



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING

WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676

THURSDAY, JULY 18, 2024 - 6:00 PM

MINUTES

1. CALL TO ORDER

July 18, 2024, at 6:00 PM

Mayor Jim Chiles called the regular meeting of the City Council to order at 6:00 p.m.

2. CALL OF ROLL

Council Members Present:

Jim Chiles, Mayor
Rebecca Minnick, Place 1
Bo Bowman, Place 2
Chris Sheffield, Place 3
David Cohen, Place 5

Staff Present:

Tim Patek, City Administrator
Tammy Heller, City Secretary
Nathan Glaiser, Director of Planning & Public Works
Charlie Zech, City Attorney

Council Members Absent:

Bob Clark, Place 4

3. INVOCATION

Susan Rang, Wimberley United Methodist Church

4. PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Chiles 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.

Mark Austin, provided comments regarding the city and extraterritorial jurisdiction maps, sewage on the square and how he believes it doesn't make it to the treatment plant and his concern that the city does not offer any city services.

Gary Welborn, spoke about road improvements and the cost to repair them. He stated roads need to be improved, and we need to find a way to do this.

6. CONSENT AGENDA

A motion was made by Council Member Cohen, seconded by Council Member Bowman, to approve item 6.1 of the consent agenda. Item 6.2 which was not considered this evening. The motion carried unanimously (4-0).

6.1. Consider approval of the following meeting minutes:

1. June 17, 2024 Special Meeting Minutes
2. June 20, 2024 Regular Meeting Minutes
(*Tammy Heller, City Secretary*)

6.2. Consider approval of the June 2024 Revenue and Expenditure Report for the City of Wimberley.
(*Tim Patek, City Administrator*)

7. PUBLIC HEARINGS AND POSSIBLE ACTION

7.1. Hold a Public Hearing and consider possible action on Ordinance 2024-15, approving an application for a Zoning Amendment (ZA-24-002) to change the zoning from Residential Acreage (RA) to Single-Family Residential 2 (R2) for a property located at 300 Sunrise Drive, Wimberley Texas.
(*Nathan Glaiser, Director of Planning & Public Works*)

Nathan Glaiser, Director of Planning and Public Works, provided a presentation on a zoning amendment request at 300 Sunrise Drive. The owners, Gaylynn Clevenger and Joe Murphy, have requested a zoning change for approximately 11.5 acres of property, which are 3 separate tracts. The request is to change the zoning from Rural Acreage (RA) to Single-family Residential 2 (R2). The property consists of two unplatted tracts totaling 10.7 acres and Lot 38 of Paradise Hills, which is approximately .8 acres. There are two residences currently on the property. Mr. Glaiser explained the permitted uses for both zoning classifications. Notifications were sent out and only one letter of opposition was received. At the conclusion of the presentation, Mayor Chiles opened the Public Hearing at 6:15 p.m.

Gaylynn Clevenger, spoke in support of the zoning amendment and handed out proposed deed restrictions for this property. Ms. Clevenger stated the Planning and Zoning Commission unanimously approved this request. She explained the proposed usage of this lot, current structures on the property and stated they have no interest in selling or dividing any further. She addressed questions posed by the City Council regarding the Paradise Hills Homeowners Association, the potential building site with regard to the topography of the land, and the applicants' willingness to place restrictions at a later time.

There being no further comments, Mayor Chiles closed the Public Hearing at 6:24 p.m.

The council made comments regarding road access to property and inquired about the nature of the opposition they received. Mr. Glaiser read the letter of opposition, from Carroll Bandy. Ms. Bandy cited the following reasons for opposition:

1. The owners are not Wimberley residents, and she believes they are land developers.
2. If rezoning is approved, what will keep them from rezoning again?
3. On Sunset Drive, utilities were installed underground to give Meridian residents a good view, and this development on Sunrise did not do this. There are Pedernales Electric Poles and wires obstructing her view.
4. Noisy late parties on weekends and chain saw noise is irritating. Also, my house gets filled with smoke from burning brush.

Upon completion of discussion, a motion was made by Council Member Cohen, seconded by Council

Member Minnick, to approve Ordinance 2024-15, as presented, with the proposed deed restrictions proposed by the applicant, including the condition that this property will not be divided into more than three lots. Attorney Zech stated this can not be a condition of the zoning amendment. Council Member Cohen stated he would accept a notarized copy of these deed restrictions, including the addition of another restriction that states this property will not be divided into more than three lots. Tammy Heller, City Secretary, notarized this document and it is now part of the Ordinance on file with the City. The motion was restated to approve the Ordinance 2024-15, as presented. The motion carried unanimously (4-0).

8. DISCUSSION AND POSSIBLE ACTION

- 8.1.** Consider approval of Ordinance 2024-16, repealing Ordinance 2001-021 (Sec. 4.01.002), Building Code Board of Review; Replacing with a new Section, Building Code Appeals and Variances, and providing for savings, severability, repealer, effective date and proper notice and meeting. (*Nathan Glaiser, Director of Planning & Public Works*)

Nathan Glaiser, Director of Planning and Public Works, this section dealt with variances from the Building Code. The procedure outlined in this ordinance would be followed if any variances were requested. Also in this Ordinance, the creation of a Building Code Board of Review was created to review variances. However, there is no evidence they have met in the last 15 years. This proposed Ordinance creates a criteria for the variance process that is easier to follow. It allows the City Council to consider and approve variance requests from the Building Codes with public notice and public hearing.

Upon completion of discussion, a motion was made by Council Member Sheffield, seconded by Council Member Minnick to approve Ordinance 2024-16, as presented. The motion carried unanimously (4-0).

- 8.2.** Discuss and consider possible action regarding a request to permit a temporary structure located at St. Mary's Catholic Church, 14711 Ranch Road 12, Wimberley, Texas. (*Nathan Glaiser, Director of Planning & Public Works*)

Nathan Glaiser, presented a request to permit a temporary structure at St. Mary's Catholic Church, located at 14711 Ranch Road 12, and permission has been provided by the Pastor of the Church. This request is to operate a mobile food truck, and it has been licensed by Hays County to operate.

Upon completion of discussion, a motion was made by Council Member Minnick, seconded by Council Member Bowman, to approve the temporary structure permit as presented. The motion carried unanimously (4-0).

- 8.3.** Consider possible action on Resolution No. 10-2024, authorizing an amendment to the 2023/2024 operating budget (Budget Amendment No. 5), providing for the transfer of funds within the Hotel Occupancy Tax - Unobligated Fund Balance to the General Projects Account Number 205-15-6311 and providing an effective date. (*Leanne Kirby, Tourism Director*)

Tim Patek, City Administrator, stated this budget amendment is for a solar lighting project in Wimberley Square. The merchants downtown have been contacted so they are aware of this project. Upon completion of discussion, a motion was made by Council Member Cohen, seconded by Council Member Sheffield to approve Resolution No. 10-2024, as presented. The motion carried unanimously (4-0).

- 8.4.** Consider and approve authorization to issue requests for proposal (RFP) for administrative services and requests for qualifications (RFQ) for engineering services for grant pre-application (Phase I), application (Phase II), and implementation services for the Texas Community Development Grant Program for 2025/2026 Community Development Fund (and all eligible activities per the application guidance) as administered by the Texas Department of Agriculture. (*Tim Patek, City Administrator*)

Tim Patek, City Administrator, introduced Michael Sledge of GrantWorks to provide a presentation regarding the Texas Community Development Grant Program. Mr. Sledge provided background information about Grantworks, outlined the process overview of the Community Development Grant Program and how to select

a project that has the best potential to receive funding.

Mr. Sledge addressed questions posed by the city council regarding potential conflicts of interest if GrantWorks is working with other entities in our region, the 51% low to moderate (lmi) income requirement of the grant, and the process for applying for the grant.

Upon completion of discussion, a motion was made by Council Member Cohen, seconded by Council Member Sheffield, to approve authorization for GrantWorks to issue requests for proposal (RFP) for administrative services and requests for qualifications (RFQ) for engineering services for grant pre-application, application and implementation of services for the Grant Program as presented. The motion carried unanimously (4-0).

- 8.5.** Discuss and consider action on an amendment to the Personnel Policy, by including an addendum on City Motorized Vehicle Policies and Procedures. (*Tim Patek, City Administrator*)

Tim Patek, City Administrator, stated the city did not have a policy in place regarding city-owned motorized vehicle use by employees. This policy will ensure the security, protection, and well-being of personnel and property of the City of Wimberley. It establishes rules and procedures for the assignment, use and reporting requirements of city-owned, leased or rented motorized vehicles. If approved, this would require all employees that use city vehicles to sign the document and follow all proper protocols. A motion was made by Council Member Bowman, seconded by Council Member Cohen, to approve the amendment to the personnel policy, as presented. The motion carried unanimously (4-0).

- 8.6.** Discuss and consider possible action regarding the City of Wimberley's Quarterly Investment Report for the third quarter of Fiscal Year 2024. (*Tim Patek, City Administrator*)

Tim Patek, City Administrator, presented the investment report for the 3rd Quarter of Fiscal Year 2024. Upon completion of the presentation, a motion was made by Council Member Minnick, seconded by Council Member Bowman, to accept the quarterly report for the third quarter, as presented. The motion carried unanimously (4-0).

9. CITY COUNCIL REPORTS

9.1. Announcements

1. The next meeting is scheduled for August 1, 2024, with the second Budget Workshop scheduled for 5:00 p.m.
2. Council Member Cohen reminded the council he would be absent at the next three meetings (previously approved by council).
3. Council Member Bowman informed the council that he would be absent at the next meeting.

9.2. Future Agenda Items

None at this time.

10. ADJOURNMENT

A motion was made by Council Member Cohen, seconded by Council Member Sheffield, to adjourn the regular meeting of the City Council at 7:11 p.m.

RECORDED BY:

Tammy Heller, City Secretary

APPROVED BY:

Jim Chiles, Mayor

