



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, MAY 20, 2021 – 6:00 P.M.

MINUTES

CALL TO ORDER

Mayor, Gina Fulkerson, called the meeting to order on May 20, 2021 at 6:00 p.m.

CALL OF ROLL

Council Members Present: Gina Fulkerson Mayor
Rebecca Minnick Place One
Teresa Shell Place Two
Christine Byrne Place Three
Jim Chiles Place Four
David Cohen Place Five

City Staff Present: Mike Boese City Administrator
Laura Calcote City Secretary
Sarah Griffin City Attorney
Richard Shaver Parks Director
Nathan Glaiser Planning & Development Coordinator

INVOCATION

City Administrator, Mike Boese, read a prayer submitted by Chapel in the Hills Reverend, Jim Denham.

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.

WAYFINDING SIGNAGE UPDATE

Status update relating to the City of Wimberley wayfinding signage (*Place One Council Member, Rebecca Minnick, and Sign Crafters, Inc.*)

Sign Crafters Project Manager, Austin Vaughan, presented the locations for the next round of wayfinding signage. There was discussion among Mr. Vaughan and Council relating to the signage locations and the City landmarks notated on each sign. Additionally, Mr. Vaughan presented two designs for the new City Hall sign, along with the proposed location for the sign. No action was taken on this item.

PRESENTATION AND POSSIBLE ACTION

Presentation and consider possible action regarding the City of Wimberley's Quarterly Investment Report for the second quarter of Fiscal Year 2021. *(City Administrator, Mike Boese)* City Administrator, Mike Boese, presented the City's second quarter (January-March 2021) investment report for Fiscal Year 2021. The report included investment portfolios summaries, cash summaries, TexPool summaries and CD summaries for each month.

Motion to approve the City of Wimberley's Quarterly Investment Report for the second quarter of Fiscal Year 2021 was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

CONSENT AGENDA

Motion to approve the Consent Agenda, as presented, was made by Council Member Christine Byrne. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

8.1. Approval of minutes from the Regular City Council Meeting held May 6, 2021.

8.2. Approval of minutes from the Special City Council Meeting held May 7, 2021.

8.3. Approval of the March 2021 Financial Statements for the City of Wimberley.

8.4. Approval of the appointment of Helena Hauk to the Economic Support and Development Committee.

CITY STAFF REPORT

Parks Director, Richard Shaver, provided a thorough summary relating to City park activities and programs, including the 2021 swim season, upcoming nature camps, facility repairs from the winter storm, Blue Hole Park office expansion project and the Blue Hole Regional Park 10 Year Anniversary celebration set for 2022. Mr. Shaver also spoke regarding updates to the Martha Knies Community Park and the ongoing Wimberley Valley trails project.

PUBLIC HEARINGS AND POSSIBLE ACTION

10.1. Hold a public hearing and consider possible action regarding case ZA-21-007, an application for a Zoning Amendment to change the zoning for the property located at 107 Old Kyle Rd, Wimberley, Hays County, Texas, from Commercial – Low Impact (C-1) to Commercial – High Impact (C-3). *(Applicant: Russ Whistler)*

Planning and Development Coordinator, Nathan Glaiser, presented the zoning amendment, along with an overview of the Commercial – High Impact (C-3) zoning district and permitted uses within the area. The Planning and Zoning Commission had recommended approval of the application by a 3-2-1 vote at their May 13th meeting. There was discussion among City staff and Council relating to zoning regulations and what the property could be utilized for with the zoning change from C-1 to C-3.

Mayor, Gina Fulkerson, opened the public hearing at 6:55 p.m.

There were no public comments.

Mayor, Gina Fulkerson, closed the public hearing at 6:56 p.m.

Motion to approve case ZA-21-007, an application for a Zoning Amendment to change the zoning for the property located at 107 Old Kyle Rd, Wimberley, Hays County, Texas, from Commercial – Low Impact (C-1) to Commercial – High Impact (C-3), was

made by Council Member Teresa Shell. Motion was seconded by Council Member Rebecca Minnick. Motion carried as follows (4-1):

Rebecca Minnick	Aye
Teresa Shell	Aye
Christine Byre	Aye
Jim Chiles	Aye
David Cohen	Nay

- 10.2. Hold a public hearing and consider possible action regarding case CUP-21-013, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 140 Southriver, Wimberley, Hays County, Texas.

(Applicant: South River Properties)

Planning and Development Coordinator, Nathan Glaiser, presented the CUP for a vacation rental on an undeveloped property. The Planning and Zoning Commission had unanimously recommended approval of the application at their May 13th meeting, with the condition that the vacation rental be substantially compliant with the application as submitted. There was discussion relating to the CUP condition that the CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity for a period of nine months. Agent, Rob Campbell, addressed Council regarding this condition and the time it would take to build a structure on the property to operate as a vacation rental.

Mayor, Gina Fulkerson, opened the public hearing at 7:07 p.m.

There were no public comments.

Mayor, Gina Fulkerson, closed the public hearing at 7:07 p.m.

Motion to approve case CUP-21-013, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 140 Southriver, Wimberley, Hays County, Texas, with the condition that the nine-month timeframe did not begin until the Certificate of Occupancy had been issued, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 10.3. Hold a public hearing and consider possible action regarding case CUP-21-014, an application for a Conditional Use Permit to allow for the operation of a Bed & Breakfast (STR1) on a property located at 300 River Road, Wimberley, Hays County, Texas.

(Applicant: Bruce & Tracey Levinson)

Planning and Development Coordinator, Nathan Glaiser, presented the CUP for a bed and breakfast. The applicant had provided three letters of support from surrounding neighbors and a neighbor had spoken in support at the May 13th Planning and Zoning Commission Meeting. The P&Z Commission had unanimously recommended approval of the application.

Mayor, Gina Fulkerson, opened the public hearing at 7:11 p.m.

There were no public comments.

Mayor, Gina Fulkerson, closed the public hearing at 7:12 p.m.

Motion to approve case CUP-21-014, an application for a Conditional Use Permit to allow for the operation of a Bed & Breakfast (STR1) on a property located at 300 River Road, Wimberley, Hays County, Texas, was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

DISCUSSION AND POSSIBLE ACTION

- 11.1. Discuss and consider possible action to adopt an ordinance of the City of Wimberley, Texas, authorizing the issuance and sale of the City of Wimberley, Texas Tax Note, Series 2021; levying an annual ad valorem tax and providing for the security for and payment of said Note; and enacting other provisions relating to the subject. (*McCall, Parkhurst & Horton, LLP*)

City Administrator, Mike Boese, advised regarding the ordinance language levying an annual ad valorem tax, and why such language was necessary to secure the tax notes. Hilltop Securities Director, Andre Ayala, presented the transaction summary for the tax notes, including the final interest rate of 1.31%. Mr. Ayala also reviewed the plan of finance versus actual results for the funding and stated the closing of debt issue and delivery of funds to the City would occur on June 15, 2021.

McCall Parkhurst and Horton Attorney, Rudy Segura, further reviewed the ordinance in relation to the City's ability to levy a tax to pay for the Note and general taxation rules. The City would still retain an ad valorem tax rate of 0%.

Motion to adopt an ordinance of the City of Wimberley, Texas, authorizing the issuance and sale of the City of Wimberley, Texas Tax Note, Series 2021; levying an annual ad valorem tax and providing for the security for and payment of said Note; and enacting other provisions relating to the subject, was made by Council Member Teresa Shell. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

- 11.2. Discuss and consider possible action regarding Resolution No. 05-2021, authorizing an amendment to the 2020/2021 Operating Budget (Budget Amendment No. 8), providing for the transfer of funds within the General Tax Fund – Unobligated Fund Balance to the General Fund Operating Administration Account Number 6370 (Contract Services) and providing an effective date. (*City Administrator, Mike Boese*)

City Administrator, Mike Boese, presented the budget amendment, which would allocate funds for the City to become a member of the Greater San Marcos Partnership (GSMP). GSMP Board Chair, John David Carson, addressed Council regarding the organization's goals and vision for the future. Mr. Carson noted that once the City joined the GSMP, then they could have a representative on the Board.

Motion to approve Resolution No. 05-2021, authorizing an amendment to the 2020/2021 Operating Budget (Budget Amendment No. 8), providing for the transfer of funds within the General Tax Fund – Unobligated Fund Balance to the General Fund Operating Administration Account Number 6370 (Contract Services) and providing an effective date, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 11.3. Discuss and consider possible action to approve a temporary structure permit for a food service cart to operate at 419 FM 2325, Wimberley, Hays County, Texas on May 22nd and 23rd, 2021. (*Applicant: Laura Perkins*)

Motion to approve a temporary structure permit for a food service cart to operate at 419 FM 2325, Wimberley, Hays County, Texas on May 22nd and 23rd, 2021 was made by Council Member Christine Byrne. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

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

Project Manager, Craig Fore, provided an update concerning installation of the lift station gate and screen. The force main construction for the north side of the Cypress Creek began last week and should be completed by the first part of July. Additionally, Capital Excavation would remobilize within two weeks to finish their portion of the Project. There was discussion among Council and City staff relating to the previously proposed wastewater ordinance and system users.

No action was taken on this item.

CITY COUNCIL REPORTS

- 12.1. Announcements – Council Member, Christine Byrne, requested the City advertise on their social media accounts and the City's website support for grant funding through the 2021 Texas Department of Transportation (TxDOT) Transportation Alternatives (TA) Set-Aside Program for safety infrastructure (sidewalk) along 2325 from the Wimberley High School to HEB.

Council Member, Jim Chiles, noted he would not be in attendance at the next City Council Meeting on June 3rd.

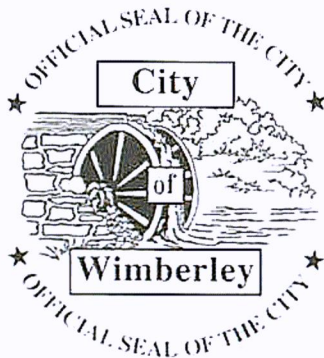
- 12.2. Future agenda items – Council Member, Christine Byrne, requested a status update on the American Rescue Plan Act funding for the City. Council Member, David Cohen, noted he would like to address law enforcement training.

ADJOURNMENT

Motion to adjourn the meeting at 8:05 p.m. was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary



APPROVED BY:

Gina V. Fulkerson
Gina V. Fulkerson, Mayor