

City of Wimberley
City Hall
221 Stillwater
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
February 18, 2016 at 6:00 p.m.

City Council meeting called to order at 6:00 p.m. by Mayor Steve Thurber.

Jerry Bullock of the William Hightower Chapter of the Sons of the American Revolution gave the Invocation and Mayor Thurber and Councilmembers led the Pledge of Allegiance to the United States and Texas flags.

Councilmembers Present: Mayor Steve Thurber, Councilmembers Bob Dussler, Cindy Anderson, Mac McCullough, Pam Showalter, and John White.

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

Proclamation

Proclamation of the City Council of the City of Wimberley, Texas declaring Monday, February 22, 2016, as President George Washington Day in Wimberley, Texas. (*William Hightower Chapter of the Sons of the American Revolution*)

Mayor Thurber presented the proclamation to *Sons of the American Revolution* representatives Jerry Bullock and Stuart Hoyt who provided information on their organization's purpose and services. He stated that members are hereditary descendants of patriots who served during our Revolutionary War.

Citizens Communications

M. F. Johnson distributed an historical photograph to Council members.

Buck Baccus, owner of the Lumberyard property, felt that improvements could be made that would enhance mobility and connectivity in that area. He offered ideas to make the area thrive, such as building a sidewalk along Old Kyle Road, moving an existing building further east, and creating activities. He spoke of the future downtown wastewater system opening up the possibility of restaurant space. He asked if Council might consider allowing food trucks on certain weekends and adding music events to create some energy that would make the Lumberyard a more vibrant part of downtown.

1. Consent Agenda

- A. Approval of minutes of the Regular City Council meeting of February 4, 2016
- B. Approval of minutes of the Special City Council meeting of February 10, 2016
- C. Approval of the January 2016 Financial Statements for the City of Wimberley, Texas.

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

2. City Administrator Report

- Status report on the Central Wimberley Wastewater Project

City Administrator Ferguson reported that the City's loan application to the Texas Water Development Board (TWDB) is expected to be considered at the Board's March 21st meeting.

- Status report on the City of Wimberley Audio File Project

City Administrator Ferguson reported that the upload process begins tomorrow and there will be links provided to download audio files for City Council and Planning and Zoning Commission meetings.

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

City Administrator Ferguson reported that the City's February check, representing December collections, totaled \$99,884.64, up seven percent (7%) from the same period last year.

- Status report on the Merritt Starlight Senior Housing Project

City Administrator Ferguson reported that Merritt Starlight representatives attended the February 16th town hall meeting at the Wimberley Community Center and anticipated a zoning application will be submitted in the near future. He advised no word has been received to date from State Representative Jason Isaac on whether or not he plans to support the project.

- Status report on 2015 Flood Recovery

City Administrator Ferguson reported that the Fischer Store Bridge will re-open February 26th ahead of schedule and under budget. He reported on the status of gauge installations along the Blanco and Little Blanco Rivers and noted that Texas Water Development Board (TWDB) will fund second-phase rain gauges. He commended TWDB for its support to help complete the stream/rain gauge network.

3. Ordinance

Consider approval of the first reading of an ordinance of the City of Wimberley, Texas, amending Title III (Administration), Section 35.01 (Fee Schedule) of the Code of Ordinances to amend Subsection (D) (Zoning Schedule of Fees) to add an application fee to amend approved conditional use permit ordinances; and providing findings of fact, a repealing clause, to provide a savings and severability clause and providing for an effective date. (*City Administrator*)

This item was heard after Agenda Item 4.

City Administrator Ferguson explained that the proposed ordinance, drafted per Council's previous direction, would establish a flat fee of \$100 for CUP amendments.

Councilmember McCullough moved to approve the ordinance on first reading, as presented. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

4. Presentation

Presentation of the City of Wimberley Annual Financial and Compliance Report for the Fiscal Year ending September 30, 2015. (*Singleton, Clark & Company, PC*)

This item was heard after Agenda Item 2.

Preston Singleton of Singleton, Clark & Company, PC explained new accounting standards for pensions (GASB 68), highlighted certain report exhibits pertaining to Fund Balance, General Fund, Statement of Revenues, Expenditures and Changes in Fund Balance, and strength of the City's ending Fund Balance. He presented the summary of auditor's results, including the type of auditor's report issued, and stated no material deficiencies or non-compliance issues were found. He thanked City Administrator Ferguson and staff for their professionalism and help during the audit. Mayor Thurber also recognized staff for diligent management of the City's budget. City Administrator Ferguson and Mayor Thurber spoke briefly on use of Fund Balance under certain circumstances for capital improvements as a future agenda item.

5. Discussion and Possible Action

- A. Discuss and consider possible action accepting the City of Wimberley Annual Financial and Compliance Report for the Fiscal Year ending September 30, 2015. (*Singleton, Clark & Company, PC*)

This item was heard after Agenda Item 3.

Mayor Thurber introduced the item and entertained a motion.

Councilmember White moved to accept the City of Wimberley Annual Financial and Compliance Report for the Fiscal Year ending September 30, 2015, as presented earlier by Preston Singleton. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider possible action approving the *2015 Racial Profiling Report* and associated policy for the Wimberley City Marshal. (*City Administrator*)

City Administrator Ferguson explained that State law requires each law enforcement agency to have a written policy prohibiting racial profiling and submit an annual racial profiling report.

Discussion addressed the calendar-year reporting period during the limited tenure of the previous city marshal in 2015.

Councilmember White moved to approve the *2015 Racial Profiling Report* and associated policy for the Wimberley City Marshal, as presented. Councilmember Showalter seconded. Motion carried on a vote of 5-0.

C. Discuss and consider possible action approving additional legacy gift opportunities at the Blue Hole Regional Park in Wimberley, Texas (*City Administrator*)

City Administrator Ferguson introduced Marilee Wood who spoke on the additional legacy gift opportunities and the need for lower-priced items. She stated that the proposed street light naming (at \$500 donation per light) would be the most affordable item. Because no \$50,000 donations were offered for the entire primitive campground, Ms. Wood proposed a \$6,500 donation for any one of the ten single camp sites. She introduced Friends of Blue Hole Executive Director Susan Nenney who is a Wimberley resident with extensive professional experience and qualifications. Ms. Wood presented a grant-funded check from the Austin Community Foundation to City Administrator Ferguson to be used for audio/visual equipment for Park programs. She distributed copies of a Friends of Blue Hole newsletter to Council, which includes Susan Nenney's outreach to the community.

Mayor Thurber summarized the proposed legacy gifts as follows:

- Entire Primitive Campground: \$50,000 donation
- Primitive Campground (per individual camp site): \$6,500 donation
- Street lights (per individual street light): \$500

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

D. Discuss and consider possible action approving a professional services agreement with Bury Inc. for design and construction oversight of the Hidden Valley Low Water Crossing in Wimberley, Texas. (*City Administrator*)

City Administrator Ferguson requested continuance of this item (at a date to be determined) as contract details are being finalized. He clarified the timeframe for design and reconstruction.

Councilmember Showalter moved to approve continuance of this item, as requested. Councilmember McCullough seconded. Motion carried on a vote of 5-0.

E. Discuss and consider possible action directing the Planning and Zoning Commission to review the City of Wimberley's Outdoor Lighting Ordinance to determine any changes needed for Wimberley to be designated as an International Dark Sky Community. (*Place Four Councilmember Pam Showalter*)

Councilmember Showalter referenced correspondence received from Wimberley Valley Chamber of Commerce Director Cathy Moreman on the upcoming Texas Night Sky Festival in Dripping Springs on March 5, 2016. She introduced Cathy Moreman, who spoke of her personal experience with light pollution, and provided details on the process for receiving designation as a

Dark Sky Community from the International Dark Sky Association. Ms. Moreman felt such a designation would promote Wimberley as a community that honors our natural beauty and make Wimberley a destination for those who wish to enjoy night skies. She spoke on the success of Dripping Springs' designation as a scenic Texas town and compliance with its own lighting ordinance to help promote it as a wonderful place to live. She encouraged Council to review the handouts distributed on the Texas Night Sky Festival and consider exploration of ideas to help Wimberley receive designation as an International Dark Sky Community.

Discussion addressed criteria for the application, hosts of the Texas Night Sky Festival, including the Hays County Chapter of the Texas Master Naturalists, minimal changes needed to the City's lighting regulations to meet application criteria, other Texas Dark Sky sites, and stargazing opportunities to enhance tourism.

Audience member Ian Green spoke in support of Ms. Moreman's comments and of his own personal experiences viewing night skies. He favored anything Council can do to support this application to increase awareness of the beauty of night skies for our children's sake. Ms. Moreman noted that today's News-Dispatch article contains information on the City of Dripping Springs and Dripping Springs ISD's combined efforts to lower light levels.

Texas Master Naturalist Chapter member Susan Nenny said she is very involved in the Texas Dark Sky Festival and felt there is a lot of support for this program, which is great for energy conservation and wildlife.

Marilee Wood felt that the City's Comprehensive Plan language on preserving night skies could be included in an application submittal.

Councilmember Showalter moved to approve directing the Planning and Zoning Commission to review the City of Wimberley's Outdoor Lighting Ordinance to determine any changes needed for Wimberley to be designated as an International Dark Sky Community. Councilmember McCullough seconded. Motion carried on a vote of 5-0.

- F. Discuss and consider possible action regarding a proposal to amend the City's Code of Ordinances to allow food trucks in the Village Center Overlay. (*City Administrator*)

City Administrator Ferguson reported that several inquiries have been received on the possibility of allowing food trucks in the Village Center Overlay District and noted certain issues that need to be considered such as traffic and parking.

Discussion addressed provision of restroom facilities, possible trial projects, adequate parking, and ordinance amendment procedures.

Councilmember Dussler moved to direct staff to draft an ordinance amendment per Council discussion. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

Addendum to Agenda

5. Discussion and Possible Action

- G. Discuss and consider possible action authorizing the City Administrator to execute a professional services agreement with BEC-LIN Engineering, L.P. relating to planned shoulder and roadway repairs on River Road in Wimberley, Texas. (*City Administrator*)

City Administrator Ferguson reviewed projected costs, engineering and design details of the project to repair severe cuts caused by flooding, and source of funding for the agreement.

Councilmember Showalter moved to approve authorizing City Administrator Ferguson to execute a professional services agreement with BEC-LIN Engineering, L.P. relating to planned shoulder and roadway repairs on River Road. Councilmember Anderson seconded. Motion carried on a vote of 5-0.

6. City Council Reports

- Announcements
- Future Agenda Items

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

Adjournment: Council meeting adjourned at 7:20 p.m.

Recorded by:

Cara McPartland

Cara McPartland

These minutes approved on the 3rd of March, 2016.

APPROVED:

Steve Thurber
Steve Thurber, Mayor

