

CITY COUNCIL MEETING
October 12, 2022; 6:30 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco called the meeting to order at 6:30PM.

ROLL CALL and ESTABLISH QUORUM

PRESENT

Mayor Jeff Rasco
Mayor Pro Tem Aurora LeBrun
Councilmember Chrys Grummert
Councilmember Debra Hines
Councilmember Joe Kotarba
Councilmember Brent H. Pulley

STAFF PRESENT

City Secretary, Suzanne Mac Kenzie
Administrative Assistant, Maureen Mele
City Attorney, Bud Wymore

PUBLIC COMMENTS

Public Comments were offered by John Epley and Bob Hambrick.

John Epley: Agenda Items #9, #11

Bob Hambrick: Agenda Items #4, #6, #8

CONSENT AGENDA

1. **Proclamation Celebrating the Woodcreek Arbor Day Event on October 4, 2022 at Camp Young Judaea from 3PM - 5PM.**
2. **Approval of City Council Meeting Minutes from September 14, 2022.**
3. **Approval of Financial Statements for July 2022.**

Mayor Rasco made a Point of Privilege to present the Arbor Day Proclamation to the Tree Board: Vice-Chair Monica Rasco and Member Dorothy Tasian. (6:26)

Member Hines requested to pull Item Number 3 from the Consent Agenda (financial statements). (7:37)

Motion was made by Councilmember Pulley to approve the Consent Agenda Item Numbers 1 and 2. (7:35) Motion was seconded by Councilmember Kotarba.

A roll call vote was held.

Voting Yea: Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines, Councilmember Hines, Councilmember Kotarba, Councilmember Pulley

The motion was carried with a 5-0-0 vote.

Discussion of Consent Agenda Item Number 3 was held on Budget Line Items: 6000.50, 6000.20 and 9077. Mayor Rasco stated that the City is still closing its end of year books for the Fiscal Year and the totals will change.

Motion was made by Councilmember Hines to approve the July Financial Statements, with a look at the Law Enforcement Line Item. Motion was seconded by Councilmember Grummert. (16:43)

A roll call vote was held.

Voting Yea: Councilmember Grummert, Councilmember Hines, Councilmember Hines, Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun

The motion was carried with a 5-0-0 vote.

REGULAR AGENDA

4. **Presentation of the "Spirit of Woodcreek Award" to Jane Little and To Her Team. (Pulley)**

Jane Little introduced each member of the team, the "Weeders of Woodcreek" who participate in the maintenance of Veterans Park and the entrance to the City of Woodcreek and have been working together for about 3 years.

6:49PM. Mayor Rasco recessed the meeting to go outside and take pictures of the entire team holding the award.

6:55PM. Mayor Rasco re-adjourned the meeting.

5. **Announcement: There is A New Farmer's Market Held Every Thursday 2pm to 6pm at the Corner of RR12 and Winter's Mill Parkway. (Grummert)**

Mayor Jeff Rasco announced the new Farmer's Market at the corner of RR12 and Winter's Mill Parkway.

6. **Announcement: A Town Hall To Discuss The Upcoming Bond Election Will Be Held on Tuesday, October 18, 2022, at 6PM; Definitive Location (VFW or CYJ) Will Be Announced, Once Confirmed. (Rasco)**

Mayor Jeff Rasco made the announcement that the Town Hall for the Bond Election will be held at the VFW on Wednesday, October 18, 2022 at 5:30PM.

Discussion that according to Statute, the Bond is actually a 40 year bond. In the Bond Ordinance document, Exhibit C, the 20 year term listed is an assumption on the life of the roads and was used as a guide for pay-off using estimated interest rates. (28:15)

7. **Discuss and Take Appropriate Action On Naming Becky Denton As An Alternate Member of the Parks and Recreation Board. (Rasco)**

Motion was made by Councilmember Pulley to name Becky Denton as an alternate member of the Parks and Recreation Board. (32:45) Motion was seconded by Councilmember Grummert.

A roll call vote was held.

Voting Yea: Councilmember Hines, Councilmember Hines, Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert

The motion was carried with a 5-0-0 vote.

8. **Direct Staff, In Coordination With the Ordinance Review Committee, To Prepare A Request for Proposals (RFP) Seeking A Contract For Part-Time Services From A Qualified Compliance Officer. (LeBrun)**

Motion was made by Mayor Pro Tem LeBrun to approve the recommendation of the item; that in coordination with the Staff and the Ordinance Review Committee, prepare and seek the part-time services of a qualified Compliance Officer not to exceed an hourly rate of \$20.00 per hour and not to exceed \$8,000 for the Fiscal Year 2022-2023, including wages and mileage. (34:06) Motion was seconded by Councilmember Pulley.

Discussion was held on the Compliance Officer Qualifications; including consideration and research of Compliance Officer Groups/Pool.

Councilmember Hines presented a list of suggested qualifications for the job description:

Compliance Officer shall work less than 15 hours per week; Implement verification process for citations and letters; Citation letters will include picture of violation, citation of code violated and a description of resident response; Attend annual de-escalation and customer service training; Submit monthly reports on citation and warning letters; Code enforcement training completed within one year; Create a formal complaint process for residents; Compliance Officer shall not attend Council meetings; Compliance Officer shall not perform other non-code related work.

Motion was made by Councilmember Grummert to amend the original motion to include the list before sending this item to the Ordinance Review Committee. (44:11) Motion was seconded by Councilmember Hines.

A roll call vote was held on the amended motion.

Voting Yea: Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines

The motion was carried with a 5-0-0 vote.

A roll call vote was held on the main motion.

Voting Yea: Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines, Councilmember Kotarba

The motion was carried with a 5-0-0 vote.

9. **Request that the City of Woodcreek Tree Board, in Coordination with City Staff and the Board's Council Liaison, Develop A Draft Request for Proposals (RFP) for the Services of a Part-Time Arborist. Once Completed, the Draft to be Presented to City Council for Review and Approval. (LeBrun)**

Motion was made by Mayor Pro Tem LeBrun for Council to approve the request that the City of Woodcreek's Tree Board develop a draft RFP, in coordination with City Staff, and with the oversight of the Council's Liaison for a Part-Time Arborist, that would not exceed eight(8) hours per week, with a maximum expenditure of \$9,500 for 2022-2023 that would include mileage reimbursement. Draft of the RFP would be presented to Council for review and approval. (45:50) Motion was seconded by Councilmember Grummert.

Discussion was held on outlining the duties and responsibilities of the Part-Time Arborist. Discussion was held on whether the arborist who responded to resident can obtain a job without creating a conflict of interest.

An amended motion was made by Councilmember Grummert have the list of RFQ suggestions and questions sent to Councilmember Pulley, as the Liaison, and forwarded to the Tree Board, to be included in the RFP document. (1:03)
The motion was seconded by Mayor Pro Tem LeBrun.

A roll call vote was held on the amended motion.

Voting Yea: Councilmember Grummert, Councilmember Hines, Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun

The motion was carried with a 5-0-0 vote.

A roll call vote was held on the main motion.

Voting Yea: Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines, Councilmember Kotarba, Councilmember Pulley

The motion was carried with a 5-0-0 vote.

10. **Discuss and Take Appropriate Action On A Recommendation That, Upon the Hiring of A City Manager, Staff Review Contracts and Agreements for Professional Services in Effect For 3 Years or Longer, Including But Not Limited to Legal Services, Bookkeeping/Accounting, and Information Technology, Including Development A Request For Qualifications (RFQ) Covering These Services. (LeBrun)**

Motion was made by Mayor Pro Tem LeBrun that Council accept the recommendation that upon the hiring of a City Manager, will direct staff to review contracts and agreements for professional or technical services that have been in effect for three(3) years, or more. (1:09) Motion was seconded by Councilmember Grummert.

Discussion of the document being an RFQ, not an RFP, that would enable the City to find out what companies are in the area that are qualified to perform the services needed (i.e. IT, Legal). This is an opportunity for the City to improve and get the best the services. There are changes in Staff and Council occurring and this is a good time to review contracts that have not been reviewed recently. This process should become part of the Council's regular review process moving forward.

An amended motion was made by Councilmember Hines to begin this process in January 2023. (1:16) The motion was seconded by Councilmember Grummert.

A roll call vote was held on the amended motion.

Voting Yea: Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines,

The motion was carried with a 5-0-0 vote.

A second amended motion was made by Mayor Pro Tem LeBrun that upon the hiring of the City Manager and an appropriate time for orientation, the City Manager, with support from staff, begin the review of professional and technical services contracts that have been in effect for three(3) years or more and this shall begin no sooner than January 2023. (1:19)

Motion was seconded by Councilmember Grummert.

A roll call vote was held on the second amended motion.

Voting Yea: Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines, Councilmember Kotarba

The motion was carried with a 5-0-0 vote.

A roll call vote was held on the main motion.

Voting Yea: Councilmember Hines, Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert

The motion was carried with a 5-0-0 vote.

11. Discuss and Take Appropriate Action on Sharing Costs on Safety Improvements on the Path Between Woodcreek and Mountain Crest at the Northern Intersection of Brookhollow and Augusta Drives, With Woodcreek's Share Not to Exceed \$600.00. (Rasco)

Motion was made by Councilmember Grummert for Council to approve the sharing of costs of safety improvements on the path between Woodcreek and Mountain Crest at the northern intersection of Brookhollow and Augusta Drives, with Woodcreek's share not to exceed \$600.00. (1:21) Motion was seconded by Councilmember Hines.

Discussion was held on the history of the property and a recount of the discussion with Keith, at Mountain Crest, to provide receipt(s) for the work completed, of which the City of Woodcreek will reimburse the costs, not to exceed \$600.

A roll call vote was held.

Voting Yea: Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines, Councilmember Kotarba, Councilmember Pulley

The motion was carried with a 5-0-0 vote.

12. Discuss and Take Appropriate Action on a Request from the Parks Board of Spending up to \$400. from the 2022-2023 budget for a Friends of Woodcreek Parks Recognition Award. (Grummert)

Motion was made by Councilmember Grummert to approve the Parks Board to spend up to \$400 for a Woodcreek Parks Recognition Award from the 2022-2023 budget. (1:29) Motion was seconded by Councilmember Pulley.

Discussion was held that this award was inspired by the "Spirit of Woodcreek Award" and will be a recurring award throughout the year.

A roll call vote was held.

Voting Yea: Councilmember Grummert, Councilmember Hines, Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun

The motion was carried with a 5-0-0 vote.

13. Discuss and Take Appropriate Action on Approving the Updated Parks Board Budget for the Spooktacular Event being Held Sunday, October 30th, 2022. (Grummert)

Motion was made by Councilmember Grummert that Council approves the updating of the Spooktacular budget of \$2,250 for the 2022-2023 budget, creating a total Spooktacular budget of \$3,250. (1:32) Motion was seconded by Councilmember Hines.

A roll call vote was held.

Voting Yea: Councilmember Hines, Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert

The motion was carried with a 5-0-0 vote.

14. Discuss Increasing the City of Woodcreek Hotel Occupancy Tax Rate Currently Set at Zero Percent. (Grummert)

Discussion that the City of Wimberley has a HOT Tax of 7%. There is an opportunity for the City of Woodcreek to reinstate its HOT Tax, as long as the monies raised comply with the list of revenue uses approved by the Texas State Comptroller, listed on page 77 of the packet. The City of Woodcreek could create a "Bring Art to the Parks" project to improve tourism or use the monies to contribute to the Wimberley Trails Project for the areas of the trail that come through the City.

15. Report from the Ordinance Review Committee Followed by Discussion and Possible Action on the Woodcreek Code of Ordinances in Relation to Masonry Requirements and the Board of Adjustments. (Hines)

Report from Councilmember Hines regarding the progress of the Ordinance Review Committee regarding masonry requirements and the Board of Adjustment.

Motion was made by Councilmember Hines to direct Staff to remove the masonry requirement from Code everywhere the 55% specification is listed in the Ordinances and bring it into alignment with State Code. (1:52) Motion was seconded by Councilmember Grummert.

A roll call vote was held on the main motion.

Voting Yea: Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines,

The motion was carried with a 5-0-0 vote.

A motion was made by Councilmember Hines that Staff take City Attorney Bud Wymore's edits of the Board of Adjustments and implement them so we are in alignment with state code and would like to authorize an expenditure of no more than thirty(30) minutes to review the rest of the BOA. (1:58) Motion was seconded by Councilmember Grummert.

A roll call vote was held.

Voting Yea: Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert, Councilmember Hines, Councilmember Kotarba

The motion was carried with a 5-0-0 vote.

16. Discuss and Take Appropriate Action on the City of Woodcreek Social Media Policy (Draft). (Hines)

Motion was made by Councilmember Hines to discuss and take appropriate action on the City of Woodcreek Social Media Policy Draft. (2:01) Motion was seconded by Councilmember Grummert.

Discussion on the necessity and legality of having versus not having, or limiting public comments on social media pages for the City of Woodcreek. Concern was expressed by Mayor Rasco and Councilmember Pulley about the demand on staff/lack of staff. Further discussion of the site(s) being monitored and managed by the new City Manager with the permissibility of sharing of City posts by residents.

Mayor Rasco asked that this item be removed from consideration today and placed on the next agenda, with any adjustments to the draft document to be sent to Councilmember Hines. The item will be returned to the next meeting's agenda.

17. Discuss and Take Appropriate Action on the 2022 City of Woodcreek Comprehensive Plan Document and Consider Adopting the 2022 Woodcreek Comprehensive Plan by the Passage of the Ordinance Amending the City of Woodcreek Code of Ordinances at TITLE XV ("LAND USAGE"), CHAPTER 150 ("GENERAL PROVISIONS") at COMPREHENSIVE PLAN section 150.45 (ADOPTION). (Hines)

Motion was made by Councilmember Hines for Council to approve the 2022 City of Woodcreek Comprehensive Plan document and adopt the 2022 Woodcreek Comprehensive Plan by the passage of the Ordinance Amending the City of Woodcreek Code of Ordinances at Title XV ("Land Usage") Chapter 150 ("General Provisions") at Comprehensive Plan section 150.45 (Adoption). (2:24) Motion was seconded by Mayor Pro Tem LeBrun.

A motion was made by Councilmember Hines to amend the 2022 Comprehensive Plan to satisfy former Councilmember Judy Brizendine's comment to address strategy #2 Action Plan under "Fiscal", to change the "HOT" item wording to "create special restricted funds to promote community tourism and city-wide improvements within the parameters of the governing code". (2:26) Motion was seconded by Councilmember Grummert.

A roll call vote was held on the amendment.

Voting Yea: Councilmember Hines, Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun, Councilmember Grummert

The motion was carried with a 5-0-0 vote.

A roll call vote was held on the main motion.

Voting Yea: Councilmember Grummert, Councilmember Hines, Councilmember Kotarba, Councilmember Pulley, Mayor Pro Tem LeBrun

The motion was carried with a 5-0-0 vote.

18. Discuss and Take Appropriate Action on Accepting and Adopting the City of Woodcreek Comprehensive Plan. (Hines)

This item was a duplicate of Item number 17, above. Councilmember Hines withdrew this item. (2:24) No discussion or action was taken.

ADJOURN

Mayor Rasco adjourned the meeting at 9:02PM.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary