

Village of Wimberley

City Hall, 13210 Ranch Road 12
Wimberley, Texas

Minutes of City Council Meeting Thursday, July 21, 2005 - 6:30 p.m.

City Council called to order at 6:30 p.m. by Mayor Stephen Klepfer.

Council Member Czichos gave the Invocation.

Mayor Klepfer led The Pledge of Allegiance to the U.S. Flag and the Pledge of Allegiance to the Texas Flag.

Present were: Mayor Stephen Klepfer and Council Members Curt Busk, Matt Manis, John Graddy and Carroll Czichos. Council Member Marilee Wood was absent.

Presentation of Citizens

- Todd MacKenzie spoke on behalf of Deer Creek Nursing Center regarding dissatisfaction with the present wastewater rates.
- Charli Manross took the Oath of Office for Board of Adjustment.
- Mayor Klepfer presented a Resolution from the State of Texas, signed by Representative Patrick Rose, congratulating the City on the purchase of Blue Hole and the related preservation project.

A. Consent Items:

Council Member Graddy made a motion to accept the minutes of the meeting of July 7, 2005. Council Member Czichos seconded. Motion approved by a vote of 4 Ayes to 0 Nays.

B. City Administrator Report:

City Administrator Steve Harrison presented a report on Ordinance Codification. He said that Legal Counsel is working on a strategy and timeline creating an Ordinance necessary for Council to adopt the codified version. He stated that Planning & Zoning Commission had a small sub-committee, including Council Member Busk, studying the land uses to ensure that during the codification process damage to the Subdivision and Zoning Ordinances does not happen. He also noted some confusion brought to his attention regarding differing versions of the ordinances is due to multiple versions in the computer of the City Secretary, and that the public is being provided with the correct version. Legal Counsel said we can move forward in the process.

Dr. Harrison said the Village should be proud of how the first jury trial was conducted, as it was exemplary of the jurisprudence system working.

C. Reports from Boards/Committees/Staff

- Jack Clark presented the Monthly Financial Report and referred to the corrected copy of the report which included reallocation of payroll and corrections which had been made. He noted that sales tax was up from the last two years, but appears to be leveling out; fees and other city generated revenue are increasing; review of all departments shows that the financial condition of the city is right on the budget mark. The Community Center Construction Fund is getting activity, and the Blue Hole Fund is where it should be.

D. Consider & Act:

1. Develop strategy to comply with State mandated Interlocal Agreement with Hays County regarding approval process for subdivisions in the ETJ.

Council Member Busk presented this item and noted the deadline for finalizing the Interlocal Agreement with Hays County is January, 2006. He proposed putting a group together to study the issue and meet with the County to include himself, the Chair of Planning & Zoning, and the City Administrator. Legal Counsel spoke of trying to get copies of agreements between other cities and the County, to give direction on this matter. Discussion followed.

Council Member Graddy made a motion to create a subcommittee to study the Interlocal Agreement with Hays County, to include the Chair of Planning & Zoning Commission, the City Administrator, and Council Member Busk. Council Member Busk seconded. Motion approved by a vote of 4 Ayes to 0 Nays.

2. Award Contract and Discuss Amount of Franchise Fee for Solid Waste Service. (Recommended by Budget, Investment & Finance Board).

Budget, Investment & Finance Board Member Chuck Bursiel presented the item to Council. He said the committee has reservation about wording in the document, specifically the reference throughout to "all residents" and "all commercial businesses" in Wimberley being subject to the ordinance, which was not the original intent. Mr. Bursiel requested continuance on the passing of this ordinance and of the Franchise Agreement.

Discussion followed regarding mandatory garbage service, contracts, bids for service, structure of the bids, and types of service.

David Wilson spoke to the Council in favor of citizens having the option to choose whether they participate in a service offered, and not being forced to participate. He also spoke regarding the bidding process.

Discussion followed with Legal Counsel regarding clarification of wording used in the bid process and in the Franchise Agreement.

Curtis Carl spoke to the Council regarding the bid from his company.

Discussion followed regarding franchises.

Council Member Czichos made a motion to continue Item D 2, the awarding of the contract regarding the amount of Franchise Fee for Solid Waste Service, and Item D3, the adoption of the Ordinance establishing Solid Waste Franchise Agreement. Council Member Manis seconded. Motion approved by a vote of 4 Ayes to 0 Nays.

4. Appointment of Member to Water/Wastewater Board.

Council Member Busk presented his appointment of Kyle DeHart to the Water/Wastewater Advisory Board for a term ending 09-01-07. A motion was made by Council Member Busk to accept Kyle DeHart as a member of the Water/Wastewater Advisory Board. Matt Manis seconded. Motion approved by a vote of 4 Ayes to 0 Nays.

5. Resolution Stating The Village's Intent to Partner with Hays County in Applying for a CAMPO Grant to Assist in Funding Hike & Bike Trail Connectivity.

Judy Langford, of Langford & Associates, Inc. presented the item to Council. She stated that funds for surface improvement will be available from 2006 through 2008, and that application for these funds is due the end of this month. She further explained that Hays County has agreed to partner with the Wimberley Loop, and explained the matching funds involved.

Council Member Czichos made a motion to adopt the Resolution Stating the Village's Intent to Partner with Hays County in Applying for a CAMPO Grant to Assist in funding Hike & Bike Trail Connectivity. Council Member Busk seconded. Motion approved by a vote of 4 Ayes to 0 Nays.

F. Announcements and Council Requests for Future Agenda Items.


Council Member Graddy requested to revisit the Juror Pay Issue.

Meeting adjourned at 7:40 p.m.

VILLAGE OF WIMBERLEY

By 
Stephen J. Kiepfer, Mayor

Respectfully Submitted By:


Cindy Colvert, City Secretary

I have reviewed information furnished by the city on the solid waste bids. I have attended both public meetings held by the Budget Committee. I went to City Hall and met with Steve Harrison. I attended the Budget Committee meeting held 07/21/05. I have learned that the two bids submitted, offer residential service with recycling / bulk hauling or without. If the city opps for the residential service with recycling / bulk hauling, it will cost each customer an extra \$150.00 over the 5 year life of the contract. Some citizens of Wimberley are on fixed income. The city should not force its citizens to pay for a service they do not wish to participate in. The citizens should have the option to choose.

During the Budget Committee presentation at its public meetings, one of the selling points was that the Solid Waste Franchise Agreement would alleviate or delay ad-volorem taxes. If you are trying to alleviate or delay ad-volorem taxes, I do not understand why the city would award the contract to Texas Disposal Systems (TDS). The TDS bid generates less income and charges the city \$35,000.00 over the 5 year life of the contract for city dumpster service. The IESI bid generates more income and charges \$00.00 over the life of the contract for city dumpster service.

At the Budget Committee meeting 07/21/05, I learned the most disturbing information thus far. The solid waste service will be manditory for all households within the city limits. If a household does not participate, he or she would be fined up to \$3,000.00 per day. At one of the public meetings of the Budget Committee, the question "Will the solid waste service be manditory for everyone?" was asked. The answer was "No". During the Budget Committee meeting 07/21/05 this error was shown to be a honest mistake. According to the Budget Committee, they been working on this for a year and a half and at no time was the term manditory used in discussions. The bottom line, there was inaccurate information presented by the Budget Committee to the public.

Only 2 bids have been received and reviewed by the city. Public meetings have been held only twice about 2 weeks ago. Through a honest mistake, the Budget Committee placed inaccurate information out into the Public. I would ask the council to table items D2 and D3 on its agenda. This would allow the city to seek more bids, receive more public input and correct any inaccurate information.

Public Sign-In (SPEAKERS ONLY)

Village of Wimberley, Texas

Purpose of Meeting City Council Date 8-18-05

Public Hearing Speakers Policy: Speakers must sign in prior to the beginning of the meeting. Speakers who wish to address a specific agenda item will be recognized when that item comes up on the agenda, provided they have signed in prior to the beginning of the meeting and indicated the item to be addressed. Each speaker will be limited to three (3) minutes.

Name of Speaker/Address (Please Print) Wimberley

Van Branham 31 Ridgewood Cir TX

Will McLean 1101 Cypresscreek TR

Mary Jane Shipman 1001 Hidden Valley Rd

SAM DAVIS 251 E MOUNTAIN Rd

Aileen Edgington

Ann Rilling

Leon Mackenzie

David Bunker

Wren Gilbert

Agenda Item/Issue

Waste Water Rates

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