

City of Wimberley
 City Hall, 221 Stillwater
 Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
 September 15, 2016 at 6:00 p.m.

City Council meeting called to order at 6:00 p.m. by Mayor Pro Tempore John D. White.

Mayor Pro Tempore White gave the Invocation and Mayor Pro Tempore White and Councilmembers led the Pledge of Allegiance to the United States and Texas flags.

Councilmembers Present: Mayor Pro Tempore John D. White, Councilmembers Bob Dussler, Craig Fore, and Gary Barchfeld. Mayor Mac McCullough and Councilmember Sally Trapp were absent.

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

Proclamations

- A. Proclamation of the City Council of the City of Wimberley, Texas, proclaiming Tuesday, October 4, 2016 as National Night Out. (*Hays County Sheriff's Department*)

Mayor Pro Tempore White presented the proclamation to Hays County Sheriff's Department Deputy Mark Andrews. Deputy Andrews thanked Council, provided information on planned event activities, and encouraged neighborhood participation. City Administrator Ferguson thanked Deputy Andrews for his service to Wimberley.

- B. Proclamation of the City Council of the City of Wimberley, Texas, proclaiming the month of October 2016 as National Domestic Violence Awareness Month. (*Hays-Caldwell Women's Center*)

Mayor Pro Tempore White presented the proclamation to Hays-Caldwell Women's Center representative Jemm Corona-Morris who thanked Council.

- C. Proclamation of the City Council of the City of Wimberley, Texas, proclaiming the week of September 17-23, 2016, as Constitution Week. (*Jacob's Well Chapter of the National Society of Daughters of the American Revolution*)

Mayor Pro Tempore White presented the proclamation to representatives Cindy Dawson, Cherie Dawson, and Sandy Fortenberry who thanked Council and provided information on the history of Constitution Week.

Citizens Communications

Referencing Agenda Item 3, Robbie Walker of Hills of Texas Lodging encouraged Council to go farther than holding public meetings and asked that in-depth meetings be held with all those who

have a stake in tourism in order to look for common ground. He favored civil discussion of all sides and asked Council to take charge of finding a solution beneficial to all.

1. Consent Agenda

- A. Approval of minutes of the Regular City Council meeting of September 1, 2016
- B. Approval of the August 2016 Financial Statements for the City of Wimberley

Councilmember Barchfeld moved to approve all Consent Agenda items, as presented. Councilmember Fore seconded. Motion carried on a vote 4-0.

2. City Administrator Report

- Status report on the Central Wimberley Wastewater Project

City Administrator Ferguson anticipated delivery of project plans to the Texas Water Development Board (TWDB) no later than Monday, September 19, 2016, which will start the review process, which is expected to take 30-45 days. He reported that responses to the City's Request for Qualifications (RFQ) for project management are being evaluated and anticipated a recommendation to Council on October 6, 2016. He advised that Council will be asked to delay consideration of Agenda Item 4A until its meeting on October 6, 2016. He reported staff is reviewing the draft water budget received from consultants this week. He stated that the probable cost estimate for the effluent storage pond (as a possible alternative to the large storage tank in the current design) is approximately \$758,000. He reported that Aqua Texas representatives met with the City's project engineers to clarify some cost estimates on service alternatives and anticipated scheduling of another Aqua Texas meeting during the last week of September 2016. Discussion addressed features and types of materials for the aforementioned effluent storage pond.

- Status report on the proposed *Fiscal Year 2017 City of Wimberley Budget*

City Administrator Ferguson reported on the previously held Budget public hearing and direction to staff to trim \$100,000 from the Budget. He said Special Council meetings will be held next week to discuss and adopt the Budget.

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

This report was heard after the status report on Blue Hole Regional Park operations.

City Administrator Ferguson reported that the City's September sales tax collections check totaled \$68,200, up seven percent from the same period last year. He reported fiscal year-to-date collections totaling just over \$882,000, up about twelve percent from the same period last year, and running well ahead of budget.

- Status report on hotel occupancy tax collections for the City of Wimberley

City Administrator Ferguson reported fiscal year-to-date collections totaling \$172,304.43. He stated the Hotel Occupancy Tax Advisory Committee reviewed responses to its call for funding proposals for October-December 2016 and anticipated a recommendation to Council at its October 6, 2016 meeting.

- Status report on operation of the Blue Hole Regional Park

City Administrator Ferguson reported the swimming area is closed for the 2016 season. He said new donor signs are being ordered for certain locations. He noted collection of 2016 season gate fees in the amount of \$268,000 and provided statistics on the very successful summer youth program, which generated approximately \$26,000 in revenue.

In addition, City Administrator Ferguson reported that a pre-construction meeting will be held tomorrow for the La Buena Vista Drive Improvement Project, with construction to possibly start next week.

- Status report on law enforcement interlocal agreements with the Hays County Sheriff's Department and Precinct Three Constable

City Administrator Ferguson reported on details of long-standing interlocal agreements, including scope of services provided under the existing agreements and possible future modification of the agreement with the Constable's office to include some limited City ordinance enforcement.

3. Public Hearing and Consider Action

Hold a public hearing and consider approval of the first reading of an ordinance of the City of Wimberley, Texas, authorizing a moratorium on the issuance of building permits, business licenses, conditional use permits, and certificates of occupancy to be used for the construction or operation of bed and breakfast lodgings and vacation rentals within any residentially zoned area within the city limits of Wimberley; and providing for the following: findings of fact, savings, severability, repealer, effective date, and proper notice and meeting. (*City Administrator*)

City Administrator Ferguson reviewed required procedures to impose a moratorium and noted that the Planning and Zoning Commission held a public hearing on September 8, 2016 and afterwards voted unanimously to recommend approval of the ordinance. He reported that Council's second and final reading of this ordinance is scheduled for a Special Council meeting next week, and if approved, the moratorium would be in effect through December 7, 2016. He advised that Council and the Planning and Zoning Commission will work together in joint meetings in order to expedite the process of assessing public input and addressing concerns. He noted that Council has the option of ending the moratorium early if issues are resolved before December 7th or extending the moratorium, if necessary.

Mayor Pro Tempore White opened the public hearing.

Robbie Walker of Hills of Texas Lodging spoke in support of the moratorium and asked Council, the Planning and Zoning Commission, and City Administrator Ferguson to not rush the process and take the full 90 days in the interest of due diligence.

Hearing no further comments, Mayor Pro Tempore White closed the public hearing.

Discussion favored taking the time to hear all sides on this issue.

Councilmember Fore moved to approve the first reading of the ordinance, as presented. Councilmember Dussler seconded. Motion carried on a vote of 4-0.

4. Discussion and Possible Action

- A. Discuss and consider possible action awarding a contract for wastewater impact fee preparation services. (*City Administrator*)

City Administrator Ferguson requested that this item be continued until Council's meeting on October 6, 2016.

Councilmember Fore moved to approve continuance of this item until October 6, 2016, as requested. Councilmember Barchfeld seconded. Motion carried on a vote of 4-0.

- B. Discuss and consider possible action authorizing roadway repairs and drainage improvements on a portion of Deer Crossing Lane. (*City Administrator*)

City Administrator Ferguson reviewed the history of flood damage to Deer Crossing Lane and funding sources. He provided details on the scope of work, including base/asphalt repairs, and drainage improvements, which are estimated to cost approximately \$25,000.

Discussion addressed use of culverts, need for significant drainage work, regular culvert maintenance and possible future culvert upsizing.

Councilmember Barchfeld moved to approve authorizing roadway repairs and drainage improvements on a portion of Deer Crossing Lane, as presented. Councilmember Fore seconded. Motion carried on a vote of 4-0.

- C. Discuss and consider possible action regarding a proposed Code enforcement effort relating to certain structures damaged in the 2015 floods in Wimberley that have not been repaired. (*City Administrator*)

City Administrator Ferguson stated that it has been one and one-half years since the May 2015 flood and that some owners have not returned to their properties. He noted the importance of giving people the time to deal with trauma, but said there are some neighbors citing safety issues with some unrepaired properties. As a proactive approach, City Administrator Ferguson suggested sending a courtesy notice to reach out to identified property owners with a request to work out a correction plan. He said if such an effort proves unsuccessful, there is a process the

City can pursue to deal with health/safety hazards, which would be presented to Council for consideration and action.

Discussion addressed specific properties in need of clean-up along River Road, upcoming river debris clean-up, focus of the Code enforcement effort on substandard structures, volunteer assistance, and limited number of structures involved in the enforcement effort.

Councilmember Dussler moved to approve authorizing City Administrator Ferguson to move forward with the proposed Code enforcement effort, as presented. Councilmember Fore seconded. Motion carried on a vote of 4-0.

5. City Council Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson reminded Council of Special meetings tentatively scheduled for September 20 and 21, 2016 and advised that Hays County Precinct Three Commissioner Will Conley will give a presentation at the September 21st meeting on upcoming Hays County bond propositions.

Mayor Pro Tempore White referenced a recent Texas appellate court ruling on TxDOT’s ability to regulate certain highway signage and City Administrator Ferguson stated that the subject ruling does not affect any City of Wimberley or Hays County regulations.

City Administrator Ferguson reported that beginning on September 19, 2016, the State will start shoulder repairs along FM 3237, causing some lane closures, and will also be working along Ranch Road 12 near the Junction later in the week.

Hearing no further announcements or future agenda items, Mayor Pro Tempore White called the meeting adjourned.

Adjournment: Council meeting adjourned at 6:58 p.m.

Recorded by:

Cara McPartland
Cara McPartland

These minutes approved on the 6th of October, 2016.

APPROVED:



Mac McCullough, Mayor

