

CITY COUNCIL MEETING (CYJ)
December 08, 2021; 2:00 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco called the meeting to order at 2:02 PM.

MOMENT OF SILENCE

A moment of silence was held.

PLEDGES

ROLL CALL

PRESENT

Mayor Jeff Rasco
Councilmember Judy Brizendine
Councilmember Debra Hines
Councilmember Aurora F. LeBrun
Councilmember Brent H. Pulley

STAFF PRESENT

City Manager Brenton B. Lewis
City Secretary Linda Land
City Attorney Bud Wymore
City Inspector Joe Tijerina
Administrative Assistant Maureen Mele

1. Recognition of Service to Mayor Gloria Whitehead and Councilmember Bob Hambrick

Mayor Rasco thanked outgoing Mayor Whitehead and Councilmember Hambrick for their service.

PUBLIC COMMENTS

Public comments were offered by: Ray Don Tilley, Bob Hambrick, and Suzanne Gordon.

CONSENT AGENDA

Councilmember Brizendine requested that agenda item 6 be pulled from the Consent Agenda to be considered separately.

- 2. Approval of Financial Statements for October 2021**
- 3. Approval of the City Council Minutes from November 10, 2021**
- 4. Approval of the City Council Minutes from November 12, 2021**
- 5. Approval of Mayor Rasco's 2022 Holiday Calendar for the City of Woodcreek**

Councilmember Pulley made a motion to approve the Consent Agenda without agenda item 6. The motion was seconded by Councilmember Hines.

After discussion, a roll call vote was held.

Voting Yea: Councilmember Brizendine, Councilmember LeBrun, Councilmember Hines, Councilmember Pulley

The motion carried with a 4-0-0 vote.

6. Consider Authorizing the Donation of \$5,000 to the Wimberley Village Library

Councilmember Brizendine made a motion to remove this agenda item from the Consent Agenda and put it as a Regular Agenda item in the future. This motion died for lack of a second.

Councilmember Hines made a motion to consider this item during the current meeting. The motion was seconded by Councilmember Pulley.

After discussion, a roll call vote was held.

Voting Yea: Councilmember Pulley, Councilmember LeBrun, Councilmember Hines

Voting Nay: Councilmember Brizendine

The motion carried with a 3-1-0 vote.

A motion was made by Councilmember Hines to authorize the donation of \$5,000 to the Wimberley Village Library. The motion was seconded by Councilmember Pulley.

After discussion, a roll call vote was held.

Voting Yea: Councilmember LeBrun, Councilmember Pulley, Councilmember Hines

Voting Nay: Councilmember Brizendine

The motion carried with a 3-1-0 vote.

REGULAR AGENDA

7. Discussion and Take Appropriate Action to Fill a Single Vacancy that Exists on the City Council of the City of Woodcreek by Appointment (until the next regular municipal election), Pursuant to Local Government Code Sec. 22.010

Mayor Rasco recommended the appointment of Chrys Grummert to fill the vacancy on the City Council.

Councilmember Pulley made a motion to approve Chrys Grummert to fill the vacancy on the City Council. The motion was seconded by Councilmember Hines.

After discussion, a roll call vote was held.

Voting Yea: Councilmember Hines, Councilmember LeBrun, Councilmember Pulley

Voting Nay: Councilmember Brizendine

The motion carried with a 3-1-0 vote.

8. Administering Oath of Office to Newly Appointed Councilmember

Mayor Rasco administered the Oath of Office for City of Woodcreek Councilmember to Chrys Grummert.

9. Discussion and Take Appropriate Action on the Election of a Mayor Pro Tem, Pursuant to Local Government Code Sec. 22.037(b)

Mayor Rasco recommended that Councilmember LeBrun be appointed as Mayor Pro Tem.

A motion was made by Councilmember Pulley that Councilmember LeBrun be appointed the Mayor Pro Tem. The motion was seconded by Councilmember Hines.

A roll call vote was held.

Voting Yea: Councilmember Pulley, Councilmember LeBrun, Councilmember Brizendine, Councilmember Hines, Councilmember Grummert

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

10. Discussion and Take Appropriate Action on a Resolution of the City Council of the City of Woodcreek, Texas Designating Authorized Signatures for the City of Woodcreek's Bank Accounts and Investment Vehicles

A motion was made by Councilmember Pulley to approve the Resolution. The motion was seconded by Councilmember Hines.

A roll call vote was held.

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

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

11. Discussion with Constable Precinct 3 Don Montague Regarding Law Enforcement and the Duties of the Constable within the City of Woodcreek

Constable Montague provided a history of the Woodcreek contract with the Constable's office and reported on current duties. Constable Montague answered questions about the contract and duties performed, such as providing a bailiff.

Mayor Rasco suggested pulling together a small committee to work on this contract with City Manager Lewis.

12. Discussion of a Possible Change in Zoning Classification, Including a Potential Zoning Overlay and/or Lot Subdivision Minimum of 1 Acre, for the Areas Described as Brook Meadow Section One; Brookmeadow Section 2; Brookmeadow Section 3; a Resubdivision of Brookmeadow Section 3, Lots 1 thru 35, 39 and 40; Brookmeadow, Section 4 a Subdivision of 15.98 Acres of Land out of the Ransom Weed Survey No. 63; Amended Plat of a Portion of Lot 19, Brookmeadow Section 4 Establishing Lot 19-A; Brookmeadow, Section 5 a Subdivision of 3.77 Acres of Land out of the Ransom Weed Survey No.63; Brookmeadow, Section 6 a Subdivision of 17.02 Acres out of the Ransom Weed Survey No 63; to the City of Woodcreek Planning and Zoning Commission Requiring One Acre or More Lot Sizes for New Development, Recommendation from the Planning and Zoning Commission of the City of Woodcreek

A motion was made by Councilmember Hines to discuss this agenda item. The motion was seconded by Councilmember Grummert.

Discussion was held.

Mayor Rasco requested an Executive Session to be held to discuss agenda items 12, 13, and

14. The Mayor also rearranged the agenda items to the following order:

15. Executive Session for the Purpose of Consultation with Legal Counsel Pursuant to Chapter 551.071 of the Texas Government Code

The first Executive Session began at 3:34 PM without Councilmember Pulley. The first Executive Session closed at 4:08 PM.

The second Executive Session included Councilmember Pulley and began at 4:09 PM. The second Executive Session ended at 4:59 PM.

Internet service was disrupted and no video recording occurred after the disruption. A separate audio recording was made beginning at this point of the meeting.

13. Discuss and Take Appropriate Action on CAUSE NO. 20-1401 BRENT H. PULLEY V. GLORIA WHITEHEAD, IN HER OFFICIAL CAPACITY AS MAYOR AND PRESIDING OFFICER FOR THE CITY OF WOODCREEK CITY COUNCIL, AND THE CITY OF WOODCREEK, TEXAS

A motion was made by Councilmember Hines to table this discussion. The motion was seconded by Councilmember Grummert.

A roll call vote was held.

Voting Yea: Councilmember Hines, Mayor Pro Tem LeBrun, Councilmember Brizendine, Councilmember Grummert

Abstaining: Councilmember Pulley

The motion carried with a 4-0-1 vote.

16. Discuss and Take Appropriate Action on a Resolution of the City Council of the City of Woodcreek, Texas Adopting Rules of Procedure for the Conduct of Its Meetings; And Repealing All Other Resolutions or Parts of Resolutions Inconsistent or in Conflict Herewith

A motion was made by Mayor Pro Tem LeBrun to table this agenda item. The motion was seconded by Councilmember Hines.

A roll call vote was held.

Voting Yea: Councilmember Grummert, Mayor Pro Tem LeBrun, Councilmember Hines, Councilmember Brizendine

Voting Abstaining: Councilmember Pulley

The motion carried with a 4-0-1 vote.

14. Discuss and take appropriate action on Short Term Rental (STR) ordinance and violations of the same

A motion was made by Councilmember Hines to direct city staff to work on the regulations and permit process for existing short-term rentals. The motion was seconded by Councilmember Grummert.

A roll call vote was held.

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

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

17. Discuss and Consider Taking Appropriate Action on Accepting Engagement Letter Naming Orrick, Herrington & Sutcliffe LLP as Bond Counsel for the City of Woodcreek

Information was provided by City Manager Lewis.

A motion was made by Mayor Pro Tem LeBrun to accept the engagement letter naming Orrick, Herrington & Sutcliffe LLP as Bond Counsel for the City of Woodcreek. The motion was seconded by Councilmember Brizendine.

After discussion, a friendly amendment was offered by Councilmember Pulley that the engagement letter be changed so that the firm can handle debt other than bonds. The amendment was seconded by Councilmember Grummert.

After discussion, Councilmember Pulley withdrew the friendly amendment.

A roll call vote was held.

Voting Yea: Mayor Pro Tem LeBrun, Councilmember Brizendine, Councilmember Hines

Voting Abstaining: Councilmember Pulley, Councilmember Grummert

The motion carried with a 3-0-2 vote.

18. Discuss and Take Appropriate Action on the Approval or Disapproval of Contractor's Application for Payment No. 01 From Alpha Paving Industries LLC for Woodcreek Drive Engineer's Project No: 0804

A motion was made by Mayor Pro Tem LeBrun to approve this payment. The motion was seconded by Councilmember Pulley.

After discussion, a roll call vote was held.

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

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

20. Discussion and Take Appropriate Action on a Recommendation from the Parks and Recreation Board to Set Up a Mechanism to Accept Donations for Park Related Expenditures

A motion was made by Councilmember Hines to recommend that the city set up a mechanism to accept donations to the Parks and Recreation Board. The motion was seconded by Councilmember Grummert.

After discussion, Councilmember Hines amended the motion to have the city set up a mechanism to accept monetary donations to the Parks and Recreation Board. The amendment was seconded by Councilmember Grummert.

A roll call vote was held.

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

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

19. Discussion and Take Appropriate Action on Referring to the Planning and Zoning Commission of the City of Woodcreek for Review and Recommendation on an Ordinance Addressing the Building Across Lot Lines and On Multiple Lots May be Allowed if (and only if) There is Unified Ownership (same ownership) of Adjacent Lots, and if There is Only One Primary Structure (single-family residential home) Presently Existing on One (and only one) of the Adjacent Lots with Unified Ownership

Mayor Rasco opted to consider agenda items 19, 22, and 23 as a group.

22. Discussion and Take Appropriate Action on Referring to the Planning and Zoning Commission of the City of Woodcreek for Review and Recommendation for Possible Amendments to the City of Woodcreek Code of Ordinances Title XV: - Land Usage. Chapter 156 - Zoning as it Relates to the Requirement of a Hard Surface Driveway Providing a Minimum of Three Off-Street Parking Spaces

This agenda item was grouped with agenda items 19 and 23.

23. Discussion and Take Appropriate Action on Referring to the Planning and Zoning Commission of the City of Woodcreek for Review and Recommendation for Possible Amendments to the City of Woodcreek Code of Ordinances Title VII: - Traffic Code. Schedule IV - City Parking and as it Relates to Title XV: - Land Usage Chapter 156 - Zoning - 156.059 Parking

Agenda items 19, 22, and 23 were discussed together.

Mayor Rasco suggested that these agenda item ordinances be referred to the Planning and Zoning Commission to be tweaked.

A motion was made by Councilmember Grummert to refer to the Planning and Zoning Commission agenda items 19, 22, and 23 for their review and recommendations. The motion was seconded by Councilmember Brizendine.

After discussion, a roll call vote was held.

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

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

21. Discussion and Take Appropriate Action on Referring to the Planning and Zoning Commission of the City of Woodcreek for Review and Recommendation on an Ordinance Amending TitleXV: - Land Usage . Chapter 155: - Subdivisions, Subsections 155.43, and 155.44 of the City of Woodcreek Code of Ordinances as it Relates to Single-Family Residential Lots and Lots Other Than Single Family Residential and Single-Family Lots Smaller than 12,000 Square Feet

A motion was made Councilmember Pulley to send the ordinance to the Planning and Zoning Commission for review. The motion was seconded by Councilmember Hines.

After discussion, a roll call vote was taken.

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

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

A Special City Council Meeting was requested by Councilmember Grummert to be held prior to the Christmas holidays. This was also requested by Councilmembers Hines and Pulley. No agenda items were offered.

ADJOURN

Mayor Rasco adjourned the meeting at 5:42 PM.

Jeff Rasco, Mayor

Linda Land, City Secretary