

Village of Wimberley
Minutes of City Council Meeting

City Hall, 13210 Ranch Road 12, Wimberley, Texas 78676
Thursday, December 5, 2002, 6:30 p.m.

Call Meeting to Order - Mayor Tony McGee called Council to order at 6:30 p.m.

Invocation - Rev. Otha Aishman of Trinity Chapel offered the Invocation.

Pledge of Allegiance to United States Flag - Mayor McGee led the Pledge of Allegiance to the United States flag.

Pledge of Allegiance to Texas Flag - Mayor Pro Tem Matt Manis led the Pledge of Allegiance to the Texas flag.

Roll Call - Present were Mayor McGee and Council members John Graddy, Steve Klepfer, Martha Knies, Matt Manis, and Carolyn Nichols.

Presentations of Citizens

Council member Knies introduced James and Rosemary Barta, and said James had taken a particularly beautiful photograph of an American flag flying over Cypress Creek last Christmas. James made an enlarged print of the picture and has offered it to City Hall. Council member Knies accepted the print on behalf of Council; Mayor McGee and Council members thanked the Bartas for the framed photograph.

A. Consent Items

Minutes of City Council meeting of November 21, 2002, were accepted as submitted.

B. Reports from Boards/Committees/Staff

1. Public Works

City Public Works Director Rickey Wright reported City had solicited bids for repairs to the low-water bridges on Spoke Hollow Road and Valley Drive. Myers Construction submitted one bid, for \$24,830, and City has accepted it. Work will begin Monday (December 9) and will take approximately 38 days. Spoke Hollow Road will be closed for three weeks starting December 9 because the road is too narrow for a diversion around the work site. City has given notices of the closure to residences in the area; traffic will be diverted to the other end of Spoke Hollow Road from RR 12. Myers Construction will also do minor improvement to the public parking lot behind the Square, to fill in low places and to improve the lot's surface.

He said the Transportation Advisory Board is working on a standard engineering contract for work such as repairing pot holes, road resurfacing, brush clearing, tree trimming, and other road maintenance work which has been done by county road crews. TAB is also developing a list of priority road projects, to establish an order of work and budget priorities; in conjunction with this project it is also developing a statement of road repair standards to establish criteria for the roads in Wimberley. TAB and City staff is studying the possibility of re-aligning Texan Boulevard and Las Flores to make them meet RR 2325 at the same place, in light of the possibility that TxDOT may put a traffic signal there if it were a four-corner intersection. The application by the City and WISD for funds under the Safe Routes to Schools program was submitted to Texas Department of Transportation by the deadline.

In response to question from Council about how City handles dead deer on the roads, Mr. Wright said Hays County would pick up a carcass on a county road. This work will be included in the standard engineering contract mentioned earlier, for carcasses on a city road.

2. Parks Board

Council member Knies reported that the survey of school students on sports and recreation facilities done by City intern Kasey Klepfer will be discussed at the Parks and Recreation Board meeting December 9. The Board will also discuss hiring an administrator for the Texas Parks & Wildlife grant for the Cypress Creek Nature Trail. The Board may request a joint workshop with Council on administration of this grant. The Board will have a presentation on a proposal for a hike-and-bike trail at its next meeting. Funds from the TPW grant for the Nature Trail will not be available to the City until after City signs a contract with TPW, which normally takes six to eight months after announcement of the award of the grant.

C. Consider and Act

1. Authorization to Retain Pro-Tech Engineering Group for Survey of Village Square:

In public hearing, Mike Bingham asked Council to explain the proposed survey and to define what area is meant by the Square. He also asked if materials concerning the survey would be available to the public.

Mayor McGee said the survey documents will be public documents and will be available for anyone, but Pro-Tech has not yet done the survey and they are not ready. He referred Mr. Bingham to Kelly Kilber of Pro-Tech for whatever documents he has procured from county records. Mayor McGee said the Transportation Advisory Board has long recognized the need for a survey of public rights-of-way in the Square, to mark on the ground the public land and to end confusion about what is a public way and what is private property. Pro-Tech's fee will be \$17,600.

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Council member Nichols noted the proposed contract does not include preparation of field notes and copying deeds, work which will add to the figure; she believes the \$17,600 is within the market range for such a survey, but the needed paperwork will bring the total closer to the estimated amount of \$25,000.

Asked if this work was let for public bid, Mayor McGee said no; Kelly Kilber and Pro-Tech have done a lot of survey work in the Square and have experience with records for that area. Other survey firms would have to start from scratch and do basic work Pro-Tech already has done. In addition, Pro-Tech is acknowledged as a top local survey firm.

Council discussed the limits of the area to be covered by the survey, noting that it will not include any property on the south side of RR 12.

Council member Klepfer moved to authorize City to retain the professional services of Pro-Tech Engineering Group for a survey of the Village Square under the proposed contract dated November 15, 2002, with the following stipulations:

- a. Special attention is given to paragraph 3.1 of the contract, with a more specific statement needed of the area to be delineated;
- b. The last sentence of the fifth paragraph on page two concerning Pro-Tech's right to a lien on property be stricken;
- c. Funds for the contract shall be allocated from this fiscal year's road maintenance budget.

Council member Manis seconded. Motion approved 5-0.

2. Adoption of Community Center Design and Construction Agreement with Wimberley Senior Citizens Activities, Inc.:

Mayor McGee said much work has been done by members of both City Council and WSCAI developing the proposed contract. City received a revised draft of the contract from its attorneys today (December 5), with a number of suggested changes to the draft already agreed to and signed by WSCAI. He said there are two options for Council: to agree to sign the former agreement with the condition that the changes recommended by Counsel be accepted by both parties within a specified period; or to sign the revised contract presented by Counsel and send it to WSCAI for its consideration and approval.

Mayor McGee noted this agreement covers only construction of the community center building; it sets up the working relationship between City and WSCAI to oversee the construction. There will be a separate agreement later to cover operation of the center.

Council members discussed the proposed contract and its budget implications for the City. Council member Klepfer moved to authorize the mayor to sign the design and construction agreement for the Community Center that has been executed by WSCAI, provided that such

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execution is conditioned upon such agreement being amended on or before December 16, 2002, to contain the substance of the changes made by the Community Center Construction Agreement draft dated December 5, 2002. Council member Graddy seconded.

Council adjourned to Executive Session at 7:30 p.m. to consult with City Attorney Christy Drake-Adams about the proposed agreement, under authority of Texas Government Code Section 551.072 (Consultation with Attorney).

Council resumed regular public session at 8:10 p.m.

Council members approved the motion as proposed by vote of 5-0.

3. Adoption of Ordinance on Placement and Enforcement of Stop Signs in Woodcreek 3 Area of Village:

Mayor McGee said he received comments from City attorneys this afternoon concerning this ordinance, and suggested that Council discuss the proposed ordinance but not take a vote on it tonight. He said attorneys proposed that City adopt a generic ordinance relating to all traffic control devices the City may consider using. The generic ordinance would provide that the Mayor or Mayor's designee could approve placement of traffic control devices, and those would be entered in a formal registry with information on date, location, and other details. These actions would all be subject to review by Council if Council so decided. Mayor McGee asked Council to consider whether it likes this general approach or wants to act on each separate traffic sign.

Public Works Director Rickey Wright said there has been no public hearing yet on the proposed signs in Woodcreek 3. He received five citizen comment forms asking City to look into the situation in that area. He sent the requests to TAB who investigated.

Council members discussed at length how to give adequate public notice of proposed changes to traffic control signs, both within the affected area and to the public at large. Council member Nichols noted City should have comments in writing from the City Engineer to document facts relevant to each proposed change. Council suggested to TAB chairman Craig Payne it would be appropriate for TAB to hold public hearings on the proposed changes in Woodcreek 3 as part of its regular meetings, and then forward its recommendations to Council.

By consensus Council agreed to continue this item until after TAB holds a public hearing and returns the ordinance to Council.

4. Consider Setting a Joint Work Session with Transportation Advisory Board on December 18 to Discuss Proposed County By-pass Project:

Mayor McGee said this proposal was suggested by county engineers to provide Council and TAB the latest information on the proposal for a by-pass.

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Council member Klepfer moved to set a joint work session with TAB at 10:00 a.m. on December 18 to discuss the proposed County by-pass project. Council member Graddy seconded. Motion approved 5-0.

D. City Administrator Report

In absence of City Administrator, Mayor McGee reminded everyone of the public hearings on City's Comprehensive Plan scheduled for December 10 and 11 at 6:30 p.m. in Danforth Junior High School cafeteria.

E. Announcements, Requests for Future Agenda Items

Council member Knies said she hopes to have a proposal for Council consideration on hiring a grant administrator for the Texas Parks & Wildlife grant for the Cypress Creek Nature Trail by next meeting.

Council member Klepfer said he would like TAB to develop a written statement of policy and procedure for closing and opening the low-water bridge on CR 1492.

Mayor McGee said he would not be at the December 10 public hearing on the Comprehensive Plan; Mayor Pro Tem Matt Manis will take his place. He also encouraged everyone to turn out for the procession honoring the victorious Lady Texans volleyball team on December 10, starting from South River at 2:45 p.m. and proceeding to the High School gymnasium. The team members will be riding a Wimberley Volunteer Fire Department fire truck, with Hays County Sheriff's deputies leading the procession.

F. Adjournment - Council adjourned at 8:40 p.m.

VILLAGE OF WIMBERLEY

By Tony McGee
Tony McGee, Mayor

Adelle Turpen
Adelle Turpen, City Secretary

Dell Hood
Dell Hood, Recording Secretary