

City of Wimberley
 City Hall
 221 Stillwater
 Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
 January 3, 2013 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 Tom Talcott, Mac McCullough, Matt Meeks, Steve Thurber, and John White.

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

Citizens Communications

No citizen comments were heard.

1. Consent Agenda

- A. Approval of the minutes of the Regular City Council meeting of December 20, 2012
- B. Approval of the minutes of the Special City Council meeting of December 17, 2012

Councilmember McCullough moved to approve Consent Agenda items, as presented. Councilmember Talcott seconded. Motion carried on a vote of 5-0.

2. City Administrator Report

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

City Administrator Ferguson reported on tennis court funding efforts, development of trail maps, and possible installation of an educational kiosk at the Park. He anticipated that the Wimberley Parks and Recreation Board will forward a recommendation to Council on the Park's rate structure in early February.

- Status report on the operation of the Wimberley Municipal Wastewater Treatment Plant

City Administrator Ferguson reported that the plant is operating within limits, with no significant issues. He advised that strategic testing efforts are planned to help identify sources of pollution along area waterways.

- Status report on the Las Flores Traffic Improvement Project

City Administrator Ferguson anticipated installation of speed humps within the next ten (10) days and noted two placement locations on Las Flores and La Buena Vista Drives. Discussion addressed possible future changes to traffic routing in the Las Flores neighborhood.

- Status report on the preparation of the City of Wimberley Annual Financial and Compliance Report for the year ending September 30, 2012

City Administrator Ferguson anticipated auditors will make a presentation to Council at its February 7, 2013 meeting.

City Administrator Ferguson added that the City has received notification from the contractor decommissioning Shell's Texas-New Mexico pipeline, which runs through Wimberley. He advised that meetings will be held with the contractor to discuss specific aspects of the project that may impact City properties. Brief discussion addressed costs related to tennis court construction at the Blue Hole Regional Park.

3. Ordinances

- A. Consider approval of an ordinance of the City of Wimberley, Texas, amending Title IX (General Regulations), Chapter 92 (Open Burning) of the City of Wimberley's Code of Ordinances to modify Section 92.03 (Burning During High Fire hazard Conditions) to add provisions relating to the declaration of an outdoor burn ban; and providing findings of fact, a repealing clause, a savings and severability clause, and effective date, and proper notice and meeting. (*City Administrator*)

This item was heard after Agenda Item No. 4D.

City Administrator Ferguson explained that under current regulations, a separate City Council action is required to impose a Hays County-declared burn ban within the city limits. The amended ordinance would automatically impose the County's burn ban within the city limits of Wimberley, while preserving City Council's ability to modify, extend, or remove such a burn ban in the city limits. It was noted that City Council may at any time, implement a burn ban of its own, should conditions warrant.

Discussion addressed the need for consultation with Wimberley Volunteer Fire Department Chief Carroll Czichos on burn ban matters and the ability of City Council to declare burn bans as local conditions warrant.

Councilmember Thurber moved to approve the proposed ordinance amendment, with the addition of the following italicized language to Section 92.03 (Burning During High Fire Hazard Conditions): "Unless modified by a separate order of City Council *following consultation with the Wimberley Fire Chief*, the terms and conditions of any county-wide outdoor burn ban issued by Hays County shall apply to all property and persons located within the city limits of Wimberley. The City Council may also issue a burn ban order whenever the Council determines that drought conditions exist according to the standard used to define such conditions by the Texas Forest Service, or whenever the environmental conditions and circumstances create a

public safety hazard that would be exacerbated by outdoor burning. *The City Council shall consult with the Wimberley Fire Chief prior to the issuance of a burn ban order.* Councilmember Talcott seconded. Motion carried on a vote of 5-0.

- B. Consider approval of an ordinance of the City of Wimberley, Texas, ordering a General Election on May 11, 2013, for the purpose of electing City Council members for Places One, Three and Five of the City of Wimberley City Council; establishing early voting locations and polling places for the election; making other provisions for the conduct of the Election; and providing for findings of fact, severability, conflicting provisions, governing law, proper notice and open meeting, and an effective date. *(City Administrator)*

City Administrator Ferguson provided information on the May 11, 2013 General Election, including polling place location and voting/early voting dates/times. He noted that the City will be entering into a contract for election services with the Hays County Elections Administrator (see Agenda Item 4A). He recommended approval and requested that Council authorize subsequent attachment of Exhibit "B" (Appointment of Election Officers) naming the Presiding Judge and Alternate Presiding Judge for the election.

Councilmember White moved to approve the item, as presented, with authorization for subsequent attachment of Exhibit "B" relating to the appointment of election judges. Councilmember Thurber seconded. Motion carried on a vote of 5-0.

4. Discussion and Possible Action

- A. Discuss and consider possible action regarding a proposed contract for election services with the Hays County Elections Administrator for the May 11, 2013 General Election. *(City Administrator)*

City Administrator Ferguson highlighted the proposed agreement with the Hays County Elections Administrator, including responsibilities of the parties and estimated election costs. He recommended approval and asked that Council authorize subsequent attachment of Exhibit "A" (Estimated Election Expenses), once finalized.

Councilmember Thurber moved to approve the item, as presented, including authorization to attach Exhibit "A" upon final determination of election expenses. Councilmember Meeks seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action regarding the proposed timeline for the Central Wimberley Wastewater Project. *(City Administrator)*

Mayor Flocke and Councilmember Meeks recused themselves from the meeting at this time.

Mayor Pro-tem White assumed duties as presiding officer.

City Administrator Ferguson detailed the process for creation of a Municipal Management District (MMD) through the Texas Commission on Environmental Quality (TCEQ), including specific deadlines. The following estimated timeline was presented:

<i>PROJECT TASK</i>	<i>TARGET DATE</i>
City Council Authorizes Amendment to TWDB Funding Application	January 17, 2013
Community Meeting (Wastewater Options)	February 6, 2013
Community Meeting (Taxation)	February 20, 2013
City Council Revisits & Acts on Preferred Option	March 7, 2013
Finalize Draft City/MMD Funding Agreement	March 21, 2013
Development of MMD Application	April 4, 2013
Gathering of Petition Signatures	April 26, 2013
Adoption of City Council Resolution Supporting MMD Creation	May 2, 2013
Submission of MMD Application to TCEQ	May 8, 2013
TCEQ Review of MMD Application	November 4, 2013
Publish First Notice of TCEQ Hearing	December 19, 2013
Mail Notice of TCEQ Hearing	December 20, 2013
Publish Second Notice of TCEQ Hearing	December 27, 2013
TCEQ Hearing & Action on MMD Application	January 22, 2014
MMD Board Orders Confirmation/Tax Election	February 21, 2014
Confirmation/Tax Election	May 10, 2014

City Administrator Ferguson explained the City's need to amend its funding application to the Texas Water Development Board (TWDB) based on MMD-creation via the TCEQ, as opposed to legislatively, as originally submitted.

Discussion included reasoning for each step listed in the timeline, State Representative Jason Isaac's decision to not sponsor legislative MMD-creation, costs associated with certain steps, and possible alternative dates, if applicable. City Administrator Ferguson anticipated that planning, design, permitting, and construction would take approximately two and one-half years to complete and concerns were expressed relating to fluctuations in loan interest rates and possible increased project costs. Council favored holding two community meetings in February, as proposed. No vote was taken.

Mayor Flocke and Councilmember Meeks returned to the meeting at this time. Mayor Flocke assumed duties as presiding officer.

- C. Discuss and consider possible action on a recommendation from the City of Wimberley Transportation Advisory Board to eliminate a proposed roadway connecting Flite Acres Road to FM 3237 from the City of Wimberley Transportation Master Plan. (*Transportation Advisory Board*)

City Administrator Ferguson presented the Transportation Advisory Board's (TAB) recommendation to remove the proposed roadway from the City of Wimberley Transportation Master Plan. He noted that the subject roadway is not included in the latest draft of the revised

Hays County Transportation Master Plan that will be presented to Hays County Commissioners Court for approval in late January.

Discussion addressed TAB's 4-1 vote favoring removal of the proposed connector and the need to periodically review the City's Transportation Master Plan as a long-term planning document.

Councilmember Talcott moved to approve the item, as presented. Councilmember White seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action regarding the designation of an official newspaper for the City of Wimberley. (*Mayor Bob Flocke*)

This item was heard after Agenda Item No. 2.

Mayor Flocke spoke on publication requirements, the *Wimberley View's* declining circulation, and its financial status. City Administrator Ferguson presented a comparison of various statistics relating to circulation, subscription/legal notices costs, and placement deadlines for the *Wimberley View*, the *Dripping Springs News-Dispatch*, and the *Austin American Statesman*. It was noted that the *Dripping Springs News-Dispatch* does not publish an online edition.

Councilmember McCullough moved to designate the *Dripping Springs News-Dispatch* as the City of Wimberley's official newspaper. Motion died for lack of a second.

Discussion among Council, City Administrator Ferguson, and *Dripping Springs News-Dispatch* Editor Dale Roberson addressed:

- Subscription statistics for the *Dripping Springs News-Dispatch*, as well as delivery area, availability in the Wimberley area, and possible future online publication
- City's estimated annual cost for publication of notices
- Future viability of the *Wimberley View* based on concerns related to declining circulation, recent formatting changes, and economic stability
- Availability of various newspapers to area residents

Councilmember Thurber moved to continue this item until Council's meeting on January 17, 2013. Councilmember Talcott seconded. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action on a proposed City of Wimberley Over-the-Road Banner Program. (*City Administrator*)

City Administrator Ferguson detailed the program, which would involve installation of banner support poles at three (3) high-traffic locations at Ranch Road 12 at River Road, Ranch Road 12 at Oldham, and FM 2325 at Emergency Lane. He noted that local non-profit organizations would pay a nominal reservation fee to have banners displayed and that law enforcement would briefly stop traffic in both directions while City crews raise/lower the banners.

Discussion addressed various reservation fee amounts, number of sign locations, maintenance costs, length of display time for banners, liability/vandalism issues, possible financial assistance from Pedernales Electric Cooperative (PEC), and the need to establish a banner program policy.

Councilmember McCullough moved to direct staff to proceed with implementation of the City-operated banner program. Councilmember Thurber seconded.

Mayor Flocke did not favor the proposed program and provided reasoning based on feedback from merchants, ability to accommodate fewer banner requests (compared to PEC's discontinued banner program), and possible public complaints regarding the installation of six (6) additional utility poles. He felt that an electronic sign (largely funded by PEC) would better accommodate users of over-the-road banners for event promotion. Discussion addressed taking no action and revisiting this issue at a future date, PEC's willingness to assist the City, and the need to develop a policy for the proposed program.

Motion carried on a vote of 5-0.

F. Discuss and consider possible action on a proposed Primitive Camping Group Camping Program for the Blue Hole Regional Park. (*Parks and Recreation Advisory Board*)

City Administrator Ferguson presented the program to allow for ten (10) group camping sites year-round at the southwest corner of Blue Hole Regional Park. He stressed that only group camping would be allowed and no more than eight (8) campers would be allowed at each site. One (1) vehicle would be allowed per campsite (\$5 fee for each additional vehicle over limit) and an after-hours access lock would be provided at the front entry gate on nights when the campsite is rented. It was noted that water, restrooms, picnic tables, and barbecue grills would be available and that campers would not be allowed to bring their own picnic tables and grills. All Park rules would apply to campers, including the prohibition of campfires, alcohol, and pets. Costs for non-profit groups would be \$20 per night per campsite, while all other groups would pay \$40 per night per campsite.

Councilmember Talcott moved to approve the item, as presented. Councilmember Meeks seconded. Motion carried on a vote of 5-0.

5. City Council Reports

- Announcements
- Future Agenda Items

As a future agenda item, Councilmember Talcott requested discussion of Wimberley Water Supply Corporation's pipeline sizing/fire hydrants, with particular concerns expressed about potentially dangerous firefighting conditions affecting Flite Acres residents. Discussion addressed possible future scheduling of workshop sessions with Wimberley Water Supply Corporation (WWSC) and Wimberley Volunteer Fire Department representatives.

As a future agenda item, Councilmember Thurber requested that Council consider hearing a presentation regarding a possible fundraising event for Newtown, Connecticut survivors.

City Administrator Ferguson reported that a negative response was received from WWSC about the possibility of including a mail-out in WWSC's water bills requesting voluntary contributions for a central Wimberley wastewater system.

Hearing no further announcements or future agenda items, Mayor Flocke called the meeting adjourned.

Adjournment: Council meeting adjourned at 7:52 p.m.

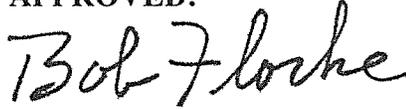
Recorded by:



Cara McPartland

These minutes approved on the 17th of January, 2013.

APPROVED:



Bob Flocke, Mayor

