

# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

**REGULAR CITY COUNCIL MEETING**  
**WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS**  
**221 STILLWATER DRIVE, WIMBERLEY, TEXAS**  
**JULY 15, 2010 6:00 P.M.**

## AGENDA

**CALL TO ORDER:** JULY 15, 2010 @ 6:00 P.M.

**CALL OF ROLL:** CITY SECRETARY

### INVOCATION

### PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

### CITIZENS COMMUNICATIONS:

*THE CITY COUNCIL WELCOMES COMMENTS FROM CITIZENS ON ISSUES AND ITEMS OF CONCERN, NOT ON THIS AGENDA. THOSE WISHING TO SPEAK MUST SIGN IN BEFORE THE MEETING BEGINS AND OBSERVE A THREE-MINUTE TIME LIMIT WHEN ADDRESSING COUNCIL. SPEAKERS WILL HAVE ONE OPPORTUNITY TO SPEAK DURING THE TIME PERIOD. SPEAKERS DESIRING TO SPEAK ON AN AGENDA ITEM WILL BE ALLOWED TO SPEAK WHEN THE AGENDA ITEM IS CALLED. INQUIRIES ABOUT MATTERS NOT LISTED ON THE AGENDA WILL EITHER BE DIRECTED TO STAFF OR PLACED ON A FUTURE AGENDA FOR COUNCIL CONSIDERATION.*

### 1. CONSENT AGENDA

*THE FOLLOWING ITEMS MAY BE ACTED UPON IN ONE MOTION. NO SEPARATE DISCUSSION OR ACTION IS NECESSARY UNLESS REQUESTED BY A COUNCIL MEMBER OR CITIZEN, IN WHICH EVENT THOSE ITEMS WILL BE PULLED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION.*

- (A) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 1, 2010.
- (B) APPROVAL OF 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 COUNCIL MEMBER BILL APPLEMAN'S NOMINEE)

### 2. CITY ADMINISTRATOR REPORT

- STATUS REPORT ON THE EFFORTS UNDERWAY TO SECURE FEDERAL FUNDING FOR THE DOWNTOWN WASTEWATER PROJECT
- STATUS REPORT ON DEVELOPMENT ACTIVITY IN THE CITY OF WIMBERLEY

- STATUS REPORT ON THE RECONSTRUCTION OF LAS FLORES DRIVE, LA PAIS DRIVE AND PALOS VERDES DRIVE
- STATUS REPORT ON THE OPERATION OF THE BLUE HOLE REGIONAL PARK
- STATUS REPORT ON THE UPCOMING *CITY COUNCIL GOALS AND OBJECTIVES WORKSHOP*
- STATUS REPORT ON FOURTH OF JULY FESTIVITIES IN THE CITY OF WIMBERLEY

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)*
- (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, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY. *(CITY ADMINISTRATOR; THIS ITEM WAS CONTINUED FROM THE JULY 1, 2010 CITY COUNCIL MEETING)*

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 COUNCIL MEMBER BILL APPLEMAN)*
- (B) DISCUSS AND CONSIDER POSSIBLE ACTION ON A PROPOSAL TO INSTALL SPEED HUMPS ON LAS FLORES DRIVE AND LA BUENA VISTA DRIVE. *(CITY ADMINISTRATOR)*
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION ON A PROPOSED SPEED HUMP POLICY FOR THE CITY OF WIMBERLEY, TEXAS. *(CITY ADMINISTRATOR)*
- (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 COUNCIL MEMBER MAC MCCULLOUGH)*
- (E) DISCUSS AND CONSIDER POSSIBLE ACTION ON A PROPOSAL TO REINSTATE THE CITY MARSHAL PROGRAM FOR THE CITY OF WIMBERLEY. *(PLACE TWO COUNCIL MEMBER MAC MCCULLOUGH)*

- (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)
- (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)

5. CITY COUNCIL REPORTS

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

ADJOURNMENT

THE CITY COUNCIL MAY RETIRE INTO EXECUTIVE SESSION AT ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSING ANY MATTERS LISTED ON THE AGENDA AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE INCLUDING, BUT NOT LIMITED TO, HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087 OF THE TEXAS GOVERNMENT CODE; ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

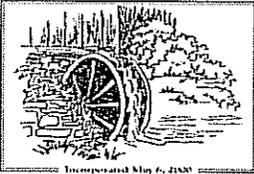
**CERTIFICATION**

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on July 12, 2010 at 5:00 p.m.

  
\_\_\_\_\_  
CARA MCPARTLAND, CITY SECRETARY

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Don Ferguson, City Administrator, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

# City Council Agenda Form



Date Submitted: July 10, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** APPROVAL OF JULY 1,  
2010 MINUTES OF REGULAR CITY COUNCIL  
MEETING

**Funds Required:**

**Funds Available:**

**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

Attached are minutes for the July 1, 2010 Regular City Council Meeting for review and consideration.

**City of Wimberley**  
 City Hall, 221 Stillwater  
 Wimberley, Texas 78676  
**Minutes of Regular Meeting of City Council**  
 July 1, 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, City Secretary Cara McPartland, and City Attorney Cindy Crosby.

**Citizens Communications**

No citizen comments were heard.

**1. Consent Agenda**

This item was heard after Agenda Item 5A.

- A. Approval of the minutes of the regular City Council meeting of June 17, 2010
- B. Approval of the reappointment of Nancye Britner to the City of Wimberley Economic Development Commission. *(Mayor Bob Flocke's nominee)*
- C. Approval of the reappointment of Jesse Brown to the City of Wimberley Building Code Board of Review. *(Mayor Bob Flocke's nominee)*
- D. Approval of the reappointment of M.F. Johnson to the City of Wimberley Parks and Recreation Board. *(Mayor Bob Flocke's nominee)*
- E. Approval of the reappointment of Tracey Dean to the City of Wimberley Planning and Zoning Commission. *(Mayor Bob Flocke's nominee)*
- F. Approval of the reappointment of Bert Ray to the City of Wimberley Transportation Advisory Board. *(Mayor Bob Flocke's nominee)*
- G. Approval of the appointment of Beth Mitchell to the City of Wimberley Water Wastewater Advisory Board. *(Mayor Bob Flocke's nominee)*
- H. Approval of the reappointment of Christine Byrne to the City of Wimberley Parks and Recreation Advisory Board. *(Place Three Councilmember Bill Appleman's nominee)*
- I. Approval of the reappointment of Bob Bullock to the City of Wimberley Building Code Board of Review. *(Consensus nominee)*
- J. Approval of the reappointment of Gary Weeks to the City of Wimberley Economic Development Commission. *(Consensus nominee)*
- K. Approval of the reappointment of Dell Hood to the City of Wimberley Parks and Recreation Advisory Board. *(Consensus nominee)*

- L. Approval of the reappointment of Mike Jones to the City of Wimberley Planning and Zoning Commission. (*Consensus nominee*)
- M. Approval of the reappointment of Gene Woodruff to the City of Wimberley Transportation Advisory Board. (*Consensus nominee*)
- N. Approval of the reappointment of Joe Malone to the City of Wimberley Water Wastewater Advisory Board. (*Consensus nominee*)

City Administrator Ferguson requested an amendment to the minutes on page two (Consent Agenda) as follows: "Councilmember Appleman moved to approve the *Consent Agenda* as presented."

Councilmember McCullough moved to approve the minutes as amended and all remaining Consent Agenda items as presented. Councilmember Appleman seconded. Motion carried on a vote of 4-0 on Consent Agenda Item 1A. Councilmember Thurber abstained. Motion carried unanimously on all remaining Consent Agenda items.

## 2. Presentations

- A. Presentation of the Quarterly Activities Report for the Pedernales Electric Cooperative (PEC). (*Cele DeLeon, PEC*)

This item was heard after Agenda Item 5B.

Cele DeLeon reported on two new democratically elected PEC Board members, appointment of Luis Garcia as interim general manager, members' Bill of Rights, by-law changes, and Board quorum requirements. He noted holiday closures and advised of PEC's participation in Wimberley's Fourth of July parade. Mr. DeLeon announced that he will be retiring from PEC on August 31, 2010 and that Joey Thompson will be attending future Council meetings. He presented Mayor Flocke with PEC's franchise payment in the amount of \$21,539.02. Mayor Flocke congratulated Mr. DeLeon on his upcoming retirement from thirty-three years of service with PEC.

- B. Presentation by representative(s) of the City of Wimberley Transportation Advisory Board regarding traffic control alternatives for Las Flores Drive. (*Bert Ray, Transportation Advisory Board member*)

Transportation Advisory Board (TAB) member Bert Ray reported on an alternative to closure, enforcement, and speed humps. He presented background information on Wimberley's Transportation Master Plan, traffic patterns, and proposed future Ranch Road 12/FM 2325 connectors, including continuation of Green Acres to Ranch Road 12. He displayed visuals of landscaped traffic islands and stated that studies show narrow lanes/striping also help to slow traffic.

Discussion addressed possible costs of islands compared to speed humps, timeframe for Las Flores street improvements, striping, and number of islands needed.

### 3. City Administrator Report

This item was heard after Agenda Item 1.

- 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 Tier III, Phase I loan application is anticipated during the Texas Water Development Board's (TWDB's) August meeting agenda. He will advise Council of an exact date, when known.

- Status report on the *Wimberley Square Improvement Project*

City Administrator Ferguson provided background information and reported that presentation of preliminary plans are anticipated for Council's next meeting, including restriping, sidewalks, leveling of Old Kyle Road, and drainage improvements. He reported on proceeding with acquiring cost estimates and project bids. He stated that coordination with merchants and night construction will help minimize impact to businesses. There was brief discussion of the effect of Square improvements on proposed downtown wastewater service construction. City Administrator Ferguson reported on the City's financial commitment related to this project.

- Status report on development activity in the City of Wimberley

City Administrator Ferguson that he will report on development activity at Council's next meeting.

- Status report on the *Ranch Road 12 Parkway Project*

City Administrator Ferguson reported that right-of-way acquisition is underway and issues related to development and signs are being examined. He noted safety improvements, such as the redesign of the Junction intersection, are planned that will create a triangular piece of property that the City might use as a gateway to Wimberley. Discussion established that there will not be a traffic light at the Junction and that planned improvements will increase safety.

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

City Administrator Ferguson reported that attendance is up eight to ten percent (8-10%), with revenues up about twenty percent (20%) over last year. He pointed out that additional manpower might be needed for security and safety. He reported on a recent article placing Blue Hole in the top ten swimming holes in the United States and anticipated a positive effect on attendance.

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

City Administrator Ferguson reported on the upcoming Fourth of July Jubilee and fireworks display and ongoing fireworks fundraising. He provided details on the parade, which will be

held on Monday, July 5<sup>th</sup> at 10:00 a.m., route specifics, and participation. Mayor Flocke provided details on the Fourth of July Jubilee events.

#### 4. 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*)

City Administrator Ferguson requested that Council continue this item until its meeting on July 15, 2010 to allow Planning and Zoning to hear this case at its meeting on July 8, 2010. Planning and Zoning was scheduled to hear this case at its June 24, 2010 meeting, which was cancelled due to lack of a quorum.

Councilmember Appleman moved to continue this item until Council's meeting on July 15, 2010. Councilmember Thurber seconded. Motion carried on a vote of 5-0.

- 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 provided background information and requested that Council continue this item until its meeting on July 15, 2010 to allow Planning and Zoning to hold a hearing and consider a recommendation at its July 8, 2010 meeting.

Councilmember Thurber moved to approve this item until Council's meeting on July 15, 2010. Councilmember White seconded. Motion carried on a vote of 5-0.

#### 5. Discussion and Possible Action

- A. Discuss and consider possible action regarding the proposed closure of Las Flores Drive at the 500 block of La Buena Vista Drive. (*Mayor Bob Flocke*)

This item was heard after Agenda Item 2B.

Mayor Flocke spoke favorably about the public hearing held on Tuesday, June 29<sup>th</sup> at the Wimberley Community Center. Mayor Flocke noted his own calculations showing that speeding on Las Flores does not appreciably save travel time.

Bob Bullock spoke positively about the recent public hearing and felt that his inquiry about the existing interlocal agreement directly resulted in today's observation of radar enforcement by Hays County law enforcement officer(s).

Ann McFadden of 14 Las Flores spoke of moving to Wimberley for its small-town atmosphere. Ms. McFadden stated that she is subjected hourly to road rage, speeders, loud vehicles, and trash, which are common in large cities. She recounted an incident earlier today with a speeder and asked that everyone consider residents' safety.

Mayor Flocke spoke of Jean Veriato's statements made at a July 2005 TAB meeting, which considered the same issues that currently exist.

Jean Veriato stated that law enforcement is not a solution and that speed humps are ineffective and too costly. She spoke about past Council discussion, arguments heard at the public hearing, narrow Las Flores neighborhood streets, daily use by certain drivers, and reporting of speeders. She stressed that Las Flores needs to be closed.

Ruth Mince stated that she uses Las Flores six to eight times a day in her workday and recounted an incident involving Ms. Veriato that was blocking traffic. She asked that everyone be reasonable and that people concerned about the safety of neighbors and citizens "do what you are preaching."

Tammy Sedam of 10 Las Flores questioned why congestion on Emergency Lane is more problematic than congestion on Las Flores, when Emergency Lane was designed as a crossover street. She stated that it takes less time to travel Emergency Lane than Las Flores and felt that comparisons to River Road were not valid due to driveway accessibility. She did not understand how the convenience and rights of businesses take precedence over residential property owners, and that safety is more important than convenience. Ms. Sedam stated that drivers throw out lit cigarettes and trash, yell profanity at her children, and swerve into her yard. Ms. Sedam asked why business traffic is more important than her children being able to ride bikes or walk their dog. She spoke about the condition of neighborhood roads and worried about future costs of maintaining or replacing speed humps. Ms. Sedam questioned the feasibility of the traffic islands presented earlier due to space limitations and felt that drivers would speed around them.

Craig Fore of 311 La Buena Vista observed at the recent public hearing that those opposed to closure either lived outside the neighborhood or on a cul-de-sac off Las Flores. He stated that all other residents favor closure and noted that law enforcement will not work based on past experience and lack of manpower. He felt that speed humps may help slow down vehicles, but will not solve the high traffic volume. He spoke of the benefits and cost-effectiveness of certain alternate routes for cross traffic. He favored use of Emergency Lane as a connector and immediate closure of Las Flores Drive to through traffic. Mr. Fore felt that creation of an acceptable alternate route would satisfy the majority and end the frustration that residents have

suffered for many years. He recalled a former statement by TAB member Bert Ray stating that "no residential neighborhood should ever have to have a major thoroughfare inside of it." Mr. Fore asked Council to approve closure of Las Flores as proposed and restore his neighborhood to a safe and friendly environment, and thanked Council for trying to do what is best for all citizens.

Candace Fore of 311 La Buena Vista stated that there is very little difference in driving times between using Las Flores versus Emergency Lane, when driving at the posted speed limits. She asked that people be willing to try Emergency Lane, which she felt is not inconvenient. Mrs. Fore stated that the Las Flores/Texan Boulevard intersection would be safer without the heavy volume of traffic. She suggested that closure saves money compared to speed humps or islands and asked that people be considerate of one another.

Bruce Banks of 331 La Buena Vista stated that the cheapest solution is closure and felt that the islands presented earlier would actually encourage traffic, rather than decrease it. If Las Flores were closed, Mr. Banks said that money would not have to be spent on repaving and realigning the intersection at FM 2325. He stated that the most efficient, economical solution is closure and is not an inconvenience. Mr. Banks noted that all residents facing Las Flores Drive favor closure and that people will get used to going around due to the minimal time difference.

Sylvia Banks of 331 La Buena Vista feared that this issue will never be resolved and that speed humps may create more problems such as drivers cutting into yards to go around them. She stated that residents' primary concerns are about safety and property damage, not inconvenience. Mrs. Banks stressed that residents have waited far too long for action.

Vance Hobbs of 13 Las Flores concurred with Mr. Banks and Mr. Fore and did not feel that inconvenience is a problem. He stated that volume at FM 2325 and Las Flores will continue to increase. He said that houses were built before the businesses existed, and that business tenants continually speed through the neighborhood. He said that the right answer is to block the street and asked Council to close Las Flores in order to protect residents and drivers alike. He advised that David Di Traglia was ill and could not attend tonight's meeting. Mr. Hobbs was pleased to see that law enforcement was present for part of the day, but said that speeding picked up later. He expressed appreciation and asked Council to do the right thing.

Madonna Kimball of 6 De Luna Lane stated that she has never had a problem with access on Las Flores from her cul-de-sac. She said that the entire town is not designed for heavy traffic, not just Las Flores. She cited thirty-seven signatures from the public hearing opposed to closure and in favor of enforcement, with some signatures from Las Flores Drive residents. She said that people traveling to work or school will be inconvenienced and increase traffic at the "Y" at Ranch Road 12 and FM 2325. Mrs. Kimball questioned the projected time differences of crossing over at Emergency Lane and noted that during the school year the actual time difference will be greater. She thought that enforcement and islands have a deterrent effect on speeders. She stated that gates blocking access will have to be lighted and will probably have to be repaired when damaged by unaware drivers. Mrs. Kimball said that safety should be for everyone, not just thirteen people.

John Blais of 504 La Buena Vista stated that those living west of the proposed barricade will be inconvenienced more than those living to the east. He warned that traffic will likely continue to increase on FM 2325 and that those favoring closure need to consider the dangers of accessing FM 2325, especially at certain times.

Allan Kimball of 6 De Luna Lane provided examples indicating that speeders are everywhere, not just on Las Flores, and that closing off streets is not the answer. He stated that the people asking for closure now originally asked for speed humps. Mr. Kimball favored speed humps and traffic enforcement, acknowledged Hays County's staffing limitations, and suggested presence of a city marshal as a possible solution. He asked that Council act on behalf of all of the people of the City of Wimberley.

Ruth Mince offered to deed to the City the part of her property needed to construct the earlier proposed traffic island. Mayor Flocke stated her offer will be taken under consideration.

Tabitha Sedam of 10 Las Flores stated that she wants to feel safe walking her dog and riding her bike. While walking her dog, Tabitha said that a speeding car almost hit her dog, and that she cannot play outside due to speeding cars.

Clint Frankmann spoke of effective use of speed humps to slow cut-through traffic near his property in Houston, which is next to a high school. He described properly designed speed humps as "silent sentries" that are effective in reducing speed and not cost-prohibitive.

Though the focus has been on speed, Doug McElwee of 9 Las Flores stressed that speed and volume are major problems. He stated that he has to wait to exit his driveway due to the solid line of cars. Mr. McElwee noted that he lives west of the proposed barricade and offered to install lights on barricades at no charge. He asked Council to please close the road.

David Slider stated that Council should consider those in the community that use Las Flores.

Mayor Flocke stated his opinion that Council should not postpone action and acknowledged that any action taken will upset some.

Councilmember Roccaforte cited statistics of those for/against various options. He provided a recent instance of speeding on CR 1492, suggested offset speed humps to slow traffic, and considered reinstating the city marshal program.

Councilmember McCullough favored reinstating the city marshal and preferred speed humps over closure.

Councilmember Appleman stated that focus should be on the amount of traffic through a residential neighborhood, not speeding and enforcement. He said Las Flores and La Buena Vista are not thoroughfares like other streets such as Flite Acres, CR 1492, River Road, Woodcreek Drive, and Jacob's Well Road. He recognized the frustration of the majority of residents who want their neighborhood back and felt that speed humps are not the solution. Based on personal

observation, Councilmember Appleman stated that the benefits of rerouting to Emergency Lane outweigh any inconveniences, which are minor.

Councilmember Thurber agreed that Las Flores and La Buena Vista were never meant for cut-through traffic. He stated that residents have a highway, not a neighborhood. If closure is approved, he proposed working in conjunction with Hays County and City of Woodcreek to find alternative crossover routes, including Emergency Lane and other recommendations. He felt that closure is the safest option and whatever problems might arise from such closure will be far outweighed by residents getting their neighborhood back.

Councilmember White agreed that action has to be taken and favored speed humps. He stated that very few roads in Wimberley were built to handle the current volume and that there are not enough funds to upgrade every road. Construction of future connectors are years away and are costly. Councilmember White hoped that speed humps would decrease both speed and volume of traffic.

Mayor Flocke thanked everyone for speaking and stated that if Las Flores were closed that the previously discussed land acquisition for turnaround space would not be necessary and provided examples of how to accomplish adequate turnarounds. He referred to speed humps as "sleeping policemen," which work as a type of enforcement. Mayor Flocke reminded that it was his suggestion to close Las Flores to through traffic and reiterated that "no action" is not an option.

Discussion clarified that any action taken at tonight's meeting is confined to the issue of closure per agenda item language.

Councilmember Appleman moved to approve closure of Las Flores Drive at the 500 block of La Buena Vista Drive. Councilmember Thurber seconded. Mayor Flocke called for a vote as follows: Councilmember Roccaforte, nay; Councilmember McCullough, nay; Councilmember Appleman, aye; Councilmember Thurber, aye; Councilmember White, nay. Motion failed on a vote of 2-3.

City Attorney Crosby advised that Council may provide direction to staff for future actions.

Councilmember Appleman asked that staff research closure of Las Flores at La Buena Vista and placing speed humps on La Buena Vista. Mayor Flocke requested that staff provide options that are broadly worded on the agenda, in order to allow multiple options for action.

Mayor Flocke called a brief recess at 7:40 p.m.

Mayor Flocke reconvened the meeting at 7:47 p.m.

- B. Discuss and consider possible approval of policy relating to the installation of speed humps. (*Transportation Advisory Board*)

This item was heard after Agenda Item 5D.

City Administrator Ferguson explained the need for a policy relating to installation of speed humps on city streets. The proposed policy outlines the criteria for installation, assigned responsibility for costs of installation, and removal requests. Transportation Advisory Board member Bob Bullock spoke in support of approval.

Discussion clarified the intent/wording of language relating to impact on adjacent streets, statements regarding residents' and homeowners associations, cost-sharing formulas, three-year time limit on project completion and the review process, removal criteria, design standards, administrative costs, price per pad, possible financing methods, and deviation from the proposed policy.

Councilmember Thurber moved to continue this item until Council's next regular meeting on July 15, 2010 to allow for further review. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider approval of a request from the Guadalupe Blanco River Authority (GBRA) for the City of Wimberley to file an Amicus Curiae Brief, individually or as a member of a group, in support of the State of Texas and GBRA's motion to dismiss the federal lawsuit filed by "The Aransas Project" (TAP) under the Federal Endangered Species Act against the Texas Commission on Environmental Quality (TCEQ) alleging a "take" of endangered whooping cranes. *(City Administrator)*

City Administrator Ferguson explained GBRA's request based on its position that relief being sought by TAP would have a significant adverse impact on all people and the environment in the Guadalupe River and San Antonio River basins. GBRA is asking cities, including the City of Wimberley, to support TCEQ by adding their names to the filing of an amicus brief with the court supporting the State and GBRA in the motion to dismiss.

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

- D. Discuss and consider action designating a *Poet Laureate* for the City of Wimberley, Texas. *(Place Two Councilmember Mac McCullough)*

This item was heard after Citizens Communications.

Councilmember McCullough explained this honorary, unpaid position and recommended that local poet Oda Lisa be declared *Poet Laureate* for the City of Wimberley, which is known as an emerging area for artists, writers, and musicians.

Oda Lisa provided her resume, background information on her works and upcoming events, and sample writings. Bill Johnson praised the poetry readings at Maui Wowi organized by Oda Lisa.

Councilmember McCullough moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 4-0. Councilmember White abstained.

## 6. City Council Reports

- Announcements
- Future Agenda Items

Based on information from Hays County Commissioner Will Conley, Mayor Flocke reported that the City of San Marcos will close Ranch Road 12 at the Wonder World Drive extension on the evenings of July 5 through 7 for paving work. Delays could be up to forty-five minutes on the evening of July 5, 2010.

Mayor Flocke reported on a successful meeting with U.S. Senator John Cornyn's representative last week, who offered assistance with the City's efforts to find possible funding sources for downtown wastewater service and Blue Hole Regional Park development. Mayor Flocke also planned contact with Senator Kay Bailey Hutchison's office, as well Congressman Lloyd Doggett, Governor Rick Perry, and a member of the House Appropriations Committee.

Hearing no further announcements or future agenda item requests, Mayor Flocke called the meeting adjourned at 8:15 p.m.

**Adjournment:** Council meeting adjourned at 8:15 p.m.

Recorded by:

Cara McPartland

These minutes approved on the \_\_\_\_ of July, 2010.

**APPROVED:**

**Bob Flocke, Mayor**

Don Ferguson

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From: Madonna [madonna@anvilcom.com]  
Sent: Wednesday, June 30, 2010 2:18 PM  
To: dferguson@cityofwimberley.com  
Cc: bappleman@aol.com; Johnny White; Roccaforte Charles; libbysales; Thurber Steve; mayor@cityofwimberley.com  
Subject: Las Flores

Thank you to those of you who took the time to attend the public hearing and for listening to the comments on the issue of closing Las Flores.

One point that was not mentioned last night: are there plans for adequate lighting at either side of the gate if you close the street? If not, you may want to take into consideration how many times the "gate" will need to be replaced from these "speeding" cars/trucks running into it at night, not knowing the street has been closed.

Looking at the stats from the opinions, you heard 11 for closing and 36 for wanting it open with modifications. Those who talked enforcement, speed humps, engineer studies, etc are obviously for it to stay open, but controlled and enforced. Clearly 3 to 1 to keep it open. The FOR or AGAINST the closing sheets reflect 39 AGAINST and 13 FOR.

Unfortunately you can't please everyone all the time and as a councilman, I know it's got to be hard, but you were elected by people throughout the village and not just a handful on one street. Although, in this case, it seems the enforcement issue and the speed humps will make this neighborhood happy and not closing the street will make a lot of people in the village happy.

I talked to David Di'Traglia and Jean Veriato and they agreed that if we can work to get the enforcement and the speed humps we are all on the same page. You'll have people like the woman who sits all day and counts traffic and shows a video of what I considered to be light traffic flow for any street who may not be happy. Some people always have to have a cause. This is the first issue I've been involved in since I put the town meeting together for Don't Mess With Our EMS and I feel very strongly about this issue and hope this is the last time I am compelled to stand up and fight for the good of our entire community.

I pray that council uses the information they gathered last night, common

7/1/2010

sense and logic and makes a decision that they will not regret later. I understand from his quote in the View that Mr. Flocke had his mind made up, although it is you, the council who have the votes and I hope that this council is a council of individuals and each one has a mind of their own and will vote for what they feel is right and for what is best for all residents (voters) of this community.

Thank you and see ya Thursday.

madonna

Don Ferguson

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From: Candy Fore [cfore2@austin.rr.com]  
 Sent: Wednesday, June 30, 2010 9:23 PM  
 To: dferguson@cityofwimberley.com; bflocke@cityofwimberley.com; croccaforte@cityofwimberley.com; sthurber@cityofwimberley.com; jwhite@cityofwimberley.com; mmacullough@cityofwimberley.com  
 Subject: Closure of Las Flores Drive

June 30, 2010

Dear Mayor and Council Members,

Yesterday evening, I attended the public hearing concerning the proposed closure of Las Flores Drive. I would again like to thank the mayor and council members for hosting this meeting. I was especially grateful for the attention given by the mayor and council to each speaker.

As I reflected on the comments shared by the mayor at the onset of the meeting, I remembered that he stated that, initially, the city intended for Emergency Lane to be the east-west artery between RR12 and RR2325. The mayor said that traffic was expected to return to Emergency Lane after completion of road improvements, but that this never happened. I would contend that it should happen immediately by closing Las Flores Drive.

A couple of thoughts, none of which were mentioned last night, lead me to this conclusion. First, and foremost, is safety. Not only the safety of the people living in this neighborhood which was discussed at length last night, but also for the safety of those who use this road as a thoroughfare. Specifically, it is my contention that the intersection of Las Flores and RR2325 is a dangerous intersection because of its proximity to Texan Blvd. It is difficult for vehicles to safely turn off of Las Flores onto 2325. No matter the time of day, cross traffic on 2325 is busy. This is compounded by the conflict created when vehicles leave Texan Blvd. and get into the left turn lane to turn onto Las Flores. A dangerous and confusing bottleneck situation exists at this intersection when traffic flows through our neighborhood. Forcing vehicles to use Emergency Lane to cross from RR12 to RR2325 eliminates the dangers posed by this situation and results in a safer traffic pattern for all of the residents of Wimberley.

Also, I tried a little experiment this afternoon. I measured the distance and time from RR12 to RR2325 going through our neighborhood and going across Emergency Lane. Guess what? The differences are negligible when driving the speed limits!

- The distance from Palos Verdes to La Buena Vista to Las Flores to 2325 was approximately .8 mile depending on which way you go at the Y on Palos Verdes. The time travelling this route was 2 minutes 10 seconds going one direction and 2 minutes 5 seconds going the opposite direction.
- The distance on RR12 at the start of Palos Verdes to Emergency Lane across to 2325 to the entrance of Las Flores was approximately 1 mile and the time spent travelling this route was 2 minutes 21 seconds going one direction and 2 minutes 4 seconds going the opposite direction (less time than through our neighborhood)!

Since the traffic pattern would be safer and vehicles should not experience any significant increase in time or distance, it seems reasonable to redirect traffic off of La Buena Vista and Las Flores and onto Emergency Lane. Please vote to close Las Flores immediately.

Thank you for your consideration,  
 Candace Fore  
 311 La Buena Vista Drive

7/1/2010

**Don Ferguson**

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**From:** Vance Hobbs [vhobbs@austin.rr.com]  
**Sent:** Thursday, July 01, 2010 12:28 PM  
**To:** dferguson@cityofwimberley.com  
**Subject:** Las Flores

Don, there were at least 10 residents who were unable to come to the meeting Wednesday night. Today there was an officer parked next door for about 15 minutes and then he left. This situation is impossible to maintain with miniscule police observance or manned enforcement. There were cars zipping down Las Flores immediately afterwards. The growing population will only continue to overwhelm this street and the residents. If you don't close it on Buena Vista, to close Las Flores and reroute traffic around behind the warehouses would give these unwilling participants their shortcut that I think they could definitely live without. Will a decision be reached tonight? Thank you so much for your willingness and hard work in attempting to solve this difficult task. Being unemployed, I would be willing to take on the ticket-writing marshal job. But that would require full indulgence on this street alone. Let me know if I can help. ....Sincerely, Vance Hobbs Drop me a line

## Proposed Street Closure

My family has resided on LaBuena Vista for 17 years. Kirk teaches at the high school and I deliver lunches to teachers and friends. I have never noticed the treppi being a problem on Las Flores. (I take my husband to school, have lunch with him and pick him up) aside from all of my other trips. We feel that ~~that~~ this closure could cause problems in an emergency and is a total waste of a good paved road.

Cathy Lake

# Public Sign-In (SPEAKERS ONLY)

City of Wimberley, Texas

Purpose of Meeting: **City Council**

Date: **July 1, 2010**

**Public Hearing Speakers Policy:** Speakers must sign in prior to the beginning of the meeting. Speakers who wish to address a specific agenda item will be recognized when that item comes up on the agenda, provided they have signed in prior to the beginning of the meeting and indicated the item to be addressed. Each speaker will be limited to three (3) minutes.

Name of Speaker/Address (Please Print)	Agenda Item/Issue
✓ Bob Bullard -	5-A
✓ Pam McFadden +	Las Flores
✓ JEAN VERATO +	LAS FLORES
✓ Ruth Mince -	5-A
✓ Annmarie Sedam +   O Las Flores	Las Flores
✓ CRAIG FORE +	Las Flores
✓ CANDY FORE +	Las Flores
✓ Bruce Banks +	331 La buena vista Dr
✓ Sylvia Banks +	"

Name of Speaker/Address (Please Print)

Agenda Item/Issue

✓ Nancy Hobbs +

13 Las Flores

✓ Madonna Kimball -

6 Delena

✓ John Blair -

504 LBNV

✓ Allan Kimball -

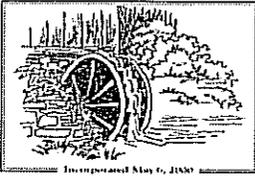
6 Delena

✓ Tabitha Seaman +

✓ Chris Frankmann + humpy

✓ Doug McCreese +

# City Council Agenda Form



Date Submitted: July 10, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** APPROVAL OF JUNE 29,  
2010 MINUTES OF SPECIAL CITY COUNCIL  
MEETING

**Funds Required:**

**Funds Available:**

**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

Attached are minutes for the June 29, 2010 Special City Council Meeting for review and consideration.

**City of Wimberley**  
Wimberley Community Center, 14068 Ranch Road 12  
Wimberley, Texas 78676  
**Minutes of Special Meeting of City Council**  
June 29, 2010 at 6:00 p.m.

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

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

Staff Present: City Administrator Don Ferguson

**Public Hearing**

Hold a public hearing on a proposal to close Las Flores Drive where it intersects the 500 block of La Buena Vista Drive in Wimberley, Texas

Mayor Flocke reviewed the history of Las Flores Drive traffic control issues and various corrective measures, including enforcement, speed humps, and street closures. He stated the need for action and explained meeting procedures.

Charlie Johnson, resident of 22 Brookmeadow in the City of Woodcreek, spoke of similar traffic problems in his neighborhood and expressed concerns that closure could create a "win-lose" situation appealing to some, but not all, residents. He felt that a "win-win" situation could be achieved through speed limit enforcement and weight limits to keep large trucks from using Las Flores as a cut-through street. He acknowledged law enforcement's staffing limitations and suggested increased enforcement during heaviest traffic periods, especially during the school year. He stated that the bottom line is enforcement.

Jean Veriato of 8 Las Flores cited specific examples of unsafe conditions on Las Flores, including heavy cut-through traffic, large trucks, speeding, narrow lanes, and distracted, confrontational drivers. Ms. Veriato spoke of past efforts to deal with ongoing traffic issues and stated that Wimberley emergency service providers have indicated to her that speed humps and/or closure would not hinder access.

Ruth Mince, owner of 151 Las Flores, stated that use of the walking trail by Cypress Creek provides a safe alternative for those who walk in the Las Flores neighborhood. She strongly opposed closure of Las Flores Drive.

Margaret "Peggy" Maddox of 7 Las Flores displayed a video of Las Flores traffic and described Wimberley's traffic as becoming like Houston, Dallas, or Austin, with non-stop traffic all day long. She stated that speeders are disrespectful, self-centered, and often distracted by cell phone use,

which continues after drivers enter the FM 2325 school zone. Ms. Maddox cited an incident involving a large truck, vehicle counts on specific days, and instances of speeding.

Tammie Sedam of 10 Las Flores introduced her two children and stated that they cannot play outside due to traffic. Ms. Sedam compared the inconvenience of rerouting drivers with her family's inconvenience when attempting to exit her driveway. Other problems cited included trash thrown from vehicles, repair to yards/trees from large trucks, removal of dead animals hit by speeders, drivers who stop to pick plums from her tree, tracks left in her lawn from swerving vehicles, and damage to roads from heavy traffic. Ms. Sedam expressed fears for her family's safety when checking the mailbox, walking, or biking. She felt that residents should be able to walk their dogs in their own neighborhood. She noted rude comments made to her family and felt uncomfortable with strangers "casing" her property. In response to La Buena Vista residents opposed to closure, Ms. Sedam suggested routing traffic through their street and allowing Las Flores Drive to become a cul-de-sac.

Dave Slider stated that those who live outside city limits are still an important part of the community and noted that thoroughfares are subject to regulations that should be enforced. He felt that City Council represents his interests and asked that Council deal with Las Flores Drive as it would any other thoroughfare.

Bob Bullock recalled past discussions which he felt originally centered on speed humps and speed limit enforcement, but resulted in the suggested closure of Las Flores Drive as a possible solution. He stated that Las Flores is an east-west artery connecting Ranch Road 12 and FM 2325. He questioned the effectiveness of closure in making Las Flores residents safe from speeding vehicles. Mr. Bullock stated that speed limit enforcement and traffic control devices are more in line with neighborhood residents' original requests to Council. Without a city marshal or active municipal court, Mr. Bullock said there is no enforcement. Mr. Bullock reasoned that one citation issued per eight hours of duty would be sufficient to cover a city marshal's salary. He asked for clarification on the existing law enforcement interlocal agreement between the City of Wimberley and Hays County. Mr. Bullock questioned expenditures for planned street repairs to Las Flores, if Council is considering closure. He noted other streets affected by speeders, asked if closure is an option for those streets as well, and urged Council to keep Las Flores Drive open.

Holla Wiley of 344 Cypress Creek Lane stated similar concerns about traffic on her street, including the safety of walkers and an unsafe curved area. She recognized the need for an east-west thoroughfare, but did not feel that Las Flores Drive or Cypress Creek Lane were meant to sustain heavy traffic volume. Ms. Wiley asked that Council consider enforcement of traffic laws and speed humps.

Vance Hobbs of 13 Las Flores Drive observed changes over the years such as stop sign placement and supported Council's efforts to curb exponentially increasing traffic, which he described as unsafe, disrespectful, and detrimental to property values. He spoke of problems with noise, trash, difficulty in exiting driveways, and sustainability of heavy traffic volume on neighborhood streets. He stated that safety is more important than convenience and felt that enforcement will not be

effective enough to handle future increased traffic. Mr. Hobbs complained of lack of action and feared for the public's safety if speed limits are not enforced. He stated support for Council action to curb speeding.

David Di Traglia of 15 Las Flores Drive cited specific examples of dangerous incidents involving speeding vehicles, increased traffic over the years, and stressed the need for action. He noted past and current efforts and recommendations, including measures such as enforcement and speed humps, and provided details of successful speed hump programs in other cities. He proposed trying the use of speed humps for one year and stated that emergency service providers support either closure or speed humps to improve safety. While not opposed to closure, Mr. Di Traglia preferred enforcement and speed humps for Las Flores Drive as alternative solutions more amenable to all residents. He asked that Council keep Wimberley a vibrant community that is safe for everyone.

Denny McCoy works at 691 La Buena Vista Drive and did not support closure. Though he lives outside Wimberley, Mr. McCoy stated that he is part of the community because he works in Wimberley every day. He felt that closing Las Flores will relocate, but not solve, the problem. Mr. McCoy preferred enforcement to more extreme measures such as closure.

Business owner at 691 La Buena Vista Drive, Amy Reynolds, empathized with prior statements regarding the safety of walkers, but noted that speeding vehicles are a problem throughout Wimberley. She asked that Council consider solutions that work for the whole city, not for just one road. Ms. Reynolds stressed the serious nature of this problem and felt that the community should work together.

Ledgerock resident, Robert O'Brien, cited similar problems in his neighborhood and stated that a study needs to be conducted on the possible negative impact of Las Flores closure on Cypress Creek Lane, Woodcreek Drive, and Emergency Lane. He feared that residents along other connector streets may request street closures as well, which would cause more traffic congestion at remaining connectors. Mr. O'Brien asked for a study on closure's unintended consequences and felt that increased enforcement would be effective in slowing down vehicles.

Sue Sweat favored speed humps over closure and added that Las Flores property owners may want to consider gravel pathways for walking in lieu of concrete sidewalks.

Business owner Cliff Strickland noted other unsafe areas of Wimberley for vehicle/foot traffic, including River Road and the lack of sidewalks generally. He favored additional stop signs and stricter enforcement over closure, which he felt might exacerbate problems.

Jon Burns of 2 De Luna Lane expressed concerns over trash, noise, and speeding. He cited past accidents, acknowledged heavy school-related traffic, and noted specific unsafe incidents involving nighttime traffic. Mr. Burns did not think that speed humps or enforcement will be effective and hoped that Council could find a solution other than closure that will slow speeders.

La Buena Vista resident Candy Fore recalled past incidents in her neighborhood and other areas of Wimberley. She acknowledged the need for a thoroughfare that would not pass through Cypress Creek Lane or Las Flores Drive. Mrs. Fore expressed willingness to move from the neighborhood (with compensation), should Council decide to make Las Flores a major artery. She thanked Council for its help and attention to this matter and welcomed relief measures.

Madonna Kimball favored enforcement over closure, which would affect the entire community and feared that a precedent would be set for other areas to request similar closures. She stated that everyone knows there is no way to enforce speed limits and questioned the reasoning for the decision to discontinue the city marshal program. Mrs. Kimball asked whether or not Council held a public hearing before making this decision and wanted specifics on citizen feedback. Mrs. Kimball requested clarification on traffic fine revenues and on jurisdictions which collect such revenues. She stated her recent understanding that it was City Council that originally suggested street closure, not Las Flores residents, whose requests were confined to other traffic calming devices. Mrs. Kimball asked Council whether or not it considered speed limit enforcement, sidewalks, and the impact of closing Las Flores Drive on the flow of traffic for everyone who travels through the city on Ranch Road 12 or FM 2325. She warned of potential traffic control problems at locations such as Emergency Lane, Ace Hardware's parking lot, and schools, which are all located along FM 2325. Ms. Kimball thanked Council and stated that its decision will affect a lot of people known as "voters."

Richard Kilcrease, formerly of 7 Las Flores Drive, spoke of past stop sign placement and felt that closure could temporarily double traffic, which will enter and then be forced to turn around at the closure in order to exit. He spoke of former advisory board experience and the board's prior recommendation relating to closure of Emergency Lane, which members advised was not a solution for traffic problems. He felt that Las Flores Drive's closure will move a lot of traffic through town and cut through traffic will increase through Ace Hardware's parking lot. In order to avoid congestion and traffic control devices, Mr. Kilcrease feared that people would not go out as much, therefore, Ace's business would suffer and put jobs in jeopardy.

Bruce Banks of 331 La Buena Vista recalled actions over a twelve-year period dealing with City government and Wimberley Independent School District in an attempt to solve Las Flores Drive traffic problems. He stressed that this is an issue of safety, not personal convenience, and noted speed-related accidents occurring near his property, which is located on a curve. Mr. Banks did not believe that enforcement would be effective and had reservations about speed humps. There was disagreement between Mr. Banks and Bob Bullock about the origin of suggested street closure statements approximately ten years ago. Because he felt there are no other effective traffic controls, Mr. Banks favored closure as a solution.

Sylvia Banks of 331 La Buena Vista thanked everyone for attending tonight's public hearing and stressed that speed and safety are the major issues. She stated that trash and traffic volume are also problems and noted that neighborhood streets were not designed for such heavy traffic. She felt that a study would delay the immediate action needed and allow problems to worsen. Mrs. Banks stated that something has to be done, whether closure or speed humps, to protect her neighborhood.

Chris Gindorf of 20 Palos Verdes Drive spoke on behalf of his daughter residing at 104 La Pais. He stated his granddaughter walks to and from the junior high school and favored closure as a way to restrict traffic impact on neighborhood residents.

Jan Strickland felt that Council needs to consider what will happen to the entire community, including resulting congestion in other areas from redirection of current Las Flores traffic. She stated that inconveniences exist elsewhere and believed that if Council approves closure of Las Flores, there will be a precedent set for other areas to seek closure as a means to deal with traffic issues. She stated that closure is not a solution and will create more problems.

Joseph Schwartz, resident of 28 West Inwood Forest Drive and Las Flores Drive business owner, stated that closure is not the answer. He felt that the bigger problem is transportation in the community as a whole. He recalled his own childhood experiences being able to walk and ride his bike and stated that his own children cannot walk or bike to school due to unsafe conditions. Before any decisions are made, Mr. Schwartz asked for a civil engineering study to come up with real answers to help make roads safe for pedestrians, cyclists, and vehicles.

City of Woodcreek Public Works Director Frank Wood, resident of 100 Augusta, stressed that he is not speaking in any way for the City of Woodcreek or in any official capacity. As a former traffic engineer for the U.S. Air Force, Mr. Wood stated that the subject neighborhood's streets were built to standards recognized at that time and did not take into account future expansion of traffic and population. He believed that closure would solve to a degree traffic problems in the immediate vicinity, but rerouted traffic will spill over in other locations. He favored serious consideration of an engineering study in order to provide a new, safe expanded route for cross traffic. He said that to do otherwise will only move the problem from one location to another, causing the same concerns.

Lieutenant Mark Graves of the Hays County Sheriff's Office Traffic Division spoke of his prior knowledge of Las Flores Drive as a cut-through and acknowledged concerns expressed at tonight's meeting. With only eight traffic officers to address county-wide complaints, Lieutenant Graves spoke of favorable results using rubberized speed humps to slow traffic on a specific pass-through street in San Marcos. While not proposing any course of action that may or not be taken by the City, he suggested that contact with the City of San Marcos Roads Department or Hays County Precinct Three Commissioner Will Conley might be helpful. Lieutenant Graves stated that speeding complaints have stopped since speed humps were installed about one year ago at the earlier mentioned San Marcos location.

Fischer Store Road resident, Rusty Wallace, regularly visits a business on Las Flores Drive and spoke of several near-accidents involving unsafe speed. Speaking in favor of the neighborhood, he expressed concerns for the immediate neighborhood and favored closure, along with a study for an alternate route. He felt that safety is the primary issue and that consideration should be given to what a life is worth.

Hays County Precinct 3 Constable Darrell Ayres explained terms of the interlocal agreement with the City of Wimberley to enforce traffic laws on city roads and clarified that citations are filed with the Hays County Justice of the Peace court, not with the City of Wimberley Municipal Court. He noted that the interlocal agreement, which was originally entered into due to Las Flores traffic issues, only allows enforcement of traffic laws, not other City ordinances or laws. Absent a city marshal, Constable Ayres stated that his department has tried to provide as much enforcement as possible on Las Flores, but during the school year his workforce is stretched thin dealing with Jacob's Well Elementary School traffic located at the most dangerous intersection in this Precinct 3. Constable Ayres stated that his department, which consists of three officers covering the largest geographical precinct in Hays County, will do its best to enforce laws, whatever decision City Council makes to solve Las Flores traffic problems.

Saddle Rock Ridge resident Nell Cadenhead responded to Rusty Wallace's earlier comments that focused on the neighborhood, not the City as a whole. Mrs. Cadenhead stated that she wants every neighborhood to be safe, but did not favor blocking Las Flores Drive as a solution. Mrs. Cadenhead felt that everyone has a right to use Las Flores and noted that she always looks out for the safety of residents as she travels through the neighborhood. She supported safety and convenience for the entire City of Wimberley.

Longtime Wimberley resident M.F. Johnson stated that she has been using Las Flores Drive as a cut-through for many years, before there were any houses built there. Many years ago, Mrs. Johnson asked Hays County Commissioners Court for a twenty-five mile per hour speed limit out of respect for the residents. She said that "we are all guests," and is willing to give up using Las Flores Drive. She spoke in support of rights of law-abiding residents who want to protect their lifestyle against those who have no right to drive irresponsibly and thoughtlessly. Mrs. Johnson appealed to common sense in finding a solution to this problem.

Wimberley native Lila Stone felt that closing the roads is not going to make a difference and recalled past efforts to slow traffic through signage. She spoke of similar problems on Jacob's Well and noted that traffic would have to be routed through downtown. Ms. Stone stated that the traffic generated by the new Jacob's Well Elementary School is dangerous due to its location, entrance, and rate of accidents. She favored speed humps over closure of Las Flores and noted that the existing dip causes speeders to slow down. In general, Ms. Stone also suggested speed enforcement, more visible signage, public information, and respect for the law.

Las Flores business owner Ernest Olson observed increased traffic and at times feared for his personal safety and that of the neighborhood. Based on his observation of law enforcement, Mr. Olson speculated that many citations could be issued along Las Flores as a deterrent to speeding. Having grown up on a street partially closed during the day, Mr. Olson suggested partial closure as an option. Mr. Olson believed speed humps were a good idea and expressed gratitude for everyone's sharing of thoughts on this issue.

Fred Shuttlesworth of 321 La Buena Vista recounted specific incidents of rude drivers and his interactions with them. He felt that people who are in a hurry should not speed through his

neighborhood as if it were a thoroughfare. Mr. Shuttlesworth felt that people should leave earlier for their destinations to avoid having to speed in a residential area. He stated that the former city marshal's enforcement efforts during the school year were effective in controlling traffic. Mr. Shuttlesworth did not know if the solution is closure or enforcement, but stated that something has to be done to control the traffic and volume.

City Administrator Ferguson advised that emails received on this issue will be entered into the record (attached to these minutes).

Elizabeth Floreani of 10 Palos Verdes Drive referred to her earlier email and spoke in favor of closure so that families can walk or bike on safe streets. She acknowledged that drivers who are prone to speeding create dangerous situations that can be easily remedied at slight inconvenience by closing Las Flores to through traffic. She stated that closure is good for all people in the neighborhood who should be able to live and play safely near their homes. Ms. Floreani stated that those who argue traffic would be relocated to their neighborhood should ask themselves why it is acceptable for her neighborhood to endure dangerous conditions when a safe solution is available. She did not believe enforcement is workable and noted that neighborhood streets were not built for heavy traffic, with numerous potholes, inadequate signage, and lack of shoulders and sidewalks. She felt that those who demand the convenience of using Las Flores as a cut-through should be willing to add needed improvements such as signage, shoulders, and sidewalks in order to ensure the safety of residents. With problems worsening, Ms. Floreani stated the only safe solution is closure.

Mayor Flocke expressed appreciation for all of the public comments and stated that Council is open to discussion and consideration of all possible solutions. He reminded that Council will hold its next regular meeting on Thursday, July 1, 2010 at 6:00 p.m. at City Hall and invited all to attend.

**Adjournment:** Council meeting adjourned at 7:39 p.m.

Recorded by:

Cara McPartland

These minutes approved on the \_\_\_\_ of July, 2010.

**APPROVED:**

**Bob Flocke, Mayor**

Don Ferguson

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From: Madonna [madonna@anvilcom.com]  
Sent: Monday, June 21, 2010 8:56 AM  
To: Flocke Bob  
Cc: libbysales; Roccaforte Charles; Thurber Steve; Bill Appleman; Don Ferguson; johnny White  
Subject: Closing Las Flores

Thank you for scheduling the public hearing for Las Flores closure. I hope you are all keeping in mind that the larger issue here is the failure to enforce the speed limit. It's not a problem unique to Las Flores. I've heard from people on River Road, Flite Acres, Woodcreek Drive and other areas who are concerned about the city's failure to enforce speed limits and the lack of a city marshal. Closing one street will not solve that problem and will set a precedent for other neighborhoods.

And, it's not about only taking "46 seconds more to go the other way" based on a day or evening with NORMAL traffic. How long will it take when traffic is rerouted to Emergency Lane taking into consideration the stop light and the heavy traffic flow of people on RR 12, FM 2325 and Emergency Lane going to the various schools and businesses.

The school at the end of Las Flores and the traffic did not just appear overnight. It was there when everyone of us bought houses in this area.

I sincerely hope that common sense and logic enters this decision making process. Even though I live in this neighborhood, I only travel from my house to 2325 once or twice a week and never at peak school times, so I'm not concerned about this decision for myself, but for a lot of people who depend on Las Flores to get to their business and school.

**Interesting comment from one Wimberley citizen you might want to consider:**

Las Flores was bought and paid for by all the taxpayers of the area. It was never intended for the exclusive use of the neighborhood. The "city" should live up to their responsibility and enforce the posted speed limit. Las Flores is not a "shortcut" as the Wim View states but a public road intended for the use of all.

Don Ferguson

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From: JEAN VERIATO [jveriato@gmail.com]  
Sent: Tuesday, June 22, 2010 11:27 AM  
To: BILL APPLEMAN; BILL BOWERS; DON FERGUSON; JOHN WHITE; MAC MCCULLOUGH;  
MONICA ALCALA; SANDY IRVIN; STEVE THURBER  
Subject: OPEN REQUEST TO THE SHERIFF'S OFFICE

I HAVE PLACED A REQUEST TO THE SHERIFF'S DEPT FOR A REPORT ON THE NUMBER OF TRAFFIC VIOLATIONS IN OUR NEIGHBORHOOD. THERE MAY BE A REPRESENTATIVE OF THE SHERIFF'S DEPT AT THE MEETING.

WE ONLY HOPE THAT OUR CITY COUNCIL IS NOT SWAYED BY THE PUBLIC'S ATTENDANCE AT THIS MEETING AND THAT YOU MAKE SAFETY AND LIVES THE NUMBER ONE CONCERN.

THANK YOU

--  
Jean Veriato  
jveriato@gmail.com  
Wimberley, Tx.

**Don Ferguson**

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**From:** JEAN VERIATO [jveriato@gmail.com]  
**Sent:** Tuesday, June 22, 2010 11:18 AM  
**To:** BILL APPLEMAN; BILL BOWERS; DON FERGUSON; JOHN WHITE; MAC MCCULLOUGH;  
MONICA ALCALA; SANDY IRVIN; STEVE THURBER; Jean Veriato; BOB FLOCKE  
**Subject:** LAS FLORES CLOSING  
**Attachments:** LAS FLORES STREET IMPROVEMENT jean.doc



LAS FLORES  
STREET IMPROVEMENT

THANK YOU FOR YOUR TIME IN READING OUR VIEWS.

--  
Jean Veriato  
jveriato@gmail.com  
Wimberley, Tx.

## LAS FLORES STREET IMPROVEMENT

Priority #1 is the SAFETY of the residents in the neighborhood encompassing:  
Las Flores, and LaBuena Vista, NOT THE CONVENIENCE OF THE PUBLIC!

We appreciate the council's suggestion in closing the street, and the city has already stated that we are talking about only minutes in re-routing the traffic, in most cases they ended up waiting at RR 2325 or RR12 to turn.

Due to the large amount of "cut-thru" traffic, and the speeding vehicles, it has become very dangerous for residents exiting their driveways, people trying to walk, baby strollers, bike riders and school children trying to get to and from school safely.

It is a proved fact that the Sheriff's Dept can not patrol the area enough and all it would take is that random car speeding that will take a life, that life could be a mother, a dad, a child, a grandparent, a sister or brother, and do we want that to happen when we know we could of prevented it? WE ALL HAVE HAD TOO MANY CLOSE CALLS.

I personally had three encounters with Sherri Bullock and her diesel SUV, where she told us that we put her life at risk by walking on our street and that we need to stop walking. Evidently she was running late to school or the clinic. In the last encounter she waved her arm telling us to get out of her way. These actions showed us that she was out of control and we weren't sure that the next time she would try to run us over. It is really scary to have a large diesel SUV speed close past you. I filed a complaint to the Constable's office who called the Sheriff's Dept and they went to her door step to talk with her. I can't believe that our friends "The Bullocks" have put our lives at risk for the convenience of driving to their businesses and driving their tractor down the street to mow the commercial building and their businesses.

The City Council has been made aware of our concerns, and their efforts with speed monitors, and the hiring of a City Marshall, both failed to result in a successful outcome and has done nothing to remedy the issue. There are more speeders, commercial trucks and trailers using the street than ever, some of them numerous times a day. This street is not built for the traffic load now imposed and will be a constant maintenance problem for the city. Some large vehicles break branches as they come rolling thru. It is impossible to hold to the speed limit unless you brake several times, and this has been established in past years. Several businesses have blocked their driveways in an effort to stop vehicles from cutting thru their property and we want to do the same.

We feel that this "public hearing" may be a necessary step for the city; however the voice of the residents on these streets should out weigh the public's view. We can not believe that neighbors in the De Luna Cul-de-sac, who are not impacted by the traffic at all, are putting their selfish needs ahead of our safety and peace of mind. We are the ones who have to back out on the street during the busiest hours. This change affects all of us, we on Las Flores will have to adjust to new routes but this will help our fellow neighbors and we are willing to do that. The public does not appreciate the privilege of using our neighborhood streets and it is just a convenience for them, which means they can drive as fast as they can.

We want the City to protect our lives and make our streets safe again.

Thank you

JEAN VERIATO , 8 LAS FLORES

**Don Ferguson**

---

**From:** Guzman, Paul [Paul.Guzman@Fiserv.com]  
**Sent:** Thursday, June 24, 2010 12:32 PM  
**To:** Dferguson@cityofwimberley.com  
**Cc:** bfloke@cityofwimberley.com; mmccullough@cityofwimberley.com; stacyjg@earthlink.net  
**Subject:** Proposed Las Flores Stree Closure input from resident  
**Attachments:** alternatives to road closure.pdf

Don,

My name is Paul Guzman and I have been a resident of Wimberley living at 106 La Buena Vista Dr since June 15, 2001. I love living in Wimberley and am very involved with Saint Mary's Catholic Church and as member of the Knight of Columbus, council 9151. I will be out of town on vacation visiting my son Shawn who is serving his county in the United States Air Force and will not be able to attend the public hearing on June, 29 2010 regarding the proposed street closure.

I would like to provide my input on this matter. I am against the initiative to close the Las Flores Drive where it intersects with the 500 block of La Buena Vista Dr. I enjoy driving to the High School or the track on this street. Frequently people can see me jogging around the neighborhood on this street as well and I have always felt safe doing so.

While I do agree that some people tend to speed on this street, in the 9 years I have lived there I don't recall seeing any accidents attributed to speeding. I'm sure if you polled residents of other neighborhoods like Wood Creek or along River Rd you would find that people tend to speed on those roads as well.

I am not sure if you have looked into any alternatives to the street closure but to my knowledge nothing has been previously implemented other than a yield sign that use to be on the corner of La Buena Vista and De Luna Lane.

Here are three alternatives to the current proposition.

- 1) Add another stop sign – The city can put up another stop sign at the intersection of La Buena Vista Dr and De Luna Lane (see option 1 in the attached PDF).
- 2) Add Speed bumps – Speed bump seem to be a good option for slowing down traffic. (see option 2 in the attached PDF for two locations that speed bumps can be implemented).
- 3) Implement a Speed Trap – The best method for controlling the posted speed limit is to have the Sheriff parked on the side of the street a few times a week and ticket speeders. This would be a revenue generated opportunity for the City. (see option 3 in the attached PDF for two places a sheriff can park).

I hope you value my opinion in this matter. My vote mattered at the last election and I hope it will matter in this decision.

Regards,  
Paul Guzman  
106 La Buena Vista Drive  
Wimberley, TX 78676

6/29/2010

Paul Guzman  
Senior Account Management  
Electronic Document Delivery  
Output Solutions  
Fiserv  
Office: 512-637-3923  
Mobile: 512-560-1965  
Fax: 512-329-0086  
[www.fiserv.com](http://www.fiserv.com)

Please consider the environment before printing this e-mail

Proposed Las Flores  
Street Closure



CYPRESS CREEK LN

PALO PINO PATH  
WRANGELERS RUN

WRANGELERS RUN

LA BUENA VISTA DR

LA BUENA VISTA DR

LAS FLORES DR

RR 2325

TEXAN BLVD

PALOS VERDES DR

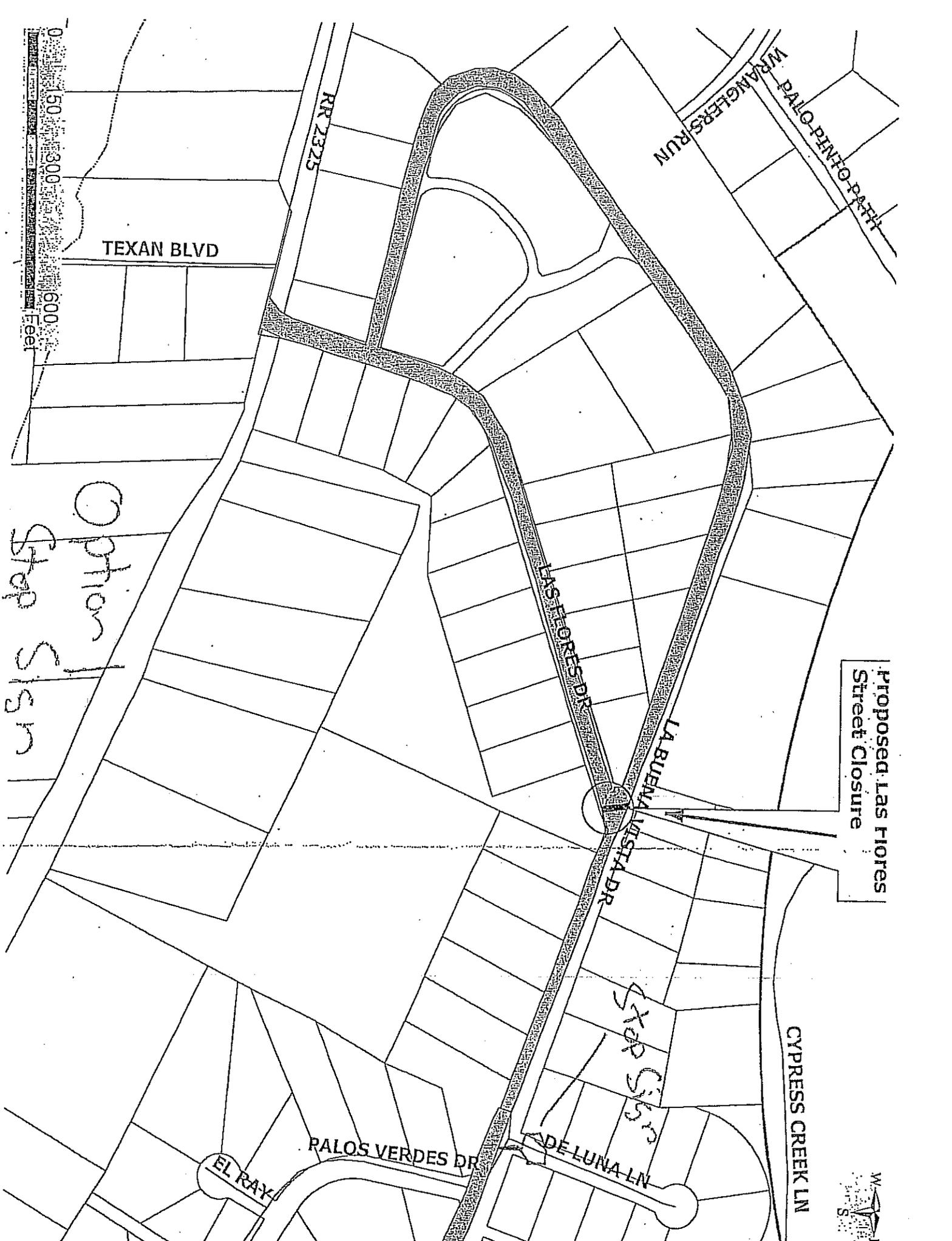
LADE LUNA LN

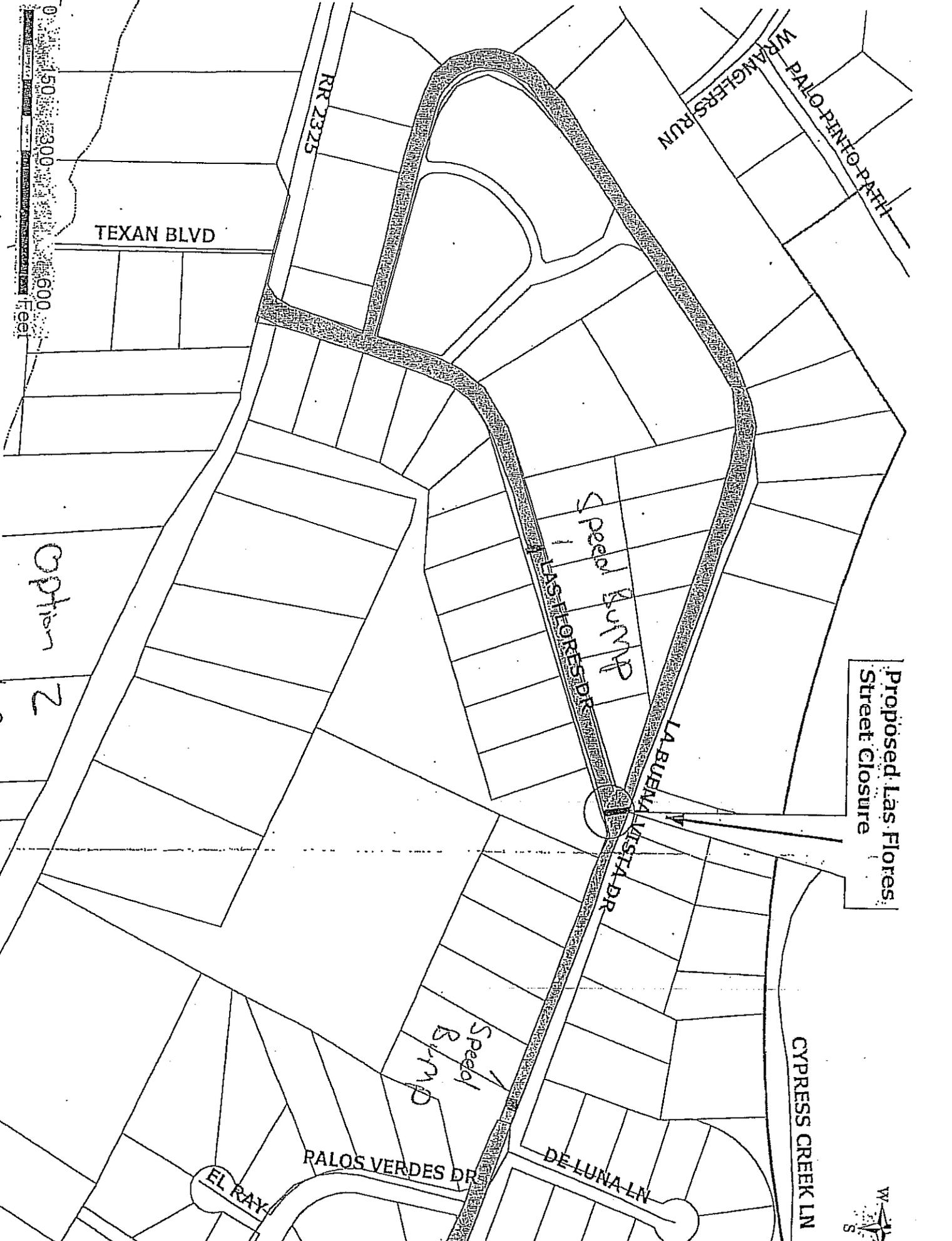
EL RAY

0 50 300 600 Feet

Option 1  
Stop Sign

Stop Sign





TEXAN BLVD

RR 2325

WRAAGLEERS RUN

PALO PINO PATH

Special Bump

LAS FLORES DR

LA BUENA VISTA DR

Speed Bump

PALOS VERDES DR

DE LUNA LN

CYPRESS CREEK LN

EL RAY

Proposed Las Flores Street Closure



0 150 300 600 Feet

Option 2

Proposed Las Flores Street Closure



CYPRESS CREEK LN

Sheriff

WRANGLERS RUN  
PALO PINO PATH

LA BUENA VISTA DR

LAS FLORES DR

DE LUNA LN

Sheriff

PALOS VERDES DR

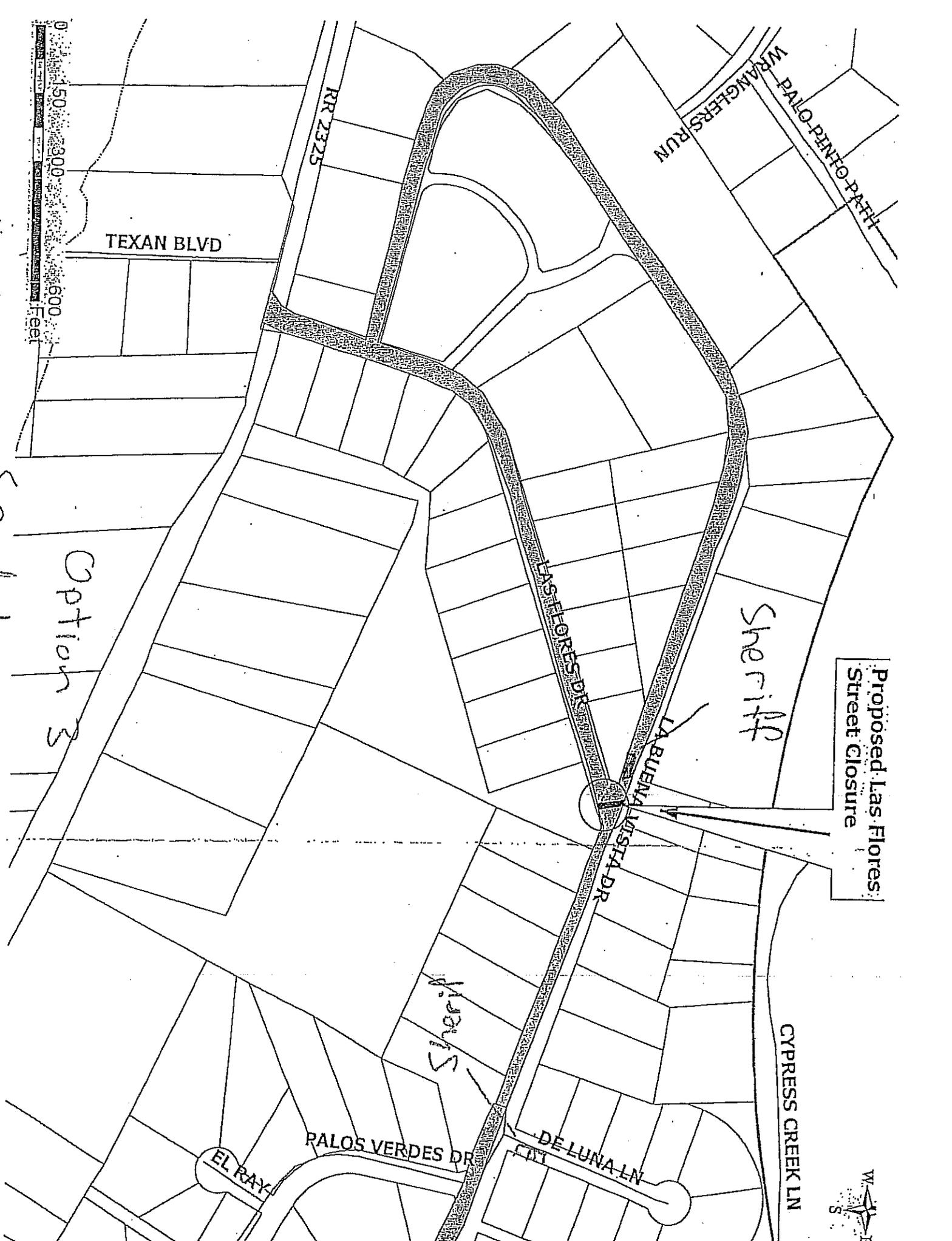
EL RAY

RR 2325

TEXAN BLVD

Option 3

0 50 300 600 Feet



**Don Ferguson**

---

**From:** bbeverette@att.net  
**Sent:** Saturday, June 26, 2010 10:41 PM  
**To:** Don Ferguson  
**Subject:** Las Flores Drive

Dear Mr. Ferguson :

I wish to address the Wimberley City Council regarding the proposed closure of the intersection of Las Flores and La Buena Vista Drive.

My late husband and I purchased a home at #42 La Buena Vista, Lot 17 Blk5 and 0.61 ac adjacent to it (abs.390 Robert S. Rankin survey) in early 1989. Several years later we were able to purchase the adjoining Lot 16. This gives us approximately 2.6 ac. This property is now owned by our Family Limited Partnership.

I am very distressed with the idea that we may be cut off from direct access and would require us to only enter via RR2325 and pass through the industrial area or to the proposed barricade and turn back down La Buena Vista. I can only see this devaluating our property and limiting our access to our home and property.

My home in Pasadena, where I am caring for my 96 yr old Father, is on a cul de sac one block from a busy street that was close to an elementary school and was used for a cut-through. Seven speed bumps were installed, one every block and the speeds and traffic were greatly reduced. There are other ways to handle this situation and I strongly oppose the suggestion to block our access.

Please carefully consider those of us who own homes on La Buena Vista. Would you like to have the front entrance to your home blocked?

Thank you for understanding my position.

Betty Uchurch Everette

Don Ferguson

---

From: Stacy Peterson [stacylee111@gmail.com]  
Sent: Monday, June 28, 2010 6:54 PM  
To: dferguson@cityofwimberley.com; mayor@cityofwimberley.com; place1@cityofwimberley.com; place2@cityofwimberley.com; place3@cityofwimberley.com; place4@cityofwimberley.com; place5@cityofwimberley.com  
Cc: 'Bob Flocke'; 'Charles Roccaforte'; 'Pat & Bill Appleman'; thurbercpa@sthurber.com; jwhite140@austin.rr.com; 'libbysales'  
Subject: Las Flores closing

Hi my name is Stacy Peterson and I live with my 3 children on De Luna Lane. We have lived there for 6 years, love our neighborhood and our home.

When moving my family to Wimberley I had several things that were important to me for our new home. Safe and quiet neighborhood and a central location that would be easy for my children to get to school. My daughters are now both in high school and driving. I love that they can get into the car and drive 2 minutes in no traffic to make it safely to school.

I am NOT in favor of closing Las Flores. Please do not do that. That would send my children either into town or through 2 other neighborhoods just to get to school. They are both honor students and active in WHS. We go back and forth multiple times a day. It would be very hard on our family.

I also have a toddler son that I take for walks in our neighborhood. Yes, people can go quickly sometimes but I have never been afraid to take my son out in his jogger. Wimberley has the most wonderful friendly people anywhere and everyone slows down when they see us and smiles and waves.

The posted speed limit is 25....since when have we stopped enforcing the law? I have not seen any type of officer on our street in a LONG time. Why is that? Does it really seem easier to close a street and burden other areas **than to just enforce the law.**

I will be at the meeting tomorrow night but if you have any other questions you may contact me by email or at my job 847-2288.

Thank you for hearing my concerns~

Stacy Peterson  
Wellness Specialist  
Wimberley Pharmacy  
512-847-2288  
[www.hillcountryrx.com](http://www.hillcountryrx.com)

6-28-2010

I LIVE AT 35 LA BUENA DR  
AND WISH TO EXPRESS MY OPINION  
ON BARRICADING LOS FLORES  
AND LA BUENA VISTA DR

I DO NOT WANT THE BARRICADE  
YOU BE CUTTING ME OFF FROM  
GOING TO ANY WHERE I WANT  
TO GO IN WIMBERLEY I DON'T  
THINK THE STREET SHOULD BE  
BLOCKED TO THROUGH TRAFFIC  
I REALIZE SOME NEIGHBORS ARE  
COMPLAINING BUT SOME OF  
LAS FLORES NEIGHBORS BUILD 6 FT  
FENCES ALL THE WAY TO  
STREET SO NOW WHEN THEY  
WANT TO BACK OUT OF THEIR  
HOUSE TO THE STREET THEY  
CAN'T NOT SEE THE COMING  
CARS. AND I ALSO THINK  
THAT IT COULD AFFECT THE  
VALUES OF OUR NEIGHBORHOOD  
HOMES

RAUL DAVILA  
Elida Davila

---

**From:** Karl Guthrie [mailto:karl@climbtech.com]  
**Sent:** Tuesday, June 29, 2010 3:33 PM  
**To:** dferguson@cityofwimberley.com  
**Subject:** Las Flores closure

Dear Mayor and Mr. Ferguson,

I am the Co-Founder of ClimbTech, an established business in Wimberley. I strongly protest of the road closure on Las Flores. Closing this road will affect my business. I drive to and from the bank and post office many times during the day, plus we enter and leave by Las Flores. I also have deliveries coming to and from my company. Closing that road will affect all the businesses in that area plus all the residents.

I do not want to drive back and forth during school traffic. This will waste my companies time daily.

If you want to slow down traffic, just put up speed dumps, that will curb all the speeding of traffic.

I had one of the residents become very irate with my delivery driver, she came to my business screaming and yelling. She proceeded to barge into my business with her camera and phone stating she was going to have us arrested. I had to remove her from my property. The sheriff show up to ClimbTech apologizing to us about her. This women was completely out of control and unrealistic. This road closure is a bad idea.

My company is growing rapidly and we spend about \$30,000 - \$40,000 into the community of Wimberley, and that figure is growing every day. We are going to have to expand our facility by the first of next year due to our growth. If you close Las Flores, we will move the business to Dripping Spring. That is a promise !!

Karl Guthrie  
Founder, Head of Sales

**ClimbTech, LLC**  
Phone: 512.847-7251  
fax: 512-847-7634  
[karl@climbtech.com](mailto:karl@climbtech.com)  
[www.climbtech.com](http://www.climbtech.com)

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Doug, Tina McElwee & Kids  
9 Las Flores dr.

1) Notion that its quicker is fiction, unless U are SPEEDING ! I timed it w/ a stopwatch, from Las Flores & 2325 to stop sign @ 12 on Emer. Ln., 1:17  
2325 to 12 thru neighborhood @ Exxon, 2:00, 2325 to 12 @ Cypress creek Ln., 2:11

2) Not JUST speed anymore, its VOLUME of traffic, especially during school year.

3) We should not have to bear 100% of the inconvenience & sacrifice, while the whole town cruises freely. Make it fair, if we ALL use emer. Ln, its EQUAL sacrifice!

4) Cant get out of our driveways as we have 2 wait on LINES of traffic 2 go by, people cuss & honk when we stop 2 turn into driveway, or drive slow.

5) Opposition says closure will have a negative affect on other roads, pure speculation!

6) Everyone is just accustomed to this cut-thru, they will get accustomed to emer. Ln just as well.

7) Propose extending Green Acres Dr. to 12

8) Largest opponent to closure? Lives on a CUL DE SAC!!!! ( Bullocks )

9) Speed enforcement will never work, we've tried

that!

~~10)~~

10) School buses & Tractor trailers use this rd. even tho there are " NO TRUCKS" signs!

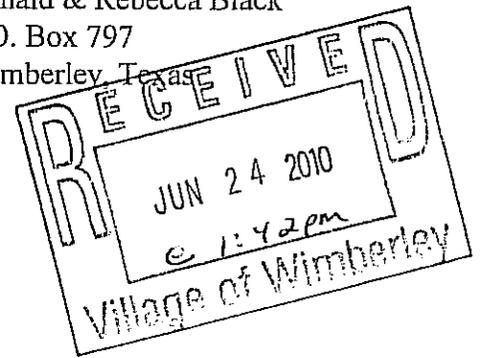
11) Kids not allowed in front, cant even ride a bike!  
How many of opposition can say that?

12) NEGATIVE AFFECTS TO OUR  
PROPERTY VALUES

13) SINCE BOWEN CLOSED, ALL SCHOOLS  
ARE ON 2325 SIDE, ALL TRAFFIC  
COMES THRU OUR NEIGHBORHOOD

June 23, 2010

Donald & Rebecca Black  
P.O. Box 797  
Wimberley, Texas



Wimberley City Hall  
City Administrator-  
Don Ferguson  
P.O. Box 2027  
Wimberley, Texas

Dear Sir:

My wife and I have lived at 38 La Buena Vista Drive for over 20 years. We strongly object to the proposed blocking of Las Flores Drive at the intersection to La Buena Vista. This intersection is within 100 feet of our southeastern property line. In other words, we would end up in the Las Flores/La Buena Vista circle. We believe, or I should say we know, that this road closure would be very inconvenient and time consuming for us as well as most of the other residents of the Wimberley Valley. It would be a great inconvenience for us to travel to the Wimberley Water office, the Post Office, our bank and other businesses in that areas, as well as access to the Dripping Springs/Austin area. Everyone in Wimberley knows the nightmare of traffic during market days and other events held in that area and downtown. We also know the problems involved in accessing the Blanco Highway at the Las Flores intersection during the WISD sessions. This proposed closure would force us to use this intersection during all of these peak traffic periods.

I am well aware of the speeding problems on Las Flores and La Buena Vista, even in front of our home which is not on the cut through. We have observed this problem for 20 years. I do not have information relating to traffic accidents on this roadway as a result of speeding, but my guess is that it is not excessive. The most dangerous part of this cut through, in my opinion, are the three way stop signs, that were erected, then removed and then put in place again. I have observed more near collisions, due to failure to stop at that intersection, than anywhere else on the roadway.

It appears to me that this is a law enforcement problem and should be addressed as such, and does not warrant closure of a street that is beneficial to everyone that drives in Wimberley. Even though the local newspapers have stated that Wimberley EMS and other emergency responders have no problem with the road closure, common sense will tell you that under certain circumstances response time to this neighborhood will be diminished.

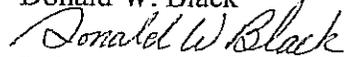
Even though we feel for the residents that believe their quality of life is diminished by cars speeding in front of their homes, we do not believe that this is a valid reason for closing off this roadway. We believe that it is unfair to punish all of the residents in this neighborhood as well as everyone living and driving in Wimberley, for the actions of a few speeders that should be given

speeding tickets. We also realize that traffic has increased in the last 20 years on this cut through, just like it has in Wimberley, Austin, San Antonio and the state of Texas. With the increased traffic comes increased traffic law infractions, but they should be dealt with as traffic law infractions instead of limiting access to the local neighborhood residents and general public.

Again, we strongly oppose the proposal to block this roadway within our neighborhood.

Sincerely,

Donald W. Black



Rebecca A. Black



# Public Sign-In (SPEAKERS ONLY)

City of Wimberley, Texas

Purpose of Meeting: **City Council**

Date: **June 29, 2010**

## **Public Hearing on proposed closure of Las Flores Drive**

**Public Hearing Speakers Policy:** Speakers must sign in prior to the beginning of the meeting. Speakers who wish to address a specific agenda item will be recognized when that item comes up on the agenda, provided they have signed in prior to the beginning of the meeting and indicated the item to be addressed. Each speaker will be limited to three (3) minutes.

Name of Speaker/Address (Please Print)

Agenda Item/Issue

✓ CHARLIE JOHNSON

PUBLIC HEARING ON PROPOSED

✓ Brooke Banks

CLOSURE OF LAS FLORES DRIVE  
331 La Buena Vista Dr

✓ Sylvia Banks

331 La Buena Vista Dr

✓ JEAN VERIATO

8 LAS FLORES

✓ RUTH MINCE

151 LAS FLORES

✓ MARGARET "Peggy" Maddox

7 LAS FLORES DR.

✓ Tammy Sedam

10 Las Flores Dr

✓ ~~Steve Miller~~

The Las Flores Dr. Issue

✓ Bob Sullivan

9-DeLuna

Name of Speaker/Address (Please Print)

Agenda Item/Issue

✓ Della Wilson	344 Cypress Creek Lane
✓ Cook Wiley	
✓ Glance N. [unclear]	13 Las Flores Dr.
✓ DAVID DITRAGLIA	
✓ DENNY MECOY	691 LA BUENA VISTA DR.
✓ Amy Reynolds	Sam ↑
✓ JOHN BLDG	504 La Buena Vista
<del>ADAM [unclear]</del>	9 Las Flores Dr.
✓ ROBERT OBALEN	210 ROUND ROCK RD
✓ One Juliet	Las Flores
✓ Cliffe Strickland	Las Flores
✓ Jon K. Burns	Las Flores
✓ Candy Fors	La Buena Vista
✓ Adriano Kemball	De la [unclear]
✓ Richard Kierense	Las Flores
Chris Grindorf, 20 Palos Verdes On behalf of daughter (captain) at 104 Lark's	20 Palos Verdes



Jon Strickland

Joseph Schwartz, 28 W. Inwood Forest

Frank Wood, 100 Augusta, Woodcreek  
(Public Works Director - City of Woodcreek)

Lt. Mark Groves (HESO)

Rusty Wallace, live off Fischer Stone Rd.

(Instable Darrell Ayers

Well Cadefhead, Small Rock Ridge

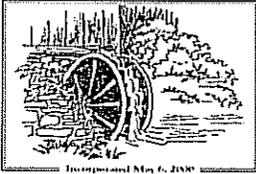
M.F. Johnson (since 1947)

Lila Stone

Ernest Olson

Fred Shuttlesworth, 321 LBN

# City Council Agenda Form



Date Submitted: July 10, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** APPOINTMENT OF  
TEVIS GRINSTEAD TO THE BOARD OF  
ADJUSTMENT

**Funds Required:**

**Funds Available:**

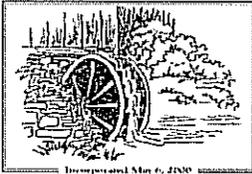
**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda at the request of Place Three Council Member Bill Appleman to allow City Council to consider the appointment of Tevis Grinstead to the City of Wimberley Board of Adjustment as an alternate member. If appointed, Grinstead will take the place of Pam Showalter on the Board.

# City Council Agenda Form



Date Submitted: July 10, 2010

Agenda Date Requested: July 15, 2010

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:  
Funds Available:

Council Action Requested:

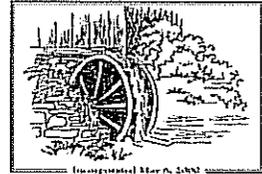
- Ordinance
- Resolution
- Motion
- Discussion

## Project/Proposal Summary:

The City Administrator will present a report on the following items:

- Status report on the efforts underway to secure federal funding for the downtown wastewater project
- Status report on development activity in the City of Wimberley
- Status report on the reconstruction of Las Flores Drive, La Pais Drive and Palos Verdes Drive
- Status report on the operation of the Blue Hole Regional Park
- Status report on the upcoming *City Council Goals and Objectives Workshop*
- Status report on Fourth of July festivities in the City of Wimberley

# Report for Zoning CUP-10-008



**Summary:**

A request for a Conditional Use Permit (CUP) to allow for a sit-down eating establishment that sells beer, wine and alcohol for on-premise consumption at 111 River Road

**Applicant Information:**

**Applicant:** Leaning Pear, LLC  
111 River Road  
Wimberley, Texas 78676

**Property Owner:** Leaning Pear, LLC

**Subject Property:**

**Legal Description:** AMASA TURNER SURVEY, Abstract No. 461  
**Location:** 111 River Road  
**Existing Use of Property:** Commercial –Eating Establishment  
**Existing Zoning:** C1- Commercial Low Impact  
**Proposed Use of Property:** Commercial-Restaurant that sells beer, wine and alcohol for on-premise consumption  
**Proposed Zoning:** C-1 with CUP for a sit-down eating establishment which sells beer, wine and alcohol for on-premise consumption  
**Planning Area** IV  
**Overlay District** None

**Surroundings:**

**Frontage On:** River Road

**Area Zoning and Land Use Pattern:**

	Current Zoning	Existing Land Use
<b>N of Property</b>	C1, C2, PR2	Commercial, Public
<b>S of Property</b>	C1,L2	Commercial, Vacant
<b>E of Property</b>	C1,L2	Commercial, Vacant
<b>W of Property</b>	R3, C1	Residential, Commercial

**Legal Notice**

**200' Letters Sent** 6/4/2010  
**Published** 6/9/2010  
**Sign Placement** 6/4/2010

**Responses** None

**Comments:**

The applicant has requested a Conditional Use Permit (CUP) to allow for a sit-down eating establishment that sells beer, wine, and alcohol for on-premise consumption on a .76 acre tract of land located at 111 River Road.

Currently, the subject property is zoned *Commercial-Low Impact (C-1)* and is located in *Planning Area IV*. Eating establishments that sell beer, wine, and alcohol for on-premise consumption are allowed in *C-1* as conditional uses.

The subject property is the current location of the *Leaning Pear Restaurant*. The applicant is proposing to begin selling beer, wine and alcohol as part of the existing sit-down restaurant operation.

To date, City staff has received no comments from the public on the CUP request.

On July 8, 2010, the Planning and Zoning Commission held a public hearing on the CUP request. Afterwards, the Commission unanimously voted to recommended approval of the zoning request.

§ 155.047 COMMERCIAL - LOW IMPACT; C-1.

(A) *General purpose and description.* The C-1, commercial 1 district is established as a limited retail category intended for the purpose of supplying day-to-day needs and personal services. Establishments may include small, free-standing retail structures, and personal service establishments.

(B) *Permitted uses.*

(1) Administrative and professional office:

(a) Insurance, real estate, attorneys, accountants, architects, investment services, travel agencies;

(b) Photography studios, doctors, dentists;

(c) Non-profit organizations (with certain restrictions);

(d) Civic uses (such as City Halls);

(e) Research services: limited; and

(f) Office.

(2) Religious assembly;

(3) Retail sales and services: limited;

(4) Business support services;

(5) Child care center;

(6) Repair services: consumer;

(7) Eating establishments: sit-down;

(8) Animal sales and services: grooming;

(9) Convalescent services;

(10) Arts and crafts sales and instruction;

(11) Commercial/single-family residential;

(12) Adult day care facility;

(13) Private primary educational services;

- (14) Private secondary educational services;
- (15) Medical services: limited;
- (16) Personal services: limited;
- (17) Bank and savings and loan;
- (18) Accessory uses to the main use; and
- (19) Single-family residence.

(C) *Conditional uses.*

(1) A drive-through or drive-in facility otherwise allowed in any permitted use in this district shall be allowed only with a conditional use permit;

(2) Bank and savings and loan (drive-through);

(3) Bed and breakfast lodging;

(4) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations; and

(5) Eating establishments: fast food with drive-through order windows.

(D) *Development regulations.*

(1) Minimum lot size: 5,000 square feet.

(2) Maximum building height (as defined in § 155.005):

(a) Primary buildings: not more than 2 stories and not more than 28 feet or 35 feet with gable roof;

(b) Accessory buildings: not more than 18 feet and not more than 1 story; and

(c) Decks: not more than 12 feet including a railing only or 18 feet including a roof.

(3) For minimum setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks. The minimum setbacks shall be the larger of the dimensions in § 155.078(A), Table A, or the following:

(a) Dominant street: 10 feet;

(b) Secondary street: 10 feet; and

(c) Interior side or rear yard: 10 feet, 20 feet when adjacent to a residential district and the building is more than 1 story.

(4) Maximum impervious cover: 70%. Impervious coverage shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(5) Maximum building coverage: 60%. Building coverage shall be calculated as a percentage of the net site area.

(6) Maximum building footprint: 11,500 square feet.

(7) Maximum floor area: 15,000 square feet.

(E) *Special requirements.*

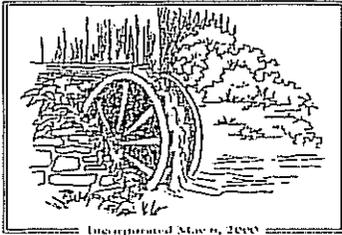
(1) Open storage is prohibited.

(2) For site plan requirements, see § 155.077.

(3) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling or non-residential purposes.

(F) *Other regulations.* As established in §§ 155.075 *et seq.*, development standards.

(G) *Parking regulations.* As required by § 155.075, off-street parking and loading requirements. (Ord. 2001-010, § 26, passed 4-1-2001; Am. Ord. 2003-006, passed 7-3-2003; Am. Ord. 2004-017, passed 8-5-2004) Penalty, see § 155.999



# Village of Wimberley

## CONDITIONAL USE PERMIT APPLICATION

No. CUP-10 - 008

### FOR OFFICIAL USE ONLY

Application Date: 5/21/2010 Tentative P&Z Hearing: 6/24 Tentative Council Hearing: 7/1

FEES: \$400.00 DATE PAID: 5/27/2010 CHECK NO. 2210 REC'D BY \_\_\_\_\_

PROJECT SITE ADDRESS: 111 RIVER ROAD Wimberley, TX. 78676

OWNER/APPLICANT LEANING PEAR, LLC PHONE (512) 847-7327

FAX ( ) N/A EMAIL: info@leaningpear.com

Mailing Address: 111 RIVER ROAD CITY: WIMBERLEY STATE: TX ZIP: 78676

APPLICANT UNDERSTANDS that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

ZONING: C-1 CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging)

Planning Area 4 Zoning C-1 Total Acreage or Sq. Ft. 0.76 ACRES part of that 9.08 acre

Subdivision: N/A Lot N/A Block N/A tract identified as R18403

Appraisal District Tax ID#: R 18403

Deed Records Hays County: Volume 854 Page 649

Is property located in an overlay district? ( ) Yes (X) No - If Yes,

Type: \_\_\_\_\_

Is property located in flood plain? ( ) Yes (X) No

Utilities:

Electric Provider: PEC

Water Provider or Private Well: WIMBERLEY WATER SUPPLY

Wastewater Service Provider or Hays County Septic Permit No: 2002 2003

MY REQUEST IS BASED ON THE FOLLOWING:

- The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not adversely affect an adjoining site than would a permitted use;
- The use requested by the applicant is set forth as a conditional use in the base district;
- The nature of the use is reasonable;
- The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;
- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

ADDITIONAL REQUIREMENTS/DOCUMENTATION

- Metes and bounds description and a survey (i.e., drawing) exhibit showing the property for which the CUP is being requested.
- Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200').
- List of Special Conditions that Applicant agrees apply to property.
- List of all property owners, with mailing addresses located within two hundred feet (200') of any point of the subject property.
- Payment of Application fee \$400.00
- Applicant agrees to attend public hearings before the P&Z Commission as well as the City Council concerning this application; or waives his/her right to appear, understanding that if questions are raised that cannot be answered, the matter may be continued, or denied.
- Applicant has checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and applicant understands that the Village zoning action does not relieve any obligation of these restrictions.
- Applicant agrees to provide additional documentation as needed by the Village.
- Applicant understands that Village review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay the review of the Application. Applicant, by his/her signature below, certifies that to the best of his/her knowledge said information is complete and correct.
- Applicant hereby authorizes the Village representatives to visit and inspect the subject property.

Date 5/21/10

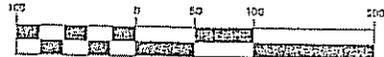
Rachel Bixman, Member  
APPLICANT SIGNATURE

WHEN APPLICABLE:

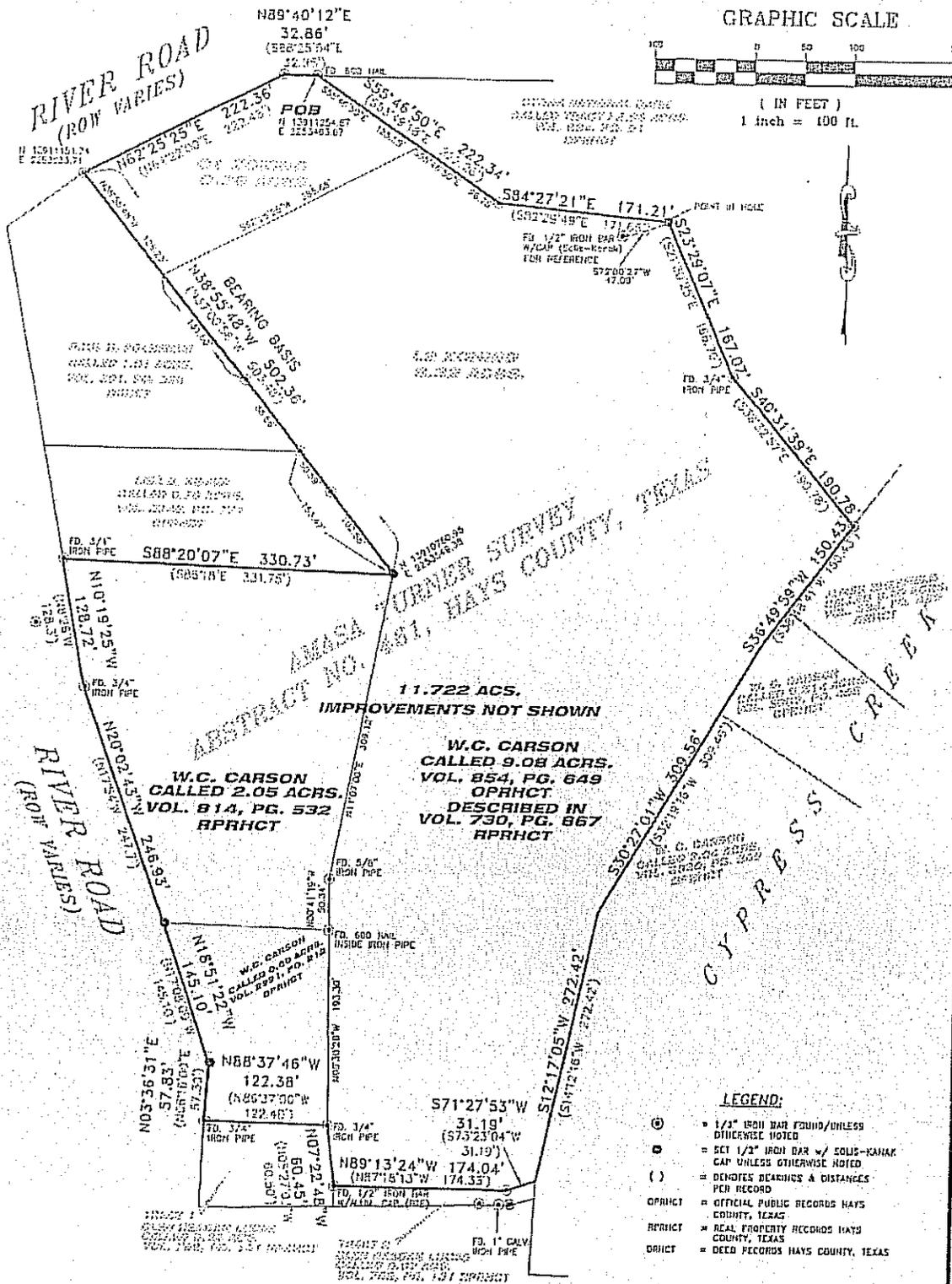
Date \_\_\_\_\_

\_\_\_\_\_  
AGENT SIGNATURE

GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.



**NOTES:**  
THIS PROPERTY DESCRIBED APPEARS ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP; FIRM NO. 48209C0355F EFFECTIVE DATE 09-02-05. THIS PROPERTY LIES IN ZONE "X" AREAS OF MINIMAL FLOOD HAZARDS AND PARTIALLY IN ZONE "AE", BASE FLOOD ELEVATIONS DETERMINED. NO WARRANTY EXPRESSED OR IMPLIED IS MADE REGARDING THE ACCURACY OF THE NATIONAL INSURANCE PROGRAM MAP.

**NOTES:**  
THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. CERTAIN EASEMENTS, SETBACKS AND/OR RESTRICTIONS MAY APPLY.  
BEARINGS BASED ON TEXAS STATE PLANE COORDINATES SOUTH CENTRAL ZONE (NAD 83).

**SURVEY OF:**  
A 11.722 ACRE TRACT OF LAND BEING ALL OF THAT CALLED 9.08 ACRE TRACT IN DEED TO W.C. CARSON RECORDED IN VOLUME 854, PAGE 649 OPRHCT DESCRIBED IN VOLUME 730, PAGE 867 RPRHCT, ALL OF THAT CALLED 2.05 ACRE TRACT IN DEED TO W.C. CARSON RECORDED IN VOLUME 814, PAGE 532 RPRHCT AND ALL OF THAT CALLED 0.60 ACRE TRACT IN DEED TO W.C. CARSON RECORDED IN VOLUME 2591, PAGE 212 OPRHCT, ALL BEING SITUATED IN THE AMASA TURNER SURVEY ABSTRACT NO. 481, HAYS COUNTY, TEXAS.



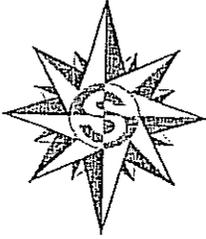
*Clinton L. Kanak*  
CLINTON L. KANAK, P.L.L.C.  
TEK. REG. 4499



**Solis-Kanak & Associates, Inc.**  
Professional Surveyors

CANYON LAKE, TX 7500 HIGHWAY 306  
(830) 935-4011 78133  
FAX (830) 935-4012

Date: 07/24/09	Drawn By: S.D.	CP Name:	Use NAD83: 09-012
Rev: 03/02/10			
Sheet 2 of 2			



**Solis-Kanak & Associates, Inc.**  
**Professional Land Surveyors**

**0.7600 Acre**  
**C1 Zoning Area**

Description of a 0.7600 of an acre of C1 zoning area out of that called 9.08 acre tract of land in deed to W.C. Carson recorded in Volume 854, Page 649 Official Public Records Hays County, Texas (OPRHCT) described in Volume 730, Page 867 Real Property Records Hays County, Texas (RPRHCT), situated in the Amasa Turner Survey, Abstract No. 461, Hays County, Texas, and being more particularly described by metes and bounds as follows with all bearing being based on Texas State Plane Coordinates South Central Zone (NAD 83);

**Beginning:** at a found 60d nail (N 13911254.87, E 2253463.67) lying on the south right-of-way line of River Road (ROW varies) marking the northeast corner of the herein described area and the west corner of Tract 1 a called 2.86 acre tract of land in deed to Ozona National Bank recorded in Volume 884, Page 91 OPRHCT;

**Thence:** S 55° 46' 50" E (called S 53° 49' 18" E), 125.59 feet, along the northeast line of the herein described area, the northeast line of said 9.08 acre tract and the southwest line of said 2.86 acre tract to the east corner of the herein described area from which a found ½" iron bar marking an angle point on the northeast line of said 9.08 acre tract and the southwest line of said 2.86 acre tract bears S 55° 46' 50" E (called S 53° 49' 18" E), 96.75 feet (total called 222.26 feet);

**Thence:** S 62° 25' 25" W, 285.68 feet, across said 9.08 acre tract, to the south corner of the herein described area lying on the west line of said 9.08 acre tract and the east line of a called 1.01 acre tract of land in deed to Paul H. Polhemus recorded in Volume 391, Page 390 Deed Records Hays County, Texas being N 38° 55' 48" W (called N 37° 00' 58" W) 131.80 feet from a found ½" iron bar for reference lying on the west line of said 9.08 acre tract and the east line of said 1.01 acre tract;

**Thence:** N 38° 55' 48" W (called N 37° 00' 58" W), 128.23 feet, along the west line of the herein described area, the west line of said 9.08 acre tract and the east line of said 1.01 acre tract to a found ½" iron bar (N 13911151.74, E 2253233.71) lying on the south line of said River Road marking the northwest corner of the herein described area, the northwest corner of said 9.08 acre tract and the northeast corner of said 1.01 acre tract being N 38° 55' 48" W (Bearing Basis), 502.36 feet (called N 37° 00' 58" W, 503.48 feet) from a set ½" iron bar (N 13910760.95, E 2253549.38) with cap (Solis-Kanak) marking an angle point on the west line of said 9.08 acre tract;

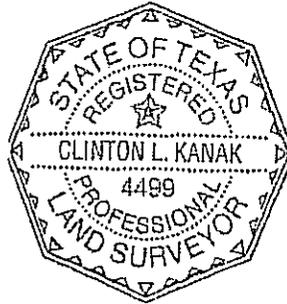
**Thence:** N 62° 25' 25" E, 222.36 feet (called N 64° 22' 00" E, 222.48 feet), along the north line of the herein described area, the north line of said 9.08 acre tract and the south line of said River Road to a found ½" iron bar for angle;

**Thence:** N 89° 40' 12" E, 32.86 feet (called S 88° 25' 54" E, 32.95 feet), continuing along the north line of the herein described area, the north line of said 9.08 acre tract and the south line of said River Road to the Place of Beginning and containing 0.7600 of an acre of C1 zoning area more or less.

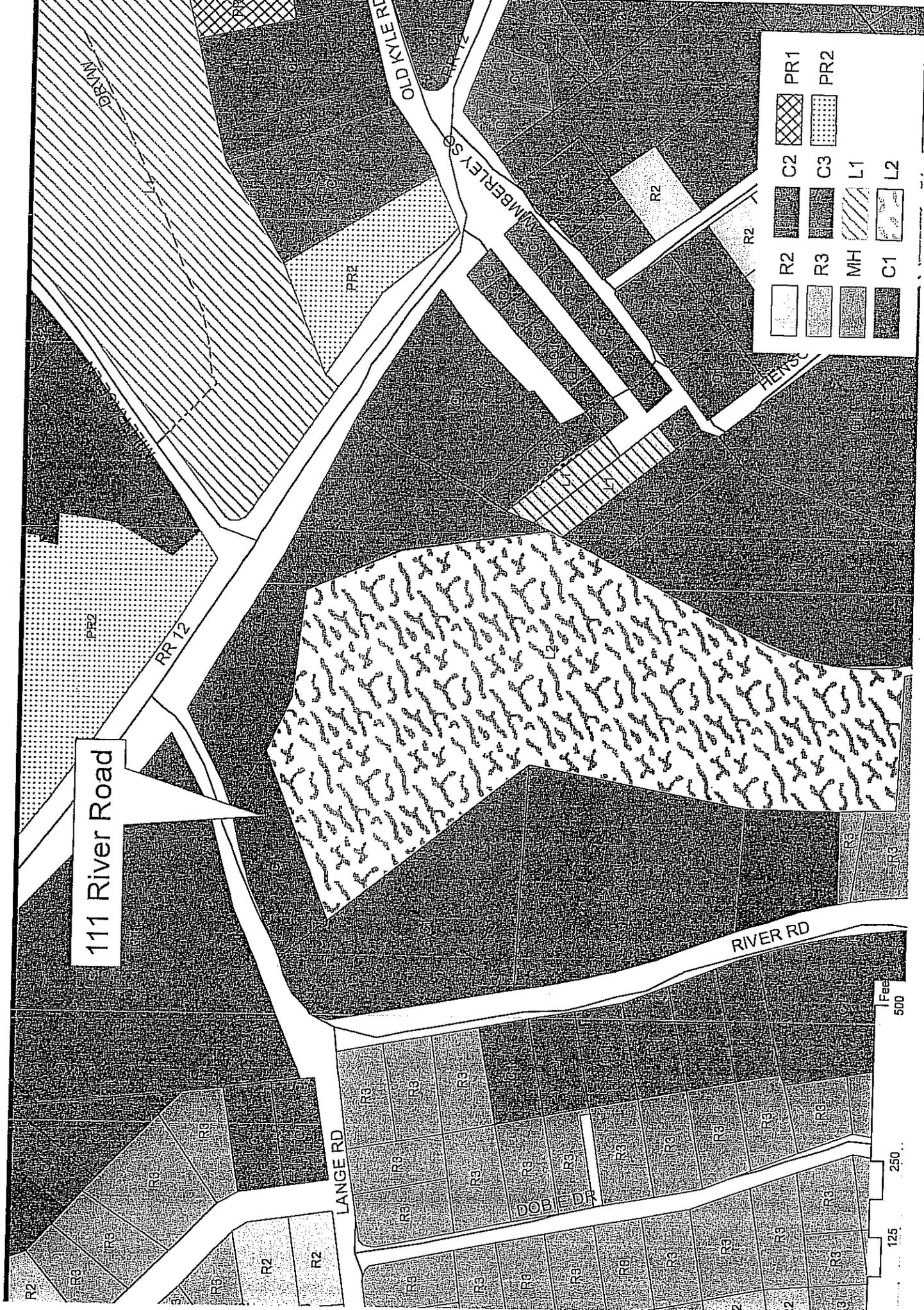
*This description is for designating the C1 zoning area located in the said 9.08 acre tract and is not intended to subdivide said 9.08 acre tract. Description is based on the survey of an 11.722 acre tract of land surveyed by Solis-Kanak and Associates, Inc. dated July 31, 2009.*



Clinton L. Kanak, R.P.L.S.  
Registered Professional Land Surveyor, No. 4499  
Date: July 31, 2009  
G:\Jobs2009\09-0117\Description 0.7600 Acre.doc



# Zoning Map for CUP-10-008



111 River Road

LANGE RD

DOBIE DR

RIVER RD

KIMBERLEY ST

OLD KILLEBUCK RD

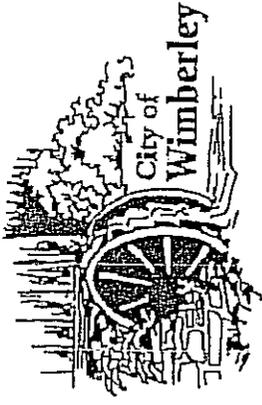
HENSEL ST

1/8" = 500'

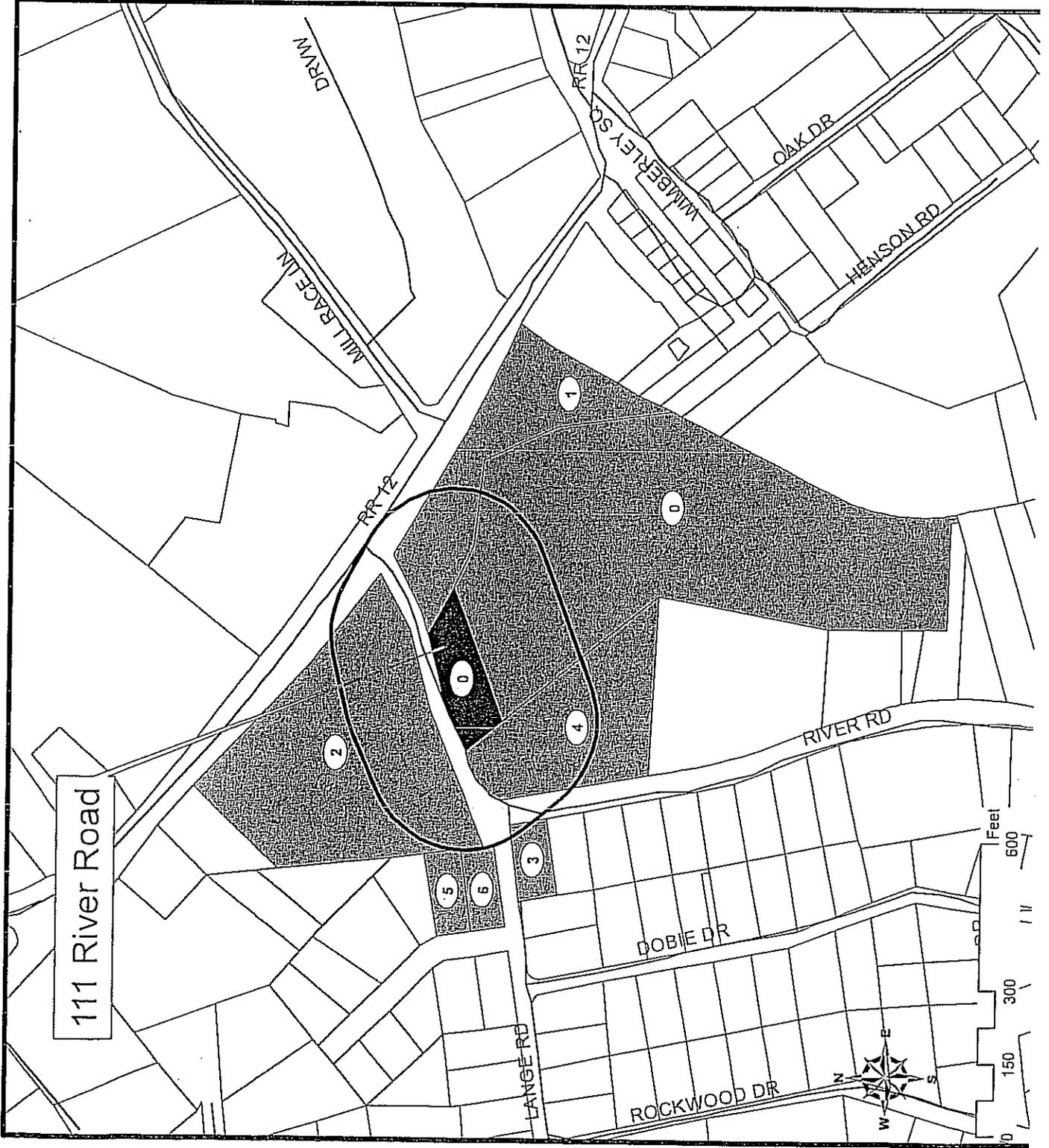
250'

125'

# Notification Map for CUP-10-008

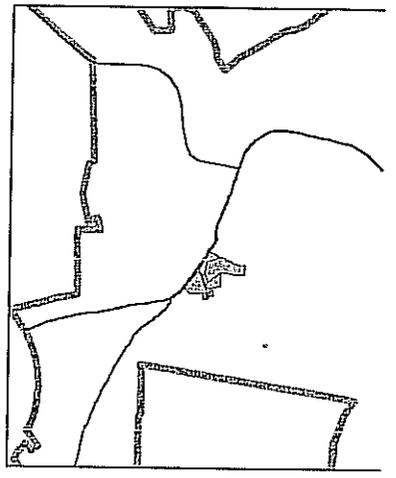


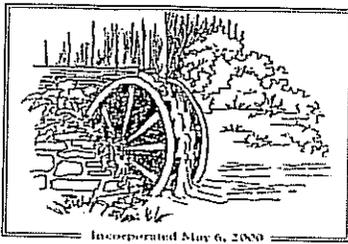
P.O. Box 2027 • Wimberley, Texas 78677



- 200' Notification Buffer
- Subject Property
- 0, CARSON, WC
- 1, OZONA NATIONAL BANK
- 2, OZONA NATIONAL BANK
- 3, JEAMBERT, ROBIN GUEST
- 4, KIEFER, LISA
- 5, ENGELHART, HAROLD BRYCE
- 6, ENGELHART, HAROLD BRYCE

Location Map





# City of Wimberley

221 Stillwater (P.O. Box 2027), Wimberley, Texas 78676  
Phone: 512-847-0025 Fax: 512-847-0422 Web: [cityofwimberley.com](http://cityofwimberley.com)  
Bob Flocke, Mayor - Charles Roccaforte, Mayor Pro-tem  
Council Members - Mac McCullough, Bill Appleman, Steve Thurber, John White  
Don Ferguson, City Administrator

---

June 4, 2010

## NOTICE OF PUBLIC HEARING

**Re: File No. CUP-10-008**  
111 River Road  
A request for a Conditional Use Permit (CUP) to allow the sale of beer, wine, or alcohol for on-premise consumption.

Dear Property Owner:

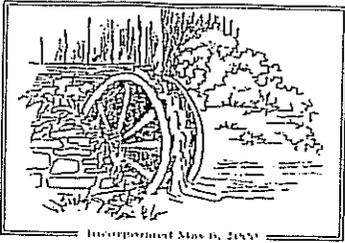
You are receiving this letter because you own property within 200 feet of the above-referenced location.

The applicant, Leaning Pear, has requested a Conditional Use Permit (CUP) to allow the sale of beer, wine, or alcohol for on-premise consumption for a property located at 111 River Road. The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, June 24, 2010, at 6:30 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, July 1, 2010, at 6:00 p.m.**

Because the granting of these requests may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted to the City Administrator prior to the meeting.

Additional information regarding the proposed zoning is available for public review at City Hall during normal business hours. Should you have questions, please contact the City Administrator at 512-847-0025.

CITY OF WIMBERLEY



# City of Wimberley

12111 Ranch Road 12, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 - Fax: (512) 847-0422

E-mail: [Wimberley@anvil.com](mailto:Wimberley@anvil.com) - Web: [www.vil.wimberley.tx.us](http://www.vil.wimberley.tx.us)

## NOTICE BY SIGN POSTING

Zoning No: EUP 10-008

Owner \_\_\_\_\_

Date 6/4/10

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

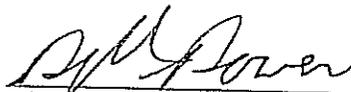
( ) Project Site Address 111 River Road

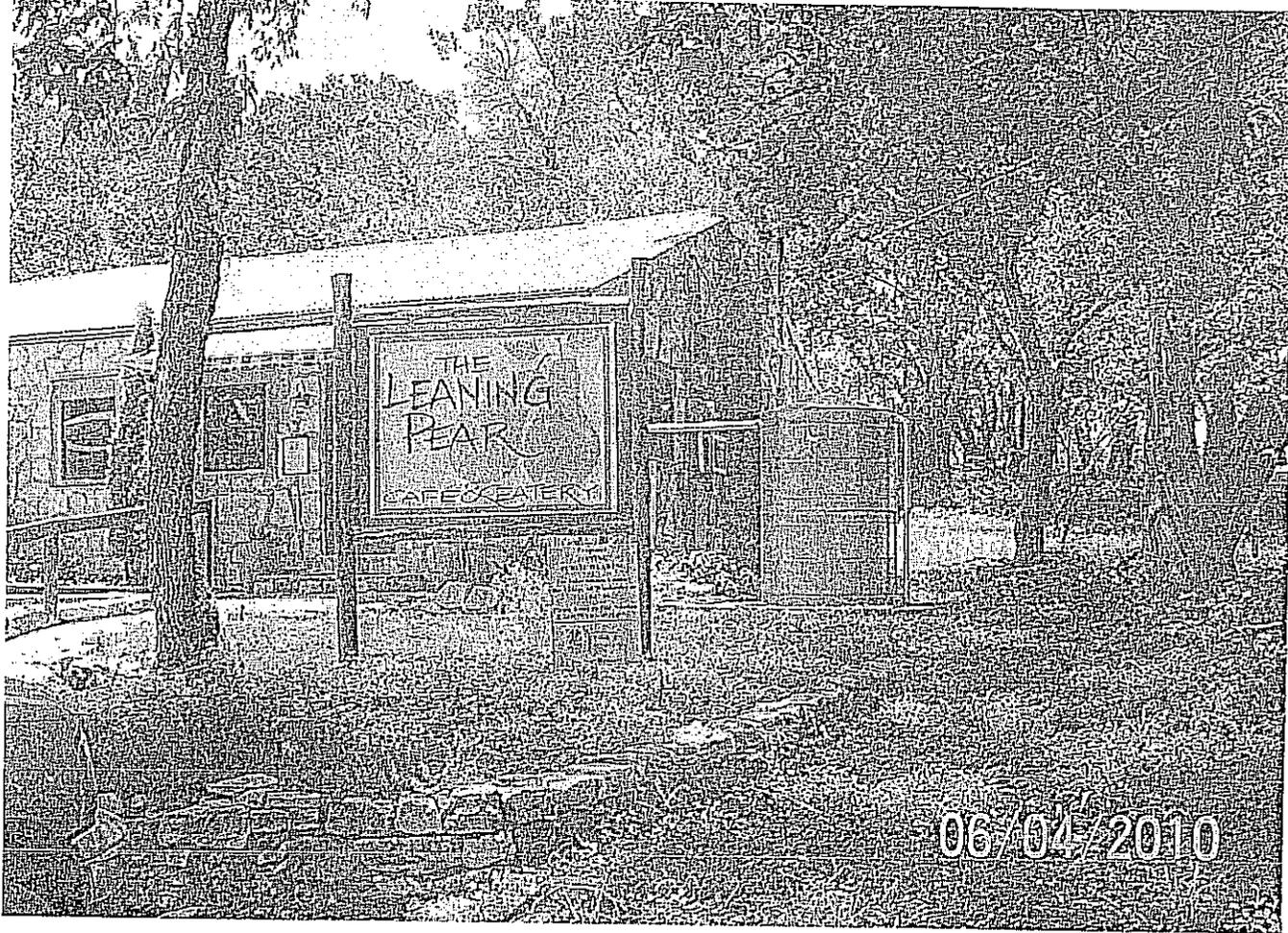
which is located River Road

Bill Bowers  
Asst. Public Works

Note: The above-referenced sign was placed on the subject property on

6/4, 2010

  
\_\_\_\_\_  
Signature



**Century News 858-4163 • Wimberley View 847-2202**

**★ LEGALS & Public Notices**

**NOTICE OF PROPOSED AMENDMENT TO THE CITY OF WIMBERLEY ZONING CODE**

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, June 24, 2010 at 6:30 p.m. on an ORDINANCE AMENDING CHAPTER 155 (ZONING) SUBSECTIONS 155.007(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, AN EFFECTIVE DATE, PROPER NOTICE AND MEETING, AND SEVERABILITY. Upon recommendation of the Planning & Zoning Commission, the City Council will hold a public hearing at their regular Council meet-

**NOTICE OF PUBLIC HEARING**  
(Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, June 24, 2010, at 6:30 p.m. to consider the following: CUP 10-008 an application for a Conditional Use Permit (CUP) to allow the sale of alcohol for on-premise consumption for a property located at 1111 River Road. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, July 1, 2010, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas. (12143/1a/46)

**PUBLIC NOTICE**  
Proposals addressed to Bartlett Cocks, L.P.

(12132/1a/16)

**NOTICE OF PUBLIC SALE**

Wimberley Mini Storage, 506 Melody Way, Landlord Lien sale, June 14, 2010, 9am On site Misc Household Goods Tenant: Michael M Howell (121,12/4a/46)

**★ AUTOS**

**GOOD OLD BOYS AUTO RECYCLING**  
Cash for your Cars and Trucks, running or not. Free pick up and/or towing. 512-393-1410 (01997/4cc/1fr/52)

**ATTENTION: RoadRunner Recycling**  
Is now buying all types of scrap metal. We buy junk vehicles any condition - running, wrecked or not. Cash paid. Location: 16380 N. Hwy 123, San Marcos, TX 512-353-4511 or 512-396-1382 (02949/4cc/52+)

**★ BUSINESS OPPORTUNITIES**

**ESTABLISHED CASH FLOWING LOCAL**

**★ HELP WANTED**

**HILL COUNTRY OUTDOOR POWER**  
a fast growing lawn & Garden Equipment Dealership in south west Austin has two immediate openings for a RETAIL SALES PERSON and an experienced SMALL ENGINE TECHNICIAN. Successful applicants must be enthusiastic, detail oriented, able to maintain a positive attitude in a fast paced environment, and dedicated to providing exceptional customer support. Some familiarity with outdoor power equipment (mowers, trimmers, chainsaws, etc) critical for salesperson. Technician must have their own tools and be experienced in diagnostic repair and troubleshooting on various brands. To apply, email resume to: info@hillcountryoutdoor.com (12146/1cc/47+)

**ADMINISTRATIVE ASSISTANT**  
Hays Trinity Groundwater Conservation District Seeking permanent part-time individual to

becoming a fulltime position in the future for the right person. General office skills with proficiency on Excel and MSWord. Must be bilingual read and write Spanish. Detail oriented and very dependable. Please fax resume to 512-268-5607 or mail to Foulkrod, Custom Drywall, Inc, 3080 Kyle Crossing, Kyle, TX 78640 (00747/2cc/47)

**DRIVERS WANTED OWNER OPERATOR**  
Dedicated Hauls Home Daily/ Great Pay End Dump/Bulk Tanker/Flatbed 830-560-1032 (12124/2cc/47)

**NOW HIRING**  
Grill cooks, dish washers, bus boys, line cooks and hostess. Apply in person, 500 River Rd 512-847-1320 (12120/2a/46)

**SUMMER WORK**  
College Students/HS Srs. \$14 Base/appt. PT/FT Flex Schedules, sales/ serv. No Exp Nec; All ages 17+ cond apply. Austin: (512) 458-9093 Bastrop (512) 303-0228, Dripping Spgs (512) 858-2803 (12118/2cc/46+)

**CO-MANAGER**  
Johnson City, TN

(03399/8p/49+)

**HEART OF TEXAS YOGA**

Wimberley's Yoga Studio  
hearofortexasyoga.com  
663-4278  
(00000/acc/1fr/53+)

**YOGA**

Raine St. Claire  
Licensed Massage Therapist  
Alexander Technique Teacher  
Licensed Massage Of Provider

Call for an appointment 847-1549  
**NO Classes**  
June 8th - 10th  
Yoga classes offered at Lutheran Church in Wimberley Tuesday's & Thursday's 7:45-8:45 a.m. & 9:00-10:00 a.m. Beginners welcome. Bring a mat or blanket. No fragrances please. Cost: \$3.00 or donation. (29647/4p/46+)

**ZAZ STUDIO**

Licensed Massage Therapist  
Classes in:  
• Breath Awareness  
• Yoga  
• Children's Dance  
• Creative Dance  
• Belly Dance  
• Gentle Stretching  
• Pilates  
• CPE for Texas Teachers  
Private & group sessions

**ORDINANCE NO. 2010-\_\_\_\_\_**

**AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY LEANING PEAR, LLC TO FOR A SIT-DOWN EATING ESTABLISHMENT INCLUDING THE SALE OF BEER, WINE AND ALCOHOL FOR ON-PREMISE CONSUMPTION ON AN APPROXIMATE 0.76 ACRE TRACT LOCATED AT 111 RIVER ROAD, WIMBERLEY, TEXAS, ZONED COMMERCIAL-LOW IMPACT (C-1); 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.**

**WHEREAS**, an application for a Conditional Use Permit has been filed by Leaning Pear, LLC (“Applicant”) requesting authorization to allow for a sit-down eating establishment along with the Sale of Beer, Wine and Alcohol for On-Premise Consumption on real property described as approximately 0.76 acres described as part of the ABS 461 Amasa Turner Survey, zoned Commercial-Low Impact (C-1); and

**WHEREAS**, sit-down eating establishments including the Sale of Beer, Wine and Alcohol for On-Premise Consumption is an authorized use in areas zoned Commercial-Low Impact (C-1) upon the granting of a Conditional Use Permit; and

**WHEREAS**, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

**WHEREAS**, Applicant has submitted a Conditional Use Permit Application and other necessary information, and has complied with the requirements of the Wimberley Zoning Ordinance; and

**WHEREAS**, the Planning and Zoning Commission and City Council have conducted public hearings on the Application for a Conditional Use Permit wherein public comment was received and considered on the Application; and

**WHEREAS**, the City Council finds that the additional use of the subject property for the sale of alcoholic beverages for on-premise consumption, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:**

**ARTICLE I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

## **ARTICLE II. APPROVAL - TERMS AND CONDITIONS**

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Leaning Pear, LLC ("Applicant") to allow a sit-down eating establishment, including the Sale of Beer, Wine and Alcohol for On-Premise Consumption on real property located at 111 River Road, described as a 0.76 acre tract part of the ABS 461 Amasa Turner Survey, as more particularly described on the metes and bounds shown on Exhibit "A", attached and incorporated by reference, zoned Commercial-Low Impact (C-1), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. Applicant shall not commence development until it has secured all permits and approvals as required by the Wimberley zoning regulations, ordinances or any permits required by regional, State and Federal agencies.
2. This Ordinance only authorizes the additional use of the sit-down eating establishment including the Sale of Beer, Wine and Alcohol for On-Premise Consumption on the property, as well as all applicable regulations in effect at the time of the submission of the building permit application. This Conditional Use Permit does not authorize any other use of the property, except as permitted under the Zoning Code.

## **ARTICLE III. ZONING DISTRICT MAP**

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

## **ARTICLE IV. REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

## **ARTICLE V. SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

## **ARTICLE VI. EFFECTIVE DATE**

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

**ARTICLE VII. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED AND APPROVED** by the Wimberley City Council on the \_\_\_\_ day of \_\_\_\_\_, 2010 by a vote of \_\_\_\_ (Abstentions), \_\_\_\_ (Ayes) and \_\_\_\_ (Nays).

**WIMBERLEY, TEXAS**

By: \_\_\_\_\_  
Bob Flocke, Mayor

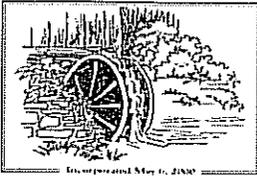
**ATTEST:**

\_\_\_\_\_  
Cara McPartland, City Secretary  
(SEAL)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carolyn J. Crosby, City Attorney

# City Council Agenda Form



Date Submitted: July 12, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** DISCUSS AND CONSIDER A PROPOSED ORDINANCE RELATING TO THE PROCESS FOR APPOINTING MEMBERS OF THE PLANNING AND ZONING COMMISSION

**Funds Required:**

**Funds Available:**

**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

## Project/Proposal Summary:

The purpose of this agenda item is to allow the City Council to hold a public hearing and consider the first reading of an ordinance relating to the appointment of Planning and Zoning Commission members and their terms.

Specifically, the proposed ordinance 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 Commissioner shall be eligible for reappointment. A similar appointment process currently exists for most of the other City boards and commissions.

The proposed ordinance would replace a "staggered term" appointment process that has been in place for several years.

ORDINANCE NO. 2010-\_\_\_\_\_

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, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY.

WHEREAS, the City of Wimberley ("City") is authorized to establish boards and commissions to receive public input and provide recommendations to the City Council; and,

WHEREAS, the City Council strives to consider qualified individuals who represent a broad sampling of the community when appointing members to City boards and commissions; and,

WHEREAS, the City Council desires to amend the terms of the boards referenced in this ordinance so that they are appointed by newly elected council members in a consistent manner; and further, the City Council finds amending the board members' terms will ensure uniformity and will enhance the membership of the City's boards and commissions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

II. AMENDMENT

A. THAT § 155.107 (PLANNING AND ZONING COMMISSION), subsections (B)(2) and (B)(3) of the Code of Ordinances of the City of Wimberley, Texas are hereby amended to read as follows:

*“(B) Creation; membership; officers; rules and bylaws.*

(2) The City Council and Mayor shall each nominate 1 member to the Commission. A seventh Commissioner shall be nominated by consensus of the City Council. Each member of the City Council and Mayor shall present their nominations for designated non-consensus commission positions at the first regular Council meeting in the month of July following their election to office. At the same meeting in July, city council shall consider those nominations for appointment. Once appointed by a majority vote of city council, the appointed board members shall serve until their successor is appointed. Each Board member shall be eligible for reappointment.

For the one consensus position on the commission, the Mayor and Council shall present their nominations for the consensus commission position at the first regular Council meeting in the month of July following the Mayor's election to office. At the same meeting in July, city council shall consider those nominations for appointment. Once appointed by a

majority vote of city council, the consensus commission member shall serve until their successor is appointed. Each consensus member shall be eligible for reappointment.

(2) The term for each commission member shall be for two (2) years from date of appointment.

Except as amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

### III. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

### IV. EFFECTIVE DATE

This Ordinance shall take effect following its passage and publication as may be required by governing law.

### V. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED ON FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by a \_\_\_\_\_ (Ayes) \_\_\_\_\_ (Nays) \_\_\_\_\_ (Abstain) vote of the City Council of the City of Wimberley, Texas.

**PASSED AND APPROVED ON SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by a \_\_\_\_\_ (Ayes) \_\_\_\_\_ (Nays) \_\_\_\_\_ (Abstain) vote of the City Council of the City of Wimberley, Texas.

### CITY OF WIMBERLEY

\_\_\_\_\_  
Bob Flocke, Mayor

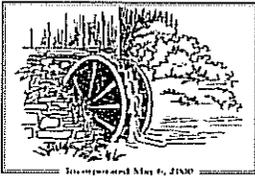
**ATTEST:**

\_\_\_\_\_  
Cara McPartland, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carolyn Crosby, City Attorney

# City Council Agenda Form



Date Submitted: July 12, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** DISCUSS AND CONSIDER A PROPOSAL TO MAKE LAS FLORES DRIVE A DEAD END STREET

**Funds Required:**  
**Funds Available:**

**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

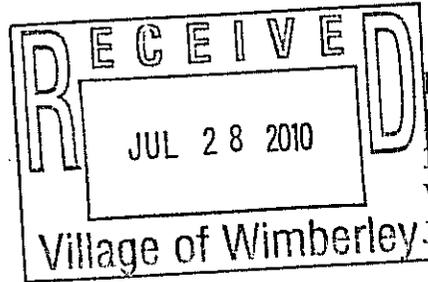
## Project/Proposal Summary:

This item was placed on the agenda by Place Three Council Member Bill Appleman to allow City Council to consider an alternate street closure proposal for Las Flores Drive.

On July 1, 2010, City Council voted down a proposal to barricade the 500 block of La Buena Vista Drive where it intersects Las Flores Drive. The mid-block closure was intended to eliminate the on-going problem with thru-traffic on the neighborhood street and to help slow down traffic.

Following the above mentioned vote, Council Member Bill Appleman asked City staff to develop an alternate street closure proposal for consideration by City Council. Specifically, the alternate proposal involves making Las Flores Drive a dead end street. To facilitate the closure, a cul-de-sac would need to be developed at the end of Las Flores Drive, just prior to its intersection with the 500 block of La Buena Vista Drive. The move would eliminate thru-traffic on Las Flores Drive while keeping La Buena Vista Drive open.

City staff will present the proposal in detail at the City Council meeting on July 15, 2010.



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 29<sup>th</sup> 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.

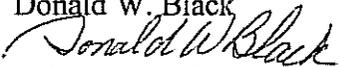
The Wimberley City Council has proven that they are going to do what they determine to be best for the Wimberley residents, without regard to other opinions and without utilizing money for the best interest of the community. That should sound familiar to anyone that takes note of state and Washington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

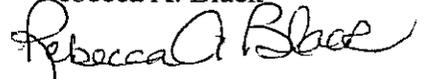
We, as voters, have two choices. We can either go along as sheep and accept without question any and all decisions made by our governing bodies, or we can at least speak up in opposition to proposals, when given the opportunity. The city council did not give us the opportunity to speak up when they took 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 you 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?

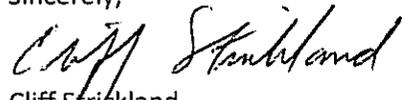
Second, the City has adopted a terrible solution in implementing this ill advised policy. If a street has excess traffic, the City will block it. If a street will only be used for the residents, it has become private. I am lucky enough to live on a private street. I also pay for the gate and the street. 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.

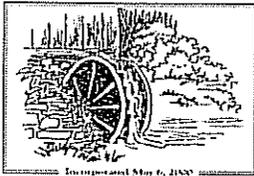
Sincerely,

A handwritten signature in black ink that reads "Cliff Strickland". The signature is written in a cursive style with a large, stylized "C" and "S".

Cliff Strickland

(cliffscpa@yahoo.com or 512.847.2540)

# City Council Agenda Form



Date Submitted: July 12, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** DISCUSS AND CONSIDER APPROVAL OF THE INSTALLATION OF SPEED HUMPS ON LAS FLORES DRIVE AND LA BUENA VISTA DRIVE

**Funds Required:**

**Funds Available:**

**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

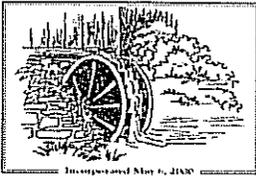
## Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval of the installation of speed humps on Las Flores Drive and La Buena Vista Drive to help control traffic speeds.

Specifically, City staff is recommending the installation of three (3) speed tables (flat topped speed humps) on Las Flores Drive and one (1) speed table on La Buena Vista Drive. Each hump would be approximately ten and a half (10.5) feet wide and three (3) inches high. The recycled rubber speed tables would stretch across the entire width of the pavement. The spacing between each speed table on Las Flores Drive would be approximately five hundred (500) feet. The single speed table proposed for La Buena Vista Drive would be located halfway between the concrete valley on La Buena Vista Drive and its intersection with Las Flores Drive. City staff would be responsible for installing the speed tables and the required advance warning signage. As the subject streets have no curbs, delineator posts would be placed on the side of the road at each speed table to discourage motorists from driving around the traffic calming devices.

The estimated cost to purchase the four (4) proposed speed tables is \$14,600.

# City Council Agenda Form



Date Submitted: July 12, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** CONSIDER APPROVAL OF A POLICY RELATING TO INSTALLATION OF SPEED HUMPS

**Funds Required:**

**Funds Available:**

**Council Action Requested:**

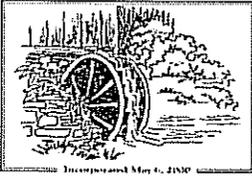
- Ordinance
- Resolution
- Motion
- Discussion

## Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval of a policy relating to the installation of speed humps on city streets. The proposed policy outlines the criteria for when speed humps would be considered for installation by the City. In addition, the proposed policy assigns responsibility for the cost of installing the humps to the citizens requesting the humps. It does not preclude the City from initiating the installation of speed humps, at City cost, at locations the City deems necessary.

The policy was presented to City Council at its meeting on July 1<sup>st</sup>. Consideration of the policy was continued until the July 15<sup>th</sup> Council meeting to allow council members additional time to review the policy.

# City Council Agenda Form



Date Submitted: July 10, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** CONSIDER ACTION ON A PROPOSAL FOR THE CITY TO CONTRACT WITH OFF-DUTY LAW ENFORCEMENT OFFICERS TO PROVIDE TRAFFIC ENFORCEMENT FOR THE CITY

**Funds Required:**

**Funds Available:**

**Council Action Requested:**

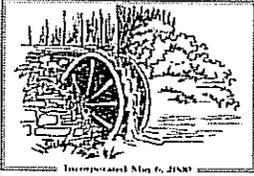
- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda by Place Two Council Member Mac McCullough to allow City Council to discuss and consider possible action on a proposal for the City to contract with off-duty law enforcement officers to provide traffic enforcement on city streets.

No further background information was provided on this agenda item.

# City Council Agenda Form



Date Submitted: July 12, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** CONSIDER ACTION ON A PROPOSAL TO REINSTATE THE CITY MARSHAL PROGRAM FOR THE CITY OF WIMBERLEY

**Funds Required:**

**Funds Available:**

**Council Action Requested:**

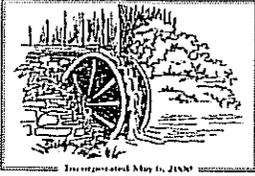
- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda by Place Two Council Member Mac McCullough to allow City Council to discuss and consider a proposal to reinstate the City Marshal program for the City of Wimberley.

No further background information was provided on this agenda item.

# City Council Agenda Form



Date Submitted: July 10, 2010

Agenda Date Requested: July 15, 2010

**Project/Proposal Title:** DISCUSS AND CONSIDER  
AUTHORIZING HAYS COUNTY TO RESURFACE  
FLITE ACRES ROAD

**Funds Required:**  
**Funds Available:**

**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

## Project/Proposal Summary:

This item was placed on the agenda to allow City Council discuss and consider authorizing the County of Hays to resurface that portion of Flite Acres Road located within the city limits of Wimberley.

On July 2, 2010, Hays County Precinct 3 Commissioner Will Conley notified the City in writing of the County's desire to resurface the entire length of Flite Acres Road within the next sixty (60) days. In his letter, the Commissioner stated the importance of including those portions of the roadway that are in the city in order to maintain connectivity and the continuity of pavement surface throughout the length of Flite Acres Road. Hays County is proposing to do the roadwork at no cost to the City.

As portions of the roadway to be improved are located within the city limits, there is a need for City Council to authorize the roadwork. As such, City staff recommends the Council authorize Hays County to resurface those portions of Flite Acres Road between FM 3237 and Little Arkansas Road, which are located within the city limits, at no cost to the City of Wimberley.



**COMMISSIONER WILL CONLEY**  
Hays County, Precinct 3

P.O. Box 2085  
Wimberley, TX 78676  
will.conley@co.hays.tx.us

San Marcos Office: (512) 393-2224  
Wimberley Office: (512) 847-3159  
Fax: (512) 847-7352

July 2, 2010

Village of Wimberley  
Mayor Bob Flocke  
PO Box 2027  
Wimberley, Texas 78676

Mayor Flocke:

Hays County will be re-surfacing Flite Acres Road in the July/August timeframe, if at all possible, before school begins. We would like to include the sections of that roadway that are in the Village of Wimberley jurisdiction in order to maintain connectivity and continuity of pavement surface throughout the length of Flite Acres. Hays County will perform this work with no expectation of compensation from the City of Wimberley. The City portion of Flite Acres between FM 3237 and Little Arkansas Road is approximately 8,908 feet long.

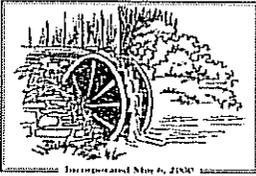
Please let me know if you have questions, or if you have any concerns on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Will Conley", is written over a printed name.

Will Conley

# City Council Agenda Form



Date Submitted: July 10, 2010

Agenda Date Requested: July 15, 2010

Project/Proposal Title: CONSIDER ISSUES  
RELATING TO DEVELOPMENT OF FY 2011 BUDGET

Funds Required:

Funds Available:

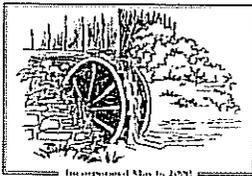
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

## Project/Proposal Summary:

This item was placed on the agenda to allow for discussion of issues to be considered in the upcoming development and adoption of the City of Wimberley FY 2011 Budget beginning October 1, 2010.

# City Council Agenda Form



**Date Submitted:** July 12, 2010

**Agenda Date Requested:** July 15, 2010

**Project/Proposal Title:** CITY COUNCIL REPORTS

**Funds Required:**

**Funds Available:**

**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda to allow for reports to be presented by the Mayor and members of City Council and for future agenda item requests.