



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 20, 2023 - 6:00 PM

MINUTES

1. **CALL TO ORDER**

April 20, 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 Glaiser, Director of Planning and Public Works
Richard Shaver, Director of Parks
Leanne Kirby, Tourism Director

3. **INVOCATION**

Kevin Schuber, Saint Stephen's Episcopal 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.

Lin Weber, representative of Keep Wimberley Beautiful, thanked the Council for their continual support and for the help the City provided during trash pick up a couple of weeks ago. Ms. Weber provided the Council and staff with reusable bags with the Keep Wimberley Beautiful logo.

Phil Collins, a business owner, provided comments related to the Fire Code Amendment and expressed his support. He also spoke in support of the shuttle proposal. He expressed concern about traffic along Old Kyle Road and safety issues.

6. **CONSENT AGENDA**

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

- 6.1. Consider approval of minutes from the April 6, 2023 Regular City Council Meeting. (*Tammy Heller, City Secretary*)
- 6.2. Approval of the March 2023 Revenue and Expenditure Report for the City of Wimberley. (*Tim Patek, City Administrator*)

7. **PRESENTATION AND POSSIBLE ACTION**

- 7.1. Receive a recommendation from the Hotel Occupancy Tax (HOT) Committee Chair and consider action related to the disbursement of HOT funds. (*Leanne Kirby, Tourism Director*)

Helena Hauk, Chair, and Jennifer Ober, Vice Chair of the Hotel Occupancy Tax (HOT) Advisory Committee provided a presentation and summary of recommendations for funding and allocation of HOT funds. Ms. Hauk provided the number of applications received, the requested amount, the HOT committee meeting schedule for reviewing applications, the consensus provided by the committee along with the process for recommendations.

A motion was made by Council Member Sheffield, seconded by Council Member Cohen, that city staff will supply instructions for approved projects and grant agreements with the following organizations/events as presented and recommended by the HOT committee and all funding will be subject to an approved agreement with said entity:

Wimberley Valley Arts and Cultural Alliance (WVACA) Music Destination
Wimberley Valley Arts and Cultural Alliance (WVACA)
Stars Over Wimberley Concert Series
Wings Over Wimberley
Wimberley Watershed
Kathleen Utts Texas Textiles 2023
Wimberley Players
Lions Club Shuttle
Lions Club Market Days
Central Texas Theatre Academy Shakespeare in the Park
Wimberley Civic Club Annual Home Tour

Each agreement will be brought back to council before final approval of funding.

- 7.2. Presentation and consider possible action regarding the City of Wimberley's Quarterly Investment Report for the second quarter of Fiscal Year 2023. (*Tim Patek, City Administrator*)

City Administrator, Tim Patek provided the Second Quarterly Investment for Fiscal Year 2023. Upon completion of discussion, a motion was made by Council Member Minnick seconded by Council Member Chiles to approve the quarterly investment report as presented.

Mr. Patek also made a comment about separating HOT funds into a separate bank account and transferring the City's CD to TexPool as they offer a much higher interest rate. The council stated this could be done

administratively, but expressed their support. A motion was made by Council Member Minnick, seconded by Council Member Chiles to approve the quarterly investment report as presented. The motion carried unanimously (5-0).

8. PUBLIC HEARINGS AND POSSIBLE ACTION

- 8.1.** Hold a public hearing and consider action on Ordinance No. 2023-08, regarding an application, for a Conditional Use Permit (CUP-23-002) to allow for the operation of a Bed & Breakfast (STR1) on a property located at 285 Sierra Loma, Wimberley, Hays County, Texas. (*Nathan Glaiser, Director of Planning & Public Works*)

Nathan Glaiser, Director of Planning and Development Services, provided a presentation on an application for a conditional use permit to allow for the operation of a Bed & Breakfast on a property located at 285 Sierra Loma.

Upon completion of the presentation, the Mayor opened the Public Hearing at 8:01 p.m. There being no comments, the Mayor closed the Public Hearing at 8:01 p.m.

A motion was made by Council Member Minnick, seconded by Council Member Sheffield to approve Ordinance No. 2023-08, an application for a conditional use permit (CUP-23-002) to allow for the operation of a Bed & Breakfast on a property located at 285 Sierra Loma, Wimberley Texas. The motion carried unanimously (5-0).

- 8.2.** Hold a public hearing and consider action on Ordinance No. 2023-09, regarding an application for a Conditional Use Permit (CUP-23-003) that amends an existing Conditional Use Permit (CUP-13-007) to allow for the sale of alcohol for on-premises consumption for a property located at 111 River Road #110, Wimberley, Hays County, Texas. (*Nathan Glaiser, Director of Planning and Public Works*)

Nathan Glaiser, Director of Planning and Development Services, provided a presentation on an application for a conditional use permit that amends an existing conditional use permit to allow for the sale of alcohol for on-premises consumption on a property located at 111 River Road #110.

Upon completion of the presentation, the Mayor opened the Public Hearing at 8:07 p.m. There being no comments, the Mayor closed the Public Hearing at 8:08 p.m.

A motion was made by Council Member Minnick, seconded by Council Member Chiles to approve Ordinance No. 2023-09, a conditional use permit (CUP-23-003) that allows for sale of alcohol for on-premises consumption on a property located at 111 River Road #110. The motion carried unanimously (5-0).

9. CITY STAFF REPORT

- 9.1.** Parks Director Report regarding, but not limited to, programs/events and maintenance projects. (*Richard Shaver, Parks Director*)

Richard Shaver, Parks Director, provided a brief update on events and programs in the parks, including the start of the swim season on May 1st, concerts in the park, and current revenues and expenses.

10. DISCUSSION AND POSSIBLE ACTION

- 10.1.** Discuss and consider action on Ordinance No. 2023-10, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, regarding fire flow requirements prescribed by the

International Fire Code; and providing for findings of fact, savings, severability, repealer, and an effective date. *(Tim Patek, City Administrator)*

Tim Patek, City Administrator, introduced this item and stated Robert Waxler, a consultant hired to review the City of Wimberley Fire Code is here to provide additional details.

Mr. Waxler provided comments on the proposed amendments related to water supply. Chief Carroll Czichos provided comments and expressed the need for some additional modifications.

Mr. Waxler provided several proposed changes to the Ordinance, upon completion of discussion, outlined below:

	<u>Current Wording</u>	<u>Proposed Wording</u>
Scenario 1, bullet point 3	The fire hydrant is capable of providing the minimum water delivery rate for the buildings on site per Table 4.6.1 from NFPA 1142, 2022 Edition for a duration of 2 hours.	The single fire hydrant or multiple fire hydrants, within 1,000 feet, flowing simultaneously is capable of providing the minimum water delivery rate for the buildings on site per Table 4.6.1 from NFPA 1142, 2022 Edition for a duration of 2 hours.
Scenario 2, bullet point 3	The fire hydrant is capable of providing the minimum flow rate for the buildings on site per Table 4.6.1 from NFPA 1142, 2022 Edition for a duration of 2 hours.	The single fire hydrant or multiple fire hydrants, within 1,500 feet, flowing simultaneously is capable of providing the minimum flow rate for the buildings on site per Table 4.6.1 from NFPA 1142, 2022 Edition for a duration of 2 hours.
Scenario 3, bullet point 3	The location and arrangement of the appurtenances for the water storage tank shall be approved by the authority having jurisdiction.	The location and arrangement of the appurtenances for the water storage tank shall be approved by the Fire Chief or his/her designee.
Scenario 3, Title	No Public Water Supply, Private Water Tank	Private Water Tank

Upon completion of discussion, a motion was made by Council Member Cohen, seconded by Council Member Shell to accept all proposed changes and amend Ordinance No. 2023-10, as presented. The motion carried unanimously (5-0).

- 10.2.** Discuss and consider a donation in the form of goods and services for a boot to be placed at Blue Hole Regional Park. *(Richard Shaver, Director of Parks)*

Richard Shaver, Director of Parks, provided an update regarding the donation, from Kendra Scott, for the placement of a boot at Blue Hole Regional Park.

A motion was made by Council Member Shell, seconded by Council Member Chiles to accept the donation in the form of goods and services for a boot to be placed at Blue Hole Regional Park. The motion carried unanimously (5-0).

- 10.3.** Discuss and consider action on Resolution No. 06-2023, recognizing May 13, 2023 as World Migratory Bird Day (WMBD) at the Patsy Glenn Refuge, and, in the future, to be observed there and at other Wimberley City Parks and Wildlife Sanctuaries on designated dates for World Migratory Bird Day. *(Richard Shaver, Parks Director)*

A motion was made by Council Member Chiles, seconded by Council Member Cohen to approve Resolution No. 06-2023, recognizing May 13, 2023 as World Migratory Bird Day at the Patsy Glenn Refuge. The motion carried unanimously (5-0).

- 10.4.** Discuss and consider the appointment of a member of City Council to serve on the Parks Master Plan Steering Committee. *(Richard Shaver, Parks Director)*

Richard Shaver, Parks Director, provided a timeline that was developed by the Comprehensive Plan consultant. He stated the consultants were in attendance at the parks meeting last week and a steering committee was formed that will consist of the parks board members and one council member. The staff is seeking the appointment of one member of council to fill this position. Council Member Sheffield volunteered to serve. A motion was made by Council Member Cohen, seconded by Council Member Minnick to appoint Council Member Sheffield to the Parks Master Plan Steering Committee. The motion carried unanimously (5-0).

11. CITY COUNCIL REPORTS

11.1. Announcements

Tammy Heller, City Secretary, reminded everyone about the upcoming Historic Preservation Townhall Meeting that is scheduled for Monday, April 24th at 5:00 p.m. She also reminded everyone of the Board/Volunteer reception that is scheduled for Thursday, April 27th at 5:00 p.m. at Blue Hole Regional Park.

Mayor Pro Tem Minnick informed everyone that she attended the first session of the Texas Municipal League (TML) Leadership Academy.

11.2. Future Agenda Items

No future items discussed.

12. ADJOURNMENT

adjourn DC/RM 8:22pm

RECORDED BY:

Tammy Heller, City Secretary

APPROVED BY:

Gina V. Fulkerson, Mayor

