



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 16, 2022 - 6:00 PM

MINUTES

1. **CALL TO ORDER** June 16, 2022, at 6:00 PM

2. **CALL OF ROLL**

Council Members Present:

Gina Fulkerson, Mayor
Rebecca Minnick, Place 1
Teresa Shell, Place 2
Christine Byrne, Place 3
Jim Chiles, Place 4
David Cohen, Place 5

Staff Members Present:

Mike Boese, City Administrator
Tammy Cook, City Secretary
Charles Zech, City Attorney
Nathan Glaiser, Planning & Development Coordinator

3. **INVOCATION** Scott Tidwell - First Baptist Church

Scott Tidwell of Wimberley First Baptist Church provided this evening's invocation.

4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

Mayor Gina 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.

Nicolle Ryan, stated she has owned property in Wimberley for over 25 years and just recently retired here. She had questions regarding the billing procedures for the wastewater project. Mayor Fulkerson stated this item is not on the agenda this evening but an appointment can be set up to further discuss this issue and can also be placed on a future agenda.

6. **PROCLAMATION**

6.1. A proclamation of the City of Wimberley, Texas recognizing June 19, 2022 as Juneteenth.

Mayor Fulkerson read a proclamation that recognizes June 19, 2022 as Juneteenth Day.

7. PRESENTATION AND POSSIBLE ACTION

7.1. Receive an update from Austin Vaughan, of Signcrafters, regarding way-finding and new parking lot signs (*Council Member Rebecca Minnick*)

Council Member Rebecca Minnick presented and provided information in the absence of Austin Vaughan, as he was unable to be here this evening. A preliminary layout and images were presented indicating the locations and positions of signage throughout the community. Council Member Minnick stated a sign would be placed at the new parking lot near the restrooms, one in front of Ceremony and one near the bridge at the shops in the quarter. She state there is the potential for additional signage, but this is the plan for now. Another feature will be the addition of a QR code on the sign which will allow users to utilize an app on their phone to identify restaurants, shops and other areas of interest within the downtown area.

8. CONSENT AGENDA

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

8.1. Consider approval of minutes from the June 2, 2022 Regular City Council Meeting.

8.2. Approve the appointment of Chris Sheffield to fill a vacancy, term expiring June 30, 2023, on the Planning and Zoning Commission. (*Council Member Rebecca Minnick*)

8.3. Approve the appointment of Brandon Metcalf to fill a vacancy, term expiring June 30, 2023, on the Transportation Advisory Board. (*Council Member Rebecca Minnick*)

9. PUBLIC HEARINGS AND POSSIBLE ACTION

9.1. Hold a public hearing and take possible action regarding case CUP-22-004, an application for a Conditional Use Permit to allow for the sale of alcohol for on-premise consumption and the sale of alcohol for off-premise consumption on a property located at 13619 Ranch Road 12, Wimberley, Hays County, Texas. (*Applicant: Ranch Brand Wine and Spirits*)

Mayor Fulkerson opened the Public Hearing at 6:17 p.m.

Nathan Glasier, Planning and Development Coordinator, provided a brief presentation related to the conditional use permit. He stated the Planning and Zoning Commission held a public hearing on this time at their June 9th meeting and it was approved by a vote of 5-1.

West Stone and Chris Ware, owners of Ranch Brand Wine and Spirits, spoke in favor of the project.

Gary Fine, Pastor of Wimberley Christian Church, spoke as this project is near his church. He and the applicants are working together and they have agreed to no alcohol sales prior to 2:00 p.m. on Sunday.

There being no further comments, Mayor Fulkerson closed the Public Hearing at 6:28 p.m.

A motion was made by Council Member Byrne, seconded by Council Member Minnick to approve CUP-22-004 with the condition that no alcohol sales would be permitted before 2:00 p.m. on Sunday. The motion carried unanimously (5-0).

- 9.2. Hold a public hearing and take possible action regarding case CUP-22-005, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 2600 FM 3237, Wimberley, Hays County, Texas. (*Applicant: Max & Kathryn Saballett*)

Consideration for this item is unnecessary this evening. The applicant withdrew their request.

10. DISCUSSION AND POSSIBLE ACTION

- 10.1. Discuss and consider possible action to approve Ordinance 2022-07, amending Chapter 6 - Fire Prevention and Protection by renaming it Emergency Services and to create the Wimberley Marshal's Office, providing for the general authority, duties and responsibilities of the City Marshal and deputies employed by the department; providing a repealing clause; providing a severability clause; and providing an effective date. (*Mike Boese, City Administrator*)

Mike Boese, City Administrator, explained the ordinance and requirements needed to create the Marshal's Office. He stated this position has already been budgeted for FY2022. He stated the Marshal Department would not be a full service police department, but would be dispatched primarily for City Ordinance violations. The Hays County Sheriff's Office would still be the primary responding agency for calls. Mr. Boese stated he spoke with the dispatch team for Hays County and discussed the polices and procedures they would use to utilize our marshal. This department will not be a 24/7 department but will assist with enforcement of ordinances and traffic safety in the City. This position is more about community policing and building relationships and not just enforcement.

A motion was made by Council Member Minnick, seconded by Council Member Minnick to approve Ordinance 2022-07. The motion carried unanimously (5-0).

- 10.2. Discuss and consider possible action regarding Ordinance No. 2022-08, amending Chapter 2 Administration and Personnel, Article 2.04 - Boards, Commission, and Committees, Section 2.04.001 - Transportation Advisory Board, Subsection (D) and (E) of the Wimberley City Code of Ordinances in order to revise appointments and terms; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice. (*City Secretary, Tammy Cook*)

Tammy Cook, City Secretary, stated this proposed ordinance and the subsequent five items will clean up language within the code of ordinances, creating a consistency of term start and end dates for all boards and committees.

A motion was made by Council Member Bryne, seconded by Council Member Chiles to approve Ordinance 2022-08, as presented. The motion carried unanimously (5-0).

- 10.3. Discuss and consider possible action regarding Ordinance No. 2022-09, amending Chapter 2 Administration and Personnel, Article 2.04 - Boards, Commission, and Committees, Section 2.04.003 - Parks and Recreation Board, Subsection (D) and (E) of the Wimberley City Code of Ordinances in order to revise appointments and terms; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice. (*City Secretary, Tammy Cook*)

A motion was made by Council Member Chiles, seconded by Council Member Bryne to approve Ordinance 2022-09, as presented. The motion carried unanimously (5-0).

- 10.4. Discuss and consider possible action regarding Ordinance No. 2022-10, amending Chapter 2

Administration and Personnel, Article 2.04 - Boards, Commission, and Committees, Section 2.04.005 - Hotel Occupancy Tax Advisory Committee of the Wimberley City Code of Ordinances; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice. *(City Secretary, Tammy Cook)*

A motion was made by Council Member Minnick, seconded by Council Member Shell to approve Ordinance 2022-10, as presented. The motion carried unanimously (5-0).

- 10.5.** Discuss and consider possible action regarding Ordinance No. 2022-11, amending Chapter 2 Administration and Personnel, Article 2.07 Code of Ethics, Section 2.07.009 - Ethics Review Commission, Subsection (B) of the Wimberley City Code of Ordinances in order to revise term dates; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice. *(City Secretary, Tammy Cook)*

A motion was made by Council Member Cohen, seconded by Council Member Chiles to approve Ordinance 2022-11, as presented. The motion carried unanimously (5-0).

- 10.6.** Discuss and consider possible action regarding Ordinance No. 2022-12, amending Chapter 9 Planning and Development Regulations, Article 9.03 Zoning, Division 7 Administration and Enforcement, Section 903.253 - Planning and Zoning Commission, Subsection (B) of the Wimberley City Code of Ordinances in order to revise the appointment process and term dates; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice. *(City Secretary, Tammy Cook)*

A motion was made by Council Member Bryne, seconded by Council Member Shell to approve Ordinance 2022-12, as presented. The motion carried unanimously (5-0).

- 10.7.** Discuss and consider possible action regarding Ordinance No. 2022-13, amending Chapter 9 Planning and Development Regulations, Article 9.03 Zoning, Division 7 Administration and Enforcement, 903.254 - Board of Adjustment, Variances, and Appeals, Subsection (B) of the Wimberley City Code of Ordinances in order to revise the appointment process of members and alternate members and to establish term dates; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice. *(City Secretary, Tammy Cook)*

A motion was made by Council Member Cohen, seconded by Council Member Bryne to approve Ordinance 2022-13, as presented. The motion carried unanimously (5-0).

- 10.8.** Discuss and consider possible action regarding Resolution No. 14-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 12), providing for the transfer of funds within the Hotel Occupancy Tax - Unobligated Fund Balance to the Hotel Occupancy Tax Fund Account Number 205-15-6135 Tourism Director (Salary & Wages) and the transfer of funds within the General Tax Fund - Unobligated Fund Balance to the General Tax Fund Administration Account Number 100-15-6140 Administrative Services Coordinator (Salary & Wages) and providing an effective date. *(Mike Boese, City Administrator)*

This budget amendment funds the recently approved Tourism Director for the remainder of this fiscal year. A motion was made by Council Member Cohen, seconded by Council Member Byrne to approve Resolution No. 14-2022. The motion carried unanimously (5-0).

- 10.9.** Discuss and Consider approval of the following appointments/re-appointments to the Economic Support and Development Committee, set terms, and select chair and vice chair:
Josh Smith - term expires June 30, 2023
Molly Bowen - term expires June 30, 2023
Helena Hauk - term expires June 30, 2023
Chris Oddo - term expires June 30, 2023
Russ Whisler - term expires June 30, 2023

Phil Collins - term expires June 30, 2023
Clay Ewing - term expires June 30, 2022
Buck Baccus - term expires June 30, 2022
Steve Klepfer - term expires June 30, 2022

A motion was made by Council Member Cohen, seconded by Council Member Minnick to approve the appointments to the Economics Support and Development Committee as presented. The council agreed to allow the committee to determine which two members would extend their terms by one year. An item will be brought back at a future date to appoint the chair and vice-chair of the committee.

The motion to approve carried unanimously (5-0).

11. CITY COUNCIL REPORTS

11.1. Announcements

City Administrator, Mike Boese reminded Council of the Workshop that will be held on July 8, 2022. Mayor Fulkerson reminded everyone of the State of the City on July 20, 2022. She also stated the Park/Restroom grand opening will be on a date yet to be determined, but likely in August or September. Council Member Shell mentioned the Parade Float Decorating on July 1, 2022. City Secretary, Tammy Cook reminded everyone of the 2022 Hog Wild Government Seminar occurring on July 29th at the Schertz Civic Center.

11.2. Future agenda items

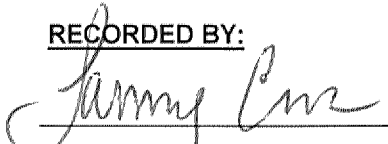
Economic Support and Development Committee Chair and Vice-Chair appointment.

City Administrator update on wastewater.

12. ADJOURNMENT

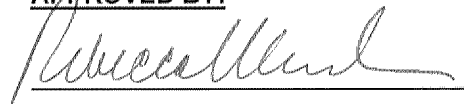
A motion was made by Council Member Byrne, seconded by Council Member Cohen to adjourn the Regular City Council meeting at 7:07 p.m. The motion carried unanimously (5-0).

RECORDED BY:



Tammy Cook, City Secretary

APPROVED BY:



Rebecca Minnick, Mayor Pro Tem

