

**City of Woodcreek Regular City Council Meeting**  
**August 14, 2019; 6:30 p.m.**  
**Woodcreek, Texas**

**Minutes**

1. **Call to Order:** Mayor Scheel called the meeting to order at 6:31 p.m.
2. **Invocation**
3. **Pledge of Allegiance:**
  - A. **To the Flag of the United States of America**
  - B. **To the Flag of the Great State of Texas**

*Mayor Scheel announced that Items 8A, B, C, F, G and H have been removed from the agenda because City Council did not receive a recommendation from the Planning and Zoning Commission.*

4. **Roll Call: Present:** Mayor William P. Scheel, Mayor Pro Tem Nancye Britner, Councilmember Aurora LeBrun, Councilmember Ray Don Tilley, Councilmember Cyndi Jackson, Councilmember Eric Eskelund, City Manager Brenton B. Lewis, Woodcreek Attorney Casandra Cascos Ortiz, Director of Public Works Frank Wood, City Secretary Linda Land  
**Absent:** None

5. **Public Comments:**

Shawn Stoever chose not to speak.

Gail Voigtlander spoke against sections of the proposed tree ordinance and in support of the oak wilt sections.

Jim Meehan spoke against proposed tree ordinance changes.

Carol Scheel spoke against short-term rentals.

Linda Harrington spoke in favor of allowing the short-term rental at 155 Champions Circle.

Bob Hambrick spoke against short-term rentals and against fees for cutting down trees. He also expressed concern about low voter participation.

Suzanne Gordon expressed concern about the readability of the draft tree ordinance and requested that council delay passing it. She also spoke against sections of the proposed tree ordinance.

Jeff Etheredge expressed concerns about the proposed tree ordinance and noted that Quicksand Partners would have liked to be included in discussions as a stakeholder. He suggested more time and a better process before enactment.

Peter Parchesky requested that City Council move forward with public hearings for his property.

Jon Thompson chose not to speak.

Andy Davenport provided information about their family and explained why they were trying to address the issue of the short-term rental at 155 Champions Circle.

Meredith Davenport spoke against allowing the short-term rental at 155 Champions Circle.

Matt Lowry requested that ordinances not treat builders differently and expressed concern about unintended consequences.

6. **Citizen Communications:** The following written communications were received and noted:

Pamela LeCompte in favor of terminating the Special Use Permit for a short-term rental, in favor of revoking Tree City designation and the new tree ordinance. She also requested that the City Council change priorities in the proposed budget.

Patrick Mele against allowing short-term rentals.

Jane Little requesting that (A)(3) and (B)(1-5) be deleted from the proposed tree ordinance and expressing concern that it presents an undue financial burden.

T.K. Harrington requesting that evidence gathered against the short-term rental at 155 Champions Circle not be used while making a decision.

- 7. Consent Agenda: All the following items are considered self-explanatory by the Council and may be acted upon with one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests. For a Citizen to request removal of an item from the Consent Agenda, a written request must be completed and submitted to the City Manager.**

**A. Approval of the Minutes of the Special City Council Meeting of July 17<sup>th</sup>, 2019 and the Special City Council Meeting of July 26<sup>th</sup>, 2019**

**B. Approval of Financial Statements for July 2019**

Mayor Pro Tem Britner moved to approve the Consent Agenda in its entirety. Councilmember LeBrun seconded the motion, which passed with a vote of 5-0-0.

**8. Regular Agenda:**

**A. Public Hearing on the Proposal to Re-Zone Lot 18, Woodcreek, Section 4-A, 155 Champions Circle, Woodcreek, Texas from SF-1(Single Family Residential) with a Special Use Permit (Commercial Use for Day Rental and Overnight Lodging) to SF-1 (Single Family Residential) and Revoke the Special Use Permit (Commercial Use for Day Rental and Overnight Lodging). This Property is Further Identified by Hays Central Appraisal District Property ID R48940**

**B. Consider Recommendation from Planning and Zoning on the Proposal to Re-Zone Lot 18, Woodcreek, Section 4-A, 155 Champions Circle, Woodcreek, Texas from SF-1(Single Family Residential) with a Special Use Permit (Commercial Use for Day Rental and Overnight Lodging) to SF-1 (Single Family Residential) and Revoke the Special Use Permit (Commercial Use for Day Rental and Overnight Lodging). This Property is Further Identified by Hays Central Appraisal District Property ID R48940**

**C. Discussion and Possible Action Regarding the Proposal to Re-Zone Lot 18, Woodcreek, Section 4-A, 155 Champions Circle, Woodcreek, Texas from SF-1(Single Family Residential) with a Special Use Permit (Commercial Use for Day Rental and Overnight Lodging) to SF-1 (Single Family Residential) and Revoke the Special Use Permit (Commercial Use for Day Rental and Overnight Lodging). This Property is Further Identified by Hays Central Appraisal District Property ID R48940**

**D. Executive Session – Pursuant to the Texas Local Government Code Section 551.074 – to Discuss a Possible Communication Work Plan for**

**City Manager Lewis.** City Manager Lewis requested an Open Session. The Executive Session was cancelled.

- E. Discussion and Possible Action Regarding a Possible Communication Work Plan for City Manager Lewis.** Mayor Pro Tem Britner distributed a plan and Councilmember Jackson distributed an alternate plan. After discussion, Councilmember Eskelund moved to table the subject until the next regular meeting in September. The motion was seconded by Councilmember Tilley which passed with a vote of 5-0-0.
- F. Public Hearing on an Application from Peter & Coleen Parchesky, 207 East Meadow Lane, Wimberley TX 78676 to Replat Lot 49, Cypress Creek Acres, Establishing Lots 49-A and 49-B within the City of Woodcreek's Extra Territorial Jurisdiction. This Property is Further Identified by the Hays County Central Appraisal District by Identification Number R25613**
- G. Consider Recommendation from Planning and Zoning on the Application from Peter & Coleen Parchesky, 207 East Meadow Lane, Wimberley TX 78676 to Replat Lot 49, Cypress Creek Acres, Establishing Lots 49-A and 49-B within the City of Woodcreek's Extra Territorial Jurisdiction. This Property is Further Identified by the Hays County Central Appraisal District by Identification Number R25613**
- H. Discussion and Take Appropriate Action on an Application from Peter & Coleen Parchesky, 207 East Meadow Lane, Wimberley TX 78676 to Replat Lot 49, Cypress Creek Acres, Establishing Lots 49-A and 49-B within the City of Woodcreek's Extra Territorial Jurisdiction. This Property is Further Identified by the Hays County Central Appraisal District by Identification Number R25613**
- I. Consider and Take Appropriate Action on Revocation of Authority and Dissolution of "Ordinance Review Committee".** Councilmember Jackson moved to terminate the ordinance review committee. The motion was seconded by Councilmember Tilley. After discussion, the motion carried with a vote of 3-2-0. The following voted Aye: Councilmember LeBrun, Councilmember Tilley, Councilmember Jackson. The following voted Nay: Mayor Pro Tem Britner, Councilmember Eskelund. The following Abstained: None.
- J. Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 152 – Signs; Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting.** Councilmember LeBrun moved to adopt the sign ordinance as presented. Councilmember Tilley seconded the motion. Possible changes were discussed, including a correction to page 1 referring to Chapter 90, Animals and researching rights of way sign locations. Councilmember LeBrun withdrew the motion and Councilmember Tilley withdrew the second. Councilmember LeBrun moved to table the ordinance to the September meeting to make necessary corrections. The motion was seconded by Councilmember Tilley and passed with a vote of 5-0-0.

- K. Discussion and Take Appropriate Action on Recommended Amendments to Chapter 91: Trees of the Woodcreek Texas Code of Ordinances.** Councilmember Jackson moved to adopt the ordinance as presented. Councilmember Tilley seconded the motion. Council discussed several changes to the ordinance as presented. Councilmember Tilley moved to make the following amendments to the draft: strike criminal offense and renumber page 13; limit fines to \$500; add 10 days to oak wilt notification; change the language in the title to add that restrictions apply in the ETJ; renumber page 8 to start with 1. Councilmember Jackson seconded the motion, which passed with a vote of 3-2-0. The following voted Aye: Councilmember LeBrun, Councilmember Tilley, Councilmember Jackson. The following voted Nay: Mayor Pro Tem Britner, Councilmember Eskelund. The following Abstained: None. Councilmember Jackson moved to adopt the main motion as amended. The motion was seconded by Councilmember Tilley which passed with a vote of 3-2-0. The following voted Aye: Councilmember LeBrun, Councilmember Tilley, Councilmember Jackson. The following voted Nay: Mayor Pro Tem Britner, Councilmember Eskelund. The following Abstained: None.
- L. Consider and Take Appropriate Action on Appointment of the City of Woodcreek Representative to the 2019 Texas Municipal League Business Meeting.** Councilmember Tilley moved to appoint Mayor Pro Tem Britner to represent the City at the Texas Municipal League Business Meeting. The motion was seconded by Councilmember Eskelund which passed with a vote of 5-0-0.
- M. Consider and Take Appropriate Action on Authorizing the Submission of a Resolution on Pipelines Affecting Texas Cities to the Texas Municipal League.** Council discussed adding "WHEREAS, the State of Texas has failed its own municipalities", and making capitalization changes. Councilmember Tilley moved that council approve the submission of the resolution as edited. The motion was seconded by Mayor Pro Tem Britner, which passed with a vote of 5-0-0.
- N. Discuss and Take Appropriate Action on the First Consideration of Chapter 30 of the Woodcreek Code of Ordinances as it Relates to the Board of Adjustment.** Councilmember LeBrun explained inconsistencies in the appeal and variance process for several Chapters. After discussion, Councilmember LeBrun moved to approve for first consideration changes to Chapter 30 of the Woodcreek Code of Ordinances for review by council and for comments and changes to be submitted to the City Manager and for it to return for adoption in September. The motion was seconded by Councilmember Tilley and passed with a vote of 3-2-0. The following voted Aye: Councilmember LeBrun, Councilmember Tilley, Councilmember Jackson. The following voted Nay: Mayor Pro Tem Britner, Councilmember Eskelund. The following Abstained: None.
- O. Discussion and Take Appropriate Action on Repealing Resolution No. 14-051401 as it Relates to Establishing Employee Status and Authorizing Pay for Elected Officials.** Mayor Pro Tem Britner moved to repeal the resolution.

The motion was seconded by Councilmember Eskelund, which passed with a vote of 5-0-0.

**P. Consider and Take Appropriate Action on Trimming of Trees on all Streets Within the City of Woodcreek.** City Manager Lewis explained the 4 quotes received. After discussion, Councilmember Eskelund moved to approve Bartlett for the trimming of the trees. The motion was seconded by Councilmember Jackson, which passed with a vote of 5-0-0.

9. **Adjourn.** There being no further business, the meeting was adjourned at 8:48 p.m.



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William P. Scheel, Mayor



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Linda Land, City Secretary