

Village of Wimberley **City Council Meeting Minutes**

City Hall, 14500 RR 12, Suite 22
Thursday, August 16, 2001 – 7:00 PM

1. **Call to Order:** The meeting was called to order by Mayor Linda Hewlett at 7 p.m.
2. **Invocation** was delivered by Reverend Ted Knies, Episcopal Church, Retired.
3. **Pledge of Allegiance** was led by Mayor Linda Hewlett.
4. **Roll Call** Present were Mayor Linda Hewlett
Councilmember Walter Brown
Councilmember Steve Klepfer
Councilmember Martha Knies
Councilmember Matt Manis
Councilmember Tony McGee
5. **Consent Items:**
 - A. **Minutes:** The minutes of were approved as submitted for
August 2, 2001 Regular Meeting.
August 9, 2001 Stakeholders Meeting
6. **Presentation of Citizens**
 - A. **Citizens' Comments.** None.
 - B. **Presentation to Council of possible release of land in the Wimberley ETJ to the proposed City of Jacobs Well.**

Elizabeth Sumter informed the council that citizens living in the Woodcreek North area are contemplating resubmitting an incorporation vote to area residents that, if approved, would establish the City of Jacobs Well. Ms. Sumter provided documents for council review (which are attached to and made a part of these minutes) to support a request that the Village of Wimberley release certain property currently in the ETJ of the Village of Wimberley in order that it be included in the proposed boundaries of the contemplated incorporation area. Ms. Sumter told council that if the property in the ETJ was released and incorporated into the City of Jacobs Well, it would strengthen the position of both cities regarding management of water/wastewater issues and that at no time in the process would the Village lose control of the referenced property. This move would make the two city boundaries contiguous and if, in the future, it was decided that they should consolidate, that it would facilitate that process. Consolidation requirement data was given to council for their review. Ms. Sumter stated that a thorough investigation of the pros and cons of this release did not produce anything to indicate it would be detrimental to either city and that it would, in fact, be very advantageous to the entire Valley. She requested that the Village of Wimberley City Council study the information and then place it on a future agenda for a vote.

Barbara Reinhart, resident of Woodcreek North and publisher of "Jacob's Journal", a local newspaper, told the council that the incorporation effort that was held about a year ago was a learning experience for everyone involved. And, the citizens are once more going to attempt to incorporate. In searching out ways to improve the area, they determined that for the benefit of the entire Valley, the proposition - as outlined by Liz (Sumter) - would be a unique opportunity for the proposed city and the municipality (Village) to join together in efforts that would benefit the entire Valley. Citizens of the proposed "City of Jacobs Well" will appreciate any consideration that council may give to the proposition.

In response to council questioning, Ms. Sumter said that there is no rush to present the vote for incorporation, that it might be as early as September or as late as November or beyond. The citizens are now leaning toward a General Law - Type B - city government with territorial boundaries based on population. Ms. Sumter stated that property on both sides of 2325 needs protecting and would be included in the proposed incorporation area, if possible.

7. Reports from Committees

A. Status Report from Village of Wimberley Water/Waste-water Advisory Board and budget requests.

Councilman Klepfer reported that the board is actively involved in several areas of concern, i.e., testing programs, citizen complaints, wastewater treatment/central system for the Village, five different TNRCC hearings regarding discharge permits, rates, and most importantly, the CCN application for the city, water availability for the Valley in the next fifty years, and the health and science of the Trinity Aquifer as it relates to our ground and surface water. One major identifiable need is for legal advice regarding these matters as it pertains to municipalities. He introduced David Baker who outlined the testing procedures for the aquifer, Cypress Creek and the Blanco. David requested some funds from the city for water testing purposes, in the neighborhood of \$15-20,000, to be matched by other funds. He stated that he would prefer that the majority of the city's money go to equipment with some going to personnel for continuous monitoring. He asked that council consider a workshop regarding monitoring and its benefits for the Village in addition to determining the status of the water flow.

Councilman Manis elicited information that the Watershed Association annual budget is around \$90,000, a portion of which will be matched and that the organization raises about \$47,000. Elizabeth Sumter clarified that around \$6-8,000 of these funds went to Wimberley Neighbors for Healthy Water to pay legal fees for opposing the CCN expansion.

B. Status Report from Village of Wimberley Road Advisory Board and budget requests.

Councilman Klepfer stated that the Roads Committee has budget estimates in two categories, 1) roads and, 2) the survey of the Village boundaries. He stated the first year costs for the city survey would be around \$50,000, Carolyn Nichols reported that long range plans (three years) would involve the Global Positioning System and placing permanent monuments within the Village to establish boundary marks. Total project costs will run

between \$150,000 – 200,000 to complete. Crisis management surveys may require adjustment of these lines and that will be the challenge of this committee to establish where to put these stations.

John Graddy: reported on roads maintenance and presented a spreadsheet of estimated costs as well as an updated version of road database. He told council the board has received 41 complaints regarding road maintenance and that the county had been helping to transition the city in handling road repairs. He reported that Carolyn Nichols and Gene Woodruff had completed the assessment of all Village roads and they are coded as to condition. The costs of doing repair work on these roads are estimated at \$30,000 per mile of road. In comparison, Hays County is requesting for \$33,000 per mile in their budget for work on county roads. The figure that will go into the Road Maintenance Fund as necessary to bring all the city-owned roads up to some acceptable standard will be \$235,000 each year for the next five years (see attached report). Hays County has committed to do some work in the city – primarily in Paradise Hills - amounting to about \$167,000. It was also the opinion of the committee, that the Village should not accept roads from the county that are not in good condition and would also ask the county to maintain some roads, i.e., Flyte Acres Road and others. He said that the Village has 30 miles of roads to maintain and that the board recommended that the annual amount budgeted by the Village for this purpose should never go below \$180,000 per year. Also recommended was the establishment of a capital improvement fund for new roads. Carolyn Nichols emphasized that roads are one of the most important things that can be done by government, whether it be city or county, and that the county has done a good job in keeping our roads in condition. She stated at least 30 requests for signs had been made this year, either stop signs, private road signs, etc. and the county has done an outstanding job of replacing them. When the Village takes the roads from the county's jurisdiction, she recommends that the Village not take them all at once and that will make it easier for the city to keep up with maintenance. Lack of field notes for existing roads will no doubt cause additional expense in the future. She stated that unless maintenance is planned for now, it would only take two years for Wimberley roads to get in bad shape.

Bill Johnson, Transportation Board member, stated that the roads committee is asking that a special road fund be established – in addition to road maintenance – that will be used for disasters - like floods. Hopefully, the county will do some additional work in the Village that will include Mill Race Road. The committee suggests \$120,000 per year be put into an emergency road fund for natural disasters and that this money not be used for any other purpose except roads. With no taxes, we must meet the problem from the city budget and since the council promised "no ad valorem taxes", the citizens would like to hold the council to that promise; and maybe road won't be fixed when we want them – but the committee would like the Village to treat this money like a tithe, do what is necessary first - before the money is all gone."

Councilman Tony McGee stated that there is insurance available to protect the city against road damage due to flooding. Premium costs are being obtained and if they are feasible, possibly some of the money going into the disaster fund could be used for purpose and carry us through the interim period of building the disaster fund.

Councilman McGee commended the Transportation Committee for the many hours of efforts to put together in the road assessment survey.

8. Items from Council

A. Report on Stakeholders' Meetings.

Mayor Hewlett stated that council had responded to citizen requests to identify areas of adjustments to ordinances created in the first year of government by establishing "Stakeholders" forums so as to allow citizens to present their viewpoints. Two "Stakeholders" forums were held: one on July 30th at 9 a.m. and another on August 9th at 7 p.m. At the July 20th meeting, there were six individual citizens who spoke to council about their concerns and on August 9th, five citizens spoke. The mayor stated council's appreciation for the comments that were received. Councilman Brown said that there were two written documents on the sign ordinance and 11 specific comments. There were no specific comments on the zoning ordinance. A workshop meeting of the executive committee will be held on Thursday, August 23rd. This is a work session meeting - not a public hearing. Everyone is invited to attend but comments will not be taken at that time.

9. Old Business

A. Discussion & Possible Action to call for a survey of the boundaries of the Village of Wimberley.

Mayor Hewlett stated that Carolyn Nichols had explained the mechanics of this survey previously. Councilman Steve Klepfer made the motion that a survey of the Village of Wimberley boundaries be conducted. Seconded by Councilman McGee. He stated that even though no timetable is set, it is imperative that the survey is done as soon as possible to establish boundary information that will only be made available when a survey is taken. The motion was approved 5-0.

B. Discussion & Possible Action regarding grant requests for proposed Cypress Creek Nature Trail.

Two persons signed up to speak on this agenda item.

David Tate presented several observations concerning negative aspects of the proposed "park" or "nature trail", i.e., maintenance moneys, liability issues, deficit spending, debt service, ordinances, revenues, commerce, and quality growth

Malcom Harris, representing property owners along Cypress Creek, said that many flaws they initially perceived in the initial plan for the park had been resolved and that they are satisfied that the only the man-made structure to be placed there will be on the bluff above the nature trail.

Councilmember Knies reminded council that the grant request from Texas Parks & Wildlife had been postponed until January 2002 and that a contract will be executed with an Austin grant writing firm to prepare an application to TP&W as well as others. Mayor Hewlett reminded council that an authorization was made on May 10th in the amount of \$1500 to hire a grant writer and

Councilmember Knies stated that the money for this expenditure will come from the city, initially, but is included in the grant application and will be reimbursed assuming we get the grant. After considerable discussion on procedures for spending money on unbudgeted items, the suggestion was made that the Finance and Budget Committee formulate a procedure for contracts and expenditures above the already council approved limits because it is anticipated that many future contracts will be for large amounts.

Councilman Manis made the motion to cap the amount of money spent on this project because \$2,612 had already been spent on it that was not in the budget. Seconded by Councilman Brown, the motion was defeated 4-1, with Manis voting in favor of the motion.

5. New Business

A. Zoning Cases

**Glenn Fryer, Chair
Planning & Zoning Comm.**

- (1) App. No. C211-01-021
Applicant – Wells Fargo Bank
Agent – Leigh Heflin, Heflin Building Systems, Inc.
Location – 14650 RR 12 at Joe Wimberley Blvd.
Business Name – Wells Fargo Bank
Proposed Use – Bank building
Requested Zoning - From Unzoned to C-2
Zoning Recommended by P&Z Commission: C-1
Council Action: C-1 Vote: 5 - 0

- (2) App. No. C211-01-022
Applicant – Gary McFarland
Agent – N/A
Location – 171 Rhodes Lane
Business Name -
Proposed Use - Commercial-Moderate Impact.
Presently has business and residence on property;
wishes to add skirted mobile home.
Requested Zoning - From Unzoned to C-2
Zoning Recommended by P&Z Commission: Continuance
Council Action: Indefinite Continuance

- (3) App. No. C211-01-024
Applicant – Tracy Dean
Agent – Trigg Forister
Location – 221 Stillwater (corner Southriver & Stillwater)
Business Name - Forister Office
Proposed Use - Offices for Trigg Forister
Requested Zoning - From Unzoned to O-1
Zoning Recommended by P&Z Commission: Return to P&Z
Council Action: Return to P&Z

- (4) App. No. C211-01-024**
Applicant – Michael Schneider
Agent – N/A
Location – 100 Spoke Hill Rd.
Business Name - The Blair House
Proposed Use - Bed & Breakfast
Requested Zoning - From Unzoned to L-1 or L-2
Zoning Recommended by P&Z Commission: L-2/Continuance
Council Action: Continuance

6. New Business

A. Financial Report for the Village of Wimberley and discussion of budgets for the next fiscal year.

Councilman Manis gave a brief report on the budget. He informed council that revenues amounted to \$113,000 (38%) from sales tax, \$114,000 (39%) from franchise fees, and about \$20,000 from building/permit fees, Council was reminded that budget items should be submitted by next week. Hopefully, the budget will be ready for implementation by October 1. He had five items as listed below:

(1) Discussion & Possible Action to approve a water cooler being placed in City Hall.

Councilman Manis informed council that there was a need for drinking water for office staff and visitors to city hall; that there is no potable drinking water available in the rental space and that it would cost about \$50 per month or about \$600 per year. The expense would come out of the "office expenses" budget line item. Councilman Manis made the motion that council approve this expenditure. Seconded by Councilman Brown, the motion was approved 5-0.

(2) Discussion & Possible Action to approve hiring a cleaning service for City Hall.

Councilman Manis stated that a cleaning service can be obtained to clean the city hall, restrooms and offices every other week for \$35 each time. Councilman Manis made the motion that council approve this motion, it will amount to around \$840 per year. Seconded by Councilmember Knies, the motion was approved 5 – 0.

(3) Discussion & Possible Action to approve obtaining a bulk mailing permit for the City.

Dr. Caldwell stated that this need arose from discussion regarding the costs of a survey to be mailed out to Wimberley citizens regarding the comprehensive plan. An estimated cost of this survey indicated that the cost of just one mail out would more than justify obtaining the bulk permit prices which could also be used for other purposes. Councilman Manis made the motion that the city obtain a bulk mail out permit. Seconded by Councilman Brown, the motion was approved 5-0.

(4) Discussion & Possible Action to approve a new telephone system in City Hall.

Councilman Manis pointed out that the current City Hall phones had been purchased individually and cannot be networked. He made the motion that council approve the purchase of four new phones to operate on the current two lines, with the understanding that additional stations and two more lines can be added to this system later. It will cost a one-time charge of about \$600 paid for from the "office equipment" budget line item.. Seconded by Councilman Klepfer, the motion was approved 5-0.

(4) Discussion & Possible Action to approve the purchase of a computer.

Councilman Manis stated that council had previously approved the purchase of a computer for the mayor but because of the experience with the telephone situation, it was felt that this purchase should be continued in order to assure that the one would be compatible with equipment currently on hand and would be able to meet future needs when new programs are placed on the computer network. Seconded by Councilman Brown who also stated that he would recommend a server and is getting prices from vendors. The motion was approved 5-0.

B. Discussion & Possible Action to approve the design of the proposed Cypress Creek Nature Trail Entrance.

Councilmember Knies informed the council that local architect Charles Roccafort had been asked to develop a conceptual design for an entrance area but that council was not being asked to approve it at this time because it is currently being reworked.

Citizen comments:

David Tate stated he felt that council should not design an entrance until the park had been acquired.

Malcolm Harris said he and others had looked at the conceptual design and what might be incorporated in the entrance area and liked it but strongly recommended that all structures with the exception of the nature trail itself be placed above the drop.

Councilmember Knies said the conception design was a very important part of the grant process and should be incorporated into the application. There was no action on this item.

Discussion & Possible Action to amend Wimberley Ordinance No. 2001-021 for the purpose of clarifying the duties and responsibilities of the Building Code Board.

Councilman Brown explained that this was a simple amendment to this ordinance which establishes a board of review to resolve any problem that might arise with actions of the building inspector. As problems come up, this board would resolve them. Seconded by Councilman McGee, the motion was approved 5-0.

D. Consider the appointment of additional members to the Building Code Board.

Councilman Brown recommended the appointment of Ms. Debbie Ferguson, Wimberley ISD, and Grady Burnett, Dunn and Burnette Construction Co., who have agreed to serve on the Building Code Board. He stated he was very pleased to have someone from a local construction company to serve on the board, as well as the first lady on the board and who is also very qualified to serve in this capacity. He made the motion that council approve the appointments. Seconded by Councilman Klepfer, motion passed 5-0.

E. Discussion & Possible Action to determine filing fee for future candidates as elected officials.

Councilman McGee stated that while this item was placed on the agenda to try and recapture some of the election costs. However, he had ascertained that this would be illegal, hence, he asked that this item be tabled.

Council adjourned to Executive Session at 10:05 p.m. to consider personnel issues at 10:05 p.m.

Council reconvened at 10: 40 p.m. having taken no action.

F. Discussion & Possible Action concerning the following personnel issues after an Executive Session re: Personnel Issues pursuant to TX Govt. Code Section 551.074:

(1) Establish the position of City Administrator for the Village of Wimberley.

Councilman Walter Brown made the motion that council approve the establishment of the position of City Administrator for the Village of Wimberley. Seconded by Councilman Manis, the motion was approved 5-0.

(2) Adopt the Fiscal year 2001-2002 Staffing Plan.

Council Tony McGee made the motion that council adopt the Fiscal year 2001-2002 Staffing Plan. Seconded by Councilman Manis, the motion was approved 5-0.

(3) Authorize the Staffing Plan Committee of the City Council to post an Advertisement for the position of City Administrator, to interview applicants and recommended candidates for interview before the full City Council.

Councilman Brown made the motion that council approve the posting of an advertisement for the position of City Administrator, to interview applicants and recommend candidates for interview before the full City Council. Seconded by Councilmember Knies, the motion was approved 5-0.

12. Announcements

Councilman Manis stated that he and Councilmember Knies will confer with Mr. Scott about an offer to expand the city hall office space and bring this information back to council.

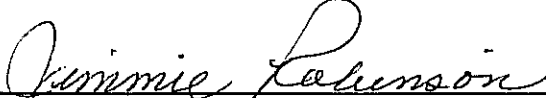
Councilmember Knies stated that Keep Wimberley Beautiful had donated a flag for the city hall. The mayor noted that a light would be necessary so it can be left out at night.

Councilman Walter Brown asked that a special meeting be called for Monday, August 20th so that the Village might move forward with the comprehensive planning survey. Dr. Caldwell stated that because of printing completion dates, it was imperative that it be taken care of immediately and that the survey will set goals and objectives for the comprehensive plan. Councilman Klepfer made the motion that council have a special meeting 9 a.m. Monday. Seconded by Councilman McGee, the motion passed 5-0.

Councilmen Tony McGee asked that the computer for the mayor be placed on the special called meeting for Monday, August 20th as well as approval of the entrance design for the nature trail.

13. Adjournment

There being no further business, the meeting was adjourned at 11 p.m.



Jimmie Robinson
Assistant City Secretary



Mayor Linda Hewlett

Next regular council meeting will be held on Thursday, September 6, 2001.