

City of Wimberley
City Hall
221 Stillwater
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
September 17, 2015 at 6:00 p.m.

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

Mayor Thurber gave the Invocation 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 and City Secretary Cara McPartland

Citizens Communications

No citizen comments were heard.

Proclamations

- A. A proclamation of the Mayor of the City of Wimberley, Texas proclaiming Tuesday, October 6, 2015 as National Night Out in Wimberley, Texas. (*Hays County Sheriff's Office*)

Mayor Thurber presented the proclamation to Hays County Sheriff's Deputy Tom Ormsby, who thanked Council and provided details on specific National Night Out events, including posting of a master list of neighborhood parties on the Sheriff's Office Facebook page.

- B. A proclamation of the Mayor of the City of Wimberley, Texas proclaiming September 17th through 23rd as Constitution Week in Wimberley, Texas. (*Jacobs Well Chapter of the National Society of the Daughters of the American Revolution*)

Mayor Thurber presented the proclamation to Regent Sandy Fortenberry and Vice Regent Judy Clements, who thanked Council and spoke on their organization's history and educational programs highlighting the importance of the U.S. Constitution.

1. Consent Agenda

- A. Approval of minutes of the Regular City Council meeting of September 3, 2015
- B. Approval of the August 2015 Financial Statements for the City of Wimberley
- C. Approval of the Fiscal Year 2015 Quarterly Investment Reports for the City of Wimberley

Mayor Thurber pulled Consent Agenda Item 1B for consideration at a later date.

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

2. City Administrator Report

- Status report on implementation plans for the recently approved City of Wimberley Hotel Occupancy Tax

City Administrator Ferguson reviewed key modifications to the Hotel Occupancy Tax (HOT) ordinance, as directed by Council on September 3rd at the ordinance's final reading. Discussion addressed specific wording of the "sunset" clause, definition of "sunset" for review purposes, and clarification on Council's ability to discontinue the HOT pending review of the program's effectiveness and achievement of certain performance criteria. He noted the City's reporting and collection procedures will follow the same schedule that lodging owners use to report and make payment to the State Comptroller. City Administrator Ferguson detailed the nomination/appointment procedures for Hotel Tax Advisory Committee members and Council's role in the process. He anticipated that Committee nominees will be submitted to Council for consideration at its October 1st meeting. He advised that notices will be sent out to vacation rental owners next week on HOT reporting/collection and clarified the ordinance's effective date, which will not impact reservations made prior to the ordinance's enactment.

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

City Administrator Ferguson reported the City received its August check (representing June collections) totaling \$63,456, which is up 14% from the same period last year and running well ahead of budget.

- Status report on the Central Wimberley Wastewater Project

City Administrator Ferguson reported that mediation continues and anticipated scheduling of an Executive Session for Council within the next two weeks to discuss the status of litigation with legal counsel. He noted elevated bacteria levels were found this week at the Cypress Creek Bridge and also near Jacobs Well in the vicinity of the low water crossing.

- Status report on the H-E-B Development Project

City Administrator Ferguson reported the store opens tomorrow, September 18th and said TxDOT will be monitoring traffic flows for the next two weeks to determine what signal adjustments might need to be made.

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

City Administrator Ferguson reported preliminary end of season figures as follows:

- Total admissions in excess of 42,000, down approximately 7,000 from last season in large part due to weather-related park closures
- Total gate fee revenues of approximately \$259,000
- Total revenues for rental fees and merchandise sales totaling approximately \$11,000, respectively
- Facility reservations remain popular for weddings and family/birthday parties
- Successful camp programs and positive participation rates and feedback
- Impact of inclement weather on the Concert in the Park series and donations from the series totaling approximately \$1,800
- Over 256 volunteer hours logged at the Park

He noted that although the swimming area is closed for the season, the rest of the Park is open. He reported that the Parks Board is exploring various options for holiday events at the upper part of the Park and anticipated finalizing the production of a trail map brochure.

Councilmember Dussler noted that H-E-B made a \$10,000 donation to the Park at last night's VIP event. City Administrator Ferguson advised that H-E-B has been extremely supportive of the Park and expressed appreciation for the donation. Discussion established that funds have been budgeted for a maintenance building at the Park, addressed possible drivers for increased sales tax revenue, and the need for further detailed study of sales tax collections.

3. 2015 Memorial Day Weekend Flood Matters

- A. Presentation of an update regarding recovery efforts relating to the 2015 Memorial Day Weekend Flood in the City of Wimberley, Texas. (*City Administrator*)

City Administrator Ferguson presented information on the following topics: TxDOT's timeframe for Ranch Road 12 debris removal; Hays County's upcoming finalization of a private property debris removal program and reforestation project; details on the recently formed Blanco River Regional Recovery Team and its new Interim Director James Gabriel; funding efforts for monitors/gauges along the Blanco River; and anticipated influx of numerous volunteer organizations during Fall 2015.

- B. Discuss and consider possible action regarding a proposal to seek mitigation funding for the elevation of flood damaged homes and the acquisition of certain flood damaged properties. (*City Administrator*)

City Administrator Ferguson advised that at a recent Community Meeting attended by seventy-five (75) flood survivors, approximately ten (10) individuals completed questionnaires encouraging the City to seek mitigation funding for elevation and/or property acquisition. He noted only two questionnaires indicated an interest in buy-outs versus elevation funding. He stated the application process would require a more detailed assessment to get a better idea of estimated costs. Those wishing to elevate would be required to elevate to the new Advisory Base Flood Elevations (ABFEs), whether the City adopts those ABFEs or not. He stated there are different approaches to meet matching requirements. If Council desires to pursue mitigation

funding, City Administrator Ferguson advised of the need to hire a consultant to prepare the application and manage the application process.

Discussion addressed the December 2015 deadline for application submittal to FEMA's hazard mitigation program; approximate number of interested parties; possible sources of match funding; costs to City, if mitigation funding is pursued; buy-outs versus elevations; determination of buy-out prices; properties with repetitive losses; purpose of buy-outs to limit future losses; estimated elevation costs (reconstruction versus "jacking-up" of existing structures); and potential benefits of pursuing mitigation funding.

Councilmember Showalter moved to direct staff to pursue seeking mitigation funding for the elevation of flood damaged homes and the acquisition of certain flood damaged properties. Councilmember Dussler seconded. Motion carried on a vote of 5-0.

4. Resolution

Consider approval of a resolution of the City Council of the City of Wimberley, Texas, adopting the City of Wimberley Budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016. (*City Administrator*)

City Administrator Ferguson summarized the FY 2016 Budget, including comparisons of various funds to FY 2015. He noted there have been no changes to the Budget, since Council's last meeting and public hearing held on September 3, 2015. He noted capital expenditures for Oak Drive sidewalks and certain Ranch Road 12/Old Kyle Road improvements, as well as a transfer from the General Fund to the Wastewater Fund for annual payment to GBRA for acquisition of the existing wastewater treatment plant. He advised that a special meeting is planned for Council's consideration of a grant budget.

Councilmember Showalter moved to approve the resolution adopting the City of Wimberley Budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016, including the following statement: "On August 19, 2013, the Wimberley City Council approved an Ordinance authorizing the issuance and sale of \$650,000 in Combination Tax and Surplus Revenue Anticipation Notes (Series 2013) to fund the planning and design of a central Wimberley wastewater system. The referenced Ordinance established an ad valorem tax to fund the debt service requirements on the Notes. At this time, rather than utilize the authorized ad valorem tax to fund the required debt service, the City Council approved the use of existing City revenues to meet the City's debt obligation. Prior to the City Council's August 19, 2013 action, the City of Wimberley did not have an established ad valorem tax. That said, the FY 2016 Annual Budget raises no ad valorem tax revenues." Councilmember Anderson seconded.

Mayor Thurber called for a vote as follows: Councilmember Dussler, aye; Councilmember Anderson, aye; Councilmember McCullough, aye; Councilmember Showalter, aye; and Councilmember White, aye. Motion carried on a vote of 5-0.

5. Discussion and Possible Action

- A. Discuss and consider possible action amending the Fiscal Year 2015 City of Wimberley General Fund, Wastewater, Municipal Court and Blue Hole Budgets for the purpose of accounting for actual and anticipated expenditures and revenues, and declaring adjustments as a necessity. (*City Administrator*)

Mayor Thurber pulled this item for consideration at a later date. No action was taken.

- B. Discuss and consider possible action approving the plans for the *2015 Wimberley Gospel Music Festival*. (*City Administrator*)

City Administrator Ferguson reviewed plans for the event to take place October 9-11, 2015 at the Hill Country Cowboy Church and recommended approval. He noted event organizers will provide parking, insurance, law enforcement for on-site security and traffic control, and portable restroom facilities.

Discussion addressed past locations for the festival and parking location.

Councilmember Showalter moved to approve the plans for the *2015 Wimberley Gospel Music Festival*, as presented. Councilmember Dussler seconded. Motion carried on a vote of 5-0.

6. City Council Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson advised of a possible date/time for a special meeting to be tentatively set for September 28, 2015 for the purpose of holding a workshop and for consultation with legal counsel.

As a future agenda item, Councilmember White requested a discussion of possible remedies available to property owners due to City-initiated zoning of property.

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

Adjournment: Council meeting adjourned at 7:23 p.m.

Recorded by:

Cara McPartland
Cara McPartland

These minutes approved on the 1st of October, 2015.

APPROVED:

Steve Thurber
Steve Thurber, Mayor

