



# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

**REGULAR CITY COUNCIL MEETING**  
**WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS**  
**221 STILLWATER, WIMBERLEY, TEXAS**  
**DECEMBER 7, 2017 – 6:00 P.M.**

## **MINUTES**

### **CALL TO ORDER**

Mayor Mac McCullough called the meeting to order at 6:00 p.m.

### **CALL OF ROLL**

City Secretary Laura Calcote called the roll. All Council members were present.

### **INVOCATION**

Council member Gary Barchfeld gave the invocation.

### **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

Mayor Mac McCullough led the pledges to the United States and Texas flags.

### **CITIZENS COMMUNICATIONS**

Hays County Patrol Lieutenant Ronnie Strain spoke regarding the November 24<sup>th</sup> shooting in Wimberley. Lieutenant Strain said the Sheriff's Office is still investigating the incident.

Jeanne Ann Cope addressed Council regarding traffic concerns and pedestrian traffic on the Wimberley Square.

### **EXECUTIVE SESSION**

City Council adjourned into Executive Session at 6:14 p.m. in accordance with the Texas Government Code, Chapter 551, Subchapter D for the following purposes:

- Section 551.071 – Consultation with attorney to receive legal advice regarding litigation in Cause No. 16-2419; Risoli v. City of Wimberley and Wimberley Board of Adjustment; 207<sup>th</sup> District Court, Hays County, Texas
- Section 551.071 – Consultation with attorney to receive legal advice regarding reimbursement to Mayor Mac McCullough for legal expenses incurred during the ethics hearing/case
- Section 551.074 – Personnel matters discussion regarding appointment of City Attorney

Regular session reconvened at 7:03 p.m.

**Motion to authorize the City Administrator to solicit Request for Qualifications for a City Attorney was made by Council member Steve Thurber. Motion was seconded by Council member Craig Fore. Motion carried unanimously (4-0).**

*(Item No. 10.F. on the agenda was heard after Executive Session.)*

**DISCUSSION AND POSSIBLE ACTION**

- Discuss and possible action regarding Resolution No. 11-2017 amending the 2017/2018 Operating Budget (Budget Amendment No. 1) providing for restroom improvements at the Blue Hole Regional Park. *(Interim City Administrator Paul Parker)*

Interim City Administrator Paul Parker and Parks Director Rebecca Manning addressed Council regarding Blue Hole Regional Park pavilion restroom facility improvements. Mr. Parker and Mrs. Manning stated several bids had been received for the project, and one was bid was under the budgeted amount for the improvements. Funds for the project needed to be moved from one account to another.

**Motion to approve Resolution No. 11-2017 amending the 2017/2018 Operating Budget (Budget Amendment No. 1) providing for restroom improvements at Blue Hole Regional Park was made by Council member Steve Thurber. Motion was seconded by Council member Allison Davis. Motion carried unanimously (4-0).**

*(Item No. 10.A. on the agenda was heard next.)*

- Discuss and consider possible action regarding the Cypress Creek Project Memorandum of Agreement between the City of Wimberley and Texas State University. *(Place Three Council Member Allison Davis & Senior Project Manager Tom Hegemier)*

Council member Allison Davis and Cypress Creek Senior Project Manager Tom Hegemier provided a summary to Council regarding the Cypress Creek Project. Mr. Hegemier stated grant funds from the Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) allowed demonstration projects to be built for rainwater gardens and cisterns within the City and surrounding areas. The agreement would administer a water quality measure and expand water conservation in the Wimberley area.

**Motion to approve the Cypress Creek Project Memorandum of Agreement between the City of Wimberley and Texas State University was made by Council member Allison Davis. Motion was seconded by Council member Steve Thurber. Motion carried unanimously (4-0).**

## **CONSENT AGENDA**

Council member Craig Fore noted several corrections and additions to the City Council Meeting minutes from November 16, 2017 and made a motion to table the item until the January 4, 2018 City Council Meeting.

## **CITY ADMINISTRATOR/MAYOR REPORT**

- Update regarding the status of the Wastewater Project (*Interim City Administrator Paul Parker*)

Interim City Administrator Paul Parker noted Persons Service Company had withdrawn their bid for the collection system portion of the Wastewater Project. The City had contacted Capital Excavation, who was the next lowest bidder for the collection system, to relook at specifications and see if the company would honor their original base bid amount.

- Update regarding recodification services with Franklin Legal Publishing (*Interim City Administrator Paul Parker*)

Mr. Parker also informed Council Franklin Legal Publishing had been selected by the City for recodification of City ordinances.

- Update regarding record retention (*Interim City Administrator Paul Parker*)  
Joy Hart had been temporarily hired by the City to aid with record retention schedules.

- Update regarding Public Information Policy and Procedure Guide (*Interim City Administrator Paul Parker*)

Mr. Parker stated the City had a Public Information Policy and Procedure Guide in place, which allows the City to charge for Freedom of Information requests, per the Texas Administrative Code, Title 1, Part 3, Chapter 70.

- Update regarding the Wimberley Valley Dark Sky Committee application (*Place Three Council Member Allison Davis*)

Council member Allison Davis stated the Wimberley Valley Dark Sky Committee intended to apply for international dark sky status in early January 2018. Ms. Davis encouraged the citizenry and City Council to submit emails and letters of support for the application.

- City Organizational Procedures (*Mayor Mac McCullough*)

Mayor Mac McCullough discussed having uniform appointments for City boards and commissions, along with having an educational class for potential board/commission members. The Mayor also proposed moving away from individual City Council board and commission appointments, and instead having consensus appointments. An ordinance would be needed to implement these suggested changes for board and commission appointments.

Additionally, the Mayor addressed compensation for City employees, including salaries and benefits.

## PRESENTATION

Donald Wheeler was not present at the meeting.

## DISCUSSION AND POSSIBLE ACTION

- Discuss and consider possible action regarding Alan Bojorquez's proposal for ethics ordinance revision. *(Mayor Mac McCullough)*

**Motion to table the proposal for ethics ordinance revision until a new City Attorney is selected was made by Council member Gary Barchfeld. Motion was seconded by Council member Allison Davis. Motion carried unanimously (4-0).**

- Discuss and consider possible action regarding the location of the restroom trailer on the Wimberley Square. *(Place Two Council Member Craig Fore)*  
Council member Craig Fore brought this topic back to Council after the previous City Council meeting. A motion was made during that meeting to see how much it would cost to move the restroom trailer to an alternate location. Mr. Fore suggested relocating the trailer ninety degrees on the Wimberley Square and tucking the trailer behind the trees. Council member Fore stated he could have the restroom trailer moved to the alternate location for free. There was discussion among Council members regarding placing trees behind the trailer in its current location and painting the restroom trailer to make it more aesthetically appealing. The Mayor noted the trailer is in its current spot to accommodate shoppers on the Wimberley Square. Council member Steve Thurber added the restroom trailer is being effectively utilized for its intended purpose by customers, and moving the trailer is not needed. Council member Allison Davis contended the City should seek a compromise regarding the needs of visitors, merchants, and citizens/residents. She noted the extensive resident feedback regarding its placement and highlighted the importance of hearing citizen concerns as representatives. Ms. Davis stated she believed the proposed location would offer a slightly less obtrusive solution given the layers of aesthetic barrier provided by existing trees. She continued that other merchant needs should be taken into account when considering a move, such as parking spots, and that the new location could offer up one additional space. Additionally, there was discussion on how the restroom trailer could be moved at no cost. Council member Craig Fore called the question whether the trailer would be relocated.

**Motion to rotate the restroom trailer ninety degrees and move twenty feet was made by Council member Craig Fore. Motion was seconded by Council member Gary Barchfeld. Motion carried as follows (3-2):**

Craig Fore	Aye
Allison Davis	Aye
Gary Barchfeld	Aye
Steve Thurber	Nay
Roberta Holland	Nay

- Discuss and consider possible action regarding the authorization of City staff to solicit quotes for propane service at the Wimberley Community Center. *(Place Five Council Member Roberta Holland)*  
Council member Roberta Holland spoke regarding the two propane tanks located at the Wimberley Community Center. Bubba's Got Gas and Wimberley Hydro Gas Company had provided propane service to the building at certain times, and both entities had tanks at the location. Bubba's Got Gas currently services the Community Center. Ms. Holland suggested going out for bid again for propane service in order to receive the best price. There was discussion regarding the businesses having their names on the tanks, and how that was in violation of the City's sign ordinance.

**Motion for the City Administrator to solicit Request for Qualifications for propane service at the Wimberley Community Center was made by Council member Roberta Holland. Motion was seconded by Council member Steve Thurber. Motion carried as follows (3-2):**

<b>Steve Thurber</b>	<b>Aye</b>
<b>Allison Davis</b>	<b>Aye</b>
<b>Roberta Holland</b>	<b>Aye</b>
<b>Craig Fore</b>	<b>Nay</b>
<b>Gary Barchfeld</b>	<b>Nay</b>

- Discuss and consider possible action to approve Ordinance No. 2017-025 allowing existing and new businesses to pump, haul and properly dispose of wastewater effluent prior to the installation of a sanitary sewer system. *(Interim City Administrator Paul Parker)*  
Interim City Administrator Paul Parker presented Ordinance No. 2017-025, which would allow existing and new businesses to pump and haul wastewater effluent during the interim period before the sewer system was installed. The ordinance would expire 18 months after passage.  
**Motion to approve Ordinance No. 2017-025 allowing existing and new businesses to pump, haul and properly dispose of wastewater effluent prior to the installation of a sanitary sewer system was made by Council member Steve Thurber. Motion was seconded by Council member Craig Fore. Motion carried unanimously (4-0).**

### **CITY COUNCIL REPORTS**

- Announcements – Mayor Mac McCullough announced the Special Called City Council Meeting on December 14, 2017 at 9:00 a.m. Council member Allison Davis reminded citizens to have their emails and letters of support for the Wimberley Dark Sky Application in by December 12<sup>th</sup>.
- Future agenda items – Council member Steve Thurber requested the Hotel Occupancy Tax Committee be appointed at the first City Council meeting in January 2018.

### **ADJOURNMENT**

Mayor Mac McCullough adjourned the meeting at 8:06 p.m., without objection.

**Recorded by:**

Laura A. Calcote  
Laura Calcote, City Secretary



**APPROVED BY:**

Herschel P. "Mac" McCullough  
Mayor