City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, APRIL 6, 2023 - 6:00 PM

AGENDA

1. CALL TO ORDER April 6, 2023, at 6:00 PM

2. CALL OF ROLL

3. INVOCATION Dick Adams, Chapel in the Hills

4. PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

5. CITIZENS COMMUNICATIONS

The City Council welcomes comments from citizens at regular meetings. Citizens wishing to speak must sign up prior to the meeting being called to order. We abide by the Texas Open Meetings Act, so council members are allowed only to speak about items posted on the agenda. All other inquiries will be forwarded to staff and may be placed on a future agenda for discussion. Speakers will have one opportunity to speak during the time period, and they must observe the three-minute time limit. After you state your name, staff will start the timer and you have 3 minutes to speak. We will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.

6. PROCLAMATIONS

6.1. Proclamation of the City of Wimberely, Texas proclaiming April as "Sexual Assault Awareness and Prevention Month".

6.2. Proclamation of the City of Wimberely, Texas proclaiming April as "Child Abuse Prevention and Awareness Month".

7. CONSENT AGENDA

7.1. Consider approval of the following City Council Meeting Minutes:
A. March 23, 2023 Regular Meeting
B. March 27, 2023 Traffic/Transportation Townhall Meeting

8. DISCUSSION AND POSSIBLE ACTION

8.1. Discussion and possible action regarding a professional services agreement with Bureau Veritas North America for code and fire services. *(Nathan Glaiser, Director of Planning & Public Works)*

9. CITY COUNCIL REPORTS

9.1. Announcements

9.2. Future Agenda Items

10. ADJOURNMENT

EXECUTIVE SESSION NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Monday, April 3, 2023, by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Tammy Heller

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Tammy Heller, City Secretary

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Interim City Secretary Tammy Cook at (512) 648-2403 two business days in advance of the meeting for appropriate arrangements.

City of Wimberley

Proclamation

THE STATE OF TEXAS §
COUNTY OF HAYS §
CITY OF WIMBERLEY §

WHEREAS, 6.3 million Texans have experienced some form of sexual assault in their lifetime; and

WHEREAS, 2 in 5 women and 1 in 5 men in Texas have been sexually assaulted in their lifetime affecting all races, ages, genders and economic situations; and

WHEREAS, the Hays-Caldwell Women's Center provided direct services to **660** adult victims of sexual assault in Hays and Caldwell Counties last year; and

WHEREAS, the City of Wimberley is intolerant of sexual violence in any form and recognizes that education and awareness may prevent sexual assault; and

WHEREAS, efforts to reduce sexual assault can only be successful through citizen involvement, and the safety of the citizens of the City of Wimberley depends upon our actions to end sexual assault;

NOW, THEREFORE, I, Gina Fulkerson, by virtue of the authority vested in me as Mayor of the City of Wimberley, Texas, do herby proclaim April, 2023, as

SEXUAL ASSAULT
AWARENESS & PREVENTION MONTH

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of Wimberley, Texas, this 6th day of April, 2023

CITY OF WIMBERLEY

_____

Gina V. Fulkerson, Mayor

City of Wimberley

Proclamation

THE STATE OF TEXAS §
COUNTY OF HAYS §
CITY OF WIMBERLEY §

WHEREAS, more than 62,525 cases of child abuse and neglect were confirmed in Texas in 2022 resulting in 9,623 children in foster care in Texas and the death of 165 children in Texas in 2022; and

WHEREAS, 363 children were confirmed victims of abuse in Hays county in 2022; and

WHEREAS, child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and 2022 was an especially trying time for children who are unsafe in their homes. Through the perseverance of our many community organizations working daily to end child abuse, we continually served children throughout the pandemic; and

WHEREAS, locally, representatives from Hays County Child Protective Board, Hays County District Attorney's Office, Hays-Caldwell Women's Center and Roxanne's House, Greater San Marcos Youth Council, Texas Department of Family and Protective Services, Court Appointed Special Advocates (CASA), San Marcos, Buda and Kyle Police Departments, Hays County Sheriff's Office, and Christus Santa Rosa- San Marcos have joined forces to provide preventive and supportive services to child victims and their families; and

WHEREAS, every child in Wimberley deserves to be safe, nurtured and supported in caring relationships.

NOW, THEREFORE, I, Gina Fulkerson, by virtue of the authority vested in me as Mayor of the City of Wimberley, Texas, do hereby proclaim the month of April 2023 as

CHILD ABUSE
PREVENTION AND AWARENESS MONTH

And do hereby call upon the citizens of Wimberley to work together to raise awareness and prevent child abuse in our community and beyond.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of Wimberley, Texas, this 6th day of April, 2023

CITY OF WIMBERLEY

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Gina V. Fulkerson, Mayor

AGENDA ITEM:	1. Consider approval of the following City Council Meeting Minutes: A. March 23, 2023 Regular Meeting B. March 27, 2023 Traffic/Transportation Townhall Meeting
SUBMITTED BY:	Tammy Heller
DATE SUBMITTED:	03/28/2023
MEETING DATE:	April 6, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

Motion

FINANCIAL

N/A

STAFF RECOMMENDATION

Approve minutes as proposed or make revisisons as necessary.

ATTACHMENT/S

1. 03-23-2023 Regular Meeting Minutes
2. 03-27-2023 Townhall Meeting Minutes

City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, MARCH 23, 2023 - 6:00 PM

MINUTES

1. CALL TO ORDER March 23, 2023, at 6:00 PM

Mayor Gina Fulkerson called the Regular Meeting to order at 6:01 p.m.

2. CALL OF ROLL

Council Members Present:
Gina Fulkerson, Mayor
Rebecca Minnick, Place 1
Teresa Shell, Place 2
Chris Sheffield, Place 3
Jim Chiles, Place 4
David Cohen, Place 5

Staff Members Present:
Tim Patek, City Administrator
Tammy Heller, City Secretary
Nathan Glasier, Director of Planning and Public Works
Leanne Kirby, Tourism Director
Richard Shaver, Director of Parks and Recreation
Charlie Zech, City Attorney

3. INVOCATION

Scott Tidwell, First Baptist Church

4. PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Fulkerson led the pledges of allegiance.

5. CITIZENS COMMUNICATIONS

The City Council welcomes comments from citizens at regular meetings. Citizens wishing to speak must sign up prior to the meeting being called to order. We abide by the Texas Open Meetings Act, so council members are allowed only to speak about items posted on the agenda. All other inquiries will be forwarded to staff and may be placed on a future agenda for discussion. Speakers will have one opportunity to speak during the time period, and they must observe the three-minute time limit. After you state your name, staff will start the timer and you have 3 minutes to speak. We will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.

Samantha Engemoen, introduced herself as the new Wimberley Community Center Manager.

6. PROCLAMATIONS/RECOGNITIONS

6.1. Proclamation of the City of Wimberley, Texas proclaiming March 1- June 15 and August 15 - November 30 as “Lights Out for Bird Safety”

Mayor Gina Fulkerson, read a proclamation proclaiming March 1 - June 15 and August 15 - November 30 as "Lights Out for Bird Safety".

7. CONSENT AGENDA

A motion was made by Council Member Chiles, seconded by Council Member Sheffield to approve the consent agenda. The motion carried unanimously (5-0).

7.1. Consider approval of minutes from the March 2, 2023 Regular City Council Meeting. *(Tammy Heller, City Secretary)*

7.2. Approval of the February 2023 Revenue and Expenditure Report for the City of Wimberley. *(Tim Patek, City Administrator)*

8. EXECUTIVE SESSION

8.1. Executive Session pursuant to Texas Government Code, Section 551.072 – deliberation regarding purchase, exchange, lease or value of real property.

Mayor Fulkerson adjourned into Executive Session at 6:14 p.m.

9. OPEN SESSION

9.1. Discussion and possible action resulting from Executive Session.

The mayor reconvened into open session at 6:25 p.m.

10. PRESENTATION AND POSSIBLE ACTION

10.1. Discuss and consider possible action to approve Ordinance No. 2023-07 authorizing the issuance and sale of City of Wimberley, Texas Hotel Occupancy Tax Revenue Bonds, Series 2023; providing for the security for and payment of such bonds; and authorizing and enacting other matters and provisions relating to the subject.

Andre Ayala, of Hilltop Securities, provided a brief presentation regarding the Hotel Occupancy Tax Revenue Bond, Series 2023. He stated Frost Bank did provide two options for the City. One was a 5.90% 10 year bond that is unable to be paid off early, and the second option is 6.85% for a 10-year bond, with the option for an early pay-off by the City.

Discussion was held by the Council on the options and the requirements set forth by the attorney general. Discussion was held on the Hotel Occupancy Tax budget and annual revenue and expenses. Discussion continued on the payment schedule and which option would be best for the City.

Upon completion of discussion, a Motion was made by Council Member Cohen, seconded by Council Member Minnick to authorize staff and consultants to move forward with execution of Hotel Occupancy Tax Revenue Bonds, Series 2023, exercising option 2, the 6.85% interest rate option, which has no pre-payment penalty after 2025. The motion carried unanimously (5-0).

A motion was made by Council Member Cohen, seconded by Council Member Chiles to approve Ordinance 2023-07, authorizing the issuance of Hotel Occupancy Tax Revenue Series, 2023. The motion carried unanimously (5-0).

Mayor Pro Tem Minnick, provided a brief presentation relating to the project and some proposed renderings.

10.2. Receive an update from representatives of SitePro and PGMS and consider possible action related to the Ranch Road 12 liftstation malfunction.

Tim Patek, City Administrator, introduced Timothy Young of PGMS, and Dennis Trammell of SitePro to provide an update on the malfunction that occurred last week at the Ranch Road 12 liftstation.

Mr. Young, stated a control float failure occurred at the lift station on Ranch Road 12, which ultimately caused a wastewater leakage of about 3100 gallons. A technician arrived, pumped and cleaned the area. He stated there was no evidence that any sewage entered the river. The system has been repaired and there is increased monitoring of alarms and the lift station is back to normal operations.

Mr. Young responded to questions related to alarm notifications, pump failure, and warranty on lift station parts. He recommends float replacement every 12-18 months and PGMS will work on a preventative maintenance schedule and will work with the City to ensure this schedule is followed.

Mr. Trammell, provided an update of the steps taken to ensure notifications are received by the proper City and PGMS staff.

10.3. Discuss and consider possible action on a recommendation from the Transportation Advisory Board on the following items:
A. Street improvement projects
B. ADA and Fire Lane Compliance
C. Speed Cushions or other traffic speed calming measures on River Road and 1492

Ben O'Kane, Chair of the Transportation Advisory Board (TAB), provided an update to the Council on the projects their board is working on currently. TAB recommends repair of about a quarter mile of Spoke Hollow and Blue Heron Road. He provided an estimate of each project, with Spoke Hollow being about $125K and Blue Heron approximately $83K. They would like council approval to go out for bid for both of these projects. Mr. O'kane spoke briefly on Fire Lane and ADA compliance in the downtown square and staff will continue to work on this initiative. Mr. O'Kane spoke on speed cushions and stated that emergency responders that attended their meetings in the past were in opposition to speed cushions. The Board continues to discuss options to control speed including stripping, additional stop signs, rumble strips, and additional patrol. The Board is continuing to review the road priority list for the City.

A motion was made by Council Member Cohen, seconded by Council Member Sheffield, authorizing staff to allow the City Engineer to go out for bids for the section of road discussed this evening, including Spoke Hollow and Blue Heron Road. The motion carried unanimously (5-0).

11. CITY STAFF REPORT

11.1. Receive an update from the City Administrator on the following items:
A. Winter freeze debris pick-up
B. Ranch Road 12 lift station malfunction.

Tim Patek, City Administrator, provided an update on the winter debris pick up. He thanked staff for their work and he is working on potential reimbursement efforts through the state.

11.2. Parks Director Report regarding, but not limited to, the 2023 swim season, programs/events and maintenance projects. *(Richard Shaver, Parks Director)*

Richard Shaver, Director of Parks and Recreation, provided a presentation related to the Parks Department. He spoke of the new Community Center Manager recently hired, the 2023 Swim Season, water testing, park operations, programs, events, and maintenance.

12. DISCUSSION AND POSSIBLE ACTION

12.1. Discuss and consider approval of an agreement with MHS Planning & Design, LLC for the Parks and Recreation Comprehensive Master Plan. *(Richard Shaver, Parks Director)*

Richard Shaver, Director of Parks and Recreation, provided a brief update on the Parks Master Plan Request for Proposals. He stated bids were received and staff scored these on various factors. He stated that MHS Planning & Design, LLC came in with the highest score and lowest price.

A motion was made by Council Member Sheffield, seconded by Council Member Chiles, to approve an agreement with MHS Planning & Design, LLC for the Parks and Recreation Comprehensive Master Plan. The motion carried unanimously (5-0).

12.2. Discuss and consider possible action on an updated purchasing policy for the City of Wimberley *(Tim Patek, City Administrator)*

Tim Patek, City Administrator, presented the revised purchasing policy and stated this helps the city maintain compliance with federal and state procurement standards that are necessary when applying for and receiving state and federal grants. He also stated this allowed staff the opportunity to review and make other recommendations for the policy, as outlined in the document.

A motion was made by Council Member Shell, seconded by Council Member Minnick, to approve the purchasing policy as proposed. The motion carried unanimously (5-0).

12.3. Discussion and possible action regarding fire suppression issues in the City of Wimberley. *(Tim Patek, City Administrator)*

Tim Patek, City Administrator, stated there have been discussions with downtown business owners related to fire suppression. Mr. Patek requested that we hire a consultant to assist with updating our code in regards to fire suppression and he presented the proposal by

A motion was made by Council Member Minnick, seconded by Council Member Chiles to approve $7500 from Account 100-17-6595 Code Revisions line item for fire suppression consulting services. The motion carried unanimously (5-0).

12.4. Discussion and possible action regarding a professional services agreement with Bureau Veritas North America for code and fire services. *(Nathan Glaiser, Director of Planning & Public Works)*

Nathan Glaiser, Director of Planning and Public Works, stated this item was not ready for review at this time and asked that it be postponed to the April 6th meeting.

13. CITY COUNCIL REPORTS

13.1. Annoucements

A. Patsy Glenn Refuge Dedication - 10:00AM
B. Emergency Preparedness Fair - 10:00AM-2:00PM, held at the VFW

13.2. Future Agenda Items

Mr. Patek noted the Audit will be presented to Council on May 18th.
Mayor Pro Tem Minnick reminded everyone of the Traffic/Transportation Townhall schedule for March 27th at 5:00PM.

14. ADJOURNMENT

A motion was made by Council Member Cohen, seconded by Council Member Chiles, to adjourn the regular meeting at 8:42 p.m. The motion carried unanimously (5-0).

RECORDED BY:

Tammy Cook, City Secretary

APPROVED BY:

Gina V. Fulkerson, Mayor

City of Wimberley

221 Stillwater, Wimberley, Texas 78676

TRANSPORTATION/TRAFFIC COMMUNITY TOWNHALL CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
MONDAY, MARCH 27, 2023 - 5:00 PM

MINUTES

1. CALL TO ORDER March 27, 2023, at 5:00 PM

Mayor Gina Fulkerson called the townhall meeting to order at 5:00 p.m.

2. CALL OF ROLL

Council Members Present:
Gina Fulkerson, Mayor
Rebecca Minnick, Place 1
Teresa Shell, Place 2
Chris Sheffield, Place 3
Jim Chiles, Place 4
David Cohen, Place 5, arrived after roll call at 5:55 p.m.

Staff Members Present:
Tim Patek, City Administrator
Tammy Cook, City Secretary
Nathan Glasier, Director of Planning & Public Works

3. DISCUSSION AND POSSIBLE ACTION

3.1. Discuss, observe and participate in a town hall meeting that includes sidewalks, the Oldham cut-through, parking in and around downtown and other transportation/traffic related concerns within the community.

Mayor Pro Tem Minnick provided a presentation and led the town hall discussion. The first item of discussion was about the sidewalks downtown along Ranch Road 12. Mayor Pro Tem Minnick presented the schematics developed by TxDOT for sidewalks that would extend from FM 3237 to the square. She also noted that the City is currently applying for a TxDOT Transportation Alternative Grant, and the first round is complete. Discussion was then open to the citizens in attendance and the general suggestions were made.

The next item presented was the County and TxDOT plans for FM 3237 at both Ranch Road 12 and Winter's Mill Parkway. The intersection of FM3237 and RR12 was proposed last year, but has since been delayed due to bidding issues. This project would include dedicated turn lanes and a sidewalk at the north corner. The intersection of FM3237 and Winter's Mill Parkway will soon have a light installed. Discussion was then open to citizens in attendance.

Tim Patek, City Administrator, provided a brief update on the Wimberely Valley Trails Project and stated that contracting is underway and is on the schedule for a May 2024 start date. Mayor Pro Tem Minnick presented the community feedback that was received on this project along with a comparison of the two-way option and the one-way option along Old Kyle Road.

The presentation continued with the Oldham cut-through which was proposed in the Wimberley Trails Project and in the adopted and previous transportation plans. Discussion was also held on parking in the square and the proposed re-striping plans in that area. Upon completion of the presentation, citizens asked questions and provided suggestions.

General suggestions from the meeting included: a walking path from Oak Drive Parking Lot to Old Kyle utilizing relocated crosswalk and passing through private properties, walking path across 3237 from Wimberley Inn, the addition of bike lanes where possible, installation of slightly raised entry into on-street parking, trees and landscaping as visual cues to slow down.

City Staff will follow-up with TxDOT, City Ordinances, and City Engineers on the following items:
Speed limit through the downtown area and square, bicycles on sidewalks, feasibility of relocation of crosswalks, review of the corner of Blue Heron including driveway into Vineyard, road angle, crosswalk and signage, and alternate vehicle restrictions & charging feasibility.

Staff will also communicate with the Constable/Sheriff about the use of volunteers for traffic direction and whether the law enforcement officer's flashing car lights in the square is creating an impediment to emergency vehicles passing through RR12 in the square.

Staff will also be seeking support from property owners along Ranch Road 12 for their written support of sidewalks.

4. ADJOURNMENT

A motion was made by Council Member Cohen, seconded by Council Member Chiles to adjourn the town hall meeting at 6:39 p.m. The motion carried unanimously (5-0).

RECORDED BY:

Tammy Cook, City Secretary

APPROVED BY:

Gina V. Fulkerson, Mayor

AGENDA ITEM:	1. Announcements
SUBMITTED BY:	
DATE SUBMITTED:	03/28/2023
MEETING DATE:	April 6, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None

AGENDA ITEM:	2. Future Agenda Items
SUBMITTED BY:	
DATE SUBMITTED:	03/28/2023
MEETING DATE:	April 6, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

N/A

STAFF RECOMMENDATION

ATTACHMENT/S

None