

SPECIAL CITY COUNCIL MEETING
December 22, 2021; 5:00 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco called the meeting to order at 5:00 PM.

MOMENT OF SILENCE

PLEDGES

ROLL CALL

PRESENT

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

ABSENT

Councilmember Judy Brizendine

STAFF PRESENT

City Manager Brenton B. Lewis
City Secretary Linda Land
City Attorney Bud Wymore
Office Administrator Maureen Mele

PUBLIC COMMENTS

A public comment was made by Ray Don Tilley.

REGULAR AGENDA

- 1. Discussion and Take Appropriate Action to Fill the Three (3) Expired Terms (Dec. 2021) on the Planning and Zoning Commission of the City of Woodcreek by Nomination of the Mayor and Appointment by the City Council (Hines)**

A motion was made by Councilmember Grummert to appoint Ray Don Tilley to the Planning and Zoning Commission. The motion was seconded by Councilmember Hines. The nomination was agreed to by Mayor Rasco.

After discussion, a roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

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

A motion was made by Mayor Pro Tem LeBrun to nominate Lydia Johns to the Planning and Zoning Commission as a Commissioner. The motion was seconded by Councilmember Grummert. The nomination was agreed to by Mayor Rasco.

After discussion, a roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Grummert to appoint Tomas Palm to the Planning and Zoning Commission. The motion was seconded by Mayor Pro Tem LeBrun. The nomination was agreed to by Mayor Rasco.

After discussion, a roll call vote was held.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

2. **Discuss and Take Appropriate Action on the City of Woodcreek Mayor's Advisory Ordinance Review Committee Becoming Subject to the Open Meetings Act and/or Creating Clear Directives for this Committee (Grummert)**

A motion was made by Councilmember Grummert that this agenda item be divided into topics: 1) that the Ordinance Review Committee be conducted under the Open Meetings Act, and 2) that clear directives would be given to the Committee. The motion was seconded by Councilmember Hines.

A roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

The motion carried with 4-0-0 vote.

A motion was made by Councilmember Grummert to create an Ordinance Review Committee subject to the Open Meetings Act. A discussion of the new process was held. Councilmember Grummert amended the motion to create a committee and make it subject to the Open Meetings Act.

After discussion, Councilmember Grummert withdrew all motions. After further discussion, Councilmember Grummert motioned to create an Ordinance Review Committee subject to the Open Meetings Act. The motion was seconded by Councilmember Pulley.

A roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

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

No action was taken on the topic of clear directives to be given to the Ordinance Review Committee.

3. **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 (Rasco)

A motion was made by Councilmember Grummert to approve with revisions the resolution edited by Councilmember Grummert and Mayor Pro Tem LeBrun beginning on page 27 in the meeting packet. The motion was seconded by Councilmember Hines.

A motion was made by Councilmember Grummert for Rule 4 to have "two-thirds" replace "the majority" to comply with Robert's Rules of Order. The motion was seconded by Councilmember Pulley.

Meeting Recess - 5:52 - Councilmember Pulley exited.

Meeting Back in Session - 5:54 Councilmember Pulley returned.

After discussion, a roll call vote was held.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Grummert to remove "the Mayor" in Rule 4 and replace it with "the presiding officer." The motion was seconded by Mayor Pro Tem LeBrun.

After discussion, a roll call vote was taken.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Grummert to accept the alternative wording in rule 4 through rule 10. The motion died without a second.

A motion was made by Councilmember Hines to use the alternative text provided on page 29 of the packet for the last line of Rule 4. The motion was seconded by Councilmember Grummert.

A roll call vote was taken.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Hines to use the alternative text for Rule 5. The motion was seconded by Councilmember Grummert.

A roll call vote was taken.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Hines to use the alternative text for Rule 6 with edits. The motion was seconded by Councilmember Grummert.

After discussion, roll call vote was taken.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Grummert to use the alternative text for Rule 7. The motion was seconded by Councilmember Hines.

A roll call vote was taken.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Grummert to use the alternative text for Rule 8. The motion was seconded by Mayor Pro Tem LeBrun. Councilmember Grummert accepted an amendment to add Mayor Pro Tem LeBrun's wording on the pooling of speaker times to lengthen the time allotted for a single speaker. The amendment was seconded by Councilmember Hines.

A roll call vote was taken on the amendment.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

After discussion, a roll call vote was taken on the motion.

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

Abstaining: Councilmember Pulley

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

A motion was made by Councilmember Grummert to use the alternative text for Rule 9. The motion was seconded by Councilmember Hines.

A roll call vote was taken.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Grummert to use the alternative text for Rule 10. The motion was seconded by Councilmember Hines.

A roll call vote was taken.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Grummert to accept the resolution as edited with Mayor Pro Tem LeBrun to review the final version. The motion was seconded by Mayor Pro Tem LeBrun.

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

Abstaining: Councilmember Pulley

Absent and not voting: Councilmember Brizendine

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

4. **Discussion and Possible Action to be Taken in Regards to Street Improvements and Deciding a Method of Financing Future Street Work (i.e. bonds versus tax notes) (Hines)**

A motion was made by Councilmember Hines for discussion and possible financing of street work. The motion was seconded by Councilmember Grummert.

After discussion, Councilmember Hines agreed to issue an informal survey for citizen input. The City Staff is to outline next steps for bond or tax notes.

A motion was made by Councilmember Grummert to create a Platinum Panel for roads, traffic, drainage, and funding sources related to all transportation, including alternative forms. The motion was seconded by Councilmember Hines.

After discussion, the motion was amended that the Platinum Panel would be subject to the Texas Open Meetings Act. The amendment was seconded by Councilmember Hines.

A roll call vote was held on the amendment.

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

Absent and not voting: Councilmember Brizendine

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

A roll call vote was held on the motion.

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

Absent and not voting: Councilmember Brizendine

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

5. **Discuss and take appropriate action on 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 (Grummert)**

A motion was made by Councilmember Grummert to submit a draft ordinance to the Planning and Zoning Commission for creation of a Brookmeadow District and to bring it back to City Council for the January meeting. The motion was seconded by Councilmember Pulley.

After discussion, an amendment was requested by Councilmember Hines to add Jacob's Well Management Zone to the ordinance WHEREAS's for its protection. The amendment was accepted by Councilmember Grummert.

The motion was withdrawn.

A motion was made by Councilmember Grummert to send a draft ordinance to legal counsel to create an ordinance to be sent to the Planning and Zoning Commission for consideration before sending it to the City Council at the next possible meeting. The motion was seconded by Councilmember Hines.

A roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Hines to add legal WHEREAS's to the subject ordinance to preserve access to clean water and to recognize Jacob's Well as a management zone. The motion was seconded by Councilmember Grummert.

A roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

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

A motion was made by Councilmember Grummert to instruct city staff to schedule public hearings. The motion died due to lack of a second.

6. Discussion and Possible Action on Revision of City of Woodcreek Code of Ordinances Chapter 151 to: 1) Clarify What "alter" Means in 151.03 of that Ordinance; 2) Provide for a "deemed approved" Deadline for Processing of Permits under 151.08 (Pulley)

A motion was made by Councilmember Pulley to request the City Attorney work on revising the ordinance to "clean it up." The motion was seconded by Councilmember Grummert.

A roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

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

A recess was taken at 7:12PM.

The meeting resumed at 7:22PM.

7. Discussion on Possible Use of Hays County Sheriff's and/or Precinct 3 Constable's Office Department for Law and Traffic Enforcement with Associated Costs (Pulley)

Councilmember Pulley reported on the Constables contract and other options.

8. Discuss and Take Appropriate Action on the City of Woodcreek Tree Ordinance (Grummert)

Mayor Pro Tem LeBrun made a motion to repeal Ordinance 19-275 and readopt Ordinance 19-265. The motion was seconded by Councilmember Grummert.

After discussion, a roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

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

9. Discuss and Take Appropriate Action on the City of Woodcreek Sign Ordinance (Hines)

A motion was made by Councilmember Hines to repeal Ordinance 19-277 and reinstate Ordinance 19-266. The motion was seconded by Councilmember Grummert.

After discussion, a roll call vote was held.

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

Absent and not voting: Councilmember Brizendine

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

REPORTS

Announcements

- 1) On Christmas Eve, luminarias will be lit.
- 2) City Hall will be closed on Dec. 23, 24, and 27.

ADJOURN

Mayor Rasco adjourned the meeting at 7:54 PM.

Jeff Rasco, Mayor

Linda Land, City Secretary