



Village of Wimberley
City Hall, 13210 Ranch Road 12
Wimberley, Texas
Minutes of City Council Meeting
Thursday, August 18, 2005

City Council called to order at 6:30 p.m. by Mayor Pro Tem Carroll Czichos.

Council member John Graddy gave the Invocation.

Mayor Pro Tem Czichos led the Pledge of Allegiance to the U.S. Flag and Council member Manis led the Pledge of Allegiance to the Texas Flag.

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

Presentations of Citizens

§ No Citizen Comments were received.

§ Oath of Office: Mayor Pro Tem Czichos administered the Oath of Office to Bob Flocke as a member of the Transportation Advisory Board and to Kyle DeHart as a member of the Water/Wastewater Advisory Board.

§ Mayor Pro Tem Czichos read a proclamation commending Cindy Colvert for a job well done as City Secretary.

A. Consent Items:

Council member Graddy moved to accept the minutes of the July 21, 2005 Council meeting as written. Council member Manis seconded. Motion approved by vote of 4 Ayes to 0 Nays, Council member Wood abstaining.

B. City Administrator Report

City Administrator Steve Harrison reported on his discussions with County officials on the proposed interlocal agreement on the County Fire Marshall's duties in the Village. The County hopes to use its agreement with Wimberley as a model for use with other municipalities in the County. The discussions are on track and working well.

The City Secretary job has been advertised and posted on the City website and some applications have already been received.

Dr. Harrison said that because of the heavy work load for the limited City staff, he has decided that starting from Monday, August 22, the City Hall will be open to the public from 9:00 a.m. to 4:00 p.m. The office will be officially closed to walk-in and telephone

service for the hour 4:00 to 5:00 p.m. but staff will still be on the job. This will allow the staff to work without interruption. Some Council members expressed concern about the proposal. Dr. Harrison noted many City Halls have shorter office hours than does the Village.

C. Reports from Boards/Committees/Staff:

1. Jack Clark presented the monthly financial report, noting the City is right on budget. He asked for guidance on how Council wants him to record income and expenses in the Blue Hole fund.
2. Jenelle Flocke reviewed the activities of the Budget, Investment & Finance Advisory Board for the last quarter. Work on the solid waste collection franchise was a major focus of Board efforts.
3. Craig Calley reported on the work of the Restroom on the Square subcommittee and gave Council members a discussion document covering seven possible alternatives. Merchants in and around the Square say it is imperative the City address the issue of public restrooms now, because the lack of facilities has a definite economic impact on the Village. The image of the Village is affected by not having public toilets, and there are public health and decency effects as well. He reviewed the seven alternatives the subcommittee identified, noting the group has taken no position for or against any of them. In response to a question from Council, he said it is difficult to give any budget estimates at this point, since these would depend on the type and size of facility.

D. Consider & Act

1. Adopt Rate for Customers of Wimberley Wastewater Treatment Plant:

Dr. Harrison presented the item, noting there is only one customer for the treatment plant now, the Deer Creek Nursing Home (DC). The City has a contract with the Guadalupe-Blanco River Authority (GBRA) for operation of the plant. GBRA has worked with the City and DC to reduce the amount of effluent DC is producing and to increase its quality so that DC's expense for wastewater has declined significantly.

In the Public Hearing the following people spoke:



- a. Todd MacKenzie, Deer Creek administrator, thanked the Mayor, Council, and GBRA for working with DC but said he has not seen the ordinance yet. He said he had a cost evaluation by an in-house expert which was considerably lower than what GBRA proposes to charge. He asked Council not to approve the ordinance and to put the contract for wastewater treatment out for competitive bid.
- b. Jan Branham asked Council to get a competitive bid for the wastewater treatment

plant.

- c. Will McCann questioned the propriety of Council adopting an ordinance on wastewater treatment service without having it available to the public and asked Council to defer action.
- d. Mary Jane Shipman asked Council to put the contract for wastewater service out for competitive bid.
- e. Sam Davis said care for DC residents will be adversely affected if the rates for wastewater treatment service go up as projected. Businesses in Wimberley are scared about the rates they will be charged for wastewater treatment under the proposed fee structure.
- f. Aileen Edgington said there is no need for the proposed ordinance and asked Council to put the wastewater treatment contract out for competitive bid.
- g. David Burch quoted from a survey by the Texas Municipal League on what nursing homes pay for wastewater treatment services in several small towns in central Texas and said there is a drastic difference between those charges and what DC is being asked to pay.
- h. Wayne Gilbert said DC has been the ultimate corporate citizen in Wimberley and that the community needs to encourage the nursing home to stay here and expand and flourish.

Council closed the Public Hearing.

John Smith, operations manager of GBRA, described work GBRA has done on the wastewater plant and with Deer Creek on its effluent.

Council adjourned the Open Session at 7:43 p.m. and went into Executive Session as provided in Texas Government Code Section 551.071 (consultation with attorney).

Council ended its Executive Session at 8:06 p.m. and reconvened in Open Session at 8:09 p.m.

Council discussed the item. Council member Manis moved that the item be continued until the next regular Council meeting on September 1, 2005. Council member Graddy seconded. Motion approved by vote of 5 Ayes to 0 Nays.

2. Appointment of Members to Budget, Investment & Finance Board:

Council member Manis said he will have an appointee for the September 1 meeting.

Council member Graddy nominated Charli Manross for appointment to the Board. Council member Manis seconded. Motion approved by 5 Ayes to 0 Nays.

Council member Czichos nominated Chuck Bursiel for appointment to the Board. Council member Manis seconded. Motion approved by 5 Ayes to 0 Nays.

3. Appointment of Members to Ethics Commission:

Council member Busk moved to reappoint Linda Morgan to the Commission. Council member Wood seconded. Motion approved by 5 Ayes to 0 Nays.

Council member Manis continued his appointment to the next meeting.

Council member Wood moved to appoint John Hyink to the Commission. Council member Graddy seconded. Motion approved by 5 Ayes to 0 Nays.

Council member Graddy moved to reappoint Jenelle Flocke to the Commission. Council member Manis seconded. Motion approved by 5 Ayes to 0 Nays.

4. Appointment of Member to Transportation Advisory Board:

Council member Czichos moved to appoint Bob Flocke to the Board for a term expiring September 19, 2008. Council member Manis seconded. Motion approved by 5 Ayes to 0 Nays.

5. Accept Resignation of Bill Cooper from Building Code Board of Review:

Mayor Pro Tem Czichos said Council received a letter from Bill Cooper asking to resign from the Board for health reasons. Council members accepted the letter by consent and wished Mr. Cooper well.

6. Application for Zoning (Public Hearing)

File No. ZA-05-207, 1530 FM 3237, Sierra Hills Subdivision, zoning of Lot 1 as R-1 and Lot 2 as RA (recommended by Planning & Zoning by vote 6-0):

P&Z Chairman Tevis Grinstead presented the item. No comment was received in the Public Hearing. Council member Busk moved to accept the recommendation of the Planning & Zoning Commission for zoning for case no. ZA-05-207. Council member Graddy seconded. Motion approved by 5 Ayes to 0 Nays.

7. Amendment to Zoning Ordinance No. 2001-010 - Section 13.8B

Remove Districts O-2 (Office - High Impact) and C-2 (Commercial Moderate Impact) as zoning districts allowed in Planning Area C:

P&Z Chairman Grinstead presented the item, noting the amendment is needed to correct a mistake in a previous amendment to the Ordinance. No comment was received in the Public Hearing. Council member Graddy moved to accept the amendment as presented. Council member Busk seconded. Motion approved by vote of 5 Ayes to 0 Nays.

8. Ratify Film Location Agreement with Eat-A-Worm Productions, LLC., for use of a portion of Blue Hole Regional Park for filming part of a movie:

Dr. Harrison presented the item. The fee the Village collects under this agreement will go into the Blue Hole fund. Council member Busk moved to ratify the film location agreement with Eat-A-Worm Productions, LLC, for use of a portion of the Blue Hole Regional Park to film a portion of a movie. Council member Wood seconded. Motion approved by 5 Ayes to 0 Nays.

9. Adopt the International Plumbing, Mechanical, Fire and Electrical (Administrative Provisions) Codes, and the NEC 2002 (National Electric Code):

Dr. Harrison presented the item, noting the Building Code Board of Review discussed these codes at length and recommended the Village adopt them. No comment was received in the Public Hearing. Council members discussed the item. Council member Graddy moved that the Village of Wimberley adopt the International Plumbing, Mechanical, Fire and Electrical (Administrative Provisions) Codes and the NEC 2002 (National Electric Code) on first reading. Council member Wood seconded. Motion approved by 5 Ayes to 0 Nays.

10. Form a Council subcommittee to research the duties and implementation of an Ombudsman:

Council member Graddy presented the item and moved that the Council create a subcommittee to do research into creating an ombudsman for the Village and make a recommendation to Council. Council member Wood seconded the motion. Council members discussed the issue, noting that an ombudsman should be someone from outside the community who has no vested interest in issues that would come to that office. Council members Busk and Graddy volunteered to serve on the subcommittee. Motion approved by 5 Ayes to 0 Nays.

E. Announcements and Requests for Future Agenda Items:

Council member Graddy said he wants to discuss the format for Council meetings, and the City website.

F. Adjourn: Council adjourned at 8:56 p.m.

VILLAGE OF WIMBERLEY

By
Stephen J. Klepfer, Mayor

Respectfully submitted by:

Dell J. Hood, Recording Secretary