

CITY COUNCIL MEETING (CYJ)
August 09, 2023; 6:30 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco Called the Meeting to Order at 6:34P.

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

Mayor Jeff Rasco
Mayor Pro Tem Brent H. Pulley
Councilmember Linnea R. Bailey
Councilmember Chrys Grummert
Councilmember Bob Hambrick
Councilmember Debra Hines

STAFF PRESENT

City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie
City Attorney, Roger Gordon

PUBLIC COMMENTS

Public Comments were offered.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Commission Liaison.

Commission has made a Recommendation on Above Ground Pools and will meet in February 2024 to begin bi-annual review of the City's Comprehensive Plan.

Report by Ordinance Review Committee Liaison.

Committee did not meet in August. Items 15 and 16 in the packet are follow-up from the last report.

Report by Parks and Recreation Board Liaison.

Parks were cleaned up. Fence at Creekside Park has been erected and the playscape has been ordered. The Triangle is in the process of placing the concrete pad for the gazebo.

Report by Platinum Roads Panel Liaison.

Roads have been a combined Community effort and the City was able to benefit from an equitable package, further assisted by the passing of the Bond.

Report by Tree Board Liaison.

Board will have an Arbor Day Event at the Triangle on November 4, 2023, with an Oak Wilt presentation by Karl Flocke and they have questions about budget restraints. Board will be discussing Oak Wilt in public areas at its next meeting.

Report by City Manager.

City-Wide Garage Sale was July 8th and 9th and it was a huge success. Notice has been sent out about 2024 event. July 15th was Bulk Pick-Up. Waste Connections brought in 4 trucks that picked up 10 tons of materials. The next week was Annual Brush Pick-Up was completed week of July 24th. City Hall will be closed for Labor Day. Next City Council Meeting on August 23rd is at CYJ with a Budget Meeting at 4:30P. Parks Projects are in progress. September 10th will be Woodcreek Fun Day at CYJ from 12P-2P - their pool will be open. Thanked CYJ as a partner with the City.

CONSENT CALENDAR

Council Member Grummert made a motion to move items 1 and 3 out of the Consent Agenda into the Regular Agenda. Motion was seconded by Council Member Hines.

No action was taken on this item.

1. **Approval of Financial Statements for June 2023.** (Rule)
Item was removed from Consent Agenda, discussed after Item 14 was addressed, and before Special Orders.
2. **Submission of the Calculated FY 2023-2024 Property Tax Rates to City Council.** (Rule)
Motion was made by Council Member Grummert to approve Consent Agenda items 2 and 4. Motion was seconded by Council Member Hines.

A roll call was taken.

Voting Yea: Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines.

Motion Passed: 5-0-0.

3. **Approval of Minutes from June 20, 2023 Special City Council Meeting.**
Item was removed from Consent Agenda, discussed after Item 14 was addressed, and before Special Orders.
4. **Approval of Minutes from July 12, 2023 Regular City Council Meeting.**
Item approved with item #2, above.

**** Motion and Discussion occurred from 6:18P – 6:26P**

Motion was made by Council Member Grummert that Council take up item 14 first, as it could possibly affect the ability of Council being able to address issues on this agenda and I additionally respectfully request to move items 6 through 9, and 13, to the end of the agenda. Motion was seconded by Council Member Hines.

An amended motion was made by Council Member Grummert to remove the second part of his motion and have main motion focus entirely on item 14.

Council Member Grummert withdrew his amended motion at 6:53P.

14. **Discuss and Take Possible Action to Consider the Amendment of Rule 1(C), Rule 1(D), and Rule 7(Majority Requirement) of the Resolution 2023-07-12-02, an Amendment of, the Rules of Procedure for the Conduct of Council Meetings.** (Pulley / Grummert)

**** Motions and Discussion occurred from 6:27P – 7:03P**

Motion was made by Council Member Grummert to amend previously adopted Resolution 2023-07-12-02, as represented in the seconded copy of the resolution in the packet beginning on page 96. Motion was seconded by Council Member Hines.

A roll call was taken.

Voting Yea: Council Member Grummert, Council Member Hines

Voting Nay: Mayor Pro Tem Pulley, Council Member Bailey, Council Member Hambrick

Motion Failed: 5-0-0.

Motion was made by Council Member Grummert to amend, additionally, by adding “or make changes to the items submitted”, inserted after “postpone placement of the requested item” into the sentence at the top of page 97 of the packet of this Resolution. Motion was seconded by Council Member Hines.

A roll call was taken.

Voting Yea: Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley

Motion Passed: 5-0-0.

[NOTE: As a result of failure of main motion, amendment also fails]

Motion was made by Mayor Pro Tem Pulley to amend Rule 1, Section (C) of previously amended Resolution 2023-07-12-02, in accordance with the redlined portion of the packet [page 93]; amend the last sentence to say “...Mayor or City Manager...”; add “or make changes to items submitted” after “postpone placement” in the previous sentence; and add in Rule (D) at the end of the sentence “at the discretion of the mayor”. Motion was seconded by Council Member Hines.

Council Member Grummert made a friendly amendment, accepted by Mayor Pro Tem Pulley, that the language “amend previously adopted” be added to his motion.

A roll call was taken.

Voting Yea: Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert

Motion Passed: 5-0-0.

1. **Approval of Financial Statements for June 2023. (Rule)**

Motion was made by Council Member Grummert that Council request the City Manager a written report itemized with the dates regarding line item 8900.25, 2023 Ice Storm be placed on the next Council Agenda. Motion was seconded by Council Member Hines.

A roll call was taken.

Voting Yea: Council Member Hines, Council Member Grummert

Voting Nay: Council Member Bailey, Council Member Hambrick, Mayor Rasco

Motion Failed: 2-3-1.

Motion was made by Council Member Grummert to approve Financial Statements for June 2023. Motion was seconded by Council Member Hines.

A roll call was taken.

Voting Yea: Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines

Motion Passed: 5-0-0.

3. **Approval of Minutes from June 20, 2023 Special City Council Meeting.**

Motion was made by Council Member Grummert to correct the language on item 14 of the minutes on page 42 of the packet that the motion passed. Motion was seconded by Council Member Hines.

A roll call was taken.

Voting Yea: Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines

Motion Passed: 4-0-1.

Agenda Continued, as written at 7:12P

REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES – None

SPECIAL ORDERS

5. **Discuss and Take Possible Appropriate Action to Consider the Approval of a Special Use Permit for 11 Overbrook Court. (Rule)**

Motion was made by Council Member Hines to approve the permit. Motion was seconded by Mayor Pro Tem Pulley.

A roll call was taken.

Voting Yea: Council Member Grummert, Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey

Motion Passed: 5-0-0.

6. **Discuss and Take Possible Action to Order An Election of the City of Woodcreek City Council Positions of Mayor and Two Council Members in the November 7, 2023 General Election. (Rule)**

Motion was made by Council Member Hines to order and election of the City of Woodcreek City Council positions of Mayor and Two Council Members in the November 7, 2023 General Election. Motion was seconded by Council Member Bailey.

A roll call was taken.

Voting Yea: Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert

Motion Passed: 5-0-0.

7. **Discuss and Take Possible Action to Consider the Adoption of the 2023 Hays County Joint Election Agreement for the November 7, 2023 General Election. (Rule)**

Motion was made by Council Member Hines to adopt the 2023 Hays County Joint Election Agreement for the November 7, 2023 General Election. Motion was seconded by Council Member Bailey.

A roll call was taken.

Voting Yea: Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert, Council Member Hambrick

Motion Passed: 5-0-0.

8. **Discuss and Take Possible Action to Approve the 2023 Budget and Elections Calendar.** (Rule)

Motion was made by Council Member Hines to approve the 2023 Budget and Elections Calendar. Motion was seconded by Council Member Bailey.

A roll call was taken.

Voting Yea: Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines

Motion Passed: 5-0-0.

UNFINISHED BUSINESS AND GENERAL ORDERS – None

NEW BUSINESS

9. **Discuss and Take Possible Action on the Platinum Roads Panel Vendor Recommendation for the 2023 Woodcreek Roads Project.** (Rule)

Motion was made by Council Member Bailey that City Council approve Alpha Paving as contractor for the 2023 Woodcreek Roads Project, in an amount not to exceed \$2,645,250. Motion was seconded by Council Member Grummert.

A roll call was taken.

Voting Yea: Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley

Motion Passed: 5-0-0.

10. **Discuss and Take Possible Action to Consider Candidate Recommendation to Fill the PT Code Administrator Position.** (Rasco/Rule)

Motion was made by Council Member Hines to approve the consideration of applicant to fill the Code Administrator Position. Motion was seconded by Mayor Pro Tem Pulley.

A roll call was taken.

Voting Yea: Council Member Grummert, Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey

Motion Passed: 5-0-0.

11. **Discuss and Take Possible Action to Approve the Application of Cheryl Mills as an Alternate Member of the Tree Board.** (*Pulley*)

Motion was made by Mayor Pro Tem Pulley to accept Cheryl Mills as an Alternate Member of the Tree Board. Motion was seconded by Council Member Hines.

A roll call was taken.

Voting Yea: Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert

Motion Passed: 5-0-0.

12. **Discuss and Take Possible Action to Consider A Donation To The Wimberley Village Library to Assist with Renovations.** (*Rasco*)

Motion was made by Council Member Grummert to approve Mayor Rasco's recommendation that Council consider a donation of \$5,000 to the Wimberley Village Library.

A roll call was taken.

Voting Yea: Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert, Council Member Hambrick

Motion Passed: 5-0-0.

13. **Discuss and Take Possible Action to Update the City of Woodcreek Master Fee Schedule.** (Rule)

Motion was made by Council Member Grummert that City Staff create a draft Master Rate Schedule using current policies, ordinances and State Code and bring us back a draft resolution to Council for approval. Motion was seconded by Council Member Bailey.

Clarification was provided that Council was being given the opportunity to add a currently non-existent fee to the schedule for Short-Term Rentals, with a complete analysis of the document to be done next year.

Council Member Grummert withdrew his motion at 8:44P.

Motion was made by Council Member Hines that City Manager Rule update our Master Rate and Fee Schedule to assess an annual Short-Term Rental Annual Permit Fee of \$1,000. Motion was seconded by Council Member Grummert.

An amended motion was offered by Mayor Pro Tem Pulley to amend the Fee to \$2,500. Motion was seconded by Council Member Hines.

A roll call was taken on the amendment.

Voting Yea: Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley

Motion Passed: 5-0-0.

A roll call was taken on the main motion.

Voting Yea: Mayor Pro Tem Pulley, Council Member Grummert, Council Member Hines
Voting Nay: Council Member Bailey, Council Member Hambrick

Motion Passed: 3-2-0.

14. **Discuss and Take Possible Action to Consider the Amendment of Rule 1(C), Rule 1(D), and Rule 7(Majority Requirement) of the Resolution 2023-07-12-02, an Amendment of, the Rules of Procedure for the Conduct of Council Meetings.** (Pulley / Grummert)

Item was moved up in agenda discussion, before Special Orders.

At the request of Council Member Bailey, and polled for objections by Mayor Rasco, item 16 was moved up for earlier discussion in the agenda.

16. **Discuss and Take Appropriate Action on Authorizing the Ordinance Review Committee to Review and Provide a Report for Suggested Updates on All Existing Parking Ordinances.** (Hines)

Motion was made by Council Member Hines to recommend that Council direct the Ordinance Review Committee to pick up Parking throughout the Code of Ordinances for review and possible report. Motion was seconded by Council Member Grummert.

An amendment was made by Council Member Hines to write, "with exception of zoning" at the end [of her main motion]. Motion was seconded by Council Member Grummert.

A roll call was taken on the amendment.

Voting Yea: Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert

Motion Passed: 5-0-0.

A roll call was taken on the main motion.

Voting Yea: Council Member Grummert, Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey

Motion Passed: 5-0-0.

15. **Discuss and Take Appropriate Action on Updating the City of Woodcreek Code of Ordinances at Title III: Administration, Chapter 30: Officials, Employees, and Organizations, Ordinance Review Committee. (Hines)**

Motion was made by Council Member Hines recommending that Council approve the Ordinance update adjusting the duties and meetings section of the Ordinance Review Committee portion of the City of Woodcreek Code of Ordinances to allow them more autonomy and authority over their committee proceedings and agendas. No second was offered.

An amended motion was made by Council Member Hines to add “with the exception of Zoning” [at the end of the highlighted revision proposal to the Ordinance 22-298-1, under 30.74 “Duties and Meetings”]. Motion was seconded by Council Member Grummert.

A second amended motion was made by Council Member Hines to replace “Officer” anywhere in the document [it appears] and replace it with “Chairperson”. [Ordinance 22-298-1, under 30.75 “Officers”]

A roll call was taken on the second amendment.

Voting Yea: Council Member Grummert, Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey

Motion Passed: 5-0-0.

A roll call was taken on the first amendment.

Voting Yea: Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley

Motion Passed: 5-0-0.

A roll call was taken on the main motion.

Voting Yea: Council Member Grummert, Council Member Hines

Voting Nay: Mayor Pro Tem Pulley, Council Member Bailey, Council Member Hambrick

Motion Failed: 2-3-0.

ANNOUNCEMENTS – None

ADJOURN

Mayor Rasco Adjourned the Meeting at 9:19P.

Jeff Rasco, Mayor

Suzanne MacKenzie, City Secretary

DRAFT