

**City of Wimberley**  
City Hall  
221 Stillwater  
Wimberley, Texas 78676  
**Minutes of Regular Meeting of City Council**  
September 4, 2014 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 Tom Talcott, Cindy Anderson, Matt Meeks, Pam Showalter, and John White.

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

### **Citizens Communications**

No citizen comments were heard.

### **Proclamation**

A proclamation of the City of Wimberley, Texas proclaiming the week of September 17-23, 2014 as *Constitution Week*

Mayor Thurber presented the proclamation to Vice Regent Judy Clements and Secretary Sandy Fortenberry of the Jacob's Well Chapter of the Daughters of the American Revolution (DAR), who thanked Council and spoke on chapter activities.

### **1. Consent Agenda**

- A. Approval of minutes of the Regular City Council meeting of August 21, 2014
- B. Approval of minutes of the Special City Council meeting of August 16, 2014
- C. Approval of minutes of the Special City Council meeting of August 19, 2014
- D. Approval of the reappointment of Marilee Wood to the City of Wimberley Parks Board. (*Friends of Blue Hole's nominee*)
- E. Approval of the reappointment of Mike Moeller to the City of Wimberley Transportation Advisory Board. (*Mayor Steve Thurber's nominee*)
- F. Approval of the reappointment of Tevis Grinstead to the City of Wimberley Board of Adjustment as an alternate member. (*Place Three Councilmember Matt Meeks' nominee*)
- G. Approval of the appointment of Daniel Vasguard to the City of Wimberley Parks Board. (*Place Five Councilmember John White's nominee*)

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

## 2. City Administrator Report

- Status report on the Central Wimberley Wastewater Project

City Administrator Ferguson reported that the thirty-day public comment window ended August 25<sup>th</sup> and the comment review process is underway. He explained the procedures and timeframe for issuance of a preliminary draft permit by Texas Commission on Environmental Quality (TCEQ), including additional public hearings scheduled as part of the draft permit process.

He anticipated presentation of review comments as an item on Council's next agenda. He detailed the Texas Water Development Board (TWDB) construction loan funding application timeframe.

- Status report on improvements to the City-owned parking lot on the Wimberley Square

City Administrator Ferguson reported on removal of poles/dead trees and filling of potholes, in response to concerns expressed by the Wimberley Merchants Association. He advised that the Proposed Fiscal Year 2015 Budget includes funding for future improvements.

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

City Administrator Ferguson reported on current Park operating dates/times, total regular season swimming area attendance in excess of 41,000 visitors, record revenue in part due to increased admission fees, off-season restoration, and upcoming rental activity.

- Status report on Wimberley ISD Bond Projects

City Administrator Ferguson reported that the City worked closely with ISD officials to ensure the timely start of classes and use of facilities, including interim measures such as fire watch requirements and issuance of temporary certificates of occupancy. He advised that administration personnel have moved into temporary facilities due to imminent demolition of their existing building. In addition, he anticipated that H-E-B will begin demolition of its project site and tentatively schedule a groundbreaking ceremony to be held in late September.

- Status report on preparations for the *2014 National Night Out* in Wimberley

City Administrator Ferguson reported on *National Night Out (NNO)* neighborhood activities scheduled for Tuesday, October 7, 2014. He encouraged participation and advised that a list of *NNO* events will be distributed, including information on an additional open house event to be held by the Wimberley Volunteer Fire Department on Thursday, October 9, 2014.

In addition, City Administrator Ferguson advised that newly hired City Marshal James Loving will begin employment effective September 15, 2014.

Mayor Thurber thanked City Administrator Ferguson for working late hours with WISD and its contractors to resolve last-minute permitting issues.

### 3. Public Hearing and Possible Action

Hold a public hearing on the Proposed *Fiscal Year 2015 City of Wimberley Budget*. (City Administrator; no action will be taken on this item)

City Administrator Ferguson provided an overview of the Proposed *Fiscal Year 2015 City of Wimberley Budget*, including comparisons to Fiscal Year 2014 budget figures. Topics included:

- Allocations for street/parking lot improvements
- Personnel costs
- Breakdown/percentages of General Fund revenues and expenditures
- Specific revenue sources
- Allocation for drainage study
- Public input process to prioritize possible street improvement projects
- Mowing/tree trimming costs
- Debt service on existing Texas Water Development Board (TWDB) loan
- Blue Hole Regional Park as a self-sustaining operation, with possible future support from General Fund revenues as maintenance costs increase over time
- Wastewater, Community Center, Municipal Court Budgets
- Sidewalk funding and possible future assistance from Capital Area Metropolitan Planning Organization (CAMPO)

Mayor Thurber opened the public hearing.

Wimberley resident Gail Pigg supported street improvements, favored spending less on legal fees, and preferred that expenditures for proposed additional administrative personnel be allocated for street improvements. She questioned why a private citizen's previous \$5,000 donation for sidewalks is not listed in the proposed budget. Mayor Thurber explained that the \$5,000 is in the FM 2325 Sidewalk Fund, however, there are not any revenues or expenditures to list as activity in the FM 2325 Sidewalk Fund Budget.

Hearing no further comments, Mayor Thurber closed the public hearing and advised that Council will consider Fiscal Year 2015 Budget approval at its meeting on September 18, 2014.

### 4. Discussion and Possible Action

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

Discussion addressed the latest estimated cost of \$1,200,000 for development of sidewalks along FM 2325 and possible future funding from CAMPO.

No action was taken on this item.

- B. Discuss and consider possible action regarding a proposed water testing program relating to the Proposed Central Wimberley Wastewater System. (City Administrator)

City Administrator Ferguson proposed the following water testing program that includes quarterly collection of grab samples at three (3) different locations:

- Blanco River, downstream of Dry Creek
- Blanco River, upstream of Cypress Creek
- Cypress Creek, upstream of Blanco River

He provided information on the initial scope of water testing and associated costs. If approved by Council, he advised that the testing program could be implemented later this month and continued after the treatment plant comes online.

Gail Pigg of 2214 Flite Acres spoke on a bat colony residing under the Cypress Creek Bridge that contributes fecal bacteria and nutrients to the stream, which she felt complicates evaluation of the impact of a wastewater treatment plant on the Creek. She recalled Central Wimberley Wastewater Stakeholder Committee discussion of DNA fingerprint testing as a means to identify specific sources of E. coli bacteria (for example, bats versus failing septic systems) and advocated such testing. She favored additional baseline quantitative testing for algae and associated methodologies. Ms. Pigg suggested an alternate testing location farther upstream on Cypress Creek to eliminate readings affected by wash-off from the bat colony at the Cypress Creek Bridge. City Administrator Ferguson stated that exact testing locations have not been pinpointed and advised that consideration can be given to the suggested alternatives.

Discussion addressed testing locations, contributing factors to elevated levels, volume/flow rate data, bat colony statistics, historical data, wastewater loan application project-ranking process, and importance of identifying pollutant sources.

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

C. Discuss and consider possible action regarding the Comprehensive Fund Balance Policy and Fund Balance Classification Plan for the City of Wimberley. (*City Administrator*)

City Administrator Ferguson explained the need for Council to review the Policy and Plan on an annual basis. He noted that the Plan identifies how Fund Balance dollars are to be classified and that classifications can be changed at any time by Council (except for those funds classified as non-spendable or restricted). He presented specific Fund Balance designations and associated percentages. City Administrator Ferguson requested the additions of the City of Wimberley Wastewater Operating Fund and Central Wimberley Wastewater System Development Fund (for Planning & Design) to the Classification Plan, with one-hundred percent (100%) Committed Fund Balance designations for each of those funds. He recommended approval of the Policy and Plan, as presented, including the additional aforementioned Funds.

Councilmember White moved to approve the Policy and Plan, as presented, including the additional Funds, as recommended by City Administrator Ferguson. Councilmember Showalter seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action regarding the City of Wimberley Investment Policy.  
(*City Administrator*)

City Administrator Ferguson explained the need for Council to review the Policy on an annual basis, with no changes to the Policy recommended at this time.

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

- E. Discuss and consider possible action approving the routes for the *2014 Livestrong Bike Challenge* on Sunday, October 19, 2014, and authorizing the placement of route identification signage within the City right-of-way. (*City Administrator*)

City Administrator Ferguson presented information on the proposed route, anticipated number of riders, and traffic control/insurance (provided by event organizer). Brief discussion addressed Flite Acres Road surface conditions.

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

- F. Discuss and consider possible action approving a request to waive the Blue Hole Regional Park pavilion use fee for the *2014 Heidi Search Center Ride* on Saturday, October 18, 2014. (*City Administrator*)

City Administrator Ferguson presented the request from the Heidi Search Center to waive the \$180 fee for use of the pavilion. He provided details on the Center's history and purpose as a non-profit organization that advocates for families of missing children and adults. He noted that the upcoming October 18<sup>th</sup> motorcycle ride will start in San Antonio and travel to Wimberley for a two-hour break at the Park, before returning to San Antonio. He advised that Council has the authority to waive fees and reminded that user fees help to keep the Park running as a self-sustaining operation.

For consideration of future waiver requests, Mayor Thurber requested that staff draft a policy for Blue Hole Regional Park fee waivers that would allow for administrative approval of such requests.

Discussion addressed:

- Suggestion that the event organizer place a donation bucket at the event site and donate proceeds to the City of Wimberley
- If a donation bucket were placed at the event, any amount donated beyond the \$180 pavilion rental fee would be retained by the *Heidi Search Center*
- Unique nature of this request and the impact of the 1990 search for Heidi Seeman and its tragic end in Wimberley, which garnered much local and national media attention
- Concerns regarding setting a precedent for future fee waiver requests from other non-profit organizations

- Ability of event organizer to raise the \$180 pavilion rental fee prior to the event
- Interest in private citizens' contributions, if the \$180 donation goal is not met

Councilmember Talcott moved to instruct the event organizers to place a donation bucket at the event site (in lieu of waiving the fee) to solicit donations from event participants to offset the \$180 rental fee. If the amount donated exceeds \$180, the Heidi Search Center would retain those donations in excess of \$180. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

- G. Discuss and consider possible action confirming consensus member appointments to the City of Wimberley's Ethics Commission, Transportation Advisory Board, Board of Adjustment, Water Wastewater Advisory Board and Building Code Board of Review.  
(Mayor Steve Thurber)

Mayor Thurber referred to the following list of names submitted under separate cover to Council members in advance of this meeting.

Ethics Commission:	Michael Floreani
Transportation Advisory Board:	Gene Woodruff
Board of Adjustment:	Bill Cline
Water Wastewater Advisory Board:	Carolyn Harper
Building Code Board of Review:	Bob Bullock

Councilmember White moved to approve the consensus member appointments, as presented by Mayor Thurber. Councilmember Showalter seconded. Motion carried on a vote of 5-0.

## 5. City Council Reports

- Announcements
- Future Agenda Items

As a future agenda item, Mayor Thurber asked staff to prepare a draft policy on Blue Hole Regional Park fee waiver requests.

Councilmember Meeks expressed condolences on the recent passing of Wimberley resident Laurel Gold and recognized Ms. Gold's long and illustrious history of community service.

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

**Adjournment:** Council meeting adjourned at 7:18 p.m.

Recorded by:



Cara McPartland

These minutes approved on the 18<sup>th</sup> of September, 2014.

**APPROVED:**



*Steve Thurber*  
**Steve Thurber, Mayor**