

City of Wimberley
City Hall
221 Stillwater
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
January 5, 2012 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 15, 2011
- B. Approval of the minutes of the Special City Council meeting of December 20, 2011

Councilmember Thurber 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 nearly completed Phase II construction, including work on a unique picnic area utilizing boulders, and finalization of a watering plan for the soccer fields. Phase II completion is anticipated in late March/early April 2012.

- Status report on signage concerns at the intersection of Ranch Road 12 and FM 32

City Administrator Ferguson reported that Texas Department of Transportation (TxDOT) plans to install business access signage and is agreeable to keeping the interim access signs in place. Hays County Precinct Three Commissioner Will Conley and TxDOT officials are discussing expedition of right-of-way acquisition for a triangular piece of property at the subject intersection.

- Status report on the upcoming Wimberley Texan Championship Victory Parade

City Administrator Ferguson reported on plans for the parade scheduled for Saturday, January 7, including details on the route, parade participants, ceremony events, start/end times, and road closures.

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

City Administrator Ferguson reported that Severn Trent has assumed operational duties and that the first customer billing will be in early February. It was noted that the City has made its first installment payment for the plant.

- Status report on the *City of Wimberley Annual Financial and Compliance Report for the Period Ending September 30, 2011*

City Administrator Ferguson reported that the City's annual audit is underway and anticipated bringing the report to Council in February.

- Status report on the implementation of the community notification system

City Administrator Ferguson reported that the contractor has successfully downloaded all of the publicly available phone numbers of residences and businesses. Training will be held next week before activation of the system. Discussion addressed inclusion of certain community contacts, such as neighborhood/property owners associations.

3. Public Hearing and Possible Action

Hold a public hearing and consider approval of an ordinance of the City of Wimberley, Texas, approving an application for a conditional use permit (CUP) submitted by Don Frasier to permit the construction and use of a secondary residential structure on a 22.69 acre tract located at 1580 FM 3237, Wimberley, Hays County, Texas, zoned Residential Acreage (RA); and providing for findings of fact; amendment of the zoning district map; repealer; severability; effective date; proper notice and meeting; and providing for certain conditions. (*Don Frasier, Applicant*)

City Administrator Ferguson advised that the applicant has formally requested withdrawal of his application.

Councilmember Talcott moved to accept the withdrawal. Councilmember White seconded. At Councilmember McCullough's request, discussion addressed reasoning for continuance of the item by the Planning and Zoning Commission and the applicant's withdrawal request. Motion carried on a vote of 4-1. Councilmember McCullough voted against.

4. Ordinance

Consider approval of an ordinance of the City of Wimberley, Texas, ordering a General Election on May 12, 2012, for the purpose of electing a Mayor and City Council members for Places Two and Four 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 12, 2012 General Election, including polling place location and voting/early voting dates/times. Due to the recent court-ordered change in the 2012 Primary Election date, the City will be able to enter into a contract for election services with the Hays County Elections Administrator. Discussion addressed the filing period for candidates and availability of the informational candidate packet.

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

5. Discussion and Possible Action

- A. Discuss and consider possible action regarding the enhanced water restrictions adopted by the Wimberley City Council on October 20, 2011. (*City Administrator*)

City Administrator Ferguson explained that this item was placed on the agenda in accordance with the ordinance's ninety (90) day review provision. He noted that discussions are continuing with representatives of local water providers, Hays Trinity Groundwater Conservation District, and the City of Woodcreek on development of consistent regional drought management measures. Discussion addressed:

- Recent periods of rainfall and drought projections
- Drought management stages of various water providers
- Local well levels
- Use of water from collection systems for the purpose of filling swimming pools
- Recommended extension of the ordinance for an additional sixty (60) days
- Confusion over drought management stage triggers among various entities
- Nearing completion of development of regional drought management standards
- Wimberley Water Supply Corporation's drought management staging/triggers
- Emphasis on conservation education
- Whether or not to extend prohibition of swimming pool construction permitting
- Public feedback on watering restrictions
- Application of restrictions on vegetable gardens

Discussion favored exclusion of vegetable garden irrigation from watering restrictions and established that Council has the ability to review the ordinance before expiration of the recommended sixty (60) day extension period, if it deems earlier action is appropriate.

Councilmember Thurber moved to approve extension of the current water restriction ordinance (as adopted by Council on October 20, 2011) for a period of sixty (60) days, with direction to staff to bring an amended ordinance to Council at its next meeting on January 19, 2012, which would exclude vegetable gardens from the watering restrictions. Councilmember Talcott seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action regarding the development of restrictions relating to the permitting of temporary structures within the boundaries of the Village Center Overlay. (*City Administrator*)

City Administrator Ferguson explained current regulations regarding temporary structures and questions raised by concerns over the adverse impact of such structures, particularly in the Village Center Overlay District (VCOD). He outlined available options, including prohibition (except for special events or emergencies) and imposition of additional regulations on temporary structures.

Discussion addressed:

- Concerns raised by the negative impact of temporary structures
- Possible regulation of the allowable number of temporary structures, types of uses, length of uses, appearance, and proximity to existing permanent structures
- Effect of temporary structures on traditional “brick and mortar” businesses, parking, sidewalks, pedestrian traffic, and streets
- Mobile food vendors and itinerant vendors
- Exceptions for special events and emergencies
- Current one-hundred eighty (180) day permitting period for temporary structures
- Regulation of temporary structures inside and outside of the VCOD
- Designated areas for mobile food vendors and tents for food trailer eating areas

Councilmember Thurber moved to direct staff to draft an ordinance prohibiting temporary structures in the VCOD (including mobile food vendors), except for City-authorized special events and/or emergencies. Councilmember Meeks seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action regarding the proposed 2012 daily admission fees for the natural swimming area at the Blue Hole Regional Park. (*Parks and Recreation Advisory Board*)

City Administrator Ferguson presented the Parks and Recreation Advisory Board’s recommended fee schedule as follows:

<i>Admission Category</i>	<i>Current Fees</i>	<i>Proposed Fees</i>
Children (0-3)	Free	Free
Youth (4-12)	\$3	\$4
Junior (13-17)	\$7	\$8
Adult (18-59)	\$7	\$8
Senior (60+)	\$3	\$4

He noted the proposed fee hike is expected to generate an additional \$21,000 annually to help fund park operations. No increases are proposed for the cost of season and ten-punch passes for the coming season. Parks and Recreation Advisory Board members are currently working on the development of a preferred customer discount package to be presented to Council in February.

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

- D. Discuss and consider possible action regarding a proposed contract for elections services with the Hays County Elections Administrator for the May 12, 2012 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 noted that the recent federal court decision moving the March primary date to April made it possible for the City to contract with Hays County for election services for the May 12, 2012 General Election. He recommended approval and asked that Council authorize subsequent attachment of Exhibit "A" (Estimated Election Expenses), once finalized.

Discussion addressed possible future legislative changes affecting the elections process.

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

- E. Discuss and consider possible action on a proposed action plan to have the City of Wimberley designated as a *Firewise* community. *(City Administrator)*

City Administrator Ferguson recommended approval of the following proposed action plan:

- Establish a six (6) member Wimberley *Firewise* Community Task Force consisting of Shannon duPlessis, Rodger Parker, Cecil Gibson, Byron Eckols, Jeri Xiques, and Fire Chief Carroll Czichos
- Enlist Wildfire Urban Interface Specialist Jan Barr to complete a wildfire hazard assessment and work with the Task Force on the development of a wildfire mitigation plan
- Observe a *Firewise* Communities/USA Day dedicated to local wildfire prevention
- Prepare and submit the documentation necessary for Wimberley to be recognized as a *Firewise* community

It was noted that there will be no additional revenue requirements. Discussion established that the *Firewise* program does not include prohibitions on outdoor burning and emphasized the program's mitigation plan for wildfire hazards, such as preventative practices. Mayor Flocke endorsed the *Firewise* Communities Program.

Councilmember Thurber moved to approve the item, as presented. Councilmember Meeks seconded. Councilmember White recommended the following change (in bold) to the proposed action plan: “Establish a six (6) member Wimberley *Firewise* Community Task Force consisting of the following members: Shannon duPlessis, Rodger Parker, Cecil Gibson, Byron Eckols, Jeri Xiques, and Fire Chief Carroll Czichos **or his designated representative.**” It was agreed to accept Councilmember White’s recommended change. Motion carried on a vote of 5-0.

6. City Council Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson anticipated scheduling discussion of the Desired Future Condition set by Groundwater Management Area 9 for the Trinity Aquifer for Council’s meeting on February 2, 2012. He also reminded Council of a special joint Budget Advisory Board workshop to be held at 5 p.m. on January 11, 2012.

As a future agenda item, Councilmember Thurber requested discussion of Robert’s Rules of Order and Council meeting procedures.

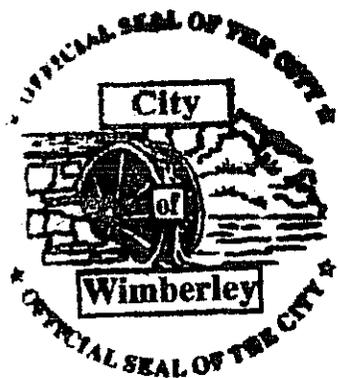
Hearing no further announcements or future agenda items, Mayor Flocke called the meeting adjourned.

Adjournment: Council meeting adjourned at 7:17 p.m.

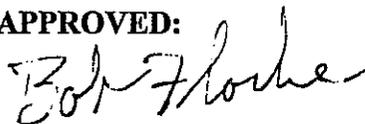
Recorded by:


Cara McPartland

These minutes approved on the 19th of January, 2012.



APPROVED:



Bob Flocke, Mayor