

City of Wimberley
 City Hall
 221 Stillwater
 Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
 February 4, 2016 at 6:00 p.m.

City Council meeting called to order at 6:00 p.m. by Mayor Steve Thurber.

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

Councilmembers Present: Mayor Steve Thurber, Councilmembers Bob Dussler, Cindy Anderson, Mac McCullough, Pam Showalter, and John White.

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

Citizens Communications

7-A Resort Operating Partner Brian Carrico spoke on the resort's recent ownership change and looked forward to repairing and rebuilding flood damage to the resort and working with the community.

1. Consent Agenda

- A. Approval of minutes of the Regular City Council meeting of January 21, 2016
- B. Approval of minutes of the Special City Council meeting of January 21, 2016
- C. Approval of the appointment of Austin Weeks to the City of Wimberley Planning and Zoning Commission. (*Place Five Councilmember John White's nominee*)

Councilmember McCullough moved to approve Consent Agenda items, as presented. Councilmember Anderson seconded. Motion carried on a vote 5-0.

2. City Administrator Report

- Status report on the Central Wimberley Wastewater Project

City Administrator Ferguson reported that the City's loan application to the Texas Water Development Board (TWDB) is expected to be considered at the Board's March 2016 meeting. The engineering process is underway, including discussion of easement acquisition with property owners. He advised that Council will receive a briefing in the near future on project design.

- Status report on the City of Wimberley Website Redevelopment Project

No report was given on this item.

- Status report on Hotel Occupancy Tax collections

City Administrator Ferguson reported on monthly/quarterly collections, as follows:

October 2015	November 2015	December 2015	4 th Quarter 2015	January 2016	TOTAL TO DATE
\$4,837.70	\$7,115.57	\$7,788.55	\$7,456.75	\$250.34	\$27,448.91

To enhance enforcement, he advised that letters will be sent next week reminding property owners of City requirements related to short-term rentals and collection of Hotel Occupancy Taxes. He noted that reporting forms are available online at www.cityofwimberley.com. He reported that the Hotel Occupancy Tax Advisory Committee will meet on February 16th to consider its rules and procedures, as well as guidelines for funding applications. Discussion included the Committee's membership and meeting schedule.

- Status report on the Merritt Starlight Senior Housing Project

City Administrator Ferguson reported that Merritt Starlight representatives have received the City's resolution of support and the subject property's zoning history. He advised that Merritt Starlight representatives will provide an introductory presentation on the project at the Planning and Zoning Commission's next meeting on February 11, 2016. He noted the City has not received any communications regarding similar senior housing project(s).

- Status report on 2015 Flood Recovery

City Administrator Ferguson reported on a meeting with a volunteer organization expected to bring about four hundred (400) volunteers to Wimberley in the next three (3) weeks. He advised that \$100,000 was made available through the Blanco River Recovery Team for building materials. He noted that installation of gauges continues along the Blanco/Little Blanco River. He reported that a recent exploratory meeting was held on Phase III of the Guadalupe Blanco River Authority's Regional Drainage Study to identify drainage relief throughout the region to help minimize the risk of flooding.

In addition, City Administrator Ferguson reported on severe weather spotting training conducted this week at the Wimberley Community Center and plans for future training sessions. He noted that the *Retreat* planting project was successful and provided information on an upcoming pilot planting project. He advised that the Private Property Debris Removal Program (PPDR) is underway and stressed the importance of applying for assistance as soon as possible. He stated that the City will be working with FEMA in the near future on reimbursement requests for capital improvements needed as a result of October flooding. Brief discussion addressed the timeframe for flood assistance work provided by volunteer organizations, and status of the Hidden Valley low water crossing bridge reconstruction and design priorities.

3. Public Hearings and Consider Action

- A. Hold a public hearing and consider action regarding an ordinance approving an application for a conditional use permit submitted by Bob and Pam Drake to allow a

secondary residential building on property located at 209 Flite Acres Road, Wimberley, Hays County, Texas, zoned Rural Residential 1 (R-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. (*Bob and Pam Drake, Applicants; this case was continued from the January 21, 2016 City Council meeting*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning, and existing residence under construction intended to serve as the primary residence for the applicant's in-laws. The applicants are seeking a conditional use permit (CUP) to construct a second single-family residence on the property that would serve as the primary residence for the applicants. He advised that the applicants have expressed no intention to use the secondary residence as a short-term rental. He noted that access to both residences would be from Flite Acres Road and water/wastewater service would be provided by a rainwater collection system and new septic system, respectively. He stated one general inquiry was received and no comments have been received either for or against the CUP request. He advised that the Planning and Zoning Commission unanimously recommended approval at its January 28th meeting.

Mayor Thurber opened the public hearing. Hearing no comments, Mayor Thurber closed the public hearing.

Councilmember McCullough moved to approve the ordinance, as presented. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

- B. Hold a public hearing and consider action regarding an ordinance approving an application for a conditional use permit submitted by Benjamin Fuchs to allow a secondary residential building on property located at 444 Lomax Lane, Wimberley, Hays County, Texas, zoned Residential Acreage (RA), 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. (*Benjamin Fuchs, Applicant; this case was continued from the January 21, 2016 City Council meeting*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning, and existing 1,519 square foot structure serving as the primary residence for the owners of the property, Mr. and Mrs. Wilton Lomax. He reported that the applicant, who is the property owner's son-in-law and designated agent in this zoning case, is seeking a CUP to construct a second single-family residence where he would live with his family. He advised that the applicant has expressed no intention to use the secondary residence as a short-term rental. Access to both residences would be from FM 3237 and water/wastewater service would be provided by a private well and a new septic system, respectively. He noted that no inquiries or comments have been received either for or against the CUP request. He stated that the Planning and Zoning Commission unanimously recommended approval at its January 28th meeting.

Mayor Thurber opened the public hearing. Hearing no comments, Mayor Thurber closed the public hearing.

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

- C. Hold a public hearing and consider adoption of the proposed modifications to the City of Wimberley Comprehensive Plan. (*Mayor Steve Thurber*)

City Administrator Ferguson commended the Comprehensive Plan Review Committee's diligence and highlighted certain changes recommended by the Planning and Zoning Commission removing language such as "required" and "obligated" with "encouraged."

Mayor Thurber also commended the Committee for working well together to reach consensus.

Mayor Thurber opened the public hearing.

Juniper Schneider spoke on the purpose of the Comprehensive Plan as a vision to guide City Council and felt that it should include more wording related to affordable housing for seniors or for low-income families. He feared that without a strong statement in the Plan, Council may ignore this issue and proposed adding a provision on the importance of affordable housing to the community, as well as the importance of the people who need such housing. He said the fundamental issue is: "Are we the City of Wimberley or are we the Wimberley country club, because those are different paradigms of who we are." He made the following statement: "The floods in 2015 taught us something important about who we are. When the Wimberley community faced a major crisis, the focus was on how we could help each other, which gave us an insight into how strong we are when we work together on problems that face our community. Many of us learned that we are at our best and our strongest when we are working together to solve our common problems not just our individual issues. One of the takeaways from that experience is that problems that seem unsolvable when tackled by individuals become solvable when we work together, especially for the common good. Housing, which is an important issue for everyone, requires that we work together to provide housing opportunities in our community - not just for those who are successful and have abundant resources - but also for people with limited resources, especially seniors and working families. It would be tragic if people who work in Wimberley cannot afford to live in Wimberley. It would also be tragic if seniors on limited incomes could not continue to live in Wimberley when they retire and no longer are able to afford market value rents. The City is limited in terms of financial resources, but it should take an active role in making the community aware of the need for low income senior housing, that is, being teachers in calling community partners, showing leadership, including businesses, churches, and civic organizations, and other investors to work together to find solutions to the need for more affordable housing, rather than ignoring the problem or insisting that nothing can be done. Keeping Wimberley strong involves working to make everyone a stakeholder, not just those with the biggest stakes. I will remind you, you all know this, but four (4) of the apartments in the new facility behind Brookshire's will be called affordable housing, even though they are \$100 a month above Twin Mountain Manor. Thank you."

Mayor Thurber spoke of Council's general consensus that affordable housing is a continuing priority. He agreed on working together to get things done and the need to increase the number of affordable housing units.

Discussion included the Comprehensive Plan's scope; senior housing as a stated goal and strengthening associated Plan language; terms such as "required," "obligated," and "authorized to create" versus "encouraged"; gentrification concerns; obligation to consider the Comprehensive Plan as part of Zoning Code's review criteria for zoning actions; and the Comprehensive Plan as a guiding document versus the City's Zoning Code as a regulatory document; Planning and Zoning's recommendation for approval with the Commission's stated modifications, including alternative terms for "encourage" (such as "promote"), importance of housing options for seniors and low-income individuals; Council's ability to revise the Comprehensive Plan based on community input; lack of economic incentives (other than tax credits) for developers to pursue low-income housing projects; land acquisition costs as a limiting factor in developing affordable housing; and importance of engaging the community on this issue.

City Administrator Ferguson suggested the following possible modifications on Page 31 (Sec. XI)(B):

- (2) "Encourage *affordable* accommodations for senior citizens.
c. Collaborate with local organizations and churches in the development of housing that is affordable to all income levels."

Juniper Schneider spoke on the people in our community who desperately need affordable housing and encouraged City Council to act as leaders and tap into resources such as churches, private individuals, and USDA loans. He said we learned from the flood that there are a lot of people with good hearts in this community.

Discussion included exploration of public-private partnerships; possible formation of a task force; and whether Council desires to continue this item or take action tonight.

Mayor Thurber entertained a motion to continue this item until Council's next meeting.

Councilmember Showalter moved to continue this item until Council's next meeting. Councilmember Dussler seconded. Motion carried on a vote of 4-1, with Councilmember White voting against.

Councilmember White favored approving the Plan, as presented, and amending the Plan at a later date relating to affordable housing.

Councilmember Showalter withdrew her motion. Councilmember Dussler withdrew his second.

Councilmember White moved to approve the Plan, with recommendations as presented, and initiate an in-depth review of the section relating to affordable housing. Councilmember Showalter seconded.

Councilmember Anderson requested discussion of Page 11, Sec. III Government Services in order to recommend the following addition to Number 19: “Use technology where appropriate to improve interaction with citizens *and promote government transparency.*”

Mayor Thurber agreed with Councilmember Anderson’s recommendation and Councilmember McCullough provided background information on the Comprehensive Plan Review Committee’s discussion on this topic.

Councilmember White withdrew his motion. Councilmember Showalter withdrew her second.

Councilmember White moved to approve the Plan, with recommendations as presented, initiate an in-depth review of the section relating to affordable housing, and to include Councilmember Anderson’s abovementioned addition to Sec. III Government Services (No. 19). Councilmember Showalter seconded. Motion carried on a vote of 5-0.

4. Discussion and Possible Action

- A. Discuss and consider possible action regarding recommendations from the Transportation Board (TAB) relating to street improvements. (*City Administrator*)

This item was heard after Agenda Item 4D.

City Administrator Ferguson provided history on TAB’s outreach efforts, including a series of neighborhood meetings and review of input received. He presented TAB’s Community Outreach Program Final Report, which recognized the limited availability of funding to address all street improvements needed in the City and identified the following three (3) priority street projects as funds become available:

<i>Project</i>	<i>Construction</i>	<i>Design</i>	<i>Total Cost</i>
La Buena Vista	\$36,888	\$5,533	\$42,421
Stadium Drive	\$75,000	\$11,250	\$86,250
Little Ranches	\$217,356	\$32,603	\$249,959

City Administrator Ferguson stated that Wimberley ISD’s Board would need to consider the Stadium Drive project and take action in order to finalize any plans for improvements, which are anticipated to help alleviate traffic congestion. In lieu of a cost-sharing agreement, City Administrator Ferguson envisioned that WISD might dedicate the subject portion of street to the City, which would then be maintained by the City as a public roadway. He noted that the TAB also recommends that City Council budget at least \$200,000 per year to fund the abovementioned street improvements and others in the future. The TAB also recommends that City Council maintain an adequate funding level for ongoing street maintenance. Other projects that TAB identified for needed improvements included (in no particular order):

- Hoots Holler Road drainage improvements (*City project; estimated cost \$62,395*)
- Installation of turn lanes on Ranch Road 12 at Wimberley Hills (*TxDOT project; estimated cost unknown*)

- Installation of turn lanes on Ranch Road 12 at Spoke Hollow (*TxDOT project; estimated cost unknown*)
- Installation of turn lanes on Ranch Road 12 at Cypress Creek Lane (*TxDOT project; estimated cost unknown*)
- Installation of right hand turn lane on FM 2325 at Green Acres Road (*TxDOT project; estimated cost unknown*)
- Speed limit reduction on Ranch Road 12 between Wimberley Hills and Blanco River Bridge (*TxDOT project*)
- Speed limit reduction on Ranch Road 12 between northern city limits and Joe Wimberley Blvd. (*TxDOT project*)
- Installation of deceleration/right hand turn lane on FM 3237 at Winters Mill Parkway (*TxDOT/Hays County project; estimated cost unknown*)

City Administrator Ferguson explained the 85th percentile method used by TxDOT to determine speed limits and noted that TxDOT will be conducting a study for a traffic light at FM 1492 and Ranch Road 12 in the coming months.

Mayor Thurber thanked all TAB members for their work on this project. Discussion addressed timeframe/funding for River Road improvements, turn lanes at Ranch Road 12/FM 1492, and status/priority of emergency exit for Paradise Hills.

Councilmember White moved to approve TAB's recommendations for street improvements, as presented. Councilmember Showalter seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action regarding a proposal to expand the *Wimberley Wednesdays* Discount Admission Program at the swimming area at the Blue Hole Regional Park for the 2016 Summer Season. (*Parks Advisory Board*)

City Administrator Ferguson reviewed last year's successful *Wimberley Wednesdays* program, providing discount admission at the swimming area for Wimberley residents (living within the 78676 zip code) between 6:30 – 8:30 p.m. on Wednesdays. Due to the success of this program, the Parks Board recommended expanding the program to Tuesdays and Wednesdays for the 2016 summer season and renaming the program *Wimberley Nights*.

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

- C. Discuss and consider possible action authorizing City of Wimberley participation in the *Balancing Nature and Commerce Program*. (*Place Four Councilmember Pam Showalter*)

Councilmember Showalter introduced Lori Olson, Executive Director of the Texas Land Trust Council, who provided information on courses offered each year by the Conservation Fund's Conservation Leadership Network, which focus on rural communities that want to preserve natural assets while strengthening their economy. Ms. Olson highlighted costs, course location, applications for financial assistance, possible participation of Council as part of a team of

community leaders, and potential enhancement of grant opportunities. Councilmember Showalter stated her goal was to bring this program to the public's attention.

No action was taken.

Addendum to Agenda

4. Discussion and Possible Action

This item was heard after Agenda Item 3C.

- D. Discuss and consider possible action regarding a proposal to allocate additional funding in an amount not to exceed \$12,000 for the development and publication of a book that will document the stories of those impacted by the 2015 Memorial Day Weekend Flood in Wimberley. *(City Administrator) (This addendum is posted pursuant to Sec. 551.045 of the Texas Open Meetings Act)*

Mayor Thurber spoke on the overwhelming response from the public and the need for additional funding.

Nancy Williams thanked Mayor Thurber and City Council for their support and detailed the book's collection of stories, research, review process, and printing schedule. She advised that the book's draft is being proofed and is almost ready for printing. She distributed a copy of the book's cover to Council for viewing, and provided background information on the title, design, dedication, illustrations, and photography for the book. She recognized all who generously contributed and/or donated time and services to the success of this project. Ms. Williams felt that the book will be an effective marketing tool for Wimberley and highlighted expenses to date, initial funding, and future funding request to be considered by the Wimberley Village Library Board of Trustees. She stressed that no profits are to be made from the book, which will be priced at \$20 just to cover costs. Any book proceeds are to be used to pay any of the project's debts such as initial printing or for future printing costs. Wimberley Village Library staffer Carroll Wilson displayed a sample cover of the book and explained the need for a sturdier cover due to inclusion of photograph pages. Ms. Williams expressed concerns that the 470 books to be initially printed will fall short of the number needed to fill orders and asked for funding to cover the printing of 1,000 books. She noted that the Library Foundation will manage the sales and receipts of the book and be a good steward of funds. She expressed pride in the people of Wimberley and offered to answer any questions.

Mayor Thurber thanked Ms. Williams, Mr. Wilson and everyone involved in making the book a success. Discussion addressed the timeframe for proofing/printing, pre-sales, reception to celebrate the book's release, funding commitments to date, current available funds, and anticipated additional funds from other sources.

Councilmember Dussler moved to approve allocating additional funding in an amount not to exceed \$12,000 for the development and publication of a book that will document the stories of

those impacted by the 2015 Memorial Day Weekend Flood. Councilmember Anderson seconded.

Councilmember McCullough questioned how book proceeds are to be used and Ms. Williams replied that any proceeds will be used to pay for the next printing of book. She clarified that this request is only for the initial printing of the book. Councilmember McCullough believed the book will sell, but felt there should be more community “buy-in.” Discussion between Councilmember McCullough and Carroll Wilson established the Library Board’s commitment to the project, but its consideration of funding for printing of the book would be delayed due to the Board’s meeting schedule. Ms. Williams said that eventually any residual funds would be disbursed by a broad-based group representing multiple interests to benefit the entire community.

Mayor Thurber called for a vote as follows: Councilmember Dussler, aye; Mayor Pro-tem Anderson, aye; Councilmember McCullough, aye; Councilmember Showalter, aye; and Councilmember White, aye. Motion carried on a vote of 5-0.

Ms. Williams said she will keep Council apprised of any funds received from the Library Board and thanked Council for its approval of additional funding to move forward with printing.

5. City Council Reports

- Announcements
- Future Agenda Items

Mayor Thurber reminded that a town hall meeting is scheduled for Tuesday, February 16, 2016 at the Wimberley Community Center.

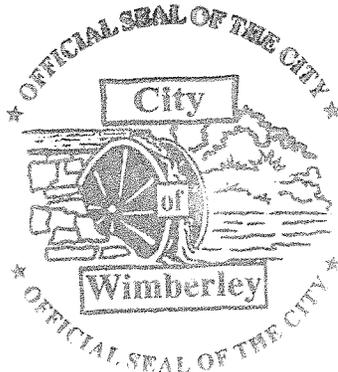
Hearing no further announcements or future agenda items, Mayor Thurber called the meeting adjourned.

Adjournment: Council meeting adjourned at 8:08 p.m.

Recorded by:

Cara McPartland
Cara McPartland

These minutes approved on the 18th of February, 2016.



APPROVED:

Steve Thurber
Steve Thurber, Mayor