

City of Wimberley
City Hall
221 Stillwater
Wimberley, Texas 78676
Minutes of Special Meeting of City Council
January 5, 2015 at 6:00 p.m.

City Council meeting called to order at 6:18 p.m. by Mayor Steve Thurber.

Reverend Clint Regen, Pastor of Wimberley Presbyterian Church, gave the Invocation.

Mayor Thurber and Councilmembers led the Pledge of Allegiance to the United States and Texas flags.

Councilmembers Present: Mayor Steve Thurber, Councilmembers Tom Talcott, Cindy Anderson, Matt Meeks, Pam Showalter, 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 minutes of the Regular City Council meeting of December 4, 2014
- B. Approval of November 2014 Financial Statements for the City of Wimberley

Councilmember Meeks moved to approve both Consent Agenda Items, as presented. Councilmember Showalter seconded. Motion carried on a vote of 5-0.

2. City Administrator Report

- Status report on the Central Wimberley Wastewater Project

City Administrator Ferguson anticipated that the Texas Commission on Environmental Quality (TCEQ) will be issuing the draft wastewater discharge permit within the next two weeks. He noted the timeframe for an expedited joint public notice/meeting process. He advised that baseline water quality testing is scheduled to begin later this month.

- Status report on the Wimberley ISD bond projects

City Administrator Ferguson reported that he is awaiting an update from Wimberley ISD Superintendent Dwain York on the timeframe for completion of specific projects, including Wimberley High School's Band Hall, the field house, and athletic fields.

- Status report on the H-E-B development project

City Administrator Ferguson reported that site demolition work is completed, with site development and permitting underway. He noted that H-E-B made certain building plan corrections to deviations from the approved elevations and rooflines as specified in the Wimberley Planned Development District (WPDD) agreement. He stated a conditional site development permit has been issued to allow for preliminary site work. The store's target opening date is expected in July 2015.

- Status report on the Transportation Advisory Board (TAB) Street Improvement Outreach Project

City Administrator Ferguson reported on meetings held to date and the upcoming meeting scheduled for January 20th at 6 p.m. at the Cypress Creek Church for property owners in Wimberley Hills and South River. He noted that project completion and TAB recommendations to Council are anticipated by the end of May 2015.

- Status report on sales tax collections for the City of Wimberley

City Administrator Ferguson reported the December check, representing October collections, totaled \$53,134, which is up twenty-four percent (24%) from the same period last year. He noted 2014 total sales tax collections of \$706,000, up ten percent (10%) from last year. Year-to-date 2015 collections are up thirteen percent (13%) from the same period last year and running ahead of budget.

- Status report on solid waste collection issues in certain parts of the City of Wimberley

City Administrator Ferguson reported on problems encountered by Texas Disposal Systems (TDS) trucks accessing Mill Race Lane and Haskin Drive due to winding narrow roadways and tree growth. He advised that TDS will try to use smaller vehicles to service these streets. If problems persist, he stated that TDS may contact property owners about entering into a turnaround access agreement.

In addition, City Administrator Ferguson reported on certain audit-related deadlines and an incident earlier today involving a truck driver who was cited for failing to use the designated truck route and whose truck was temporarily stuck at the CR 1492 low water crossing.

3. Presentation

Presentation of the findings of an Independent Review of the City of Wimberley's Application for a Wastewater Discharge Permit conducted by *The Meadows Center for Water and the Environment*. (Andrew Sansom, Ph.D, Executive Director of the Meadows Center for Water and the Environment)

Dr. Andrew Sansom introduced Dr. Thomas Hardy and provided information on Dr. Hardy's past and current academic and professional qualifications, including his knowledge and expertise in wastewater treatment systems.

Dr. Hardy presented his memorandum detailing the results of his Independent Review of the Proposed Wastewater Collection and Treatment System Project. He began his presentation with an overview of existing conditions and proposed actions. Dr. Hardy detailed the following topics listed in his memorandum:

- Potential for effluent discharge to enter the Edwards Aquifer
- Effluent discharge to irrigate Blue Hole Regional Park; lack of adequate soil cover to prevent infiltration of elevated nutrients into the shallow groundwater
- Full discharge into Deer Creek and the Blanco River
- Proposed phosphorus limits of 1.0 mg/1 causing algal blooms
- No limits on total nitrogen
- TCEQ precedent for more stringent standards
- Degrade water quality downstream due to enriched nutrients
- Wastewater effluent chemistry is different than receiving waters
- Areas of proposed application or application rates
- Water quality will alter aquatic ecology
- Plant will not remove pharmaceuticals

Dr. Hardy concluded by stating his opinion that the proposed project represents an environmentally sound alternative to existing leaking septic systems that meets environmental challenges and proactively looks forward to accommodate expected growth.

Mayor Thurber thanked Dr. Hardy and advised that updated versions of the memorandum and PowerPoint presentation will be posted on the City's website.

4. Discussion and Possible Action

- A. Discuss and consider possible action authorizing the purchase of 4.314 acres described as Eagle Rock Ranchitos, Section 3, WC Parcel #11, commonly known as 31 La Toya Trail, aka Old Baldy Mountain, in accordance with terms of *The Lease with Option to Purchase Agreement* between the City of Wimberley and Save Old Baldy Foundation and authorizing the mayor to execute documents pertaining to said purchase. (*City Administrator*)

Mayor Thurber recognized Andrew and Lin Weber for their efforts in helping to keep Mount Baldy open to the public. Mr. Weber spoke on Save Old Baldy Foundation's successful fundraising campaign and thanked the City and community for its support. City Administrator Ferguson noted the City's obligation to exercise its option under the Lease with Option to Purchase Agreement between the Save Old Baldy Foundation and the City. He provided clarification on Mount Baldy's location within city limits and detailed minimal maintenance and operations costs, including some initial parking improvements. It was noted that the City intends

to maintain the property for public use and access, with any funds received from the Foundation to be deposited in a special revenue fund.

Councilmember White moved to authorize the purchase of the subject property, known as Old Baldy Mountain, and to authorize the mayor to execute documents pertaining to said purchase. Councilmember Showalter seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action authorizing the transfer of an amount not to exceed \$85,000 from the City of Wimberley Unrestricted General Fund Balance to fund the purchase of 4.314 acres, commonly known as 31 La Toya Trail, aka Old Baldy Mountain, and amending the FY 2015 General Fund Budget to reflect the transfer and expenditure. *(City Administrator)*

City Administrator Ferguson advised that the transfer will come from Unrestricted General Fund Balance, specifically the Committed Fund Balance line item for Public Works.

Councilmember Talcott moved to authorize the transfer of an amount not to exceed \$85,000 from the Unrestricted Committed Fund Balance for Public Works and to amend the FY 2015 General Fund Budget to reflect the transfer and expenditure. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action confirming Mayor Steve Thurber's appointments to a task force to monitor the design of the collection system of the Central Wimberley Wastewater Project. *(Mayor Steve Thurber)*

Mayor Thurber requested Council action confirming the following appointments to the five-member task force:

- Sheila Wollam
- Al Sander
- Donn Lamoureux
- Steve Klepfer
- Temple Wynne

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

- D. Discuss and consider possible action regarding a proposal to establish a committee to review and update the City of Wimberley Comprehensive Plan. *(Mayor Steve Thurber)*

Mayor Thurber recommended the Plan undergo another review and asked that Council submit names for future consideration in accordance with procedures for consensus appointments. He asked action on the proposed charges for the Committee be continued until Council's next meeting, when submitted appointments will be considered.

Councilmember Showalter moved to proceed with establishing a seven-member citizen committee, in accordance with the City's consensus appointment procedures, to review the Comprehensive Plan. Councilmember White seconded. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action to reconsider the previous City Council decision to proceed with proposed plans for the placement of an electronic community message sign near the entrance drive to the Wimberley Community Center. (*Place Four Councilmember Pam Showalter*)

Councilmember Showalter felt that placing the sign at the Community Center location would not achieve Council's desired goals. She expressed concerns that too much is being asked of one sign at one location. She cited personal observations of problems with visibility of the proposed sign, if located at the Community Center entrance. Councilmember Showalter felt that the sign's placement would be incongruous with the City's Comprehensive Plan. She asked for Council's input on alternative options that would meet the sign's stated goals while remaining aligned with the Comprehensive Plan.

Wimberley Institute of Cultures (WIC) President Phil Lebkuecher agreed with Councilmember Showalter's comments.

Council discussion included reasoning for an electronic sign (to replace PEC's discontinued over-the-road banner program); need to inform public of events; alternatives to an electronic sign; and impact of an electronic sign near the historic Winters Wimberley House, if the sign were located at the Wimberley Community Center entrance.

Mayor Thurber advised that WIC President Phil Lebkuecher will work with the City on developing a plan to replace PEC's discontinued over-the-road banner system to bring to Council for future consideration.

Councilmember Showalter moved to abandon the proposed plans for placement of an electronic community message sign near the entrance drive to the Wimberley Community Center and to continue study of other options to replace PEC's discontinued over-the-road banner program. Councilmember White seconded. Motion carried on a vote of 5-0.

- F. Discuss and consider possible action regarding proposed improvements to the entrance signage at the Wimberley Community Center. (*City Administrator*)

City Administrator Ferguson cited problems with visibility of the existing sign lettering due to aging of the rock background. It was noted that repainting of the sign's letters has not adequately improved visibility. He presented a redesign concept developed by local retired architect, Bert Ray, which enhances the sign's visibility. He advised the proposed first-phase of the design involves the installation of a low-level cedar border along the front edge of the landscaped bed at the Community Center entrance. Rather than affixing the letters to the rock wall of the landscape bed, the letters would be affixed to the cedar border, making them more visible. He noted that second-phase long term plans include the development of a small monument sign where professionally produced and easily changeable poster boards can be

placed to identify events and activities at the Community Center. If Council desires to move forward with the proposed redesign, City Administrator Ferguson stated that cost estimates will be provided to Council for authorization to proceed.

Mayor Thurber thanked Bert Ray for his work on the sign's redesign.

M.F. Johnson spoke on her original design for the existing sign and asked if she may have the original sign lettering back, should it not be incorporated into the proposed redesigned sign.

Discussion continued on possible lighting options for the redesigned signs and maintenance of the cedar in the redesigned sign concept.

Councilmember Talcott moved to authorize staff to proceed with the first phase of the proposed entrance signage improvements, as presented. Councilmember Showalter seconded. Motion carried on a vote of 5-0.

G. Discuss and consider possible action regarding proposed changes to the route for the 2015 Wimberley Fourth of July Parade. (*City Administrator*)

Due to growth in the parade's size and popularity, City Administrator Ferguson advised that traffic control has become a significant issue at the end of the parade route where Old Kyle Road intersects FM 3237. He cited specific safety issues and proposed a route change that would start at the same location, but will end on Ranch Road 12 at Blue Heron Lane, bypassing Old Kyle Road. In addition, the proposed route would allow for use of the former First Baptist Church parking lot for spectator parking, thus eliminating the large amount of on-street spectator parking encountered on FM 3237. He advised that the parade's sponsor, the Wimberley Chamber of Commerce, has responded favorably to the proposed route changes and noted that this year's parade will occur on July 3rd, rather than July 4th.

Discussion favored the route changes to improve safety and end-of-parade clearing of floats, vehicles, and pedestrians. It was noted that large vehicles and trailers would continue across the Ranch Road 12 bridge over the Blanco River and exit onto Stillwater, where ample space exists to park and turn.

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

H. Discuss and consider possible action adjusting the monthly wastewater billing for Deer Creek of Wimberley for the months of December 2014, January 2015 and February 2015 to account for a recently located water leak at the facility. (*City Administrator*)

City Administrator Ferguson explained that a water leak was recently found on Deer Creek's property and that following repair of the leak, the facility's monthly water consumption has dropped significantly. He stated that Deer Creek representatives are requesting an adjustment for the remaining months in the current twelve-month billing cycle (December 2014, January 2015, and February 2015). He noted that Deer Creek is obligated to pay a minimum bill under its

service agreement and felt that a fair resolution would be to bill the facility a flat \$10,000 per month for the months of December 2014, January 2015, and February 2015.

Discussion addressed possible impact of adjustments on operating costs.

Councilmember Showalter moved to approve adjusting the monthly wastewater billing for Deer Creek of Wimberley for the months of December 2014, January 2015, and February 2015, as proposed by City Administrator Ferguson. Councilmember Meeks seconded. Motion carried on a vote of 5-0.

5. City Council Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson reported that Texas Department of Transportation (TxDOT) incorrectly included conflicting population data on two city limits sign, one of which mistakenly contained population data for the City of Woodcreek. He advised that City staff will be deleting the erroneous information on the signs as an interim measure until TxDOT is able to install new signage.

City Administrator Ferguson reported that tree-trimming crews currently working along Ranch Road 12 are employed by TxDOT, not the City of Wimberley. He conveyed TxDOT's actions to address problems with its contractor regarding painting of tree cuts and equipment sterilization.

City Administrator Ferguson stressed that rumors about Brookshire Brothers leaving Wimberley are absolutely false and noted that Brookshire Brothers representative Eric Rich was emphatic that there are no plans to leave Wimberley.

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

Adjournment: Council meeting adjourned at 7:40 p.m.

Recorded by:


Cara McPartland

These minutes approved on the 15th of January, 2015.

APPROVED:


Steve Thurber, Mayor

