

City of Wimberley
City Hall, 12111 Ranch Road 12, Ste. 114
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
January 21, 2010 at 6:30 p.m.

City Council meeting called to order at 6:30 p.m. by Mayor Tom Haley.

Mayor Haley gave the Invocation and Councilmembers led the Pledge of Allegiance to the United States and Texas flags.

Councilmembers Present: Mayor Haley and Councilmembers Charles Roccaforte, Bob Flocke, Bill Appleman, Steve Thurber, and John White.

Staff Present: City Administrator Don Ferguson, City Secretary Cara McPartland and City Attorney Cindy Crosby.

Proclamations

- A. Proclamation recognizing the Wimberley Independent School District Fitness Program
- B. Proclamation recognizing the various individuals and businesses who organized and implemented the 2009 Christmas celebration in Wimberley

Mayor Haley presented the proclamations to all recipients/representatives present, who thanked the City for its recognition.

Citizens Communications

No citizen comments were heard.

1. Consent Agenda

- A. Approval of the minutes of the special City Council meeting of January 4, 2010
- B. Approval of the minutes of the special City Council meeting of January 7, 2010
- C. Approval of the minutes of the regular City Council meeting of January 7, 2010
- D. Approval of the appointment of Phil Dane to the Wimberley Planning and Zoning Commission (*Place Four Councilmember Steve Thurber's nominee*)
- E. Approval of the November 2009 Financial Statements for the City of Wimberley
- F. Approval of the December 2009 Financial Statements for the City of Wimberley

Councilmember Thurber pulled Consent Agenda Item 1A. Councilmember Thurber moved to approve all remaining Consent Agenda items as presented. Councilmember Flocke seconded. Motion carried on a vote of 5-0.

Councilmember Thurber requested that the designation of “chair” be added before David Estey’s name in the minutes of January 4, 2010. Councilmember Thurber moved to approve Consent Agenda Item 1A as amended. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

2. City Administrator Report

- Status report on efforts underway to secure federal funding for the downtown wastewater project

City Administrator Ferguson reported that Guadalupe Blanco River Authority’s (GBRA’s) Board is proceeding with the Tier III funding application submission and unanimously voted to adopt resolutions relating to the project. He reported that an application for grant funding through the Texas Environmental Infrastructure Program has also been submitted as an additional source of funding. He stated that the Water Wastewater Advisory Board and the Economic Development Commission will continue to meet regularly on this issue.

- Status report on sales tax collections for the City of Wimberley

City Administrator Ferguson presented information on sales tax collections history, including specific statistics showing significant swings in collections making revenue projection problematic. He noted that careful monitoring will continue and that the budgeted expenditures will be re-examined as necessary.

- Status report on efforts to hire a Planning Technician for the City of Wimberley

City Administrator Ferguson commended outgoing City Planning Technician Abby Gillfillan, who has accepted a position with the City of San Marcos. He stated that Sandy Irvin (formerly Hays County Subdivision Coordinator) has been hired to replace Ms. Gillfillan, who has agreed to provide assistance as needed during the transition period.

- Status report on development of transportation priority projects for the City of Wimberley

City Administrator Ferguson reported that Transportation Advisory Board (TAB) will present a list of priority projects to Council on February 4, 2010. He reported that cost estimates and street assessments will be provided to aid Council in making long-term planning decisions.

3. Presentation

Presentation by representatives of *Design Workshop* on the Schematic Design Phase of the Blue Hole Regional Park Development Project.

Rebecca Leonard and Steven Spears of *Design Workshop* presented detailed information on the following:

- Recap of the project to date, including certain benchmarks
- Four key questions relating to the Schematic Design Phase, including its compatibility with Blue Hole Master Plan’s vision, strengths, weaknesses, and construction priorities
- Continually updated project information at www.blueholeregionalpark.com
- Site plan specifics relating to the office/bathhouse, pathways/trails, community pavilion, playgrounds, sports/seating areas, natural features, amphitheatre, and interpretive areas
- Images showing examples of specific architectural designs and construction materials
- Details on recreation areas, including access, construction materials, and lighting
- Opportunities to educate the public on the importance of preservation/conservation, with emphasis on water resources
- Specific ways to use existing vegetation and other natural materials such as native stone
- Integration of cisterns into architecture in functional and educational ways
- Comparisons of costs using “economical” materials versus using “custom” materials
- Interactive techniques for harvesting rain water
- Interpretive signage
- Specifics on achieving the project’s environmental, community, art, and economic goals
- Phased approach to construction and associated construction costs
- Operation/maintenance plans and long-term sustainability

Discussion addressed short- and long-term goals, operation and maintenance, lifespan of construction materials, general preference for higher quality/lower maintenance materials, first phase of construction, and need for Council action.

Mayor Haley thanked *Design Workshop* representatives for their presentation and Council commended the firm for a job well done.

4. Public Hearing and Possible Action

- A. Hold a public hearing and consider approval of an ordinance of the City of Wimberley, amending Section 155 (Zoning), Appendix F, of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for un-zoned real property described as the downtown Wimberley area bounded by the Cypress Creek, Blanco River, Old Kyle Road and FM 3237 in Wimberley, Hays County, Texas, further described and shown on the exhibit attached to this ordinance; and designating the initial zoning for each tract from un-zoned to either Residential Acreage (RA), Rural Residential 1 (R-1), Single Family Residential 2 (R-2), Single Family Residential 3 (R-3), Multi-Family 1 (MF-1), Multi-Family 2 (MF-2), Neighborhood Services (NS), Commercial – Low Impact (C-1), Commercial – Moderate Impact (C-2), Lodging 1 (L-1), and Public Facilities (PF), as shown on the attached zoning map, and imposing conditions; and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting. (*City of Wimberley, Applicant*)

City Administrator Ferguson reviewed City initiated zoning procedures to date, proposed zoning, and eleven (11) alternate zoning requests, which are reflected in Map #3. He noted that Property

#55 is designated MF-2, which will be corrected to appear in the map's legend. He stated that the Planning and Zoning Commission unanimously recommended approval with the added requirement that a fence and vegetative buffer be provided by the owners of those commercially zoned properties abutting residential properties.

Discussion addressed public input received at Planning and Zoning's meeting, reasoning for certain City initiated zoning procedures, appropriateness of zoning requests for specific planning areas, and property owner notification procedures.

Mayor Haley opened the public hearing.

Downtown area property owner Deborah Koeck spoke in favor of keeping residential zoning for Property #70 and Property #77 (on Map #3), rather than C-1 as proposed. She felt that commercial zoning would negatively impact her properties (#80 and #81 on Map #3) and cited other similar comments by certain Blue Heron Run residents. Ms. Koeck stated that her properties have been held by her family for one-hundred fifty (150) years for farm, residential, or vacation uses, and that she would rather not have commercial uses next door. She stated that Hays Central Appraisal District (HCAD) has listed her address incorrectly and that she only learned about this proposed zoning by coming to City Hall in person. She stated that C-1 zoning of the subject properties, which total approximately five (5) acres, would double the amount of commercial property in the Square and asked that the Council consider its impact on maintaining old architectural styles and on water/wastewater services. Ms. Koeck asked what would happen to the Cypress Creek watershed if the subject properties were developed and covered with impervious surfaces. She requested that Council look at the impact commercial zoning would have on the neighborhood and downtown in general, water/wastewater services, and Cypress Creek, which she described as "the jewel of downtown Wimberley."

Discussion addressed specific property locations, Deborah Koecks's assertion that she was not properly notified; need to comply with floodplain requirements, additional Protected Water Overlay District (PWOD) restrictions, and development regulations. Planning and Zoning Commissioner Jean Ross noted that the Commission's recommendation included the installation of a fence and vegetative buffer to mitigate the effect of commercial activities abutting residential properties. Related to Councilmember Thurber's inquiry on property owner notification, City Attorney Crosby advised that State law only requires the City to use tax roll information and that the City has no obligation or responsibility to search out every property owner, nor is it the City's responsibility to contact HCAD in order to correct property owner information. City Administrator Ferguson added that the City is obligated to use HCAD information for property owner notification and stated that notices are also published in the *Wimberley View* in the interest of the broadest public notification possible, and to notify those owners who may not have received individual letters due to outdated/incorrect HCAD information.

Speaking on behalf of property owner, W.C. Carson, John David Carson identified properties owned by W.C. Carson by number as indicated on Zoning Map #3 (#129, #70), as well as property under option contract with Charles Clayton (Property #77). He provided background information

and offered copies of current and past City documents reflecting downtown as an area of primarily minimal impact commercial activities, with promotion of mixed uses and centralized development in Wimberley's core area. Mr. Carson stated his original understanding that C-2 (Commercial – Moderate Impact) zoning for the subject property would be appropriate, but acknowledged that later contact with City staff established C-1 as the most intense allowable commercial zoning designation. He stated that there are no plans to develop the subject property at this time and noted ongoing efforts committed to implementing an acceptable wastewater solution before commencement of any future development. Mr. Carson felt establishing commercial base zoning is very important to any future negotiations for planned development. Mr. Carson conveyed his understanding that prior objections were related specifically to Blue Heron frontage properties, and not directed to properties owned by W.C. Carson or Charles Clayton. He stressed the Carsons' commitment to abiding by all existing development regulations and protecting Cypress Creek. Mr. Carson closed his comments stating support for C-1 zoning for both W.C. Carson's properties (#70 and #129) and Charles Clayton's property (#77), and offered to answer Council's questions as needed.

Hearing no further comments, Mayor Haley closed the public hearing.

Discussion addressed access issues related to certain properties. Mayor Haley entertained a motion. Councilmember Flocke moved to approve the item as presented. In response to Councilmember White, discussion established that Councilmember Flocke's motion includes approval of zoning as presented in Zoning Map #3. Councilmember White also asked whether the motion includes the additional buffering requirements (installation of fence and vegetative buffer) for commercial properties abutting residential properties as recommended by Planning and Zoning Commission. City Administrator Ferguson replied affirmatively, since buffering language is included in the ordinance. Councilmember White seconded.

Councilmember Appleman expressed concern over Ms Koeck's statement regarding receipt of her notification letter. He stated that Council is now handling an individual zoning case, rather than the Planning and Zoning Commission, where he felt such consideration should have first occurred. Speaking to Deborah Koeck, Councilmember Appleman acknowledged her issues with notification, but felt that C-1 zoning is appropriate. Councilmember Thurber asked about inclusion of specific buffering requirements in the motion. City Attorney Crosby noted that buffering requirements are stated in the ordinance. Mayor Haley called for a vote as follows: Councilmember Roccaforte, aye; Councilmember Flocke, aye; Councilmember Appleman, aye; Councilmember Thurber, aye; Councilmember White, aye. Motion carried on a vote of 5-0.

- B. Hold a public hearing and consider approval of an ordinance of the City of Wimberley, amending Section 155 (Zoning), Appendix F, of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for property located at 230 and 240 Carney Lane, Wimberley, Hays County, Texas, designating such property from Single Family Residential 2 (R-2) to Commercial – Low Impact (C-1); and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting. (*City of Wimberley, Applicant*)

City Administrator Ferguson noted recent planning area changes and associated zoning actions that excluded the subject properties due to the property owners' failure to timely request alternate zoning. After the forty-five (45) day response period, property owner James Godwin of 240 Carney Lane submitted a request for C-1 zoning, while the property owner at 230 Carney Lane has not responded to date. In the interest of consistency with surrounding commercial zoning, City staff recommended approval of C-1 zoning for the subject properties. No opposition to this requested zoning was heard and the Planning and Zoning Commission unanimously recommended approval of C-1 zoning for both subject properties.

No public comments were heard.

Councilmember Thurber moved to approve the item as presented. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

- C. Hold a public hearing and consider approval of an ordinance of the City of Wimberley, amending Section 155 (Zoning), Appendix F, of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for property located at 956 FM 2325, Wimberley, Hays County, Texas, designating such property from Public Facilities (PF) to Commercial – Low Impact (C-1); and providing for the following: delineation on zoning map; severability; effective date and proper notice and meting. (*City of Wimberley, Applicant*)

City Administrator Ferguson reviewed the application for rezoning of the subject property (Wimberley Presbyterian Church), which was delayed at the property owner's request in order to allow adequate time to hold a Church Session meeting. However, the subject property was not removed from a prior City initiated zoning case and was zoned PF. To correct this mapping error and accommodate the owner's alternate C-1 zoning request, City staff recommends C-1 zoning as appropriate. The subject property is surrounded by commercial property on all sides and staff has received no opposition to the requested zoning. Mr. Ferguson noted that the Planning and Zoning Commission unanimously voted to recommend approval of C-1 zoning.

Mayor Haley opened the public hearing. Hearing no response, Mayor Haley closed the public hearing.

Councilmember Appleman asked why the subject property is being considered for C-1, when its current use is PF. City Administrator Ferguson replied that the property was zoned according to Council's direction, which allows the property owner to request alternate zoning subject to staff review determining appropriateness of the request.

In response to Councilmember Appleman, Wimberley Presbyterian Church representative, Wellborn Gregg, replied that the subject property was originally a commercial site and felt that C-1 would be more advantageous for future marketing of the property should the church need to relocate to a larger property. In response to Councilmember Appleman's inquiry, Mr. Gregg stated that

there are no immediate plans for the church to sell the property. Due to the subject property's limited expansion options, Mr. Gregg clarified for Mayor Haley that the church has long-term plans to move to a site allowing for larger church facilities. He noted that the church is surrounded by commercial uses and was originally a commercial site that the church modified to suit its needs.

Councilmember Thurber moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- D. Hold a public hearing and consider approval of an ordinance of the City of Wimberley, amending Section 155 (Zoning), Appendix F, of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for property located at 807 FM 2325, Wimberley, Hays County, Texas, designating initial zoning for such tract as Commercial – Low Impact (C-1); and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting (*City of Wimberley, Applicant*)

City Administrator Ferguson explained the need for Council action due to the exclusion of the subject property from a prior City initiated zoning case caused by an HCAD mapping error. He noted that the property owner supports C-1 zoning, which is consistent with surrounding uses and permitted in Planning Area III and the Entrance Corridor Overlay District. No opposition was received, with City staff and the Planning and Zoning Commission unanimously recommending approval of C-1 zoning.

No public comments were heard.

Councilmember White moved to approve the item as presented. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

- E. Hold a public hearing and consider approval of an ordinance of the City of Wimberley, amending Section 155 (Zoning), Appendix F, of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for property located at 700 FM 2325, Wimberley, Hays County, Texas, designating such property from Residential Acreage (RA) to Commercial – Low Impact (C-1), and imposing a condition; and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting. (*City of Wimberley, Applicant*)

City Administrator Ferguson reviewed the application, noting the subject property's location in both Planning Area II (rear portion) and Planning Area III (FM 2325 frontage portion). He stated that the subject property was zoned RA in a prior City initiated zoning case per procedures applicable to vacant properties and/or unresponsive property owner(s). Although conversations with the property owner took place before the forty-five (45) day deadline to respond, no written correspondence was received requesting an alternate zoning designation. Twelve (12) days after the response deadline, the City received a letter from property owner David Domsch requesting C-1 zoning, including an agreement to install a privacy fence and vegetative buffer along the rear portion of the property

abutting residential tracts to mitigate any commercial use impact. Mr. Ferguson stated that the Planning and Zoning Commission unanimously recommended approval, including the additional buffering.

No public comments were heard.

In response to Councilmember Thurber's inquiry regarding specifics on buffering requirements, Planning and Zoning Commissioner Ross replied that the Commission recommended the standard buffers for *any* commercial properties abutting residential areas. Councilmember Thurber requested a definition for "standard buffer." Noting ordinance language consistent with similarly zoned properties, City Administrator Ferguson read the following excerpt from the ordinance: "Prior to occupancy this property shall install a privacy fence no less than eight feet (8') in height and a vegetative buffer along all property lines that abut a residential zoning district or residential use." Councilmember Thurber asked for a definition of vegetative buffer. City Administrator Ferguson stated that there is not a specific definition, which allows some flexibility for the property owner. Commissioner Ross stated her understanding of standard buffering as it was requested for prior zoning actions (*Kate's Place/Mystical Oasis*). Discussion among Council, City Administrator Ferguson, and Commissioner Ross addressed language used for prior similar zoning case(s), cases involving properties in more than one planning area, dominance of frontage portion of property in determining applicable planning area(s), distinctions between specific properties, consistency in reasoning, need to protect residential areas, and flexibility allowed for buffering requirements.

During the discussion, Councilmember Thurber replied affirmatively to City Administrator Ferguson's inquiry that he was notified as one of the property owners within two hundred feet (200') of the subject property. Councilmember Thurber stated that he wanted to protect residential properties along all sides abutting commercial activities. Commissioner Ross noted that one adjacent residential property owner questioned potential C-1 uses at Planning and Zoning's January 14, 2010 meeting, but did not express concerns once C-1 uses were clarified by City Administrator Ferguson.

City Administrator Ferguson requested a short recess before action is taken on this item. Mayor Haley called for a short break at 8:21 p.m. Mayor Haley reconvened at 8:30 p.m. Councilmember Thurber recused himself from the meeting at this time.

Councilmember White moved to approve the item as presented. Councilmember Appleman seconded. Councilmember Appleman requested clarification for his understanding of Council's ability to change planning areas and wondered why this option was not used in this case. Commissioner Ross noted that ninety percent (90%) of the properties in this planning area are zoned properly and stated that if the planning area were changed for this property it would open up residential areas for commercial zoning. Councilmember Appleman asked whether the planning area could be changed around the subject property. City Administrator Ferguson advised against doing so and acknowledged challenges encountered in employing planning area maps in general. He stated that planning areas do not always follow property lines and that sometimes there is a need to approximate which planning area applies.

Hearing no further discussion, Mayor Haley called for a vote. Motion carried on a vote of 4-0. After the vote was taken, Councilmember Thurber rejoined the meeting at this time.

5. Ordinance

Consider approval of an ordinance of the City of Wimberley, Texas, ordering a General Election on May 8, 2010, for the purpose of electing a Mayor and City Council members for Places Two and Four of the City of Wimberley City Council, such election to be held jointly with the Hays Trinity Groundwater Conservation District and Wimberley ISD; establishing early voting locations and polling places for the election ; making other provisions for the conduct of the election; and providing for findings of fact, severability, conflicting provisions, governing law, proper notice and open meeting, and an effective date. (*City Administrator*)

City Administrator Ferguson reviewed details of the ordinance, including voting and early voting days/times/location. He stated that Wimberley ISD and Hays Trinity Groundwater Conservation District (HTGCD) are participating with the City of Wimberley in this joint election, with all three entities contracting with Hays County Election Division to conduct the election.

Councilmember Appleman moved to approve the item as presented. Councilmember Flocke seconded. Motion carried on a vote of 5-0.

6. Resolution

Consider approval of a resolution of the City of Wimberley, Texas, authorizing the Mayor to sign all documents relating to the purchase of a certain tract of real property described as Lot 80, South River Unit 1, consisting of approximately 0.814 acres, City of Wimberley, Hays County, Texas; providing for an effective date; and proper notice and meeting. (*City Administrator*)

This item was heard after Agenda Item 7I.

Mayor Haley adjourned Open Session and convened into Executive Session at 8:57 p.m. for consultation with legal counsel to discuss real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code.

Mayor Haley adjourned Executive Session and reconvened Open Session at 9:29 p.m. No action was taken during Executive Session.

Councilmember Thurber moved to approve a resolution authorizing Mayor Haley to sign all documents relating to the purchase of a certain tract of real estate as discussed in Executive Session with the modifications discussed therein. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

7. Discussion and Possible Action

- A. Discuss and consider possible action on issues relating to the selection of a firm to prepare a boundary survey for the City of Wimberley. (*City Administrator*)

This item was heard after Agenda Item 5.

While impressed with Baker-Aicklen's presentation, Councilmember Roccaforte favored Pro-Tech Engineering due to its familiarity with the Wimberley area.

Councilmember Flocke favored Pro-Tech Engineering because he felt that Pro-Tech's existing records information from prior survey work would be more time- and cost-effective.

Councilmember Appleman recognized the difficulty of this decision, but favored Baker-Aicklen & Associates and cited the amount of time taken by Pro-Tech Engineering to complete past survey work.

While recognizing Pro-Tech's history and Mr. Kilber's and Mr. Roden's service to the community, Councilmember Thurber favored Baker-Aicklen because specific answers were provided relating to survey products, shorter amount of time to complete the project, and larger staff.

Discussion addressed Councilmember White's request for clarification on project completion timeframes given by both firms. Though he felt that both firms would produce satisfactory results, Councilmember White stated his personal knowledge of Pro-Tech's survey work and favored the selection of Pro-Tech Engineering.

Councilmember Flocke felt that completion times for both firms will be about the same. City Administrator Ferguson stated that interviews conducted earlier with both firms established a shorter completion time for Baker-Aicklen and Associates.

In weighing the firms' Wimberley-specific experience, Councilmember Thurber felt that Pro-Tech's prior Wimberley surveying may "work both ways," stating the possibility that prejudices may exist on boundary line locations.

Councilmember Roccaforte stated that both firms utilize the same technology, but that Baker-Aicklen provided more details than Pro-Tech Engineering in its presentation.

Councilmember Flocke moved to authorize staff to negotiate a contract with Pro-Tech Engineering to prepare a boundary survey for the City of Wimberley. Councilmember Roccaforte seconded. Mayor Haley called for a vote as follows: Councilmember Flocke, aye; Councilmember Appleman, nay; Councilmember Thurber, nay; Councilmember White, aye; Councilmember Roccaforte, aye. Motion carried on a vote of 3-2.

- B. Discuss and consider approval of the plans and information development in the Schematic Design Phase Report for the Blue Hole Regional Park Project. (*City Administrator*)

This item was heard after Agenda Item 3 (Presentation).

Councilmember Thurber moved to approve the item as presented. Councilmember Flocke seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action regarding a proposed contract for election services with the Hays County Elections Administrator for the May 8, 2010 General Election. (*City Administrator*)

City Administrator Ferguson outlined the proposed agreement, including responsibilities of each entity. He noted that election costs will be shared among participating entities.

Councilmember Appleman moved to approve the item as presented. Councilmember Thurber seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action regarding a proposed Joint Election Agreement with the Wimberley ISD for the May 8, 2010 General Election. (*City Administrator*)

City Administrator Ferguson explained the need for this joint election agreement with Wimberley ISD.

Councilmember Appleman moved to approve the item as presented. Councilmember White seconded. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action regarding a proposed Joint Election Agreement with the Hays Trinity Groundwater Conservation District for the May 8, 2010 General Election. (*City Administrator*)

City Administrator Ferguson explained the need for this joint election agreement with Hays Trinity Groundwater Conservation District.

Councilmember Appleman moved to approve the item as presented. Councilmember Flocke seconded. Motion carried on a vote of 5-0.

- F. Discuss and consider approval of the routes for *The Spring Walk in Wimberley* scheduled for March 20th and March 21st, 2010. (*City Administrator*)

City Administrator Ferguson noted slight modifications to this year's leisure walk route and recommended approval.

Councilmember Thurber moved to approve the item as presented. Councilmember White seconded. Motion carried on a vote of 5-0.

- G. Discuss and consider approval of a nomination to serve on the Capital Area Metropolitan Planning Organization Board as the Small Cities Representative for Hays County. (*Mayor Tom Haley*)

Mayor Haley recommended Councilmember Flocke as a nominee due to his past experience as alternate Small Cities Representative for Hays County. Discussion established Councilmember Flocke's desire and willingness to serve, if chosen.

Councilmember White moved to approve the item as presented. Councilmember Thurber seconded. Motion carried on a vote of 5-0.

- H. Discuss and consider approval of proposed revision to rates and rental policies for the Wimberley Community Center. (*Wimberley Parks Board*)

City Administrator Ferguson recommended continuance of this item based on the Parks and Recreation Board's request to delay consideration until Council's meeting on February 4, 2010.

Councilmember Appleman moved to continue this item until Council's meeting on February 4, 2010. Councilmember White seconded. Motion carried on a vote of 5-0.

- I. Discuss and consider action on issues relating to the development of sidewalks at certain locations in the City of Wimberley. (*Place Four Councilmember Steve Thurber*)

Councilmember Thurber provided an example of unsafe conditions involving students walking beside a ditch running along FM 2325. He asked that Council charge the Transportation Advisory Board (TAB) with the task of examining ways to provide sidewalks along FM 2325 and Green Acres. In addition to \$25,000 previously set aside for sidewalk development, Councilmember Thurber stated that meetings with local school officials are scheduled to discuss other means of funding, including grants. City Administrator Ferguson provided information on requirements for limited state funds available through the Safe Routes to School Program. He noted specific challenges such as existing drainage ditches along FM 2325.

Mayor Haley suggested assigning TAB with the task of providing Council with recommendations for sidewalk development.

Councilmember Thurber so moved. Councilmember Flocke seconded. Councilmember Thurber restated the motion to authorize TAB to take the necessary steps to begin the process to bring a recommendation to Council on sidewalks along FM 2325 and Green Acres. Councilmember Flocke seconded. Motion carried on a vote of 5-0.

Councilmember Appleman asked about Texas Department of Transportation's (TxDOT's) responsibility for drainage ditches and City Administrator Ferguson responded that TxDOT would likely maintain that an open drainage ditch is not meant to be used as a walkway.

8. City Council Reports

- Announcements
- Future Agenda Items

This item was heard after Agenda Item 6.

As a future agenda item, Councilmember Thurber requested discussion of a possible Transportation Master Plan amendment regarding River Meadows subdivision emergency services access in order to address concerns expressed to him by subdivision resident Brad Stockman. In response to Councilmember Thurber's inquiry about the need for re-examination by TAB, City Administrator Ferguson replied negatively.

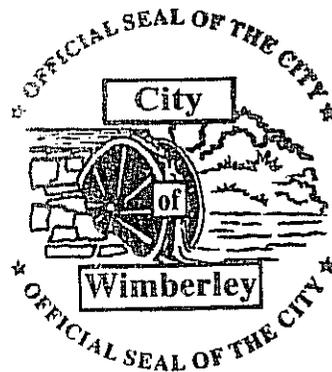
Hearing no announcements or future agenda item requests, Mayor Haley called the meeting adjourned at 9:30 p.m.

Adjournment: Council meeting adjourned at 9:30 p.m.

Recorded by:

Cara McPartland

Cara McPartland



These minutes approved on the 4th of February, 2010.

APPROVED:

Tom Haley

Tom Haley, Mayor