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## **MEETING NOTICE**

*The Ordinance Review Committee of the City of Woodcreek, Texas will conduct a meeting at City Hall, 41 Champions Circle, Woodcreek, TX. The meeting will be held on November 1, 2022 at 2:30PM.*

*All attendees are encouraged to wear face coverings when a minimum of six-foot social distancing cannot be maintained. Smoking is not allowed anywhere on the property of City Hall.*

*The public may watch this meeting live at the following link:*

*<https://meetings.ipvideotalk.com/250014610>. The public may listen to this meeting by dialing one of the following numbers: 1(617) 315- 8088 or toll free at 1(866) 948-0772. When prompted enter Meeting ID:250014610*

*A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request. This notice, as amended, is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551).*

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## **AGENDA**

### **CALL TO ORDER**

### **ROLL CALL AND ESTABLISH QUORUM**

### **PUBLIC COMMENTS**

*Any citizen shall have a reasonable opportunity to be heard at any and all meetings of the Ordinance Review Committee in regard to: (1) any and all matters to be considered at any such meeting, or (2) any matter a citizen may wish to bring to the Committee's attention. No member of the Governing Body may discuss or comment on any citizen public comment, except to make: (1) a statement of specific factual information given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting per Texas Local Government code Sec. 551.042.*

*Citizen comments will be allowed at the beginning of every meeting, or alternatively, before an item on the agenda on which the citizen wishes to speak is to be considered. All citizens will be allowed to comment for three (3) minutes per person and shall be allowed more time at the Chairperson's discretion. In addition, citizens may pool their allotted speaking time. To pool time, a speaker must present the names of three (3) individuals present in the audience who wish to yield their three minutes. Citizens may present materials regarding any agenda item to the City Secretary at or before a meeting, citizens attending any meeting are requested to complete a form providing their name, address, and agenda item/concern, but are not required to do so before speaking and presenting it to the City Secretary prior to the beginning of such meeting. Comments may only be disallowed and/or limited as per Government Code § 551.007(e).*

*Submit written comments by email to [woodcreek@woodcreektx.gov](mailto:woodcreek@woodcreektx.gov) by noon on the day prior to the meeting. Please include your full name, home or work address, and agenda item number. Written comments will be part of the official written record only. A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request*

**CONSENT AGENDA**

All the following items are considered self-explanatory by the Committee and may be acted upon with one motion. There will be no separate discussion of these items unless a Committee 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.

- 1. Approve Ordinance Review Committee Meeting Minutes of October 6, 2022

**REGULAR AGENDA**

- 2. Report from Chairperson on Activities From Last Meeting and Announcements from Chair
- 3. Workshop on Revising Important Woodcreek City Ordinances Sheet
- 4. Discuss and Take Appropriate Action on Revising Important Woodcreek City Ordinances Sheet
- 5. Review, Discuss, and Take Appropriate Action on the Creation of the Position of Code Enforcer for the City of Woodcreek
- 6. Report from Council Liaison on Items Sent to Planning & Zoning Commission and City Council Including: Garage Sales, Minimum Lot Sizes, Masonry Code, and Board of Adjustment Code

**ADJOURN**

This agenda has been reviewed and approved by the City’s legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

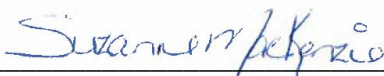
**Attendance by Other Elected or Appointed Officials:**

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The City of Woodcreek is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary's Office at 512-847-9390 for information. Hearing-impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

I certify that the above notice was posted on the 27th day of October, 2022 at 11:53AM.

By: 

**Suzanne J. MacKenzie, City Secretary**

**ORDINANCE REVIEW COMMITTEE MEETING**  
**October 06, 2022; 2:30 PM**  
**Woodcreek, Texas**

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**MINUTES**

**CALL TO ORDER**

Chair Davenport called the meeting to order at 2:32PM.

**ROLL CALL AND ESTABLISH QUORUM**

**PRESENT**

Chairperson Emma Davenport  
Vice-Chair Donna Hector  
Committee Member Karen Duncan  
Committee Member Steve Passalacqua  
Committee Member Randy Renter  
Council Liaison, Debra Hines

**ABSENT**

Alt. Committee Member David Lowe

**STAFF PRESENT**

City Secretary, Suzanne Mac Kenzie

**PUBLIC COMMENTS**

Public Comments were offered by Chad Swedberg.

**CONSENT AGENDA**

**1. Approval of the Ordinance Review Committee Meeting Minutes from September 6, 2022.**

Member Duncan made a motion to approve the Meeting Minutes from September 6, 2022. Vice-Chair Hector seconded the motion.

A roll call was held.

Voting Yea: Chairperson Davenport, Vice-Chair Hector, Member Duncan, Member Passalacqua, Member Renter

Motion Carried: 5-0-0.

## REGULAR AGENDA

### 2. **Discuss and Take Appropriate Action on a Recommendation to the City Council for Short-Term Rental Regulations**

Discussion was held to wait until after the Planning and Zoning Committee has met. There could be a possibility that if the Ordinance Review Committee were to send recommendations now to the Planning and Zoning Committee, the recommendations may present conflicting information and make the review process longer.

Member Duncan made a motion to add this item to the agenda in one month, with the hope that there will be a product to respond to at that time. Vice-Chair Hector seconded the motion.

A roll call was held.

Voting Yea: Vice-Chair Hector, Member Duncan, Member Passalacqua, Chairperson Davenport, Member Renter

Motion Carried: 5-0-0.

### 3. **Report from Sub Committees on Items Assigned from Important Woodcreek Ordinance Sheet**

Discussion was held on establishing effective enforcement of and penalty for violations of Ordinances and creating a document with the contact information of a designated person who will respond within a specified amount of time.

No action was taken.

- a. Member Duncan provided documentation on §95.05 Health and Sanitation and §90.00 Animal Control, including a guideline from a previous residence in Ohio;
- b. Member Passalacqua provided documentation on §156.999: Penalty; and
- c. Chairperson Davenport provided documentation on §156.060: Garage and Yard Sales; §152: Signs; 95.05: Sanitation Restrictions; and 94: Fireworks

### 4. **Discuss and Take Appropriate Action on Sub Committee Reports from Important Woodcreek Ordinance Sheet**

Discussion was held on the Garage and Yard Sales Ordinance §156.060 and its corresponding Cross Reference - Penalty §156.999.

Member Passalacqua made a motion to make a recommendation to the City Council to remove the last sentence of Part (A) in §156.060 Garage and Yard Sales. Vice Chair Hector seconded the motion.

A roll call was held.

Voting Yea: Member Duncan, Member Passalacqua, Member Renter, Chairperson Davenport, Vice-Chair Hector

Motion Carried: 5-0-0.

Vice-Chair Hector made a motion to make a recommendation to City Council to add §152.43 - Restrictions on Certain Signs, (P) Garage Sale Signs to §156.060 - Garage and Yard Sales as a new letter (D), with the addition of the text "Garage Sale Signs are regulated in §152.43 - Restrictions on Certain Signs." Member Passalacqua seconded the motion.

A roll call was held.

Voting Yea: Member Passalacqua, Chairperson Davenport, Member Renter, Vice-Chair Hector, Member Duncan

Motion Carried: 5-0-0.

Member Passalacqua made a motion to make a recommendation to City Council to remove the Cross Reference – Penalty §156.999 from §156.060 - Garage and Yard Sales. Member Duncan seconded the motion.

A roll call vote was held.

Voting Yea: Member Duncan, Member Passalacqua, Member Renter, Chairperson Davenport, Vice-Chair Hector

Motion Carried: 5-0-0.

Vice-Chair Hector made a motion that Council Member Hines, the Council Liaison to the Ordinance Review Committee, carry the motions that were passed regarding §156.060 Garage and Yard Sales to the City Council for consideration. Member Duncan seconded motion.

A roll call vote was held.

Voting Yea: Member Renter, Chairperson Davenport, Vice-Chair Hector, Member Duncan, Member Passalacqua

Motion Carried: 5-0-0.

5. **Discuss and Take Appropriate Action on Creating a Sub Committee to Begin Work on Chapter 34 of the Code of Ordinances**

Vice-Chair Hector volunteered to review Chapter 34: Emergency Management.

Member Duncan left the meeting at 4:38PM.

6. **Discussion and Possible Action on How Best to Proceed with A Full Ordinance Review Process, Moving Forward.**

Discussion was held on continuing the review of the "Important Woodcreek City Ordinances" document, as agreed during the September 6, 2022, Ordinance Review Committee Meeting.

No new action was taken.

**ADJOURN**

Chairperson Davenport adjourned the Ordinance Review Committee Meeting at 4:45PM.

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**Emma Davenport, Chairperson**

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**Suzanne Mac Kenzie, City Secretary**

DRAFT

# IMPORTANT WOODCREEK CITY ORDINANCES

Item 3.

Refer to complete Code of Ordinances at [www.woodcreektx.gov](http://www.woodcreektx.gov) for details - this list is not exhaustive).

## **Construction (§151)**

- Any building construction (i.e. fences, decks, expansions, sheds, walkways, roofs) requires City approval prior to construction. Applications may be obtained online.
- Construction hours are Monday – Saturday, 7 a.m. to 6 p.m.

## **Water Quality Protection (§50.37)**

- Maximum impervious cover allowed is 30.0% - impervious cover is everything which prevents water from infiltrating into the natural soil (i.e. driveways, decks, paving blocks, sidewalks, structures).
- Max impervious cover applies in the City and ETJ (Extra Territorial Jurisdiction).

## **Fences (§156.030, §156.057)**

- Fence materials not allowed are chain link, hog wire, barbed wire, mesh netting, rolled picket, and others.
- All fences require permits.

## **Lighting – Dark Skies (§156.041)**

- All lights shall be shielded to prevent light trespass or glare and to confine the light to the owner's property.

## **Traffic (§156.029 and §70:IV)**

- Vehicles must be parked in garages, driveways or parallel to the street with all wheels off the pavement.
- Vehicles not in operating condition may not be stored in open view for more than 7 days.
- Temporary parking of buses, commercial vehicles, trailers, boats, motor homes, RVs, campers, jet skis and the like is prohibited without a permit. Permits allow for no more than 7 days parking within a 30-day period.

## **Garage Sales (§156.060)**

- Garage or yard sales at any location must be separated by a minimum of 6 months and last no more than 3 days.
- Street signs for a garage or yard sale must follow the sign ordinances.
- Auctions are prohibited.

## **Signs (§152) and Right of Way Procedures (§152.26)**

- No unauthorized sign in any public right of way. No posting of signs on street signs, traffic-control signs, fire hydrants, fences, utility boxes, trees, telephone poles or any other structure in the City's right-of-way.
- Permits are needed for signs in a public right-of-way and may be obtained online. There is a limit of 72 hours of sign placement and a fee is involved.

## **Health and Sanitation (§95.05)**

- Prohibits long-term storage of construction materials and any open storage of junk, inoperable appliances, broken furniture or trash.
- Property owners must keep dangerous vegetation under 6 inches.

## **Animal Control (§90.0)**

- **Feeding of deer is strictly prohibited.**
- No unreasonable loud dog barking (defined as disturbing to a person in the vicinity of the dog).
- Dogs shall be kept under direct physical control of owners.
- No defecation may be left on any privately-owned lots or the golf course.
- Farm animals (for example chickens) or exotic animals may not be kept.

## **Fire Prevention (§93.18 and §94)**

- Open burning of wood, brush or trash is prohibited at all times.
- No fireworks are allowed without a permit.

## **Weapons (§96.05)**

- Discharge of weapons is regulated by §96.

## **Tree-Trimming or Pruning – Oak Wilt (§91)**

- Trimming of oak trees is prohibited from February 1 to June 30. Trimming of other trees is permitted year around. A no-cost permit is required for any tree trimming.
- Specific painting procedures are required when trimming oak trees.
- Citizens must report suspected or confirmed cases of oak wilt.

## **Rentals (§156.062)**

- Short-term rentals of your home are only permitted in zoning district SF-4.

## **Residential Business**

- Any in-home business must comply with §156.061 and §156.80.

**Council Meeting Date: October 12, 2022 Agenda Item**

***Direct staff, in coordination with the Ordinance Review Committee, to prepare a Request for Proposals (RFP) seeking a contract for part-time services from a qualified Compliance Officer.***

Council and the Ordinance Review Committee have, in the last few months, developed a number of Ordinances for the benefit of our citizens and the City. It is important that there be a consistent effort to inform our citizens on these new Ordinances as well as the overall Code of Ordinances. Considering the size of our City, as well as our residents' commitment to the City and its character, a full-time Compliance Officer is not necessary.

Recommend that the RFP seek the services of a qualified Compliance Officer on a part-time basis for an hourly rate not to exceed \$20.00, with the total value of the contract not to exceed \$8,000 per year, including mileage reimbursement. Financial Impact: Not to exceed \$8,000 for fiscal year 2022-23.

Funds are available in the annual budget under personnel services.

**Things to consider when drafting the RFP:**

- 1) **Less than 15hrs per week. Rate of pay and incremental increases based on performance shall be established.**
- 2) **A verification process for citations and letters sent will be implemented, and citations deemed incorrect will be systematically removed from the record.**
- 3) **Monthly reports on citations and warning letters will be submitted to Council. These shall be detailed and informative.**
- 4) **Code Enforcement training and test must be completed within the 1-year anniversary of employment**
- 5) **Annual de-escalation and customer service training must occur.**
- 6) **All letters and violations sent to residents will be of form and substance following an approved draft format by City Council. They will include a picture, citation of code violated, and a description of what residents should do in response to the letter.**
- 7) **Creation of a formal complaint process for residents to submit issues with any City Staff and all City Officials.**
- 8) **The City Inspector shall not attend Council meetings or that of other boards, committees, workgroups, etc unless requested to do or it is determined necessary by the Mayor.**
- 9) **Shall not perform other non-code related work.**

**Shall there be some sort of mission statement or guiding sentiment shared? Like customer service?**

**NOTES: Provide their own transportation, but can receive mileage reimbursement.**

**Need to carry their own insurance.**

**Mayor Pro Tem LeBrun mentioned their may be a firm with a list of "on-call" options that can be paid as used.**

**What about a training on our code? Is a single individual preferred over a catalog of options?**