



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING

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

THURSDAY, SEPTEMBER 19, 2024 - 6:00 PM

MINUTES

1. CALL TO ORDER

September 19, 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
Bo Bowman, Place 2
Chris Sheffield, Place 3
Bob Clark, Place 4
David Cohen, Place 5

Staff Members Present:

Tim Patek, City Administrator
Tammy Heller, City Secretary
Nathan Glaiser, Planning and Public Works Director
Stan Springerley, City Attorney

Council Members Absent:

Rebecca Minnick, Place 1

3. INVOCATION

A moment of silence was observed.

4. PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Chiles led the pledges of allegiance.

5. CITIZENS COMMUNICATIONS

No citizen comments this evening.

6. CONSENT AGENDA

A motion was made by Council Member Sheffield, seconded by Council Member Bowman, to approve the consent agenda. The motion carried unanimously (4-0).

6.1. Consider approval of minutes from the September 5, 2024 Regular City Council Meeting. (*Tammy Heller, City Secretary*)

6.2. Consider approval of the July 2024 Revenue and Expenditure Report for the City of Wimberley. (*Tim*

7. PRESENTATION AND POSSIBLE ACTION

7.1. Receive a presentation regarding the Hays County Mental Health Court (Council Member Minnick)

Mayor Pro Chiles, introduced Judge Elaine Brown and Kaimi Mattila of Hays County to provide a presentation about the Hays County Mental Health Court. Judge Brown and Ms. Mattila provided statistics related to mental illness and the criminal justice system and expressed how the Mental Health Court can assist individuals. They spoke about the creation of the Mental Health Court program, its effectiveness, the evaluation and referral process and the program structure. Ms. Mattila shared the testimony and success stories from individuals that have graduated from the program.

Judge Brown expressed the need for County Wide Mental Health Coordination. Currently, there is a Behavioral Advisory Team (BAT), a Mental Health Youth Workgroup, and a Mental Health Adult Workgroup in the County. Judge Brown explained some of the challenges that participants encounter.

Questions were posed by the Council relating to criminal charges of the participants in the program and if they are dismissed upon graduation from the program. Judge Brown addressed this and stated it depends, but there are times when charges are dropped.

This presentation was to inform the public of the services provided by the Mental Health Court and to get the support of the cities within Hays County.

8. PUBLIC HEARINGS AND POSSIBLE ACTION

8.1. Hold a public hearing and consider action on Ordinance 2024-21 regarding case CUP-24-006, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 42 La Buena Vista Dr, Wimberley, TX.

Nathan Glaiser, Director of Planning and Public Works, gave a presentation regarding case CUP-24-006, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 42 La Buena Vista. Mr. Glaiser made a comment noting a correction. The application stated 2.31 acres but only 1.547 acres is under consideration. Mr. Glaiser stated the Planning and Zoning Commission voted for a denial

Mayor Chiles opened the public hearing at 6:45 p.m.

Those who spoke:

Sylvia Banks, spoke in opposition, stating this is a peaceful neighborhood and is concerned with noise, traffic, and the change of restrictions within the neighborhood.

Mary Ann De Leon, spoke in opposition, citing lower home values and increased traffic.

Mary Mitchell, spoke in opposition, citing lack of care for property and increased noise levels.

Candy Fore, spoke in opposition of the conditional use permit. She stated that they are a small residential neighborhood and a short-term rental is not residential. She stated this would change the character of the neighborhood and asked for denial.

Craig Fore expressed his appreciation to the council. He spoke in opposition and stated, if approved, this short-term rental would become a permanent use of the property.

Penny Sparks-Preston, spoke in opposition, stating this appears to be a business with benefits. She is concerned about the increased traffic and the impact to the safety of the neighborhood.

Mary Mitchell, spoke in opposition, stating it would personally affect their property. Although they are in the ETJ, they are directly adjacent to the property. She requested a moratorium on short-term rentals in neighborhoods.

Deno Pourlos and daughter Gabriella Gibson, applicants, spoke in support of the conditional use permit. Mr. Pourlos stated they would occupy the house about 50% of the time. He stated the opposition is not unique to the request, as there will still be noise and traffic in this neighborhood. He stated the renters would be vetted, backgrounds would be checked, and he requested an opportunity to rent as available.

There being no further comments, Mayor Chiles closed the public hearing at 7:00 p.m.

The City Council members addressed the comments made by the residents of the neighborhood and made personal statements regarding short term rentals in this neighborhood.

Upon completion of discussion, a motion was made by Council Member Cohen, seconded by Council Member Sheffield, to deny Ordinance 2024-21, regarding case CUP-24-006, an application for a Conditional Use Permit to operate a Short-Term Rental (STR2) at a property located at 42 La Buena Vista Wimberley, Texas. The motion carried unanimously (4-0).

9. DISCUSSION AND POSSIBLE ACTION

- 9.1.** Discuss and consider possible action regarding a Temporary Structure Application to place a food trailer at 110 Old Kyle Road Wimberley, TX. (*Nathan Glaiser, Director of Planning and Public Works*)

Nathan Glaiser, Director of Planning and Public Works provided a presentation on a request for a temporary structure to place a food trailer at 110 Old Kyle Road, Wimberley, Texas.

Chloe Glasscock, stated a Mexican Food Truck will be placed on site and will open this weekend, with council approval. Operations will be from Wednesday through Sunday.

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

- 9.2.** Consider possible action on the Texas Municipal League (TML) Region 10 Director Election (*Tammy Heller, City Secretary*)

Tammy Heller, City Secretary, presented a ballot for the Texas Municipal League (TML) Region 10 Board of Directors. She stated if council would like to make a nomination, a unanimous decision will need to be made by the Council. Mrs. Heller, stated the nomination form would be executed by Mayor Chiles and submitted prior to the deadline.

The City Council did not submit a vote, no action was taken.

- 9.3.** Consider possible action on the Texas Municipal League (TML) Intergovernmental Risk Pool Board or Trustees Election. (*Tammy Heller, City Secretary*)

Tammy Heller, City Secretary, presented a ballot for the Texas Municipal League (TML) Intergovernmental Risk Pool Board of Trustees. She stated if council would like to make a nomination, a unanimous decision will need to be made by the Council. Mrs. Heller, stated the nomination form would be executed by Mayor Chiles and submitted prior to the deadline.

The City Council did not submit a vote, no action was taken.

10. EXECUTIVE SESSION

- 10.1.** Executive Session pursuant to Texas Government Code, Section 551.074 (Personnel Matters) City Council will meet for the annual salary and performance review of City Administrator, Tim Patek.

Mayor Chiles adjourned into Executive Session at 7:15 p.m.

11. OPEN SESSION

- 11.1.** Discussion and possible action resulting from Executive Session.

Mayor Chiles reconvened into regular session at 7:32 p.m. Mayor Chiles. A motion was made by Council Member Cohen, seconded by Council Member Sheffield, to increase the City Administrator's salary by 4.02% and extend the contract by 1 year. The motion carried unanimously (4-0).

12. CITY COUNCIL REPORTS

12.1. Announcements

Pride Parade scheduled for September 21st
Comprehensive Planning Stakeholder Meeting, October 7th
Texas Municipal League scheduled for October 9th-11th
Boo! Hole Event scheduled for October 19th
Hunters Night Out scheduled for October 19th
Community Clean-Up and Shred Day scheduled for October 26th

12.2. Future Agenda Items

No items added this evening.

13. ADJOURNMENT

A motion was made by Council Member Cohen, seconded by Council Member Clark, to adjourn the regular meeting at 7:40 p.m. The motion carried unanimously (4-0).

RECORDED BY:

Tammy Heller, City Secretary

APPROVED BY:

Jim Chiles, Mayor

