

City of Wimberley
City Hall, 12111 Ranch Road 12, Ste. 114
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
April 16, 2009 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, Jeri Xiques, Steve Thurber, and Dick Larson.

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

Proclamation

Proclamation recognizing the 2009 Butterfly Festival sponsored by the Emily Ann Theatre

Mayor Haley read the proclamation and presented it to Emily Ann Theatre's attending representative who thanked the Mayor and Council.

Presentations of Citizens:

- Citizen Communications

No citizen communications were heard.

1. Consent Agenda

- A. Approval of minutes of the regular City Council meeting of April 2, 2009.
- B. Approval of minutes of the special City Council meeting of April 2, 2009.
- C. Approval of minutes of the special City Council meeting of March 30, 2009.

Councilmember Thurber moved to approve all Consent Agenda items as presented. Councilmember Larson seconded. Motion carried on a vote of 5-0.

2. City Administrator Report

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

City Administrator Ferguson reported that February's collections were down twelve percent (12%) from the same period last year. He noted that the City's next check will include collections for Market Days, with year to date collections running about five percent (5%) above last year.

- Status report on May 2009 General Election for the City of Wimberley

City Administrator Ferguson reported on early voting dates/times, election-related items posted on the City's website, and publication of the election notice. Brief discussion addressed reasoning for differences in early voting times for this year's election versus past elections and established that voting on Election Day, May 9, 2009 will be held from 7 a.m. to 7 p.m. as in past years.

- Status report on Envision Central Texas Stewardship Awards

City Administrator Ferguson reported on the date/time of the award presentation and the City's status as a finalist. After brief discussion, City Administrator Ferguson requested that Council members advise of their desire to attend the awards ceremony.

- Status report on efforts underway to secure state and federal funding for the Downtown Wastewater Project

City Administrator Ferguson reported on various stages of the application process, including survey requests, and projected awarding of funds to occur this summer. He noted that data is being compiled from the compliance review of downtown septic systems and anticipated report completion in the coming week.

- Status report on activities of the Wimberley Municipal Court

City Administrator Ferguson reported that the contract for court management software has been executed, with installation to begin in early May.

- Status report on activities of the City Marshal

City Administrator Ferguson reported that the City Marshal has diverted some attention from traffic enforcement due to increased patrols in response to recent residential burglaries. Discussion addressed the places/times of recent burglaries and the need for public awareness and reporting of suspicious activity. Mr. Ferguson outlined traffic control measures for the *Wimberley 4* Run/Walk event on March 25, 2009 and encouraged participation.

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 Charles and Taako Parker to operate a bed and breakfast lodging facility on a residential tract of land located at 151 Loma Vista Drive, Wimberley, Hays County, Texas, 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 (*Charles and Taako Parker, Applicants*).

- B. Hold a public hearing and consider approval of an ordinance changing the base zoning from Single Family Residential 3 (R-3) to Single Family Residential 2 (R-2) for a .873 acre tract located at 101 River Bend Road Wimberley, Hays County, Texas (*Jesslyn Bordine, Applicant*).
- C. Hold a public hearing and consider approval of an ordinance approving an application for a Conditional Use Permit submitted by Jesslyn Bordine to allow for a secondary residential unit on a residential tract of land located at 101 River Bend Road, Wimberley, Hays County, Texas, 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 (*Jesslyn Bordine, Applicant*).

Due to the cancellation of Planning and Zoning Commission's meeting of April 9, 2009, Mayor Haley stated the need to continue Agenda Items 3A, 3B, and 3C until Council's next meeting on May 7, 2009. Councilmember Thurber moved to continue the stated items until Council's May 7, 2009 meeting. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

4. Ordinances

Consider approval of an ordinance amending Subsections 33.03(C) and (D) (Water and Wastewater Advisory Board), of the Code of Ordinances of the City of Wimberley, Texas, in order to revise the number of board members; providing for an effective date; proper notice and meeting, severability and repealer (*Mayor Pro-tem Bob Flocke*).

This item was heard after Agenda Item No. 5D.

Discussion among Council and City Administrator Ferguson generally agreed on changing the membership to seven (7) members (in keeping with other City boards/commissions) due in part to problems encountered with achieving a quorum for a nine-member board. Points of discussion included quorum/residency requirements, need for "registered voter" requirement, and definition of "general vicinity."

Councilmember Flocke moved to approve the ordinance as presented with the following amendments to §33.03 (C): Board members shall be residents within the 78676 postal zip code and delete the reference to "registered voters." Councilmember Larson seconded. Motion carried on a vote of 5-0.

Mayor Haley asked Council to submit appointments for placement on Council's next agenda.

5. Discussion and Possible Action

- A. Discuss and consider approval of a plan for mobility enhancements for the Wimberley Square (*Transportation Advisory Board*).

This item was heard after Agenda Item 3. Transportation Advisory Board (TAB) Subcommittee member Bert Ray's presentation and discussion addressed:

- Historical overview of the Subcommittee for Wimberley Square Improvements
- Importance of preserving the Square's charm and character
- General area for improvements study
- Basic issues such as mobility/safety, parking, landscaping, lighting, signage, and truck/EMS access
- Upcoming state, county, and city projects affecting the Square
- Public meetings held June 30, 2008 and March 2, 2009
- Mobility/safety problem areas and challenges, including specific Square entries/exits
- Proposed sidewalks and required easements
- Parking issues such as spacing and striping
- Landscaping and amenities including planters, lighting, benches, waste bins, bike racks, and fountains
- Traffic controllers such as weighted planters along street-level sidewalks
- Use of treated wastewater effluent piped through the same ditch as sewer lines for landscape watering
- Soft, glare-free night lighting and examples of aesthetically appealing lighting fixtures
- Possibility of grant-funded roof-top mounted solar cells to provide electricity for night lighting
- Accessible places for large vehicles to park (such as delivery trucks, EMS vehicles, and large tour buses)

Mr. Ray stated that the subcommittee concluded that signage is a city-wide issue best addressed by collaboration between merchants and the City of Wimberley that meets merchants' identity needs while preserving the character of the Square. Should this mobility plan be adopted, future steps in the improvement process were noted, including obtaining necessary easements, preparation of cost estimates, grant applications, preliminary engineering studies, and coordination with sewer system plans.

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

- B. Discuss and consider authorizing the City Administrator to enter into negotiations to secure a contract with *Design Workshop* to provide architectural design, landscape architecture, engineering and construction administration services for the development of the Blue Hole Regional Park (*City Administrator*).

City Administrator Ferguson reviewed past actions toward the development of Blue Hole Regional Park, including the Request for Qualifications (RFQ) process and response. He recognized the expert task force appointed with reviewing RFQ respondents and its diligent work in order to provide the recommendation of *Design Workshop* after careful interviewing of thirteen respondents and thoughtful consideration.

Discussion commended the presentations of the top three ranked respondents and established general agreement with the task force's recommendation of *Design Workshop*, which displayed the most comprehensive understanding of the Blue Hole Regional Park Master Plan.

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

Representatives of *Design Workshop* expressed appreciation to the City for the selection of its firm. Former Council member and task force member, Marilee Wood, expressed her appreciation for the privilege of serving on the task force and felt that *Design Workshop* met and exceeded every criterion for this project. Mayor Haley thanked Marilee Wood and task force members for their service.

- C. Discuss and consider approval of a contract with *Land Design* for the design and development of a hike and bike trail in the Blue Hole Regional Park and authorize the City Administrator to sign the contract (*City Administrator*).

City Administrator Ferguson reviewed the history of efforts toward hike/bike trail development, including securing of grant funding and design concepts. He pointed out some access issues encountered, steps taken to resolve problems, and deadlines for expenditure of specific funds necessitating immediate commencement of construction on certain parts of the trail. Mr. Ferguson stated that funds are available, provided cost specifics, and noted certain grant-related and regulatory requirements. He recommended approval with allowance for some flexibility in dealing with construction administration costs.

Discussion among Council and City Administrator Ferguson addressed sources of funding, use of construction materials consistent with entire trail, and possible construction timelines. It was confirmed that the partially completed trail will be available for public use prior to completion of the entire trail.

Councilmember Thurber moved to approve the contract with *Land Design* for the design and development of a hike and bike trail in the Blue Hole Regional Park, authorize the City Administrator to sign the contract with the proviso that the City spends no more than \$6,450, and give the City Administrator flexibility to hire a separate project administrator. Councilmember Xiques seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider approval of a request to waive the City of Wimberley building permit fees relating to the planned improvements to the Wimberley Fire Station (*City Administrator*).

City Administrator Ferguson explained that the Wimberley Fire Department will still be responsible for paying the City for any applicable pass-through fees such as plan review and inspection fees associated with its expansion project.

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

- E. Discuss and consider action on proposals to enhance communication between the City Council and the City's various boards and commissions (*Place Four Councilmember Steve Thurber*).

This item was heard after Agenda Item No. 4. Discussion among Council and City Administrator Ferguson addressed the former practice of utilizing Council/board liaisons and associated problems, need for regular reporting and two-way communication with Council, and the possibility of regularly scheduled joint workshops. Economic Development Commission member, Jenelle Flocke, noted past problems with liaisons and expressed agreement with the concept of joint workshops. Acknowledging difficulties with liaisons speaking for Council, Councilmember Flocke suggested that the Mayor meet annually with board/commission chairs. General agreement was reached that regular joint workshops between Council and certain boards/commissions would be the most effective option for enhancing communication.

Councilmember Thurber moved that in addition to quarterly reporting, Council will hold an annual joint workshop with the Economic Development Commission, Transportation Advisory Board, Parks and Recreation Board, and Water/Wastewater Advisory Board, to be integrated into Council's goal-setting activities. Councilmember Xiques seconded. Motion carried on a vote of 4-0. (Councilmember Larson recused himself from voting).

- F. Discuss and consider action on a request from the Wimberley Valley Art League to utilize City right-of-way for *Wimberley Art Fest '09* (*City Administrator*).

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

6. City Council Reports

- Announcements
- Future Agenda Items

As a future agenda item, Councilmember Thurber requested a status report on the Non-Point Source Pollution ordinance.

In response to Councilmember Thurber's inquiry, City Administrator Ferguson replied that Council photos are scheduled to be taken next week on the grounds of the Emily Ann Theatre and asked for input from Council in order to coordinate an acceptable date and time.

Councilmember Flocke requested Transportation Advisory Board review of the parking lot entrance to the Senior Citizens Thrift Shop at Mill Race Lane and Ranch Road 12. Councilmember Roccaforte requested discussion of slope requirements as a future agenda item.

Hearing no more announcements or future agenda item requests, Mayor Haley called the meeting adjourned.

Adjournment: Council meeting adjourned at 8:13 p.m.

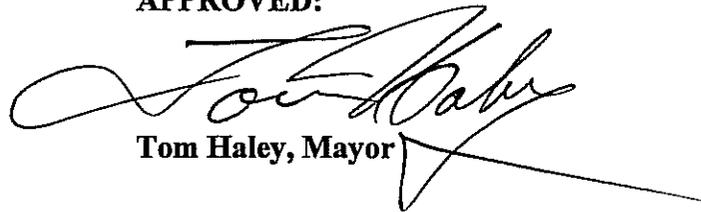
Recorded by:



Cara McPartland

These minutes approved on the 7th of May, 2009.

APPROVED:



Tom Haley, Mayor

