

CITY COUNCIL MEETING (CYJ)
April 12, 2023; 6:30 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco Called the Meeting to Order at 6:30P.

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 Attorney, Roger Gordon (via phone)
City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie

PUBLIC COMMENTS

Public Comments were offered.

CONSENT CALENDAR

1. **Approval of Regular City Council Meeting Minutes, February 8, 2023.**
2. **Approval of City Council Workshop Minutes, February 21, 2023.**
3. **Approval of Regular City Council Meeting Minutes, March 8, 2023.**

Motion was made by Member Hines to accept the minutes listed in the Consent Agenda.
Motion was seconded by Member Hambrick.

A roll call vote was held.

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

Motion Passed: 5-0-0.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Ordinance Review Committee Liaison.

Committee is working on Health and Sanitation; agenda item regarding direction is covered later.

Report by Parks and Recreation Board Liaison.

Next meeting is April 19. Earth Day Clean-Up will be done by Board and Volunteers at Augusta Park at 8A.

Report by Planning and Zoning Commission Liaison.

Chair Davenport will provide the Commission's Recommendation on Short Term Rentals.

Report by Platinum Roads Panel Liaison.

No useable bids were received for the Chip Seal Project. Lighter traffic streets will be included in the 2023 Woodcreek Roads Project RFP. Goal is to have a 20 year road, including a maintenance package.

The next meeting is April 13, a workshop with K.Friese; RFP is due on May 19

Report by Tree Board Liaison.

Board plans to participate in the Earth Day at the Triangle on April 22nd 9A-1P.

Tree Survey will be updated after the City Arborist has been hired.

Board will coordinate a walking event with Karl Flocke.

Members agree internally that after a member misses 3 meetings, their position is vacated. They have asked Council to review the Ordinance for Board creation.

Report by City Manager.

Roger Gordon is watching from home.

Earth Day information will be posted on City Website and in email blast.

Next Meeting is a Workshop on April 18th.

Thank you to the residents for attending the March 25th Emergency Preparedness Event.

The City Arborist RFP will be posted by next week.

Report by City Secretary. – No report provided.

4. *Report by H.O.T. Committee Liaison.*

City Manager Rule relayed that the recommendation of the committee was to leave the Hotel Occupancy Tax Rate at 0%. The committee voted to stay together and reassemble in one year.

SPECIAL ORDERS - None

UNFINISHED BUSINESS AND GENERAL ORDERS – None

NEW BUSINESS

City Manager Rule suggested that Item 14 be the next item to be address. Mayor Rasco agreed and reminded everyone about the speaking guidelines in Robert's Rules of Order.

14. Discuss and Take Appropriate Action on Removing the Prohibition of Above Ground Swimming Pools for the City of Woodcreek. (Grummert / Hines)

Motion was made by Member Hines to recommend to Council to accept the proposed changes to the Code of Ordinance by striking section 156.08 as it stands and incorporating the new proposed ordinance regulations. These would be sent to the Ad Hoc Workgroup for incorporation in the updated 156. (28:18) Motion was seconded by Member Grummert.

Public Comments was offered.

Reminder by Staff that Council has already accepted the 2015 International Swimming Pool and Spa Code for guidelines on in-ground and above-ground pool installation, chapters 7 and 8, respectively.

Member Hines' suggestions to change on the Above Ground Pool Permit:

- City Permit would be good for two years, with renewal and inspection every 2 years;
- Still subject to 100% Impervious Cover;
- Follow water use guidelines;
- Acknowledgement of acceptance 2015 International Swimming Pool and Spa Code;
- Safety equipment installation required;
- Fill up pool from water source outside of the City of Woodcreek;
- Decking and privacy screening encouraged;
- Inspections required for decking installation;
- Property value appraisal should not be affected – it would be considered to be like a
 playscape

Additional discussion on Above Ground Pools included responsibility of inspections, possibly establishing a resolution to establish a moratorium pending passage of ordinance.

Per the City Attorney, there is no such thing as a reverse moratorium, but the City has its own discretion. But could be fast-tracked if requested.

Staff provided dates for Planning and Zoning Meeting and incorporated dates for required publication and resident notification of a Public Hearing.

Amended motion was made by Member Hines to strike the Ad Hoc Workgroup, add Planning and Zoning, and ask Staff to discontinue prohibition of above ground pools. (48:10)

City Attorney stated that Council cannot direct Staff to not enforce an Ordinance.

Member Hines revised her Amended Motion to strike the Ad Hoc Workgroup, add Planning and Zoning instead. (50:07)

Member Grummert wanted to add an amendment to hold a Public Hearing. (50:17) City Manager Rule stated that a motion was not necessary to direct Staff to hold a Public Hearing and that Planning and Zoning is not required to use the language sent by Council.

The City Attorney and Staff reminded Council that the City is bound by state laws i.e. the Texas Administrative Code 265 and accepted 2015 International Swimming Pool and Spa Code. City Manager Rule stated that an Ordinance will be created with Member Hines' recommendations and sent to Planning and Zoning for consideration.

Additional discussion about water usage and best use of water resources.

Member Grummert stated that an item on the permit could be added asking where the water for the pool came from.

A roll call vote was called on the Amended Motion, without a second.

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

Motion Passed: 4-0-1.

A roll call vote was called on the Main Motion.

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

Motion Passed: 4-0-1.

5. **Presentation and Discussion on Plan of Finance by Stifel, with Guest Speaker Brad Angst.** (Rule) Presentation Time (1:00:31 – 1:43:46)
6. **Report from Planning and Zoning Chair Andy Davenport.** (Grummert) Presentation Time (1:44 – 2:17:18)

BREAK at 8:46P-8:57P

7. **Discuss and Take Possible Action Regarding Presentation on 2023 Winter Event and Future City Emergency Preparedness Suggestions.** (Rule) Presentation Time (2:28:30 – 2:44:46)

Recommendations include:

a. Emergency Operations Plan; b. Web Redesign with a phone app; c. Establish Neighbor 2 Neighbor Network; d. Establish Emergency Communication between City and Community Partners (Camp Young Judaea and Double J Ranch Golf Club) – These partners have large facilities that can offer food and shelter in a catastrophe; e. Establish a network of Emergency Responders in the City who have pick-up trucks for clean-up and delivery who would be provided training; f. Emergency Preparedness Fair suggests 3-day readiness for City Hall; g. Generator for City Hall; and h. Purchase of a City Vehicle, including a trailer.

Council Member Grummert requested an itemized cost of expenses for the 2023 Winter Event.

8. Executive Session Under Government Code 551.072, Deliberation Regarding Real Property.

Executive Session Opened at 9:25P ; Executive Session Closed at 9:54P

No action was taken.

9. Discussion on "La Rocca" with Possible Action to Follow. (Hines)

Motion was made by Member Hines to authorize Mayor Rasco, Staff and the City Attorney, Roger Gordon to enter into negotiations for real property with the Golf Course owner, Joe Gambino, of Double J Ranch. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 4-0-1.

10. Discuss and Take Appropriate Action on the Creation of a Storm Response Relief Program for Citizens. (Rule)

Summary provided by City Manager Rule that Staff was directed to use the Assistance@WoodcreekTX.gov address to reach out to the citizens of Woodcreek for feedback in creating a Disaster Financial Relief Program. Complete email sent to residents is available [HERE](#).

(<https://www.woodcreektx.gov/community/page/opinions-requested-new-assistance-program>)

Public Comment was read by Mayor Rasco.

Motion was made by Member Hines to direct Staff to send an email making a direct call to those residents who are in need of additional assistance. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

Voting Yea: Member Hines, Member Grummert

Motion Failed: 2-3-0.

11. Discuss and Take Appropriate Action on the City of Woodcreek's Emergency Management. (Grummert)

Motion was made by Member Grummert that Council create an Emergency Management Plan, distribute to appropriate officials, including Council, and do community outreach regarding hurricane preparedness between May 25th - May 31st, annually. Motion was seconded by Member Hines.

Mayor Rasco stated that City Manager Rule has a document in the works that he can adapt.

A roll call vote was called on the motion.

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

Motion Passed: 5-0-0.

12. Approval of Financial Statements for February 2023. (Rule)

City Manager Rule provided an explanation of the documents in the packet and with the recommendation of Mayor Rasco, will include a graph of the Sales Tax.

Discussion of Item 8900.30 (pg 163) and pg 161 (Comprehensive Plan); Transfer to Capital pg 158; the movement of the \$25,000 for the Community Development Block Grant; and the re-investment of unused funds.

City Manager Rule stated that he is working to get items coded correctly before several budget amendments will be completed.

Motion was made by Member Hines to approve the financials. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 5-0-0.

13. Discuss and Take Possible Action Regarding the Update of City Applications and Forms. (Rule)

City Manager Rule explained that this document was created by him and Interim City Attorney, Roger Gordon. It is an acknowledgement by people who are building that they have read and understand our Codes. It provides an opportunity to ask questions or ask for a Variance, if needed.

Discussion was held to revise the text "West Lake Hills" on page 184 and bold the definitions of letters A, B, C under the Instruction section on page 182.

A motion was made by Member Hines to approve this form. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 4-0-1.

Mayor Pro Tem Pulley left the meeting at 10:37P

15. Discuss and Take Possible Action on Providing New Direction to the Ordinance Review Committee. (Hines)

Member Hines asked that this item be moved to the Workshop (April 18th)

16. Discuss and Provide Direction to the Ad Hoc Work Group for Chapters 154+ and Designate Where the Committee Shall Send the First Packet of Completed Work. (Hines)

Member Hines asked that this item be moved to the Workshop (April 18th)

17. Discuss and Take Action on the 2023 Citizen Survey Results. (Hines)

Motion was made by Member Hines to approve and accept the Citizen Survey Results for Item 17. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 4-0-0.

18. Discuss and Take Action Providing Direction on the new Tree Trimming Application to Address Concerns Over Additional Requirements. (Hines)

Motion was made by Member Hines to discuss changes to the Tree Trimming Application procedure. Motion was seconded by Member Grummert.

Interim City Attorney Roger Gordon offered the information that a pre-emption bill (HB2127) may do away with tree regulations, if adopted as currently written.

City Manager Rule stated that the application was created according to Code, but agreed to change the word "branch" to "trunk". It was decided that this is a Staff document.

No action was taken.

19. Discuss and Take Appropriate Action to Accept an Edit the Oak Wilt Assistance Application. (Hines)

Motion was made by Member Hines to change the word "Available" to "Budgeted" on page 2 of the Oak Wilt Application. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 4-0-0.

20. Discuss and Take Appropriate Action to Amend The City of Woodcreek Code of Ordinances at Title VII ("TRAFFIC CODE"), Chapter 70 ("TRAFFIC SCHEDULES"), Schedule II ("STOP AND YIELD INTERSECTIONS"). (Hines)

Motion was made by Member Hines to add the amendment of staggered stop signs, per the amendments on pages 278 and 279 in the packet. Motion was seconded by Member Grummert.

Member Bailey asked that this item be moved to Workshop (April 18th) to have a thorough discussion.

A roll call vote was called on the motion.

Voting Yea: Member Grummert, Member Hines

Motion Passed: 2-2-0. Tie was broken by Mayor Rasco who voted in favor of the amendment.

ANNOUNCEMENTS - None

ADJOURN

Mayor Rasco Adjourned the Meeting at 11:17P.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary