned Single Family Residential – 2 (R-2) located at 130 Malone Drive, Wimberley, Hays County, Texas. (*Applicant: Charles Boatright*)

Mayor, Gina Fulkerson, opened the public hearing at 6:35 p.m.

Planning and Development Coordinator, Nathan Glaiser, presented the CUP for a short-term rental. Staff had received one letter recommending that City Council consider placing an occupancy limit on the CUP. The Planning and Zoning Commission had voted 5-1 at their March 11th meeting to recommend approval of the permit. There was discussion on the conditions set forth in the ordinance approving the CUP, including a viable flood evacuation plan.

Mayor, Gina Fulkerson, closed the public hearing at 6:42 p.m.

Motion to approve case CUP-21-002, an application for a Conditional Use Permit to operate a Vacation Rental (STR2) on a property zoned Single Family Residential – 2 (R-2) located at 130 Malone Drive, Wimberley, Hays County, Texas, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (3-0).

- 9.5. Hold a public hearing and consider possible action regarding case CUP-21-005, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property zoned Single Family Residential – 2 (R-2) located at 297 Lange Rd, Wimberley, Hays County, Texas. (*Applicant: Denise Jenkins*)

Mayor, Gina Fulkerson, opened the public hearing at 6:43 p.m.

Planning and Development Coordinator, Nathan Glaiser, presented the CUP for a short-term rental. The Planning and Zoning Commission had voted unanimously at their March 11th meeting to recommend approval of the permit. There was discussion pertaining to the 15th condition found within the ordinance approving the CUP, which limited the occupancy on the property to six guests. There was discussion among Council and the City Attorney regarding the occupancy limit placed on the rental.

Denise Jenkins spoke in support of the request and was available to answer any questions.

Mayor, Gina Fulkerson, closed the public hearing at 6:50 p.m.

Motion to approve case CUP-21-005, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property zoned Single Family Residential – 2 (R-2) located at 297 Lange Rd, Wimberley, Hays County, Texas, was made by Council Member Jim Chiles. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (3-0).

CITY ADMINISTRATOR REPORT

Interim City Administrator, Paul Parker, noted sales tax was lower for March 2021 than previous months, but overall sales tax was higher than anticipated for the fiscal year. Additionally, the City had requested traffic control officers in the Wimberley Square on the weekends. Mr. Parker also discussed the repairs to City facilities from the February winter storm. Plumbing issues at

Blue Hole Regional Park had been remedied. City Hall was in the process of being painted and sheetrock repaired. Flooring for the building would be installed next week. The Community Center still needed to be painted.

DISCUSSION AND POSSIBLE ACTION

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

Project Manager, Craig Fore, noted the electrical installation of the lift station was complete, except for testing of the pumps. The pumps would be tested on Tuesday, March 23rd. Additionally, construction on the wall around the lift station was scheduled to begin on Monday, March 22nd. The City was still waiting on approval of Change Order No. 6 from the Texas Water Development Board. Phase II of the Project was set to begin as soon as possible, but due to COVID-19 and the recent winter storm there were delays in ordering the materials.

No action was taken on this item.

- 11.2. Discuss and consider possible action in relation to a letter of intent for purchase of real property – Mt. Edith. *(Parks Director, Richard Shaver)*

Motion to postpone this item until the next Regular City Council Meeting was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (3-0).

- 11.3. Discuss and consider possible action regarding the design and installation of a new outdoor sign for City Hall. *(Place One Council Member, Rebecca Minnick)*

Council Member, Rebecca Minnick, presented the proposed the new outdoor sign for City Hall, which would correlate with the City's new wayfinding signage. Sign Crafters, Inc. had submitted an estimate for the replacement sign, using the existing posts and for new posts.

Motion to allocate the necessary funds for the design and installation of a new outdoor sign for City Hall was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (3-0).

- 11.4. Discuss and consider possible action regarding the creation of an informal committee to better implement the City's dark sky initiatives. *(Mayor, Gina Fulkerson)*

Mayor, Gina Fulkerson, requested direction from Council to form a potential advisory group to aid in implementing the City's dark sky policies. There was discussion on the composition of the committee, along with lighting in certain areas of the City.

Motion to support the creation of an informal committee to assist in implementing the City's dark sky initiatives was made by Council Member Teresa Shell. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (3-0).

- 11.5. Discuss and consider possible action regarding Ordinance No. 2021-08, amending Section 2.04.004, "Economic Support and Development Committee," Subsection (D) "Membership; Meetings," of Article 2.04, Boards, Commissions and Committees of the Codified Ordinances of the City of Wimberley, providing for savings, severability, repealer, effective date and proper notice and meeting. *(City Secretary, Laura Calcote)*

Motion to approve Ordinance No. 2021-08, amending Section 2.04.004, "Economic Support and Development Committee," Subsection (D) "Membership; Meetings," of Article 2.04, Boards, Commissions and Committees of the Codified Ordinances of the

City of Wimberley, providing for savings, severability, repealer, effective date and proper notice and meeting, was made by Council Member Jim Chiles. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (3-0).

- 11.6. Discuss and consider possible action to authorize the Request for Proposals for Comprehensive Plan Consulting Services. (*Interim City Administrator, Paul Parker*)
Interim City Administrator, Paul Parker, presented the Request for Proposals for Comprehensive Plan Consulting Services. City Council had allocated \$80,000 for the service in the Fiscal Year 2021 Budget. The anticipated additional cost of the service would be budgeted in the next fiscal year. There was discussion among Council relating to a historic district plan versus a comprehensive plan.

Motion to authorize City staff to advertise the Request for Proposals for Comprehensive Plan Consulting Services was made by Council Member Teresa Shell. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (3-0).

- 11.7. Discuss and consider possible action to add City Administrator, Mike Boese, as signatory to the City of Wimberley bank accounts, effective March 29, 2021. (*Interim City Administrator, Paul Parker*)

Motion to add City Administrator, Mike Boese, as signatory to the City of Wimberley bank accounts, effective March 29, 2021, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (3-0).

EXECUTIVE SESSION

City Council adjourned into Executive Session at 7:43 p.m., in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purposes:

Section 551.071 (Consultation with Legal Counsel) and Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange, lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third party: Parking Expansion.

OPEN SESSION

Regular Session reconvened at 8:48 p.m.

Motion to authorize a formal offer on the purchase and/or long-term lease purchase be negotiated and reduced to writing by Council Member Minnick, Interim City Administrator Parker and Attorney Griffin on real property for the purposes of parking expansion, with closing terms up to the amount of and under the terms as presented in Executive Session, which are not being publicly disclosed at this time, as it would have a detrimental effect on the position of the City in negotiations with this third party, was made by Council Member Jim Chiles. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (3-0).

CITY COUNCIL REPORTS

- 14.1. Announcements – Mayor, Gina Fulkerson, stated the Martha Knies Park dedication would be held on Saturday, March 20th, at 2:00 p.m. Mayor Fulkerson also noted the citywide clean-up set for Saturday, March 27th.

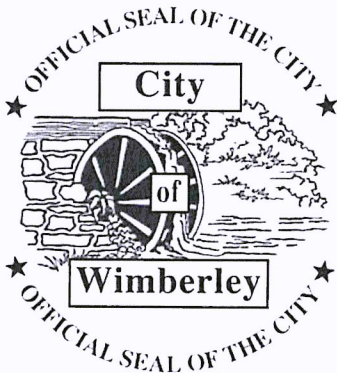
14.2. Future agenda items – Council Member, Rebecca Minnick, request the second phase of the wayfinding signage be placed on the next agenda for consideration and possible action. Council Member, Teresa Shell, indicated she was interested in a Request for Proposals for a historic district. Mayor, Gina Fulkerson, was interested in a Request for Proposals for wastewater maintenance.

ADJOURNMENT

Motion to adjourn the meeting at 8:56 p.m. was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (3-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary



APPROVED BY:

Gina V. Fulkerson
Gina V. Fulkerson, Mayor