

**City of Woodcreek City Council Meeting
January 14, 2015; 6:30 p.m.
41 Champions Circle
Woodcreek, Texas 78676**

Minutes

- 1.) **Call to Order:** Mayor Steinert called the meeting to order at 6:30 p.m.
- 2.) **Invocation**
- 3.) **Pledge**
- 4.) **Roll Call.** Present: Mayor Michael T. Steinert, Mayor Pro Tem Nancy Britner, Councilmember Kathy Maldonado, Councilmember William Scheel, Councilmember Gordon Marsh, Councilmember Jerry Moore, Director of Public Works Frank Wood, City Treasurer Gene Golembiewski. City Manager John Sone, City Financial Coordinator Liane Parks.
Absent: None
- 5.) **Public Comments:** Jack and Mary Kinkel asked to reserve comment for the Board of Adjustment portion of the meeting.
- 6.) **Citizen Communications:** There were no citizen communications.
- 7.) **Report Items:**
 - A. Public Works Director Wood reported that he continues to mark problem road areas that require maintenance with pink paint.
 - B. City Treasurer Golembiewski reported first quarter, year-to-date revenue of \$115,385.00 and \$67,679.00 in expenses.
 - C. The City Manager provided a monthly report of significant events.
 - D. Mayor Steinert provided a Citizen Advisory Committee update.
- 8.) **Consent Agenda**
 - A. Approval of the Regular Woodcreek City Council Meeting of December 10, 2014
 - B. Approval of the Regular Woodcreek City Council Meeting of January 9, 2015
 - C. Approval of the Treasurer's Report for December 2014
 - D. Approval of the Quarterly Investment Summary, October-December 2014
 - E. Approval of the Report of the Hotel Occupancy Tax Fund for 2014

Mayor Pro Tem Britner moved to accept the Consent Agenda in its entirety. The motion was seconded by Councilmember Maldonado, which passed with a vote of 5-0-0.
- 9.) **Regular Agenda**
 - A. Public Hearing commenced at 6:44 p.m. to review the administrative denial of a Site Development Plan application by Camp Young Judea. Rick Bell, CYJ Director of Administration asked which item was missing from the plan. Councilmember Marsh moved to affirm the City Staff's conformance to procedure in the denial, and to authorize the decision to be reversed by the City Manager if he and the Municipal Engineer were to

conclude that the deficiencies in the Site Development Plan were cured by the end of January. Councilmember Maldonado seconded the motion, which passed with a vote of 5-0-0.

- B. City Manager Sone reported that Kenneth Posey has applied for a TABC License Application for 1 Brookmeadow which includes two additional features not in the previous operator's license. These features are on premise wine tastings and a cartage permit to deliver to businesses up to two miles. City Manager Sone stated that the additional features appeared to be in keeping with the characteristics of the Neighborhood Commercial zoning, and asked whether any members of the Council had a differing interpretation. None did.
- C. After discussion, Councilmember Maldonado moved to approve the findings of the Source Evaluation Board and authorize the City Manager to enter and conclude negotiations with C. Rick Coneway, the top-ranked candidate. The motion was seconded by Councilmember Britner, which passed with a vote of 5-0-0.
- D. After discussion, Mayor Pro Tem Britner moved to make the City a participant in the CAPCOG Regional Notification System. The motion was seconded by Councilmember Maldonado, which passed with a vote of 5-0-0.
- E. After discussion, Councilmember Maldonado moved to designate the Wimberley View as the continuing official newspaper for the City. The motion was seconded by Councilmember Moore, which passed with a vote of 5-0-0.
- F. After discussion, Councilmember Scheel moved to approve Budget Amendment #1 for the 2014-2015 Budget. The motion was seconded by Councilmember Maldonado, which passed with a vote of 5-0-0.
- G. After discussion, Mayor Steinert asked City Manager Sone to restate the motion of the Council's sentiment. The motion was then made by Councilmember Maldonado to restrict parking in the public spaces on Deerfield Drive and Champions Circle adjacent to Woodcreek Drive to two (2) hours, under penalty of towing, effective upon publication of the ordinance. The motion was seconded by Councilmember Scheel, which passed with a vote of 5-0-0.
- H. After discussion, Councilmember Marsh moved to establish a reward of \$200.00 for information leading to a citation for the criminal wasting of Texas Game Animals in the City. The motion was seconded by Councilmember Maldonado, which passed with a vote of 5-0-0.

Council Recessed at: 7:15 p.m.

Board of Adjustment Convened at 7:16 p.m.

10.) Board of Adjustment

- a. Application for Variance to the Woodcreek Code of Ordinances, § 156.058 (B) by Jack and Mary Kinkel, residing at 75 Woodcreek Drive, to construct a fence on the back property line which is within 25 feet of the Quicksand Golf Course easement.
 - 1. Staff Report: The Kinkles applied for this variance in order to expand the use of their back yard, and provide an enclosed area for their dog. The proposed fence would be on, rather than 25 feet from, the golf course property line. However, due to the uniform aesthetic design and quality materials proposed, Quicksand Golf Course conveyed its approval for construction of this type of fence on the property line. The City Staff reported no objection to the request. The Planning and Zoning Commission wished to table the issue until further discussion and resolution and resolution emerged in the City Council. When informed that action was required, the P&Z voted to disapprove it by a vote of 5-0-0.

2. Public Hearing: Open: 7:18 p.m. Mr. Kinkel said it was his understanding, at the time he submitted his application, that others had been granted variances for fences along golf course property with the approval of the owners of the golf course. 7:19 p.m.
 3. Board Discussion and Action: After discussion, Mayor Pro Tem Britner moved to table action pending legal research. The motion was seconded by Councilmember Moore, which passed with a vote of 6-0-0.
- b. Application for Variance to the Woodcreek Code of Ordinances § 156.063 (A)(3) and § 156.063(B)(1)(b)l. by Charles Butler with regard to construction of a residential accessory structure within ten feet (instead of 25') of the golf course property line and fifteen feet beyond the rear setback.
1. Staff Report: On December 24, 2014, the City received a completed application from Charles Butler, owner of Lot 80, Woodcreek Section 6-B, for a variance to § 156.063(A) (3) and § 156.063 (B) (1) (b)1 of the Woodcreek Code of Ordinances for the rear setback of a proposed residential accessory structure to be offset by ten feet (10') rather than the fifteen feet (15') allowed for construction and by 10 feet rather than 25 feet from offset from the golf course property line. Notices to property owners within 200 feet for the public hearings of the application were mailed December 16, 2014. Mr. Butler wishes to have the setback variance in order to allow construction of a workshop. The application did not describe the "usual and practical difficulties or particular hardship" caused by the strict application of the Zoning Ordinance that § 30.62 (B) (1) (b) of the Woodcreek Code of Ordinances suggests is an appropriate factor for determination. The Quicksand Golf Course had supplied an instrument registering its consent. Because the proposed structure would not be visible from the golf course, City staff found no objection to the application. The Planning and Zoning Commission voted to disapprove 4-1-0.
 2. Public Hearing: Open 7:56 p.m. Mr. Butler said the building would not be visible at all from the golf course and that would be used for his hobby of woodworking. Closed: 8:04 p.m.
 3. Board Discussion and Action: After discussion, Mayor Pro Tem Britner moved to table action pending research. The motion was seconded by Councilmember Scheel, which passed with a vote of 5-1-0, Mayor Steinert dissenting.

Board of Adjustment adjourned at 8:08 p.m.

City Council reconvened at 8:08 p.m.

11.) Adjourn: There being no further business, Mayor Steinert adjourned the meeting at 8:09 p.m.


Michael T. Steinert, Mayor


John W. Sone, City Manager



RESOLUTION NO. 15-011401

**A RESOLUTION OF THE CITY OF WOODCREEK, TEXAS,
DESIGNATING AN OFFICIAL NEWSPAPER FOR 2015**

WHEREAS, the City of Woodcreek is required to adopt an official municipal newspaper at the beginning of each Fiscal Year, as per Chapter 52.004 of the Texas Local Government Code; and

WHEREAS, the Wimberley View, a newspaper in the City of Woodcreek, has a large circulation, is printed once a week, and meets the statutory requirements for official newspapers.

NOW, THEREFORE, BE IT RESOLVED by the City of Woodcreek City Council that:

1. The City Council designated the Wimberley View as the City of Woodcreek's Official Newspaper for Fiscal Year 2015.
2. The City of Woodcreek shall publish in the Wimberley View each ordinance caption, public notice or other matter required by law or ordinance to be published.
3. The City of Woodcreek shall require applicants to publish in the Wimberley View each public notice or other matter required by law or ordinance to be published by an applicant.

PASSED AND APPROVED this the 14th day of January, 2015, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK, TEXAS



Mayor Michael T. Steinert

ATTEST:


John Sone, City Manager

APPROVED AS TO FORM:
Bojorquez Law Firm, PC