

**City of Wimberley**  
City Hall  
221 Stillwater  
Wimberley, Texas 78676  
**Minutes of Regular Meeting of City Council**  
August 21, 2014 at 6:00 p.m.

City Council meeting called to order at 6:02 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 Tom Talcott, Cindy Anderson, Matt Meeks, Pam Showalter, and John White.

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

### **Citizens Communications**

Wimberley Merchants Association President Robin McCullough expressed appreciation for recently installed parking lot lighting and spoke on the need for the following improvements: grading/road base for the City-owned parking lot; entrance/exit to City-owned lot, which is deeply rutted; and steel pipe protruding above ground. She recommended use of gravel from creek dredging operations to cover the City-owned lot, defined parking spaces within both the City-owned and leased public parking lots, repairs to the entrance/exit of the leased parking lot, inclusion of a line item for parking lot maintenance in the City's current budget, and tree trimming. She asked that these items of concern be addressed before the annual Winters Eve event in the Square. Mrs. McCullough also requested immediate repair of the air conditioning unit in the City's portable restroom trailer.

City Administrator Ferguson stated that the parking lot entrances are scheduled to be filled in next week. He asked for a specific location of the protruding steel pipe, so that staff may inspect and correct this issue. He noted that the restroom air conditioning unit's compressor is being delivered next week. He advised that Council may wish to look at allocating funds for parking lot maintenance as part of the budget process and that tree removal/trimming has been scheduled.

Wimberley citizen Janette Barlow spoke on the importance of adhering to the vision as outlined in the City's Comprehensive Plan and its use as a guide for Council actions. She highlighted specific portions of the vision statement, thanked Council for its service, and expressed appreciation for the August 19<sup>th</sup> Town Hall Meeting.

### **1. Consent Agenda**

- A. Approval of minutes of the Regular City Council meeting of August 7, 2014
- B. Approval of the July 2014 Financial Statements for the City of Wimberley

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

## 2. Presentation

Presentation by Linda McGee Calvert, PhD, on ways to enhance mental health in the Wimberley Valley. (*Mayor Steve Thurber*)

Dr. Calvert gave a presentation on Adverse Childhood Experiences (ACEs) and the long-term effects of those experiences. She presented statistics on types of ACEs, prevalence of affected adults, examples of actions taken by communities/partners to address mental health issues, and available resources. She encouraged Council to engage in dialogue, explore public and private sector partnerships, identify needs/resources, and create a knowledgeable, supportive community.

## 3. City Administrator Report

- Status report on Wimberley Valley drought conditions

City Administrator Ferguson reported on year-to-date rainfall received, Wimberley Water Supply Corporation's Stage III watering schedule, Hays Trinity Groundwater Conservation District's Critical Drought Stage III restrictions on non-exempt wells, and conservation measures for exempt well owners.

- Status report on code enforcement efforts relating to 2512 Flite Acres Road

City Administrator Ferguson reported that the absentee property owner has been contacted and efforts are ongoing to get the property cleaned up, including a generous offer from Bob Bullock, who donated mowing services.

- Status report on proposed H-E-B development

City Administrator Ferguson reported on recent meetings with contractors and highlighted the timeframe for plan submission and building permit issuance. He stated that the store is expected to open in mid-July 2015.

- Status report on Wimberley ISD bond improvements

City Administrator Ferguson reported that certain bond improvement projects are running behind schedule, cited specific measures taken to ensure safety and accessibility, noted City inspection procedures, and anticipated campuses to start classes as scheduled.

- Status report on P-E-C transmission line improvement project

City Administrator Ferguson reported that P-E-C is continuing its individual meetings with affected property owners regarding project-related issues such as easement acquisition.

- Status report on Central Wimberley Wastewater Project

City Administrator Ferguson reported that the thirty-day public comment window is open through August 25<sup>th</sup> and provided information on the project's timeframe, including additional public hearings scheduled as part of the draft permit process. He anticipated consideration of baseline testing as an item on Council's next agenda. He advised that a pre-application meeting with Texas Water Development Board (TWDB) on construction loan funding will likely be held within the next ten days.

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

City Administrator Ferguson reported that over 36,000 people have visited the swimming area to date this season and expected to meet or exceed last year's revenue. He noted recent capacity issues due to heavy visitor turnout. He advised that an internet video production to promote Texas swimming holes was shot on location in the Park.

In addition, City Administrator Ferguson reported that the City has offered staffing assistance to Hays County, as officials are dealing with crowd management issues at Jacob's Well Natural Area.

City Administrator Ferguson reported on the hiring of former Ingleside Police Captain James Loving for the position of city marshal effective September 15, 2014.

City Administrator Ferguson reported on former City Marshal Wayne Acton's condition following injuries sustained while on duty at his new place of employment.

Brief discussion addressed specifics on the type of assistance the City might be contributing at the Jacob's Well Natural Area and certain regulations in effect.

#### **4. Ordinance**

Consider approval of the second and final reading of an ordinance of the City of Wimberley, Texas, amending and replacing Title XV (Land Usage), Chapter 153 (Flood Damage Prevention) of the City of Wimberley Code of Ordinances; and providing for the following: findings of fact, savings, severability, repealer, effective date, and proper notice and meeting. (*City Administrator*)

City Administrator Ferguson explained the ordinance needs to be updated in order for the City to remain part of the National Flood Insurance program. He referenced correspondence received regarding drainage issues experienced by Wagon Wheel Subdivision residents and advised that this ordinance is intended to address new development. Specific requirements were summarized relating to flood proofing and elevation of structures above the base flood level. He recommended approval of the revised ordinance, which has been reviewed by the TWDB and FEMA. He advised that future meetings will be scheduled with Wagon Wheel property owners on drainage concerns.

Councilmember Showalter moved to approve the revised ordinance on second and final reading, as presented. Councilmember Talcott seconded. Motion carried on a vote of 5-0.

## 5. Discussion and Possible Action

- A. Discuss and consider possible action regarding the proposed 2015 Goals and Priorities for the City of Wimberley. (*Mayor Steve Thurber*)

City Administrator Ferguson read the following list of 2015 Goals and Priorities, as discussed in Council's workshop meeting on August 16, 2014:

### Stage I:

1. Develop central Wimberley wastewater system
2. Develop and secure alternate water supplies for Wimberley
3. Encourage, facilitate and incentivize the development of rainwater collection systems
4. Develop Community Development Master Plan
5. Develop a Capital Improvements Program (CIP) and CIP Funding Plan (*drainage, street lighting, sidewalks*)
6. Enhance the safety of crosswalks in the area of the Wimberley Square, particularly the crosswalk on Ranch Road 12, immediately south of the Cypress Creek
7. Develop and implement improvements to minimize the impact of traffic associated with the soon to be built H-E-B Store
8. Maintain strong relationships with the Federal, State, and local government agencies
9. Maintain citizen involvement

### Stage II:

1. Develop a sidewalk on FM 2325 (*The "Y" to Wimberley High School*)
2. Develop the "Y" Park in partnership with adjacent business

### Stage III:

1. Develop a Central Wimberley Underground Utility Program
2. Complete development of the Regional Hike and Bike Trail
3. Acquire additional property on Oak Drive for a public restroom location and to enhance public access to the Wimberley Square
4. Approach property owners in the "donut hole" area of the City's E-T-J about possible voluntary annexation into the City

Councilmember Meeks moved to approve the list of 2015 Goals and Priorities, as presented. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action on issues relating to the development of the Fiscal Year 2015 City of Wimberley Budget. (*City Administrator*)

City Administrator Ferguson stated that the Fiscal Year 2015 Budget's public hearing is scheduled for Council's September 4<sup>th</sup> meeting. He provided an overview of the Proposed Fiscal Year 2015 Consolidated Annual Budget, and detailed revenues/expenditures related to wastewater, street maintenance, tree trimming, capital expenditures, and future needs such as a drainage study and baseline water testing. He explained the Mayor's proposal to fund street improvements from excess revenues in the Fiscal Year 2014 Budget that normally would be placed in the City's General Fund Balance. Other expenditures included chairs/tables/vending machine for the Blue Hole Regional Park; chairs/tables/PA system for the Community Center; two replacement computers for administrative staff; wayfinding signage (first stage); and a public works/parks trailer. Although no funds were allocated in the current budget, he identified possible replacement of the Community Center's air conditioning unit and lighting system as future needs. He noted badly needed flood elevation data for several unstudied smaller creeks/tributaries within the City (and ETJ) and a recommendation to allocate \$82,000 for a drainage study of those areas. Relating to contracted services, he advised that \$8,000 is allocated for baseline water testing from surplus wastewater funds and significantly increased funding is allocated for professional tree trimming. Revenue projections were summarized for various departments, including permitting, Community Center operations, and municipal court, as well as expenditures for administration and benefits.

Discussion addressed:

- Employee benefits costs
- Social service funding for promotion of mental health awareness/resources
- Street improvements and wayfinding signage
- Possible reallocation of \$82,000 designated for drainage study of smaller creeks/tributaries to be used for a City-wide drainage study and parking lot improvements
- Narrative explanations of certain items

Councilmember Talcott moved to direct staff to adjust the proposed Fiscal Year 2015 City of Wimberley Budget to reallocate the \$82,000 dedicated for the smaller tributaries' drainage study to a City-wide drainage study and downtown parking lot improvements. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action establishing operating hours and rules for the Mount Baldy Public Park. (*Wimberley Parks Advisory Board*)

City Administrator Ferguson advised that on August 11, 2014, Mayor Thurber executed a City Council-approved agreement with the *Save Old Baldy Foundation* that will allow the City to utilize Mount Baldy as a public park. He cited the Wimberley Parks Board's unanimous recommendation on August 20<sup>th</sup> to establish daily dawn-to-dusk park operating hours and the following list of rules:

- Bikes and skateboards are prohibited on the property
- Possession and/or use of illegal drugs is prohibited
- Dispose of trash in animal-proof trashcans. Littering and/or dumping are prohibited.
- Public consumption or display of any alcoholic beverages is prohibited

- Pets must be restrained on a leash not more than six feet long or otherwise physically restrained. Leased pets may not be left unattended.
- For the courtesy of other visitors, human companions are responsible for cleaning up and depositing pet feces in trash receptacles
- Smoking is prohibited
- Ground fires are prohibited
- Leave natural, historical, and archeological items in place. Collecting natural or archeological objects, or removing, defacing or destroying any plant, animal, or mineral is prohibited.
- Parking is prohibited after dusk
- The park is subject to closure by the City of Wimberley at any time

Discussion addressed park signage, transition time for dusk closing, enforcement of park rules and parking regulations, possible future allowance for limited nighttime tours, posted liability-related disclaimer, historical use/features of Mount Baldy, and noise concerns.

Councilmember Talcott moved to approve the rules, as presented, including the following: park operating hours are from dawn to *thirty (30) minutes after dusk, except by special permission from the City of Wimberley*. Councilmember White seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action designating the *Wimberley View* as the official newspaper of the City of Wimberley. (*City Administrator*)

City Administrator Ferguson recommended that Council designate the *Wimberley View (the View)* as the official newspaper of the City for publication of required legal notices. He cited Council's January 2014 decision to designate the *Dripping Springs & Wimberley News-Dispatch (the News-Dispatch)* as the official newspaper and direction to staff to publish notices in both the *News Dispatch* the *Wimberley View*. Due to the significant increase in dual publication costs to the City, and ownership/management changes at the *View*, which is the only newspaper that maintains an office location in Wimberley, City Administrator Ferguson recommended publication in the *View* only and designating the *Wimberley View* as the City's official newspaper for Fiscal Year 2015.

Discussion favored the recommendation to publish legal notices in the *View* only and to designate the *Wimberley View* as the City's official newspaper for Fiscal Year 2015.

Councilmember Meeks moved to approve the designation of the *Wimberley View* as the official newspaper for Fiscal Year 2015 and to publish notices in the *View* only. Councilmember Showalter seconded. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action creating a Central Wimberley Wastewater System Development Fund and a Budget for the Fund. (*City Administrator*)

City Administrator Ferguson recommended the creation of a separate fund and budget to track revenue and expenses relating to the development of a wastewater system to serve central Wimberley.

Councilmember White moved to approve creation of a Central Wimberley Wastewater System Development Fund and Budget, as presented. Councilmember Talcott seconded. Motion carried on a vote of 5-0.

## 6. City Council Reports

- Announcements
- Future Agenda Items

Councilmember Talcott expressed appreciation to City staff for quick action in getting the aforementioned Flite Acres property mowed.

Mayor Thurber reported on a productive Town Hall meeting held on August 19<sup>th</sup> and encouraged attendance at the next Town Hall meeting scheduled for November 18, 2014.

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

**Adjournment:** Council meeting adjourned at 8:06 p.m.

Recorded by:

  
Cara McPartland

These minutes approved on the 4<sup>th</sup> of September, 2014.

**APPROVED:**

  
Steve Thurber, Mayor

