

City of Wimberley
City Hall
221 Stillwater
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
January 2, 2014 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 Tom Talcott, Matt Meeks, Mac McCullough, Steve Thurber, and John White.

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

Citizens Communications

No citizen comments were heard.

1. Consent Agenda

- A. Approval of minutes of the Regular City Council Meeting of December 19, 2013
- B. Approval of minutes of the Special City Council Meeting of December 19, 2013

Councilmember Meeks moved to approve the Consent Agenda, as presented. Councilmember White seconded. Motion carried on a vote of 5-0.

2. City Administrator Report

- Status report on the October 2013 Flood in the City of Wimberley

City Administrator Ferguson reported that FEMA has denied the governor's request for individual assistance, however, the decision may be appealed. He provided information on the Small Business Administration's loan program and certain filing deadlines, which is available on the City's website, and encouraged those individuals in need to explore all available options for funding assistance. He advised that the City has qualified for federal public assistance for flood-related infrastructure repairs, including dredging operations, and provided details on the funding process.

- Status report on Cypress Creek water quality issues

City Administrator Ferguson reported that Cypress Creek testing will be conducted next week.

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

City Administrator Ferguson reported on the upcoming Concerts for the Park series occurring every Friday in April, including details on admission and soon-to-be announced line-up of performers, purchases of park equipment, and finalization of dates/times of operation for the Park's 2014 swimming season.

- Status report on the development of a new solid waste service agreement with Texas Disposal System

City Administrator Ferguson reported that details of the agreement are being finalized and anticipated presentation of the agreement and associated ordinance at Council's January 16th meeting.

- Status report on the development of a plan for the implementation of the recommendations of the Central Wimberley Wastewater Project Stakeholder Committee

City Administrator Ferguson anticipated presentation of the implementation plan at Council's January 16th meeting.

There was brief discussion of flood assistance funding availability and portable restroom trailer issues.

3. Ordinance

Consider approval of an ordinance of the City of Wimberley, Texas, ordering a General Election on May 10, 2014, for the purpose of electing a Mayor and City Council members for Places Two and Four of the City of Wimberley City Council; establishing early voting locations and polling places for the election; making other provisions for the conduct of the election; and providing for findings of fact, severability, conflicting provisions, governing law, proper notice and open meeting, and an effective date. (*City Administrator*)

City Administrator Ferguson reviewed ordinance provisions, including General Election voting/early voting dates/times, polling place, and contract services provided by Hays County Elections Administrator. He advised names of election judges/clerks will be included in the ordinance, once those names are provided by the Hays County Elections Administrator. He noted specific modifications in the draft ordinances pertaining to increased hourly rates paid to election clerks/judges.

Councilmember Thurber moved to approve the item, as presented, including the modifications in hourly compensation rates for election clerks/judges, and inclusion of the names of the presiding judge and alternate presiding judge, when said names are provided. Councilmember Talcott seconded. Motion carried on a vote of 5-0.

Brief discussion established that there are no plans to for the City to hold a joint election with any other governmental entities.

4. Discussion and Possible Action

- A. Discuss and consider possible action regarding a proposed contract for election services with the Hays County Elections Administrator for the May 10, 2014 General Election. *(City Administrator)*

City Administrator Ferguson reviewed responsibilities of each party and proposed costs to the City, which are estimated at approximately \$4,500.

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

- B. Discuss and consider possible action regarding the designation of an official newspaper for the City of Wimberley. *(City Administrator)*

City Administrator Ferguson advised that annual designation of an official newspaper is required under State law and that Council may approve the draft resolution, as presented, or may substitute the name of another newspaper, if it desires to do so.

Dripping Springs – Wimberley News-Dispatch Editor Dale Roberson spoke on the recent merger of the *News-Dispatch* with the *Hays Free Press*, which he advised will not change the *News-Dispatch's* format, publication dates, advertising rates, or community character. He noted that the merger will allow for a larger staff and improved media coverage of stories pertinent to western Hays County.

Wimberley View Editor Charles McClure spoke on his paper's continuing community-specific coverage of Wimberley and Woodcreek.

Discussion addressed improvements in the *Wimberley View* publication since its change to a weekly newspaper, approximate cost to the City for publication of notices, reasoning for publishing notices in both the *News-Dispatch* and *Wimberley View*, and statutory requirement to designate an official newspaper.

Councilmember Talcott moved to designate the *Dripping Springs News-Dispatch* as the official newspaper for the City of Wimberley and to direct staff to publish notices in the *Wimberley View* in addition to the *News-Dispatch*, and to amend the Fiscal Year 2014 Budget to reflect the additional expenditures. Councilmember White seconded.

Discussion addressed circulation statistics and differences in publication dates between both newspapers.

Motion carried on a vote of 5-0.

- C. Discuss and consider possible action regarding the development of possible regulations relating to listing or renting of unauthorized vacation rental properties in the City of Wimberley. *(Place Four Councilmember Steve Thurber)*

Councilmember Thurber spoke on recent issues with unauthorized vacation rental properties and requested discussion and consideration of measures to prevent such unauthorized uses. City Administrator Ferguson reviewed current regulations regarding conditional use permit (CUP) procedures and criteria for establishment of pre-existing, non-conforming (or “grandfathered”) status. He noted that the owners of certain unauthorized vacation rental properties have indicated to the City that reservation agencies assured owners such uses were authorized and that there was no need to seek a CUP to operate a vacation rental.

Staff recommended drafting of an ordinance, as an addition to the City’s General Regulations, with language as follows: “It shall be unlawful for any individual, including but not limited to, real estate agents, real estate offices, or professional services from listing or renting unauthorized vacation rental properties in the City.” He advised efforts are underway to identify applicable properties and communicate to each owner of the need to either establish “grandfathered” status or submit a CUP application to the City.

Mayor Flocke favored issuance of business permits/licenses at a nominal fee to those property owners whose uses are “grandfathered” or approved as conditional uses, with required circulation of a list of permit holders to realtors/reservation agents. Discussion addressed possible business licensing/permitting, renewal procedures, advantages of such permitting, distribution of a list of permit holders to various entities, and posting the list on the City’s website. Other topics included possible luncheons/meetings with the real estate community to provide education on the City’s zoning procedures and enforcement issues.

Councilmember Thurber moved to direct staff to draft an ordinance pursuant to tonight’s discussion. Councilmember Meeks seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action regarding the selection of a planning consultant to assist the City of Wimberley with the development of a Central Wimberley Master Plan.
(*City Administrator*)

City Administrator Ferguson advised that the following firms submitted proposals to the City in response to a Request for Proposals (RFP) issued in late November:

- Broaddus Planning, Austin
- Design Workshop, Austin
- Laura Raun Public Relations, Austin
- Holtkamp Planning, Austin

Based on staff’s review, City Administrator Ferguson recommended selection of Design Workshop as the planning consultant for development of a Central Wimberley Master Plan. He highlighted Design Workshop’s experience, particularly with prior projects of a similar nature and with similar challenges. He outlined scope of the proposed Plan, to include transportation, utilities, mobility, drainage, land use, market analysis/demands, stakeholder involvement, targeted input process, subcontractors, financing resources, and plan development timeframe.

Discussion addressed the area to be covered under the proposed Master Plan, whether the budgeted amount of \$50,000 is adequate to cover consultant's costs, and ability of Design Workshop to meet Wimberley's unique planning needs and diversity of public opinion.

Councilmember Thurber moved to approve the selection of Design Workshop as planning consultant to assist the City of Wimberley with the development of a Central Wimberley Master Plan and to direct staff to negotiate, prepare, and execute a professional service agreement for those services. Councilmember Meeks seconded. Motion carried on a vote of 5-0.

5. City Council Reports

- Announcements
- Future Agenda Items

As a future agenda item, Councilmember McCullough requested consideration of a bond issue election for certain capital improvements, such as streets/drainage/wastewater projects. City Administrator Ferguson noted specific requirements relating to timeframe for calling a special election, potential public hearing/meeting dates, notification deadlines, and general/special election dates. He cautioned against calling a bond election on short notice at a special meeting and advised that a bond election timeline can be distributed to Council prior to its next meeting.

Hearing no further announcements or future agenda items, Mayor Flocke called the meeting adjourned.

Adjournment: Council meeting adjourned at 7:15 p.m.

Recorded by:


Cara McPartland

These minutes approved on the 16th of January, 2014.



APPROVED:



Bob Flocke, Mayor