



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, JUNE 17, 2021 – 6:00 P.M.

MINUTES

CALL TO ORDER

Mayor, Gina Fulkerson, called the meeting to order on June 17, 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
John Provost Public Works Superintendent

INVOCATION

Chapel in the Hills Reverend, Jim Denham, gave the invocation, and also acknowledged the passing of long-time Wimberley resident, M.F. Johnson.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

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

CITIZENS COMMUNICATIONS

John Provost recognized Wimberley resident, Jerry Fields, for his assistance in removing debris and logs from the river grates on CR 1492.

BOARD, COMMISSION, COMMITTEE REPORT

Parks and Recreation Board Chairperson, Anthony Deringer, provided a report to Council regarding the Board's accomplishments during the past year, which included assisting Parks staff on developing and managing COVID-19 protocols for activities and events, the formation of two subcommittees and helping to acquire grant funding for Wimberley trails. There was discussion among Mr. Deringer and Council relating to the Martha Knies Park and the goals and objectives for the Cypress Creek Master Plan.

PROCLAMATION

A proclamation of the City of Wimberley, Texas recognizing June 19, 2021, as Juneteenth.
(Place Three Council Member, Christine Byrne)

Mayor, Gina Fulkerson, read aloud the proclamation.

PRESENTATION AND POSSIBLE ACTION

Presentation and consider possible action to approve the Wings Over Wimberley Event set for October 1st and 2nd, 2021. (Wimberley Valley Arts and Cultural Alliance)

Wimberley Valley Arts and Cultural Alliance (WVACA) representatives, Pamela Rudd and Deidre Taylor, presented WVACA's plans for the upcoming Wings Over Wimberley Event in October 2021 and sought Council support for the Event. There was discussion concerning the number of bats this year, due to numerous bats dying during the February winter storm, along with the Event being held on the same weekend as Market Days.

Motion to approve the Wings Over Wimberley Event set for October 1st and 2nd, 2021, was made by Council Member Rebecca Minnick. 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 Teresa Shell. Motion was seconded by Council Member David Cohen. Motion carried unanimously (5-0).

- 9.1. Approval of minutes from the Regular City Council Meeting held June 3, 2021.
- 9.2. Approval of the April 2021 City of Wimberley Financial Statements.
- 9.3. Approval of Mayor Gina Fulkerson's appointment of David Hester to the Planning and Zoning Commission.
- 9.4. Approval of Place One Council Member Rebecca Minnick's reappointment of Anthony Deringer to the Parks and Recreation Board.
- 9.5. Approval of Place One Council Member Rebecca Minnick's reappointment of Chris Sheffield to the Transportation Advisory Board.
- 9.6. Approval of Place Three Council Member Christine Byrne's reappointment of Kelley Shand to the Parks and Recreation Board.
- 9.7. Approval of Place Three Council Member Christine Byrne's reappointment of Lindsey Deringer to the Transportation Advisory Board.
- 9.8. Approval of Place Five Council Member David Cohen's reappointment of Trey Cooksey to the Parks and Recreation Board.
- 9.9. Approval of Place Five Council Member David Cohen's reappointment of Ben O'Kane to the Transportation Advisory Board.

9.10. Approval of Place Five Council Member David Cohen's reappointment of Tim Dodson to the Planning and Zoning Commission.

CITY STAFF REPORT

City Administrator, Mike Boese, reported the sales tax the City received for June 2021 was a twenty-five percent (25%) increase from June 2020, and City would probably generate \$200,000 more in revenue for Fiscal Year 2021 than was projected. Additionally, Mr. Boese stated the City had closed and now owned the property located at 109 Oak Street.

PUBLIC HEARING AND POSSIBLE ACTION

Hold a public hearing and consider possible action regarding case CUP-21-015, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 204 Spoke Lane, Wimberley, Hays County, Texas. (*Applicant: R. Reed Berry*)

Mayor, Gina Fulkerson, recused herself from the discussion.

Mayor Pro Tem, Rebecca Minnick, presided.

City Secretary, Laura Calcote, presented the CUP for a vacation rental and the Planning and Zoning Commission's unanimous recommendation to deny the application at their June 10th Meeting.

Mayor Pro Tem, Rebecca Minnick, opened the public hearing at 6:39 p.m.

1. Applicant, Reed Berry, addressed and presented Council with an updated survey and design proposal for the property and spoke in favor of approval of the CUP.
2. April Anderson also spoke in favor of the vacation rental and noted the potential revenue the rental would accrue.
3. Dan Sturdivant was in favor of the application as well, and stated the CUP was not treated fairly by P&Z.

Mayor Pro Tem, Rebecca Minnick, closed the public hearing at 6:40 p.m.

There was discussion among Council and the applicant, Mr. Reed, relating the vacation rental and updated survey. P&Z Commissioners, Tim Dodson and Philip McBride, also spoke regarding the Commission's reasoning for recommending denial of the application, which included letters of opposition from neighbors and the questionable ownership of a piece of property between the proposed building site and the Blanco River. Mr. Reed stated the updated survey addressed the latter issue. Council considered sending the application back to the Commission with the updated information for another recommendation and asked City Attorney Griffin to advise on their options.

Motion to approve case CUP-21-015, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 204 Spoke Lane, Wimberley, Hays County, Texas, with the amended legal description language of the property, was made by Council Member David Cohen. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

DISCUSSION AND POSSIBLE ACTION

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

Project Manager, Craig Fore, reported all underground force main lines for the wastewater system had been installed. Furthermore, Capital Excavation had remobilized and had completed their bore and force main from the Wimberley Square down to the Cypress Creek bridge. The line across the bridge would still need to be installed. The system was set to

be online by August 1st. There was discussion between Mr. Fore and Council relating to the progress on customer hook-up.
No action was taken on this item.

- 12.2. Discuss and consider possible action to receive direction from City Council regarding a proposal to change the notification area for Vacation Rentals (STR2) from 200 feet to 400 feet. *(P&Z Commissioner, Philip McBride)*

Planning and Zoning Commissioner, Philip McBride, presented the Commission's request to extend the notification area for Vacation Rentals (STR2) from 200 feet to 400 feet. The Commissioners felt extending the notification zone would allow additional property owners the opportunity to know about the potential vacation rental and provide comments, as necessary. There was lengthy discussion among City staff, Council and Mr. McBride regarding the proposed notification change, including the notion that no other Texas city required a notification zone more than 200 feet. The general direction from Council was for the Commission to not explore this option further but to work on communication efforts for zoning purposes.

No action was taken on this item.

- 12.3. Discuss and consider possible action to award a bid in the amount of \$155,569.73 from Lone Star Sitework, LLC for the Little Ranches Roadway Rehabilitation Project. *(City Engineer, Chad Gilpin & Public Works Superintendent, John Provost)*

Public Works Superintendent, John Provost, and City Engineer, Chad Gilpin, provided an overview of the Little Ranches Roadway Rehabilitation Project. The City had received two proposals for the Project on June 11, 2021. Lone Star Sitework, LLC was the low bidder, and the recommendation was to award the bid to the company.

Motion to award a bid in the amount of \$155,569.73 from Lone Star Sitework, LLC for the Little Ranches Roadway Rehabilitation Project was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 12.4. Discuss and consider possible action regarding Resolution No. 07-2021, authorizing an amendment to the 2020/2021 Operating Budget (Budget Amendment No. 9), providing for the transfer of funds within the Blue Hole – Unobligated Fund Balance to the Blue Hole Operating Administration Account Number 200-52-6794 (Capital Outlay) and providing for an effective date. *(Parks Director, Richard Shaver)*

Parks Director, Richard Shaver, advised the concept and construction drawings for the office expansion project at Blue Hole Regional Park were nearly finalized, and staff was requesting a budget amendment in order to finish the project. There was discussion among City staff and Council regarding the additional square footage of the office, along with the cost estimate for the project.

Motion to approve Resolution No. 07-2021, authorizing an amendment to the 2020/2021 Operating Budget (Budget Amendment No. 9), providing for the transfer of funds within the Blue Hole – Unobligated Fund Balance to the Blue Hole Operating Administration Account Number 200-52-6794 (Capital Outlay) and providing for an effective date, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

- 12.5. Discuss and consider possible action regarding Resolution No. 08-2021, providing comments toward Groundwater Management Area 9 joint planning to adopt desired future conditions; making findings of fact; and providing for related matters. *(Place Three Council Member, Christine Byrne)*

Wimberley Valley Watershed Association Creative Director, Ray Don Tilley, presented the resolution, which supported the preservation and protection of groundwater in the area. He noted the resolution would be considered public comment to the Hays Trinity Groundwater Conservation District.

Motion to approve Resolution No. 08-2021, providing comments toward Groundwater Management Area 9 joint planning to adopt desired future conditions; making findings of fact; and providing for related matters, was made by Council Member Christine Byrne. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

- 12.6. Discuss and consider possible action regarding the purchase of CivicPlus software. *(City Administrator, Mike Boese)*

City Administrator, Mike Boese, and City Secretary, Laura Calcote, presented the CivicPlus software, which included CivicEngage, CivicReady and CivicClerk. Ms. Calcote and Mr. Boese highlighted the features of each of these products that would help to condense and streamline various municipal services, plus enhance features to better distribute and provide information to the citizenry and assist staff with day-to-day operations.

Motion to authorize the City Administrator to purchase CivicPlus software, in the amount of \$31,760.00, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 12.7. Discuss and consider possible action regarding the creation of a bank account (Non-Interest-Bearing Checking Account) for the American Rescue Plan Act funds. *(City Administrator, Mike Boese)*

City Administrator, Mike Boese, explained the recommendation from consultants to create a non-interest-bearing checking account to receive and expend American Rescue Plan Act funds, in order to provide a more precise transaction record and prevent the monies from accruing interest.

Motion to approve the creation of a bank account (Non-Interest-Bearing Checking Account) for the American Rescue Plan Act funds was made by Council Member Jim Chiles. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

CITY COUNCIL REPORTS

13.1. Announcements:

1. Council Member, Rebecca Minnick, noted Neel Morton had updated the building and site plan drawings for the Oak Street lot. Additionally, the next phase of the wayfinding signs would soon be installed.

2. City Secretary, Laura Calcote, reminded Council about the Goals and Priorities Workshop set for June 29th at Messina Inn.

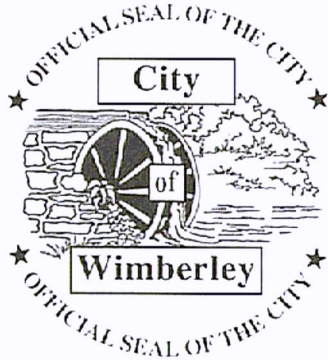
13.2. Future agenda items – None.

ADJOURNMENT

Motion to adjourn the meeting at 8:25 p.m. was made by Council Member Christine Byrne. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote
Laura J. Calcote, City Secretary



APPROVED BY:

Gina V. Fulkerson
Gina V. Fulkerson, Mayor