

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
July 15, 2010 at 6:00 p.m.

City Council meeting called to order at 6:00 p.m. by Mayor Bob Flocke.

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

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

Staff Present: City Administrator Don Ferguson and City Secretary Cara McPartland.

Citizens Communications

No citizen comments were heard.

1. Consent Agenda

- A. Approval of the minutes of the regular City Council meeting of July 1, 2010
- B. Approval of the minutes of the special City Council meeting of June 29, 2010
- C. Approval of the appointment of Tevis Grinstead to the City of Wimberley Board of Adjustment as an alternate member. (*Place Three Councilmember Bill Appleman's nominee*)

Councilmember Thurber pulled Consent Agenda Items 1A and 1B, and moved to approve Consent Agenda Item 1C. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

Councilmember Thurber requested the following amendment to Consent Agenda Item 1A relating to Item 4B on page 4: "Councilmember Thurber moved to *continue* this item until Council's meeting on July 15, 2010."

Councilmember Thurber requested the following amendment to Consent Agenda Item 1B: Delete Councilmember Thurber's name from those listed as present.

Councilmember Thurber moved to approve Consent Agenda Items 1A and 1B as amended. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

2. City Administrator Report

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

City Administrator Ferguson reported that presentation of the City's loan application is anticipated at the Texas Water Development Board's August 19, 2010 meeting. He advised that a joint workshop to be held with City Council, Water Wastewater Advisory Board, and Hays County is tentatively scheduled for late summer pending completion of a regional study.

- Status report on development activity in the City of Wimberley

As compared to last calendar year, City Administrator Ferguson cited an increase in subdivision activity, relatively dormant residential building permit activity, decrease in new home starts, and increase in remodels and construction of secondary residences. He noted that commercial building permit statistics are significantly lower this year due to last year's large-scale Wimberley Independent School District's building projects. Most commercial building permits were issued for remodeling, fences, and general internal work. With City-initiated zoning completed, more applications for conditional use permits are anticipated.

- Status report on the reconstruction of Las Flores Drive, La Pais Drive and Palos Verdes Drive

City Administrator Ferguson reported that lack of base materials on La Pais and Palos Verdes Drives is expected to increase costs by approximately \$5,000, but hoped to save on this added expense by reusing leftover base material from Las Flores Drive. He anticipated project completion before the end of this fiscal year. He thanked residents for their cooperation and noted that only three trees had to be removed from the right of way for safety reasons.

- Status report on the operation of the Blue Hole Regional Park

City Administrator Ferguson reported on recent weather-related closures, decreases in issuance of season passes, increased gate receipts, and positive impact on attendance from favorable media coverage. He stated that *Design Workshop* is beginning the permitting process and that a general clearance letter will be required from U.S. Fish and Wildlife Service. In response to Councilmember White, City Administrator Ferguson replied that design options are being considered to facilitate water access at Blue Hole.

- Status report on the upcoming *City Council Goals and Objectives Workshop*

City Administrator Ferguson reported that the workshop is scheduled for Wednesday, July 21, 2010 at 10:00 a.m. at the Way Ranch. He advised that an agenda will be posted at City Hall and on the City's website. The public is invited and lunch will be provided to Council.

- Status report on Fourth of July festivities in the City of Wimberley

City Administrator Ferguson reported that around 2,000 people attended the Fourth of July Jubilee and fireworks display. He stated that traffic control is needed to help facilitate exiting the events next year. Around 2,500 people observed Monday's July 5th parade, with only one minor injury of a parade participant reported. Despite the Friday, July 2nd closure due to inclement weather, more than 700 people visited Blue Hole over the holiday weekend.

3. Public Hearing and Possible Action

- A. Hold a public hearing and consider approval of an ordinance approving an application for a conditional use permit submitted by *Leaning Pear, LLC* to permit a sit down eating establishment including the sale of beer, wine, and alcohol for on premise consumption on a tract of land located at 111 River Road, Wimberley, Hays County, Texas, zoned Commercial – Low Impact (C-1), and imposing certain conditions; and providing for findings of fact; amendment of the zoning district map; repealer; severability; effective date; proper notice and meeting; and providing for certain conditions. (*Leaning Pear, LLC, Applicant; this item was continued from the July 1, 2010 City Council meeting*)

City Administrator Ferguson presented staff's report including subject property location, current/proposed zoning and uses, acreage, and planning area. No public comments were received on the application. Maps/aerials were displayed detailing the subject property, which will not require a distance waiver. He stated that the Planning and Zoning Commission unanimously recommended approval.

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.

After the vote was taken, Councilmember McCullough asked City Administrator Ferguson how much money had been collected for the Fourth of July fireworks display (referring to the last item under Agenda Item 3). City Administrator Ferguson replied that after all collections were received, the City expects to pay the remaining balance of \$1,200 to \$1,500.

- B. Hold a public hearing and consider approval of the first reading of an ordinance amending Chapter 155 (Zoning) Subsections 155.107(B)(2) and (B)(3) (Planning and Zoning Commission) of the Code of Ordinances of the City of Wimberley, Texas in order to revise the appointment process for Planning and Zoning Commission members; and providing for findings of fact, and effective date; proper notice and meeting, and severability. (*City Administrator*)

City Administrator Ferguson explained the proposed ordinance, which establishes an appointment process where each member of the City Council and Mayor shall nominate one (1) member to the Commission at the first regular meeting in July following their election to office. A seventh member shall be nominated by a consensus of the Council at the first meeting in July following the Mayor's election to office. Each person nominated must be approved by a simple majority vote of the Council before becoming a member of the Commission. Each member's term in office will run concurrent with the term of the City Councilmember who made his or her appointment, unless sooner removed or resigned. The term of the consensus member shall run concurrent with the term of the Mayor. The members of the Board shall serve until their successors are appointed. Each Commission shall be eligible for reappointment.

It was noted that a similar appointment process currently exists for most of the other City boards and commissions and that the proposed ordinance would replace the appointment process that has been in place for several years.

No public comments were heard.

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

4. Discussion and Possible Action

- A. Discuss and consider possible action on a proposal to make Las Flores Drive a dead end street. (*Place Three Councilmember Bill Appleman*)

Councilmember Appleman hoped that this proposal offers a compromise solution that allows for access from Ranch Road 12 to FM 2325 at a slightly greater distance, while discouraging use as a cut-through street. Addressing concerns expressed over precedent-setting street closures, he stated that any future street closure(s) should be considered on the basis of the public's health, safety, and welfare. Councilmember Appleman cited examples of successful street closures in other cities that improved safety for affected neighborhoods. He felt that over time people will adjust and find that using other cross over streets such as Emergency Lane will be just as easy as using the longer La Buena Vista loop to access FM 2325, and discourage speeding cut-through traffic on Las Flores Drive.

Craig Fore of 311 La Buena Vista agreed with Councilmember Appleman's proposal to discourage cut-through traffic and added that implementation should take place before the start of the school year in order for drivers to become accustomed to the changed route.

Tammy Sedam of 10 Las Flores Drive felt that this proposal is a good compromise solution that will improve safety. She stated that low attendance by Las Flores neighborhood residents at tonight's meeting may be due to threatening emails. Ms. Sedam feared for her son's safety while riding his bicycle and sought advice from legal counsel and law enforcement to deal with possible acts resulting from threats. She asked that Council approve action to make Las Flores a dead end street.

Madonna Kimball asked for clarification on the exact route drivers would take through the neighborhood to cross from FM 12 to FM 2325. Discussion established that traffic would be routed from Las Flores Drive to La Buena Vista at the existing 3-way stop intersection, then briefly back onto Las Flores for about 100 feet, to reach FM 2325.

City Administrator Ferguson stated that there will be conspicuous speed limit signage, a designated school zone, and possible speed humps on La Buena Vista, with the partially blocked intersection of Las Flores/La Buena Vista becoming a two-way stop intersection. Mrs. Kimball questioned why Council voted to keep Las Flores Drive open at its last meeting and is now considering closure at tonight's meeting. Councilmember Appleman explained that Council acted at its last meeting on a specifically worded agenda item relating to complete closure of Las

Flores Drive that would not allow any way to cross from Ranch Road 12 to FM 2325. Mrs. Kimball expressed concerns about possible congestion at Emergency Lane and asked about repaving of La Buena Vista, should this proposal be approved. Councilmember Appleman replied that Emergency Lane was designed as a cross over, unlike Las Flores Drive which cuts through a neighborhood. He stated that he would not propose repaving of La Buena Vista, which is in good condition.

Jean Veriato of 8 Las Flores spoke in favor of this proposal and felt that cut-through traffic will decrease due to the longer, winding route, which would include a school zone, and possible speed hump(s), if approved. She stated that traffic backed up from FM 2325 would no longer block residential driveway exits if Las Flores Drive became a dead end street.

Discussion addressed the specific location for school zone designation, proposed route of traffic from Ranch Road 12 to FM 2325, prohibition of trucks, and associated signage.

Councilmember Thurber cited statistics on public input to date indicating an even number of supporters and opponents on the issue of completely barricading any through traffic in the Las Flores neighborhood. He felt that this proposal to make Las Flores Drive a dead end street is a good compromise that will give residents their neighborhood back.

Discussion clarified the exact proposed route for Councilmember White, who expressed concerns about impact on residents of La Buena Vista. City Administrator Ferguson felt that this proposal would not present as much of a problem on La Buena Vista Drive, which contains approximately twelve residences that are set back on fairly large lots. In the event of a Council motion in favor of this agenda item, discussion established that it may include language relating to installation of speed humps on La Buena Vista, creation of a school zone, and signage as part of the motion (see Agenda Item 4B). In response to Mayor Flocke, City Administrator Ferguson stated that the lowest probable speed designation for schools zones is 15 miles per hour, with cell phone use prohibited. It was suggested to add signage clearly indicating that traffic turning onto FM 2325 from Las Flores Drive is entering an existing school zone.

Councilmember Appleman moved to approve the item as presented, with additional direction to staff to proceed with installation of two speed humps on La Buena Vista in locations deemed appropriate by City Administrator Ferguson. Councilmember McCullough seconded.

Councilmember Thurber requested a friendly amendment to add language to the motion relating to school zone signage on La Buena Vista and consultation with the City Engineer on speed hump installation. Councilmember Appleman accepted Councilmember Thurber's friendly amendment. Councilmember McCullough seconded.

In response to Mayor Flocke, City Administrator Ferguson replied that at least two speed humps will likely be needed on La Buena Vista. Councilmember McCullough requested a second friendly amendment to add language to the amended motion that allows installation of up to four speed humps on La Buena Vista. Councilmember Thurber seconded.

Mayor Flocke called for a vote as follows: Councilmember Roccaforte, aye; Councilmember McCullough, aye; Councilmember Appleman, aye; Councilmember Thurber, aye; Councilmember White, nay. Motion carried on a vote of 4-1.

- B. Discuss and consider possible action on a proposal to install speed humps on Las Flores Drive and La Buena Vista Drive. (*City Administrator*)

Mayor Flocke introduced the item, which died for lack of a motion (see previous Agenda Item 4A).

- C. Discuss and consider possible action on a proposed speed hump policy for the City of Wimberley, Texas. (*City Administrator*)

City Administrator Ferguson summarized key differences between two proposed policies, one of which includes cost sharing options, and recommended the cost sharing version.

Councilmember McCullough felt that the City should be responsible for costs if there is a need established for speed humps, regardless of whether installation was requested by the City or by residents.

Councilmember Thurber believed that the need for speed humps will change as the City grows, favored the cost sharing option, and felt that citizens who request and benefit from speed humps should bear part of the responsibility for costs.

Referring to recent examples, Councilmember McCullough stated that the neighborhood would want and request speed humps because they feel there is a need for them.

Mayor Flocke stated that if citizens' speed hump requests meet defined eligibility criteria, then the City should bear the costs. If eligibility criteria are not met and citizens still want speed humps installed, they could do so at their own cost.

Councilmember Thurber expressed budgetary concerns and discussion addressed funding options based on budget procedures/constraints, various cost sharing scenarios, and associated deadlines relating to submission of requests, review procedures, funding, and installation. City Administrator Ferguson suggested a system for request submission with specific deadlines and clarified differences in the two versions before Council, particularly relating to eligibility and cost responsibility.

Councilmember White favored cost sharing and felt that the City needs to bear some cost responsibility, once need and eligibility have been established per defined criteria.

Clarification was provided to Councilmember McCullough regarding the ability of Council to approve speed hump installation, regardless of submission/review deadlines, if there is an imminent need established in the interest of public safety. Discussion among Council and City Administrator Ferguson addressed protections against frivolous requests for speed humps.

Councilmember Thurber suggested the following changes to the final draft of the cost sharing version:

2(A)(3) - Delete the clause, "In the absence of a neighborhood association" and replace with wording that effectively states "Regardless of the existence of a neighborhood association."

2(B)(8) - Replace the reference to *eight hundred (800) vehicles* with *four hundred-fifty (450) vehicles*.

City Administrator Ferguson reminded that the cost sharing version assigns points for both eligibility *and* cost sharing. He provided examples with specific shared percentages.

Councilmember Thurber requested to continue this item until Council's next regular meeting on August 5, 2010 to allow for further review. City Administrator Ferguson agreed to provide examples at Council's next meeting by using specific streets to better illustrate implementation of proposed speed hump policies.

Mayor Flocke entertained a motion to continue this item and advised Council to forward input to City Administrator Ferguson so that suggested changes may be incorporated into the revised draft. Councilmember Thurber moved to continue this item until Council's next regular meeting on August 5, 2010. Councilmember McCullough seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action on a proposal for the City of Wimberley to contract with off-duty law enforcement officers to provide traffic enforcement on City streets.
(Place Two Councilmember Mac McCullough)

Lacking a city marshal program, Councilmember McCullough stated that the City has no means to enforce traffic regulations or City ordinances. Given expressed concerns from residents about lack of enforcement, he felt that hiring of contract law enforcement may provide an interim solution.

City Administrator Ferguson reviewed the City's history of using contract law enforcement for heavy traffic periods (such as the beginning of the school year) and to supplement the former city marshal's efforts. He provided details on costs (approximately \$125 per hour) and advised that Council may give specific directions to contract personnel on traffic enforcement.

Discussion addressed coordination of staffing with off-duty personnel from Hays County Sheriff's Office (HCSO) and Hays County Constable Offices, limited number of available peace officers, filing of citations in the Hays County Justice of the Peace Court, scheduling deadlines, specific duties, estimated minimum number of hours needed per week, and extra hours for certain heavy traffic times. City Administrator Ferguson anticipated the need for three to five four-hour shifts per week. He stated that logistics of enforcing City Code violations would have to be worked out with personnel, if Council desires to add Code enforcement to traffic duties. Discussion addressed lack of enforcement for City ordinances, actual and hypothetical examples of Code violations, and feasibility of consolidation with other entities.

After discussion on motion wording, Councilmember McCullough moved to approve a proposal for the City of Wimberley to contract with off-duty law enforcement officers to provide traffic enforcement on city streets and enforcement for other City ordinances, if possible. Councilmember Thurber seconded. Discussion clarified that the motion authorizes staff to enter negotiations with the appropriate law enforcement agencies in order to bring a proposal to Council for future consideration and does not authorize expenditures, which would require a budget amendment of the current fiscal year. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action on a proposal to reinstate the City Marshal Program for the City Wimberley. (*Place Two Councilmember Mac McCullough*)

Councilmember McCullough stated the need for means to enforce City Code and traffic regulations and commended the former city marshal's performance.

Discussion addressed apportionment of duties, possible cost sharing with City of Woodcreek, use of the term "marshal" versus "police," sharing of duties between jurisdictions, need for a city marshal program, funding concerns, and traffic/ordinance enforcement.

Mayor Flocke felt that the term "marshal" is ambiguous compared to "police officer." He suggested that action be delayed until after Council has held more in-depth budget discussions. There was general agreement to further discuss this issue during the budget process.

Councilmember Appleman moved to table this item for a later time during the budget process. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- F. Discuss and consider possible action authorizing the County of Hays to resurface that portion of Flite Acres Road located within the Wimberley city limits at no cost to the City of Wimberley. (*City Administrator*)

City Administrator Ferguson presented Hays County Precinct 3 Commissioner Will Conley's letter proposing to resurface Flite Acres Road, including the portion within the city limits, at no cost to the City in order to maintain connectivity and continuity of pavement surface throughout its entire length. City Administrator Ferguson recommended approval contingent upon the following conditions: No costs will be incurred by the City and Hays County Commissioners Court must authorize such work.

Flite Acres resident Alice Wightman recalled Hays County Transportation Director Jerry Borcharding's statement from October 2009 that road work "will not happen" unless residents want it. Ms. Wightman also recalled Hays County Judge Liz Sumter's remarks to her in April 2010, indicating that Flite Acres Road repaving is "dead." Ms. Wightman preferred the small "country lane" look of the current road, which she stated has been improved within the last five years, and cited problems with speeding vehicles. She questioned the fairness of the public process and asked that action on this item be postponed. Ms. Wightman felt that blacktop would distinguish Flite Acres from other roads and attract attention to it. She stated that a new, smooth surface would only encourage speeders. Ms. Wightman asked for more time to better inform the public, gauge residents' support, and decide if repaving is needed.

Because only certain portions of Flite Acres Road are inside city limits, City Administrator Ferguson advised that Hays County can proceed with repaving on its portions, regardless of Council action. If Hays County proceeds with repaving only its portion of Flite Acres, there may be problems with surface continuity. He acknowledged that according to the City's grading system, Flite Acres Road would not be a high priority. Discussion addressed the scope of work to be done.

Cynthia Marion asked which portions of Flite Acres are inside city limits versus county limits. City Administrator Ferguson stated that there are several different City-owned portions along Flite Acres Road of varying lengths. Ms. Marion stated that when "someone's offering to give me something for free, I kind of wonder what's going on."

Denise Jackson asked why resurfacing is scheduled and worried that speeders could lose control, drive through her fence, and endanger her grandchildren. She stated that she has a problem with making Flite Acres a "drag strip." Lee Jackson suggested speed humps.

Mayor Flocke agreed that money could be better spent on other Precinct 3 roads, but cautioned that the City's portions, if not resurfaced with Hays County's portions, would create an uneven surface. Several speakers requested additional specifics on the exact parameters of work to be done and identification of sections of Flite Acres Road that are located within the City of Wimberley versus Hays County. City Administrator displayed a map of Flite Acres Road and stated that barring an exact survey of each section, the total estimated City portion is over 8,000 linear feet.

Alice Wightman acknowledged that residents need to express their concerns to the Hays County Commissioners Court and felt that in light of work done on Flite Acres in the last five years, resurfacing is not necessary. She described the public process as "shadowy," repeated Jerry Borcharding's previously cited statement, and questioned why the road is being resurfaced again.

Mayor Flocke advised that residents' questions should be directed to Hays County Commissioners Court. He stated that Hays County has improved Flite Acres Road within the last five years. Referring to the timing of resurfacing, City Administrator Ferguson stated that Hays County has a regular maintenance schedule.

Councilmember Thurber cited earlier conversations with several residents, including one who was surveyed about the project. Based on these contacts, Councilmember Thurber felt that residents favoring resurfacing only wanted chip sealing, with no striping or new asphalt surface, in order to maintain the character of the neighborhood. Councilmember Thurber felt that this project is a waste of taxpayer money and favored delaying action until Hays County provides specific information on the proposed work and assures that all work is done in accordance with City Code. Councilmember Thurber did not feel that Council should act on this item until Hays County Commissioners Court has approved the project. Mayor Flocke stated that Hays County does not need Commissioners Court approval for allocation of road funds. Councilmember Thurber did not feel that a commissioner should be able to initiate road improvement projects at

his own discretion without Commissioners Court approval and was uncomfortable with accepting a gift from Hays County without such approval.

Councilmember Thurber moved to *not* authorize the County of Hays to resurface that portion of Flite Acres Road located within the Wimberley city limits until the City receives specifications on work to be done and concurrence with Hays County Commissioners Court.

Discussion addressed the role of Hays County Commissioners Court related to road fund expenditures, associated responsibilities, and the existing interlocal agreement between Hays County and the City of Wimberley. Councilmember Thurber was concerned about a commissioner giving a gift to the City utilizing taxpayer dollars, and found it hard to accept such a gift without approval of the entire Commissioners Court. Discussion established that Hays County can still resurface its own portions of Flite Acres Road, regardless of Council's action relevant to the City's portion.

Councilmember Thurber restated his motion to *not* authorize Hays County to resurface that portion of Flite Acres Road within the city limits of Wimberley.

Councilmember McCullough stated concerns about creation of uneven road surface conditions. Councilmember Thurber felt that un-resurfaced City portions would serve to slow traffic down along Flite Acres Road.

Motion died for lack of a second.

Councilmember McCullough moved to direct City Administrator Ferguson to provide Council with explicit details obtained from Commissioner Conley on the exact extent of construction, including striping, in order for Council to make an informed decision.

City Administrator Ferguson stated that Commissioner Conley indicated that construction will be confined to an asphalt overlay for maintenance purposes, with no striping work, other than that requested by the City at the Flite Acres Road/FM 3237 intersection. There was no mention of tree removal and only minimal drainage work, as needed.

Councilmember Thurber stated that Council needs more details.

At Mayor Flocke's request, Councilmember McCullough restated his motion to authorize City Administrator Ferguson to obtain explicit details from Commissioner Conley for the entire project.

Councilmember McCullough replied negatively to City Administrator Ferguson's inquiry about exploring Hays County's position on project authorization.

Councilmember Appleman seconded.

Mayor Flocke called for a vote as follows: Councilmember McCullough, aye; Councilmember Appleman, aye; Councilmember Thurber, nay; Councilmember White, aye; Councilmember Roccaforte, aye. Motion carried on a vote of 4-1.

There was brief discussion on determination of City of Wimberley/Hays County boundaries and the need for a city limits survey.

Mayor Flocke stated that Council has completed discussion and action on this matter and advised Ms. Wightman that she may provide further input at a later time.

- G. Discuss and consider possible action on issues relating to the development of the Fiscal Year 2011 Operating Budget for the City of Wimberley. (*City Administrator*)

City Administrator Ferguson explained the budget process/timeline. Councilmember Appleman stressed the need for street improvements and hoped to receive the Transportation Advisory Board's five-year capital improvement plan before budget discussions. Mayor Flocke suggested a ten-year plan is more common for street maintenance. Councilmember Appleman recommended a five-year plan to bring City streets up to minimum standards. Councilmember Thurber felt that sidewalks are needed to improve pedestrian safety and mobility. Councilmember McCullough stated that lighting is needed from the City parking lot to the Square.

5. City Council Reports

- Announcements
- Future Agenda Items

As a future agenda item, Councilmember McCullough requested that consideration be given to tasking the Hays County Voter Registrar, City Administrator Ferguson, and two or more respected citizens with reviewing and scrutinizing voter rolls for ineligible voters.

Councilmember Thurber asked City Administrator Ferguson to check with the Planning and Zoning Commission on providing a member to present Commission reports to Council.

Councilmember Appleman requested that City boards/commissions report to Council on a regularly scheduled basis. Discussion addressed the possibility of scheduling joint workshops with certain boards/commissions.

Councilmember Appleman requested quarterly reports Wimberley Community Center (WCC) operations. City Administrator Ferguson advised that the last report was provided to Council in late May and noted that details on WCC revenues/expenditures are included as part of the City's monthly financial statements.

Hearing no further announcements or future agenda item requests, Mayor Flocke called the meeting adjourned at 8:21 p.m.

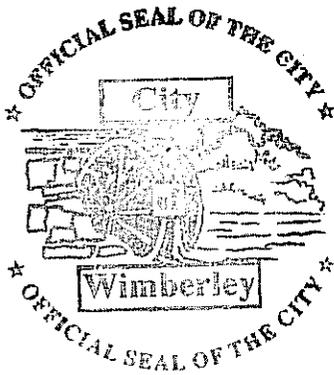
Adjournment: Council meeting adjourned at 8:21 p.m.

Recorded by:

Cara McPartland

Cara McPartland

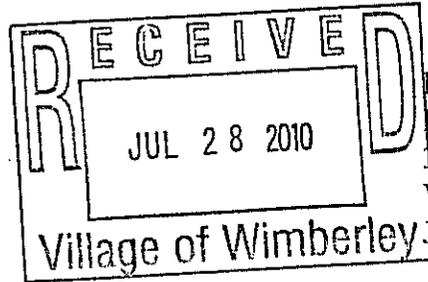
These minutes approved on the 5th of August, 2010.



APPROVED:

Bob Flocke

Bob Flocke, Mayor



Donald W. Black
P.O. Box 797
38 La Buena Vista Dr.
Wimberley, Tx.
July 28, 2010

City of Wimberley
221 Stillwater
P.O. Box 2027
Wimberley, Tx.
78676

To Whom it May Concern:

This letter is written, to the Mayor and City Council Members, in regard to the road construction and scheduled closing of Las Flores Drive at the intersection with La Buena Vista Drive.

On June 29, 2010, a public hearing was held at the Wimberley Community Center to allow interested parties to voice opinions on the proposed closing of Las Flores Drive where it intersects with the 500 block of La Buena Vista Drive. I was unable to attend, but did write a letter to Don Ferguson, City Manager, as per instructions included with the neighborhood resident notification sent out by the city. My wife and I were opposed to this proposal, due to the fact that it would limit our access into and out of the neighborhood as well as impede emergency vehicles.

Within a couple of days of the June 29th meeting, the city council voted to not make the closure as proposed. This was reported in the local newspapers and mention was made of the construction of speed bumps to try to control speeders.

Shortly thereafter, road barriers were erected and construction began on Las Flores and on the RR12 end of the road improvement project. A few days ago, the local newspapers reported that the city council had voted to close Las Flores drive at the intersection with La Buena Vista. This decision was made without any notification to the neighborhood to allow interested parties to voice opinions. Unless of course, we were inadvertently left off of the mailing list for another public hearing. It should be noted that this decision was reported in the local newspapers, after construction had started.

I addressed this letter to whom it may concern and I would submit that every resident in the Wimberley city limits and every other person who drives the streets of Wimberley should be concerned. Apparently the city council is smarter than the majority of Wimberley residents. I feel like the original negative vote was due to the residents opinions in the original open meeting, but the city council, in their infinite wisdom, decided to reverse their original decision and close the street against the will of what I believe to be the majority of Wimberley residents. I wonder how many other residents would like to have their street closed because of the traffic that travels in front of their home.

Evidently Washington politics has arrived in Wimberley. The Mayor and City Councilmen are elected to represent the will of the majority of the community. For many years, Washington politics has represented the will of Washington politicians and not the people. Perhaps that is what is going on here.

The Wimberley City Council has decided to make Las Flores Drive a dead-end street with a cul-de-sac at the intersection with La Buena Vista. This will allow us access to RR12 and RR2325, as we wanted, but it will route all of the traffic in front of our home, and in front of a private school with small children being delivered and picked up. Consequently, this will not provide a solution to the speeding problem, it will just move it onto another street.

My wife and I opposed the closing of La Buena Vista at Las Flores originally because it would limit our access. We also oppose the closing of Las Flores Drive with the cul-de-sac, but not because of the increased traffic flow in front of our home. We understand traffic. As more and more people move to Wimberley, traffic will increase.

The primary reason that we oppose the current city plan is the lack of fiscal responsibility. Both Las Flores and La Buena Vista Drives needed major road repairs, due to the amount of traffic flow. I do not know the cost figures, but under the current plan, the city is spending thousands of dollars to construct a private driveway for the residents on Las Flores Drive. It is for the use of the residents of 12-15 homes on Las Flores. These thousands of dollars are going on a dead end street, a road to nowhere except the driveways of these residents. The expenditures of tax money on Las Flores Drive is for them alone and not to in any way better serve the community.

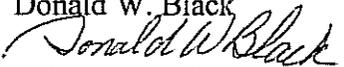
The Wimberley City Council has proven that they are going to do what they determine to be best for the Wimberley residents, without regard to other opinions and without utilizing money for the best interest of the community. That should sound familiar to anyone that takes note of state and Washington politics.

Evidently they do not believe that road improvements should be made to roads that the majority of Wimberley residents can use. As usual, the only recourse that we have in local, state and national politics is to cast a vote. Next election I know that I will remember who voted for and against the expenditures for the road to nowhere.

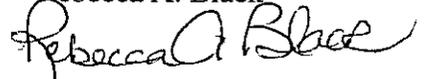
We, as voters, have two choices. We can either go along as sheep and accept without question any and all decisions made by our governing bodies, or we can at least speak up in opposition to proposals, when given the opportunity. The city council did not give us the opportunity to speak up when they took the vote to close Las Flores, so I am sending copies of this opinion letter to any and all local newspapers that are willing to read it.

Sincerely,

Donald W. Black



Rebecca A. Black



Council Members of the City of Wimberley

July 22, 2010

In my twenty three years of living in Wimberley I have seen some very irrational, ideological and unreasonable decisions made by the county, school district, city of Woodcreek and the city of Wimberley but the idea of closing Las Flores and now the proposal to make it a dead end road goes to the top of the list as the dumbest decisions yet.

The residents of Las Flores Drive have the same complaint as do any resident living on any city street in Wimberley, as the city grows so does traffic. If Mr. Appleman thinks making Las Flores a dead end will discourage the using of the cut-through, think again. Morning and afternoon traffic to and from the schools is terrible and people will use a goat trail if it is available. Once the path is determined people will use it altogether, thus making La Buena Vista Drive as traveled as was Las Flores drive.

The comment in the Wimberley View that La Buena Vista Drive's speed would be curtailed by speed bumps , a school zone for a future Montessori school and prohibiting heavy trucks are the same curtailments that could be used on Las Flores Drive; speed bumps ,a school zone (it is close enough to the Jr. High) and prohibit heavy truck traffic. By moving and increasing the traffic to La Buena Vista Drive I can only assume that the council members have no concern for the children at the existing Park Side Community school and a future Montessori school on La Buena Vista. There are sixteen or so residence on Las Flores and three times that many on La Buena Vista Drive. How is it that residents of La Buena Vista Drive don't get the same consideration as those on Las Flores drive, for that matter how about every citizen who lives on a city street? I don't know if the squeaky wheel is getting the grease, so to speak, but I do know that the wheel really squeaks around #7 Las Flores. Therefore the idea of stopping traffic on Las Flores makes no sense.

Thousand upon thousands of tax payers dollars are being spent on Las Flores drive and now the tax payers won't be able to use it. In an article in the wimberley view July 21, council member Mac McCullough stated, "We (the city of wimberley) can't enforce our speed limits," "We don't have any teeth for what we've got ordinances." Seems that the problem on Las Flores Drive lies in the hands of the city not being able to enforce their ordinances such as speeding and reckless driving, but their solution to the speeding and reckless driving on Las Flores Drive is to spend money on improving it then shutting it down.

The City Council's reasoning makes no sense; therefore, I can only assume there is a hidden agenda or some concession the public is unaware of

Council member John White, you are absolutely correct and the only one with any sense. Madonna Kimball, I don't understand how it works either. Bottom line is, residents of Las Flores if you don't want to live with traffic you should have moved to a gated community. As for the Hays County Appraisal District if Las Flores Drive is closed to through traffic I would consider a tax increase on that property as it is worth more being on a private road. For the citizens of Wimberley, petition for your tax money back for improvements being made on Las Flores Drive or petition that the work stop and let the residents of Las Flores finish the project. All in all, the decision of those council members who voted for the stoppage of traffic on Las Flores drive is irrational and should be investigated.

I am not affected by what ever decision is made on Las Flores Drive; I don't have a dog in this hunt. However, I am tired and concerned about our government officials making decision that are not in the best interest of all our citizens from the city level to the federal level. City council of Wimberley, you have traffic problems throughout the city, especially with the growth of this town. Closing Las Flores drive to appease 16 or so residents while affecting everyone else in town will only lead to traffic problems somewhere else. You're just moving the problem. You can't close every road in Wimberley to solve your traffic problem. Make a plan to expand with the expansion of your town. Don't have the city of Austin's mentality and stay 10 years behind on your traffic control and road building. I realize it takes money but your spending money on a road you're closing to traffic, makes no sense. This money could have been spent on another project that would have benefited our town not just 16 or so residents.

Signed

I.W.Y. (I'm watching you)

CLIFF STRICKLAND
POB 1968
WIMBERLEY, TX. 78676

July 26, 2010

Mayor and City Council
Wimberley, TX

Dear Mayor and Councilmen:

I have been watching the recent Las Flores transportation decisions with dismay.

First, is the City policy that Wimberley citizens are entitled to safe and peaceful streets? I have never heard of such an entitlement in any jurisdiction. No one has a "right" to stroll their neighborhood without traffic. We live in a town of few sidewalks, even around our schools. Public safety is one of the issues, but certainly not at the only issue (perhaps traffic congestion?). If the City has adopted public safety as the overriding traffic standard, then please send me the prioritized list of unsafe areas and the criteria used (other than volume of complaints). Testimony at the public hearing revealed residents knew the streets were traffic arteries from the beginning (Mrs. Johnson said she used the streets to cut through before the first house was built). Buyers apparently did not foresee Wimberley's growth. I too have bought property that future events made me regret. I always thought that was my personal problem. Many other of the houses affected were purchased knowing the traffic issues – say, since the high school was built. Do these residents bear any personal responsibility? Weren't the traffic issues reflected in the market? How can someone buy a house for less and then ask the rest of us to pay to fix their problem?

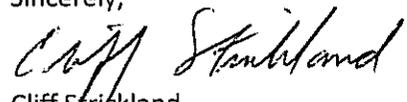
Second, the City has adopted a terrible solution in implementing this ill advised policy. If a street has excess traffic, the City will block it. If a street will only be used for the residents, it has become private. I am lucky enough to live on a private street. I also pay for the gate and the street. I don't ask City taxpayers for money. Who should pay for this "solution"? If the property values on Las Flores go up say \$ 20,000 a house because they live on a newly paved dead end street, who should get this benefit? Answer – the City taxpayers should. The residents didn't pay for it. Can this even be legal? Will you please schedule an appraiser for testimony so the taxpayers will know how much a few citizens have been enriched?

Finally, backdooring the vote to close Las Flores after voting to keep it open two weeks before was not good governance. I can assure you we citizens thought the issue was decided. Did anyone look around and question why there wasn't any opposition to speak of? Answer – no one knew about this. Did the paper have anything on this? Please tell me the additional steps (other than posting on the door) taken to insure public knowledge of the agenda item. The citizens I visit with thought speed humps were coming after the first vote – especially since we heard law enforcement say it has solved this type of problem elsewhere. But what does he know? City Council has a better idea.

The most recent paper had City Council debating cost sharing on speed humps. What? The Council enriches the few by tens of thousands of dollars with no cost sharing discussed and now thinks the citizens who benefit from speed humps should pay something. You are lucky they are not demanding you close the street. Don't you know – everyone is entitled to a safe and peaceful street in Wimberley.

I look forward to responses by one or all.

Sincerely,

A handwritten signature in black ink that reads "Cliff Strickland". The signature is written in a cursive, slightly slanted style.

Cliff Strickland

(cliffscpa@yahoo.com or 512.847.2540)