

**City of Wimberley**  
City Hall, 221 Stillwater  
Wimberley, Texas 78676  
**Minutes of Regular Meeting of City Council**  
June 17, 2010 at 6:00 p.m.

City Council meeting called to order at 6:00 p.m. by Mayor Bob Flocke.

Mayor Flocke gave the Invocation and Councilmembers led the Pledge of Allegiance to the United States and Texas flags.

Councilmembers Present: Mayor Bob Flocke and Councilmembers Charles Roccaforte, Mac McCullough, Bill Appleman, and John White. Councilmember Thurber had an excused absence.

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

### **Citizens Communications**

Bernie Jensen of 200 CR 1492 expressed concerns about trespassing in the Blanco Bend area and felt that the majority of trespassers are guests of 7A Ranch Resort. He recounted specific incidents involving both his and his neighbors' properties and trespassing reports to Hays County Sheriff's Office. Mr. Jensen suggested to 7A Resort ownership that posting signs along the Blanco River containing the same river access information as printed in guest brochures as a possible means to curb or eliminate trespassing. Mr. Jensen stated that he did not receive a favorable response to this suggestion and asked for the City's assistance in finding a solution for this problem.

Wimberley ISD Superintendent Dwain York explained an upcoming tax rate rollback election to be held in August 2010. He cited specific proposed tax rate changes affecting allocations for M & O (maintenance and operation) and I & S (interest and sinking) funds that would not affect the overall tax rate. He stated that the ballot will be published and an informational brochure will explain the election in more detail. Superintendent York requested that an item be placed on a July Council agenda to allow for further discussion on this matter.

### **1. Consent Agenda**

- A. Approval of the minutes of the regular City Council meeting of June 3, 2010
- B. Approval of the May 2010 City of Wimberley Financial Statements
- C. Approval of the appointment of Steve Klepfer to the City of Wimberley Planning and Zoning Commission. *(Place Two Councilmember Mac McCullough's nominee)*
- D. Approval of the reappointment of Jenelle Flocke to the City of Wimberley Economic Development Commission. *(Place Two Councilmember Mac McCullough's nominee)*
- E. Approval of the reappointment of Cathy Flocke to the City of Wimberley Parks and Recreation Advisory Board. *(Place Two Councilmember Mac McCullough's nominee)*

- F. Approval of the appointment of Zack Ezer to the City of Wimberley Economic Development Commission. (*Place Four Councilmember Steve Thurber's nominee*)

Councilmember Appleman moved to approve the Consent Agenda as presented. Councilmember McCullough seconded. Motion carried on a vote of 4-0.

## 2. Presentation

Presentation by representatives of *Design Workshop* on the *Design Development Phase* of the Blue Hole Regional Park Development Project.

*Design Workshop* Principals Steven Spears and Rebecca Leonard presented information on the following:

- Upcoming, current, and completed phases of the project and associated timeframes
- Anticipated construction completion date by May 2011
- Summary of project-related activities/team meetings
- Availability of project information and progress at [www.blueholeregionalpark.com](http://www.blueholeregionalpark.com)
- Selection by Sustainable Sites Initiative (SITES) of Blue Hole Regional Park as one of the first landscapes to participate in a new program testing the nation's first rating system for green landscape design, construction, and maintenance
- Overall site plan and specific features including cisterns, rainwater collection/reuse, trails/paths, picnic area, ADA compliance, office/bath house, pavilions, fire pit, interpretive signage, and parking
- Cross section of site plan
- Recreation area plan including playground equipment, tennis, soccer, volleyball, and basketball courts, as well as creative uses for leftover materials
- Design features of the Community Pavilion and water reuse
- Design features of the Recreation Pavilion
- Interpretive, free-standing, and integrated signage, including incorporation of educational elements
- Environmental goals, including details on ecosystem protection, light pollution, hydrology, and user education
- Community goals related to recreation, open space, and activities
- Governance goals, including an operation and maintenance plan
- Artistic goals in keeping with the Hill Country vernacular
- Economic goals, including sustainable long-term operations, maintenance, and funding

Discussion addressed roofing materials, contingency plans for rainwater collection during drought periods, minimal impervious cover (natural and man-made), and Code-compliant lighting. Councilmember Appleman felt that consideration should be given to closing the park at dusk to mitigate the need for lighting. He offered to donate bald cypress seedlings growing on his property

along Cypress Creek to the park for re-planting. Mr. Spears thanked Councilmember Appleman and noted that it is important to use native, indigenous plants for this project.

### **3. City Administrator Report**

This item was heard after Agenda Item 5B.

- Status report on the efforts underway to secure federal funding for the downtown wastewater project

City Administrator Ferguson reported that presentation of the City's Tier III, Phase I loan application is anticipated during the Texas Water Development Board's (TWDB's) August meeting agenda. The process is continuing for the Phase II funding application and study of wastewater effluent/reuse. He noted that Wimberley Water Wastewater Advisory Board will meet on June 28, 2010.

- Status report on the preparation of a boundary survey for the City of Wimberley

City Administrator Ferguson reported on recent meetings, including near completion of deed research, selection of monument locations, scheduling of survey teams, and timeframe for completion. He noted that the survey crews will have identification badges and clearly marked vehicles. He stated that notices will be sent out to applicable property owners relating to survey activity and property access. In response to Councilmember White, City Administrator Ferguson replied that Baker-Aicklen employees' photos will appear on identification badges.

- Status report on the proposed closure of Las Flores Drive

City Administrator Ferguson reported that a public hearing has been scheduled for Tuesday, June 29, 2010 at 6:00 p.m., detailed notification procedures, and noted that meetings will be held with the "reserve" property owner and emergency service providers.

- Status report on the upcoming City Hall dedication and open house

City Administrator Ferguson reported that the dedication and open house is scheduled for Wednesday, June 30, 2010 at 5:30 p.m. He reported that a brief open house and dedication ceremony will be held and attended by state, county, and local representatives (past and present).

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

City Administrator Ferguson cited statistics showing increased attendance/revenues, season pass purchases, and gate receipts to date that are forty-five percent (45%) above last year. He reported that a temporary resolution has been achieved addressing Rocky River Ranch's traditional day at Blue Hole, which serves as a merit program reward for campers. Rocky River Ranch will have use of the park at the bulk rate, before it opens for the public, so as not to interfere with normal park

operations. He stated that the Parks Board will recommend a long-term reservation policy for Council consideration. Discussion addressed typical park capacity and clarified existing reservation policy.

#### **4. Public Hearing and Possible Action**

Hold a public hearing and consider approval of an ordinance of the City of Wimberley, Texas approving an application to change the zoning from Neighborhood Services (NS) to Public Facilities (PF) and remove an existing conditional use permit for a 1.5 acre tract of land located at 45 La Buena Vista, Wimberley, Hays County, Texas. (*Renee Boschert, Applicant*)

City Administrator Ferguson presented staff's report, including subject property location, current/proposed zoning and uses, acreage, notification, and reasoning for the request. The applicant is proposing to operate a charter school in conjunction with Katherine Anne Porter School District, which requires that the property be rezoned from Neighborhood Services (NS), along with removal of the existing condition use permit, and zoned Public Facilities. City Administrator Ferguson stated that no opposition has been received and recommended approval. He noted significant support was shown for this application via public comments submitted to the Planning and Zoning Commission, which unanimously recommended approval.

No public comments were heard.

Discussion addressed long-term needs for future expansion, increased traffic, access, and public versus private school funding.

Councilmember Appleman moved to approve the item as presented. Councilmember White seconded. Motion carried on a vote of 4-0.

#### **5. Discussion and Possible Action**

- A. Discuss and consider approval of the plans and information in the *Design Development Phase Report* for the Blue Hole Regional Park Project. (*City Administrator*)

This item was heard after Agenda Item 2.

City Administrator Ferguson advised that *Design Workshop* representatives will present construction designs at their next presentation to Council and recommended approval.

Councilmember McCullough moved to approve the item as presented. Councilmember Appleman seconded. Motion carried on a vote of 4-0.

- B. Discuss and consider approval of a proposed Eagle Scout project at the Patsy Glenn Refuge in Wimberley, Texas (*City Administrator*)

City Administrator Ferguson outlined the proposal to construct two (2) small wooden foot bridges and one (1) wooden wheelchair ramp at the Patsy Glenn Refuge. He stated that plans have been sealed by a local engineer and approved by the City's inspection firm. He noted that Council needs to consider approval of the plans, along with a waiver of all City fees totaling \$398 for the project, as a benefit to the community.

Eagle Scout George Gage presented plans to make the refuge more accessible and inviting.

Councilmember Roccaforte moved to approve the item as presented. Councilmember White seconded. Motion carried on a vote of 4-0.

Mayor Flocke thanked Mr. Gage and presented him with his building permit for the project.

- C. Discuss and consider possible action awarding a contract for the completion of street improvements to Las Flores Drive, Palos Verdes and La Pais Drive in Wimberley, Texas. *(City Administrator)*

City Administrator Ferguson reviewed the bid process, submitted bids, anticipated completion date, public notification/hearing process, and recommended approval of the low bid submitted by CAS Construction, Inc. in the amount of \$146,927.81, with the condition that the Performance and Payment Bonds with Certificates of Insurance in the required amounts be provided.

Discussion addressed the overall budget for street improvements, effect on proposed Las Flores Drive closure and associated public meetings, striping, lane size, and possible inclusion of speed humps.

Councilmember Appleman moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 4-0.

- D. Discuss and consider approval of a calendar for the preparation of a Fiscal Year 2011 Operating Budget for the City of Wimberley. *(City Administrator)*

City Administrator Ferguson presented key dates and noted that meetings can be added or deleted as needed throughout the budget process.

Councilmember White moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 4-0.

- E. Discuss and consider approval of plans for participation by the City of Wimberley in the upcoming Independence Day Parade on July 5, 2010. *(Place Four Councilmember Steve Thurber)*

City Administrator Ferguson recounted past City participation and asked for Council's input. Discussion addressed possible ideas, including types of floats and vehicles. Council agreed to direct

staff to coordinate prospective plans with Councilmember Thurber according to his preferences. No vote was taken.

- F. Discuss and consider possible action regarding funding for the upcoming Fourth of July fireworks display on July 4, 2010. (*Mayor Pro-tem Charles Roccaforte*)

Discussion addressed specific amounts collected/committed and remaining amount of funds needed. Available options included increased individual/private fundraising efforts, use of City funds, and possible collections at the event. Specific potential donors were mentioned. Council agreed to proceed with all feasible options. No vote was taken.

- G. Discuss and consider possible action setting a time, date, and location for a City Council workshop to discuss goals and objectives for the City of Wimberley. (*Mayor Bob Flocke*)

Discussion addressed possible dates/times and locations that are amenable to Council and the public. It was agreed to meet on Wednesday, July 21, 2010 at 10:00 a.m. at Peter Way's ranch.

Councilmember McCullough moved to schedule the workshop for the above mentioned date, time, and location. Councilmember Appleman seconded. Motion carried on a vote of 4-0.

## 6. City Council Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson reported that the City's legal firm will try hold a local orientation session for new Council members. He encouraged Council to use recently assigned public email addresses and stated that reported problems with various email functions will be addressed.

Hearing no further announcements or future agenda item requests, Councilmember White moved to adjourn. Mayor Flocke called the meeting adjourned at 7:45 p.m.

**Adjournment:** Council meeting adjourned at 7:45 p.m.

Recorded by:

*Cara McPartland*  
Cara McPartland

These minutes approved on the 1st of July, 2010.

**APPROVED:**  
*Bob Flocke*  
**Bob Flocke, Mayor**

