



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, JUNE 15, 2023 - 6:00 PM

MINUTES

1. **CALL TO ORDER** June 15, 2023, at 6:00 PM

Mayor Gina Fulkerson called the Regular Meeting to order at 6:00 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

Staff Members Present:

Tim Patek, City Administrator
Tammy Heller, City Secretary
Nathan Glaiser, Director of Planning and Public Works
Richard Shaver, Director of Parks
Charlie Zech, City Attorney

3. **INVOCATION** Jerry Vance, Wimberley UMC

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.

No Citizen Comments this evening.

6. **PROCLAMATIONS/RECOGNITIONS**

6.1. Wimberley ISD Academic and Athletic Student Recognition (Mayor Gina Fulkerson)

Mayor Gina Fulkerson recognized the many students that participated in various UIL Academic, Athletic and Artistic competitions during the 2022-2023 School Year. She will be recognizing these students with a proclamation at the School Board meeting next week.

Mayor Fulkerson read a proclamation recognizing June 19, 2023 as Juneteenth in Wimberley.

7. CONSENT AGENDA

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

- 7.1. Consider approval of minutes from the June 1, 2023 Regular City Council Meeting. (*Tammy Heller, City Secretary*)
- 7.2. Approval of the May 2023 Revenue and Expenditure Report for the City of Wimberley. (*Tim Patek, City Administrator*)
- 7.3. Consider approval of the following appointments to the Economic Support and Development Committee:
 - a. Josh Smith
 - b. Molly Bowen
 - c. Phil Collins
- 7.4. Consider approval of Council Member David Cohen's appointment of Tim Dodson to the Board of Adjustment. (*Tammy Heller, City Secretary*)

8. PRESENTATION AND POSSIBLE ACTION

- 8.1. Receive a recommendation from the Transportation Advisory Board. (*Tim Patek, City Administrator*)

Ben O'Kane, Chair of the Transportation Advisory Board, presented the following recommendations their board would like the Council to consider for future action:

- 1. Speed Control: Request is to add a three-way stop sign at Chaparral. This was approved unanimously by the Transportation Advisory Board.
- 2. Transportation Master Plan: Request to re-instate the three line items that were removed from the Transportation Master Plan. These include items 14, 19, and 20. This was approved unanimously by the Transportation Advisory Board.

Council Member Minnick asked about the location of the stop sign at Chapparral. Mr. O'Kane stated this is a difficult area, but this was one idea the board agreed upon. Council Member Minnick expressed support.

There was consensus to re-visit this after speaking with the County and after a review of recent legislation regarding development and planning.

Mr. O'Kane noted that the Transportation Advisory Board would be meeting with the City's engineer for training related to road grading. This will assist with prioritizing road repairs.

9. PUBLIC HEARINGS AND POSSIBLE ACTION

- 9.1.** Public Hearing and consider action on an Ordinance that would amend Chapter 9 of the Wimberley Code of Ordinances, Planning and Development Regulations, pertaining to subdivision and parkland dedication. *(Tim Patek, City Administrator)*

Bryce Cox, with DNRBZ Law Firm, provided a brief update to Council on the Subdivision Ordinance. Due to recent legislation, there will be revisions needed, so he requested that the Public Hearing be held this evening with no action. He stated that House Bill 3699 is something that will allow for the City Council to delegate the ability to approve, approve with conditions or denial of a plat to city staff. Plat waivers would still be brought before City Council for approval or denial.

Amendments to the Subdivision Ordinance, due to legislation, would be brought forward at the last meeting in August, just prior to legislation going into effect on September 1, 2023.

Mayor Fulkerson opened the Public Hearing at 6:33 p.m. There being no comments, the Mayor closed the Public Hearing at 6:33 p.m.

No action was taken this evening.

- 9.2.** Hold a Public Hearing and discuss the establishment of a Local Historic District and the adoption of Historic District Design Guidelines. *(Tim Patek, City Administrator)*

Ellis Mumford-Russell, provided a brief update on the timeline of events since Post Oak Preservation was hired by the City. She also provided the distinction of the National Register Historic District and a Local Historic District.

Discussion was held on the integrity of buildings, how boundaries have changed over time, the difference between contributing and non-contributing buildings, and the application process for modifications within the district. Mr. Patek, City Administrator, presented the proposed recommendation made by the Planning and Zoning Commission that would add additional properties to the district.

There was a question related to the percentage of contributing buildings within a district and the timeline of consideration. Ms. Mumford-Russell stated they have made the best recommendation they could and it is at the discretion of City Council to make adjustments. She also stated that Post Oak Solutions could come back to a future meeting, after comments are received this evening, to review, adjust, and adopt at a future time. No action to be taken this evening.

Mayor Fulkerson opened the Public Hearing at 6:56 p.m.

Those who spoke:

Mayor Fulkerson read a letter from Dana Lombard. This letter was a request that the residential property at 180 Oak Drive be removed from consideration of the proposed Local District Map.

Marcillia Bishop, owns the property at 110 Oak Drive. She stated this property was built in 1980. She stated there is no historical district significance to this building and she would like to be excluded from the district. Mrs. Mumford-Russell will confirm date and the status of contributing vs. non-contributing.

Bill Johnston, read the letter his attorney provided. He requests that his property in Old Town Plaza, address 13709 RR 12, be excluded from consideration of the Local Historical District.

Charles Soechting, representing the Romano Family Interest, asked that the property located at 14000 RR12 be excluded from inclusion in the Local Historic District.

Joyce Webb, spoke in opposition of her property, located at 14000 RR 12, being included in the proposed local historic district.

There being no further comments, the Mayor closed the Public Hearing at 7:19 p.m.

Discussion was held on the addition of clarifying language regarding non-contributing buildings. This will be reviewed and considered. Comments were made by Council Members expressing their views on the Historic District and what it may mean for the City. The consensus is to process the comments received this evening, review with the consultants and hold another public hearing at a future date. No action was taken.

10. DISCUSSION AND POSSIBLE ACTION

10.1. Discuss and consider possible action regarding an annual sponsorship policy. (*Richard Shaver, Parks Director*)

Richard Shaver, Director of Parks, presented the annual sponsorship policy and reminded the council that this was discussed at the last meeting. At that meeting there was a recommendation to remove the following wording under the Permissible Sponsors and Message Content section of the agreement:

"Promotion of the sale or consumption of alcoholic or cereal malt beverages, in name, likeness or implication, or promotion of establishments that are licensed for and primarily sell alcoholic or cereal malt beverages, including bars; provided, however, restaurants or other food service establishments and hotels or other places of lodging may be authorized when the commercial message or advertisement promotes only the food services or lodging."

This has been removed from the agreement as recommended.

A motion was made by Council Member Sheffield, seconded by Council Member Chiles to approve the annual sponsorship policy as presented. The motion carried unanimously (5-0).

10.2. Discuss and consider possible action regarding annual sponsorship contracts. (*Richard Shaver, Parks Director*)

Richard Shaver, Director of Parks, stated the only revision from the last meeting is that the effective date would be 60 days after execution of the sponsorship agreements. This would allow staff adequate time to create the materials necessary for the benefits that the City would provide for the sponsors.

A motion was made by Council Member Sheffield, seconded by Council Member Chiles to approve the annual sponsorship contracts as presented. The motion carried unanimously (5-0).

10.3. Discuss and consider possible action related to an Interlocal Agreement between Hays County and the City of Wimberley for floodplain administration and environmental health services. (*Tim Patek, City Administrator*)

Tim Patek, City Administrator, stated this is a contract renewal with Hays County to perform services related to on-site septic facilities, health and sanitation, and flood damage. The City has been contracting with Hays County for these services since 2021. These services include permitting and inspecting restaurants, permitting and inspecting on-site sewage facilities, reviewing plans for structures built in the floodplain, and enforcing code violations related to these activities.

A motion was made by Council Member Cohen, seconded by Council Member Chiles to approve the Interlocal Agreement with Hays county for floodplain administration and environmental health services. The motion carried (5-0).

10.4. Consider the appointment of Tim Patek, City Administrator, as an ex-officio member of the Wimberley Valley Chamber of Commerce. (*Tim Patek, City Administrator*)

Unanimous consent was given to appoint Tim Patek, City Administrator, as an ex-officio member to the Wimberley Valley Chamber of Commerce.

11. CITY COUNCIL REPORTS

11.1. Announcements

The following announcements were made:

1. Strategic Planning Session - June 20, 2023 (9AM)
2. Board/Commission Training - June 29, 2023 (5:30PM)
3. The Mayor and City Administrator attended a legislative update session
4. 4th of July Parade

11.2. Future Agenda Items

The following items were requested to be added to a future agenda:

1. Legislative update from the City Attorney
2. FY2022 Audit
3. Old Kyle Road update

12. ADJOURNMENT

A motion was made by Council Member Cohen, seconded by Council Member Sheffield to adjourn the regular meeting at 7:51 p.m. The motion carried unanimously (5-0).

RECORDED BY:

Tammy Heller, City Secretary

APPROVED BY:

Gina V. Fulkerson, Mayor

