

**REGULAR MEETING AND PUBLIC HEARING
OF THE GOVERNING BODY OF
THE CITY OF BLANCO**

**Meeting Minutes
May 10, 2022, 6:00 pm**

A regular meeting and Public Hearing of the City Council, City of Blanco, Texas was held on May 10, 2022, at 6:00 pm at the Gem of the Hills, 2233 US 281, Blanco, Texas.

The meeting was called to order at 6:02 pm by Mayor Rachel Lumpee, followed by roll call (Laurie Cassidy) announcing a quorum was present. The Pledge of Allegiance was led by Mayor Lumpee. Council members present: Mayor Lumpee, Mayor Pro-Tem Saucedo, Council Members Smith, McClellan, Barron, and Divine.

City staff present: Warren Escovy, Laurie Cassidy, and Chief Rubin.

Mayor Lumpee made the following announcements: Lights Out Texas is going on through June 15, citizens are encouraged to turn off all non-essential outdoor lights from 11 pm to 6 am. This helps protect the billions of migratory birds that fly over Texas annually; lunar eclipse happening this Sunday evening; Real Ale Brewing Company will have their 26th anniversary party on May 21 from 12-6 pm; Texas Hotel and Lodging Association will be hosting a HOT (hotel occupancy tax) training this Thursday, May 12 at 2 pm at the Old Blanco County Courthouse; Thank you to Martin Saucedo, Mayor Pro-Tem for his outstanding contribution and dedication to this City these past 13 years while serving on City Council; City Council has decided to donate their May stipends for a scholarship for one high school senior. The total amount will be \$600.00. The student will be chosen randomly from all students in the top 15% of the graduating class.

Public Comments:

- Wayne Gosnell, Blanco resident spoke in favor of the short term rental ordinance. This is a way to get a handle on the issue of shortage of affordable housing.
- Sybil Jones, Business Manager for 42 on 32 RV Park and Linderman Lane, spoke about the valuable usage of water, RV Park has 114 connections, they are not allowing washing of vehicles, they are monitoring water usage closely so there is no water being wasted. Swimming pool and splash pad are coming soon (not using City water for these areas) water will be trucked in by Owner. Valuable revenue for the City. Many tourists coming from Houston/Dallas area. Council Member Smith asked where water will be coming from, and the reply was Canyon Lake Water Supply Company will be providing the water.

PROCLAMATIONS:

Mayor Lumpee read the following Proclamations:

1. Older Americans' Month Proclamation
2. Flag Day and Week Proclamation

PRESENTATIONS:

1. Wayne Gosnell, President of Blanco County Friends of the Night Sky spoke and thanked City Council and the Chamber of Commerce for their support over the past several years. The City was named as an International Dark Sky Community and was notified of the award on April 26. Only 37 communities throughout the world have earned this prestigious distinction. As of January, there have only been 95 designated IDA Dark Sky Places worldwide.
2. Mayor Lumpee announced that City Council will be donating their May stipend (\$600 total) toward one High School Scholarship. There will be a drawing from the top 15% of all high school seniors.

STAFF PRESENTATIONS:

- City Hall, Warren Escovy introduced Rosie Vela, our Interim Finance Director. He spoke regarding pothole repairs being completed last week by Inframark and said the next step is to review street conditions completed by CIAMAC for future repairs, currently completing a 5 year plan. Focusing on code enforcement, looking to hire part time person and focused on quality of life ordinances, short-term rental ordinance and water quality ordinance.
- Police Department, Chief Rubin presented the April 2022 Monthly Statistics Report and announced that Detective McMMain had received a scholarship.

Closed regular meeting and opened Public Hearing at 6:33 pm.

Approval of Ordinance Regulating Short Term Rentals and Imposing a Related Permit Fee and Penalties (including a fine) for Noncompliance.

- Robert Boydston, resident at 314 2nd Street, spoke in support of passage of the STR Ordinance. Blanco needs to protect against too many residential properties being held for short term rental usage.
- Brandon Carlson read a letter from the Blanco Chamber of Commerce, Board of Directors. They are in agreement that our community needs registration and regulations on short-term rentals and agrees steps need to be taken to help manage STR's. They disagree with the way the current ordinance draft is being rushed through.
- Neil Neyens, resident at 1022 Oakridge Dr. spoke regarding STR ordinance and said RV rentals bring noise, trash and parties. Visitors also bring their own food. The persons who benefit the most are the property owners.

- Jett Sophia, 622 8th Street spoke regarding the STR Ordinance. She said in 2004 could not see the milky way, thank you Wayne Gosnell. Blanco was not a tourist town, the State Park offered customers special to entice them to come and stay at the park. She is passionate about the STR ordinance. Need more homes for residents, full time workers need a neighborhood with permanent residents. Owners should live in Blanco, need to enhance, or put moratorium.
- Pi Stone, 319 1st Street, owner of STR, said she was married at the courthouse, customers have never broken anything, they eat at the pizza place, walk on the streets, paying taxes without benefits, bulldoze the house and lower the taxes, income for the owner.
- Susan Villarreal, 627 Academy, thanked Council for work on STR ordinance. Appreciates the owners and residents, wants good of City and all residents.
- Amy Arnold, 818 Pecan, STR business owner, keeps track of guests with sign in/ guest book, including list of area(s) visited, park, restaurants, pay hot tax revenue, losing permit if not rented for 9 month period due to being off market for repairs/improvements, is problematic, ordinance needs further review.
- Pam Nabors, 1317 River Road, STR business owner, concerned about proposed ordinance, has positive response from guests, does not feel ordinance is needed. Does not have any problems with guests, on non-compliance or otherwise.
- Bonnie Triesch, 910 RR 165, STR owner, lives at residence on three acres with rental. Short-term rentals are being stereotyped; ordinance needs to be reviewed further.
- Teresa Siedel, Trainer Street, born and raised in Blanco, owner of short-term rental said ordinances needs further review, listing through Air BNB, follows strict rules, penalized if you do not follow the rules.

1917 Main Street – Special Use Permit & Rezoning from R-5 to C-1.

- Dennis Moore, business owner of Buggy Barn Museum spoke regarding property at 1917 Main Street, he said he is personal against re-zoning property next door.
- Larry Brewer, property owner at 1917 Main Street spoke and said past 21 years has tried to develop something needed by the community, renovated home, used as washroom, after renovation, open up as RV Park. Desired to put in car wash, could not get easement to tie into services. Met with new City Administrator, to receive assistance, storage building, mini storage, was re-zoned C1 to R5. Wants heated and cooled mini storage. Nice for community.

618 Live Oak- Special Use Permit to Allow Multi-Family in the R-5 for the 1-Acre Site.

1725 S. Hwy 281- Second Echo, LLC, Variance for 10' Side Building Set Back.

1215 4th Street – Blanco High School – 10 Ft. Fence Variance.

Closed Public Hearing at 7:04 pm.

Consent Agenda: *The following items may be acted upon in one motion.* No separate discussion or action is necessary unless requested by the Mayor or a Council Member, in which those items will be pulled for separate consideration.

1. Approval of Minutes from the April 12, 2022, Regular City Council Meeting and Public Hearing.
2. Approval of Minutes from the April 28, 2022, Special City Council Meeting.
3. Approval of Ordinance 2022-O-004 General Election Canvassing the Returns and Declaring the Official Results of the May 7, 2022, General Election to Elect Three (3) City Council Members.
4. Approval of Budget Amendment to FY 2021-2022 Total Reduction in Revenues to the Water Fund in the Amount of \$521,670.
5. Approval of Budget Amendment to FY 2021-2022 Total Increase to Revenues and Expenditures to the Water Fund in the Amount of \$3,300,319.
6. Approval of Budget Amendment to FY 2021-2022 Reduction in Taxes for the General Fund in the amount of \$454,402; Increase in Taxes for the Debt Service Fund in the amount of \$454,402.

A motion was made by Council Member Smith to approve Consent Agenda Items one through six, with the following corrections: Item one, correct minutes to show public comments from Linda Sullivan, Joe Sullivan and Mike Arnold as property owners, not residents and to items four, five and six to refer to fiscal year 2021-2022, seconded by Council Member Barron, motion carried 4-1 with Mayor Pro-Tem Saucedo opposed.

Oath of Office Administered by Laurie Cassidy, City Secretary to Newly Elected Council Members Mike Smith, Deda Divine, and Rodney Thrailkill.

Old Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion, and Take Action on a Development Agreement Between 42 on 32 RV Park, LLC and the City of Blanco, Texas (Warren Escovy). Mr. Escovy spoke of the history leading up to the development agreement. First, operating a public water system and distributing water to residents of the RV park and secondly only paying for one connection. Council Member Smith expressed the desire to be consistent with what we are charging to other RV Parks. Other Park is at Rate Code 7, \$77.25 service charge. Tap fee is not the same as a connection fee. Both RV Parks are outside the City limits but inside the ETJ. **A motion was made by Council Member Smith to enter into Development Agreement, prepared by City Staff, between 42 on 32 RV Park and the City of Blanco, with the understanding the fee structure will be applied to all other outside city limits RV Parks, seconded by Council Member Barron, all in favor, motion carried unanimously.**

2. Discussion, Consideration, and Possible Action on Approval of Ordinance 2022-O-0xx Regulating Short Term Rentals and Imposing a Related Permit Fee and Penalties (including a fine) for Noncompliance (Warren Escovy, City Administrator). Council Member Barron asked Mayor Lumpee for a point of personal privilege and said the City has held three public hearings, no existing short-term rental will be shut down, trying to strike a balance to protect our neighborhoods. Zoning ordinance can be modified through a special use permit. Short Term Rental: what it is and what it is NOT. Will this ordinance put current short-term rentals out of business? No. There will be a 60-day moratorium on any new short-term rentals. Current short-term rentals should notify City and staff will then create a map. How will new permits be considered? Through an application for Special Use Permit. What operating standards will be required? Life safety inspection. Can a guest house on the property be permitted? Yes. Can I sell my short-term rental as a business? Yes, can transfer one time. May 10 changes reviewed. Page 4, added definition of short-term rental, owner occupied, Page 5, Special Use Permit requirements, distance, Food Service Item 1b, Page 6, Utilities, or the short-term rental is owner-occupied, Page 7, fee structure significantly revised, rationale for affordability, permit fee is a one-time cost; page 7c, revision eliminated need for decal, just display permit, Page 9m. Council Member Divine said the property Owner living on site is most encouraged and supported. Want to encourage balance of rentals and residences. Council Member Smith said he is in favor of Short Term Rentals and agrees it is needed **A motion was made by Council Member Barron to approve the May 10 Draft Short-Term Rental Ordinance, with provision amending Page 9n, flexibly of nine month period, seconded by Council Member Divine, motion carried 3-2 with Council Members McClellan and Smith opposed.**

New Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion, and Take Action on Approval of Special Use Permit and Rezoning From R-5 to C-1 at 1917 Main St (Owner: Larry Brewer). Planning and Zoning Commission recommended disapproval of the Special Use Permit and Rezoning from R5 to C1. Council Member Thrailkill asked what previous zoning was. Council Member McClellan said the location is unique because it is next to Buggy Barn and movie studio. Would like to see something that might enhance the area. On Site 24/7 residence, wants to improve area, fence, gated, mini storage, clean and well maintained. Does not need wastewater storage. Third time to come before the City. Council Member Thrailkill asked who is responsible for extension of wastewater? Owner/Developer would take on that responsibility unless annexation agreement stated something different. Council Member Barron questioned this as a two part motion. **A motion was made by Council Member Smith to follow Planning and Zoning Commission's recommendation of disapproval of the Special Use Permit and Rezoning, seconded by Council Member Thrailkill, motion failed 2-3 with Council Members Divine, McClellan, and Barron opposed.** Mayor Lumpee asked Is there another motion? Council Member Smith said he attended the Planning and Zoning Commission meeting and the commissioners do not feel a mini storage would be appropriate for this area.

A motion was made by Council Member Smith to follow Planning and Zoning Commission's recommendation to deny approval of the Special Use Permit and Rezoning of property, seconded by Council Member Thrailkill, all in favor, motion carried unanimously.

2. Consideration, Discussion, and Take Action on Approval of Special Use Permit to Allow Multi-Family in the R-5 for the 1-Acre Site at 618 Live Oak (Owner: R L Toms, Inc.) **A motion was made by Council Member Barron to approve the Special Use Permit to allow multi-family at 618 Live Oak, seconded by Council Member Smith, all in favor, motion carried unanimously.**
3. Consideration, Discussion, and Take Action on Approval of Building Set Back at 1725 S. US Hwy. 281 (Owner: Second Echo, LLC). Second Echo, LLC is an art studio and meeting place that would like to have two containers 10' from the south of property line. **A motion was made by Council Member Smith to approve the variance to a 10' building set back instead of a 20' set back at 1725 S. US Hwy. 281, seconded by Council Member Barron, all in favor, motion carried unanimously.**
4. Consideration, Discussion, and Take Action on Approval of Variance to Allow For 10 Foot Fencing around Tennis Courts at Blanco High School (Owner: Blanco Independent School District). P&Z recommended approval. **A motion was made by Council Member McClellan to approve the variance to allow for 10' fencing around tennis courts at Blanco High School, seconded by Council Member Divine, all in favor, motion carried unanimously.**
5. Discussion, and Take Action on Approval of Mayor Pro-Tem. for the Term May 2022 through May 2024. Council Member Barron said she willing to serve as Mayor Pro-Tem if needed and she is close by to serve as signer on bank accounts. **A motion was made by Council Member Smith to nominate Council Member Barron, seconded by Council Member Divine, all in favor, motion carried unanimously.**
6. Consideration, Discussion, and Take Action on Approval of Amendment to Resolution 2021-R-009 Designating Persons Authorized to Sign on the City's Depository Accounts as the Official Signatories of the City of Blanco. **A motion was made by Council Member Smith to amend resolution 2021-R-009 to add Council Member Barron as Mayor Pro-Tem, seconded by Council Member Divine, all in favor, motion carried, unanimously.**
7. Consideration and Discussion Only (No Action to be Taken) on Approval of Water Quality Protection Ordinance. Barron: gives City stronger power over outside users. Site plan for MUD a few months ago. Statutory limitation of lot density. Can be regulated by water quality, will need to be vetted and whittled down. – **No Action Taken.**

Closed Regular Meeting at 8:42 pm and Convened Into Executive Session.

Executive Session in accordance with Texas Government Code: in accordance with the authority contained in the Texas Government Code, Sections 551.071 and 551.074.

1. Texas Government Code Section 551.071 (Consultation with City Attorney), Section 1.05, Texas Disciplinary Rules of Professional Conduct and 551.072 (Real Estate): to wit, Discussion with legal counsel to obtain legal advice related to possible reclaimed water contract between City and Chamaco Mio Investments, LLC.
2. Texas Government Code Sections 551.071 (Consultation with City Attorney), 551.072 (Real Estate) and Section 1.05, Texas Disciplinary Rules of Professional Conduct; Confer with City Attorney regarding Pharr Paradise Utility Easement Agreement.
3. Texas Government Code Section 551.071 (Consultation with City Attorney), Section 1.05, Texas Disciplinary Rules of Professional Conduct: to wit, Discussion with legal counsel Water Rate Setting.
4. Texas Government Code Section 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct and 551.072 (Real Estate). Confer with City Attorney regarding Canyon Lake Water SC (CLWSC) desire to purchase a portion of City's interest undivided interest.

Closed Executive Session at 9:17 pm and Reconvened Into Regular Meeting.

Item 1: No action taken

Item 2: No action taken

Item 3: No action taken


Item 4: no action taken

Adjournment:

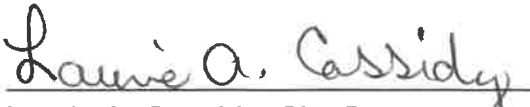
A motion was made by Council Member Smith to adjourn the meeting, seconded by Council Member Divine, all in favor.

Meeting was adjourned at 9:17 pm.

Respectfully submitted,


Rachel Lumpee, Mayor

ATTEST:


Laurie A. Cassidy, City Secretary



These minutes were approved on the 14 day of June, 2022.