

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
May 18, 2017 at 6:00 p.m.

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

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

Councilmembers Present: Mayor Mac McCullough, Councilmembers Steve Thurber, Craig Fore, Allison Davis, Councilmember Barchfeld, and Mayor Pro tem John White.

Staff Present: Assistant City Administrator/City Secretary Cara McPartland

Mayor Pro tem White assumed duties as Presiding Officer.

Mayor McCullough announced his intention to read a letter which he said was relevant to the Status Report on the Central Wimberley Wastewater Project. He spoke on an ethics complaint filed against him by a local citizen alleging a conflict of interest issue. He felt the complaint has no standing and was designed to embarrass him.

Mayor McCullough read a letter from Peter Way cautioning against further delaying the wastewater project and of his pending mailing of notices to sue. He continued reading the text of the letter, which stated Mr. Way's intent to file a federal lawsuit and withdraw his offer of a \$1,000,000 grant, if the suit is filed. Mayor McCullough stated that the letter warned that a vacuum system would require redesign, rebidding, and re-approval and also warned against listening to Mike Stevens. Mayor McCullough then read a letter from Mike Stevens expressing his views on the community division over the wastewater system. He read from another letter from Mr. Way warning to not jeopardize the City owned wastewater system.

Mayor McCullough stated his preference for a City-owned sewer with no ad valorem tax. He felt a gravity system will bankrupt a majority of Square business owners and noted five deficiencies in the bid. Mayor McCullough stated that the project manager was tasked with evaluating the bids. Mayor McCullough feared high project costs and change orders and said he will do what he thinks is right to balance costs, money, and needs, and stated he will not be intimidated.

Citizens Communications

Mayor Pro tem White announced speakers will be allowed three minutes to speak.

Judy Thompson asked how we will pay for the wastewater system and said she heard a rumor that a 2% property tax will go into effect quickly. She questioned why only 80 people get

service and not 1,600, if we are all paying for it. She felt the 80 users should pay and we should come up with a plan for that.

Parks and Recreation Board Chair Christine Byrne asked that Agenda Item 5J be discussed by the Parks Board before the issue of additional storage at Blue Hole Regional Park is deliberated by Council.

Casey Craig described her main concern as the discharge permit and spoke of the Greater Edwards Aquifer Alliance's petition advocating the passage of legislation that would prohibit TCEQ from issuing discharge permits that put sewage effluent into our water. She cited numerous organizations that support prohibiting such discharge. She asked that Council take discharge completely off the table and to not try to solve "a small group of people's sewer problems by creating a huge sewage issue in the creek." She asked for a "no discharge" option.

Linda Kaye Rogers spoke of a saying about democracy "that you can't please all the people all the time." She said some of us will win and some will lose, but it is the majority that is supposed to be represented and the majority spoke clearly in the last election. She encouraged Council to remember that when moving forward on the wastewater project. She spoke of time lost and wasted as games have been played. Ms. Rogers also spoke of freedom of speech without fear of retaliation or retribution. She said Wimberley should stand together and not be divided. She asked Council to think and consider the good of the whole and respect voters.

1. Consent Agenda

- A. Approval of minutes of the Regular City Council meeting of May 4, 2017
- B. Approval of minutes of the Special City Council meeting of May 4, 2017
- C. Approval of minutes of the Special City Council meeting of May 1, 2017
- D. Approval of minutes of the Special City Council meeting of May 2, 2017
- E. Approval of minutes of the Special City Council meeting of May 11, 2017
- F. Approval of minutes of the Special City Council meeting of May 12, 2017
- G. Approval of the March 2017 Financial Statements for the City of Wimberley
- H. Approval of the April 2017 Financial Statements for the City of Wimberley

Councilmember Fore moved to approve all Consent Agenda Items, as presented. Councilmember Barchfeld seconded. Councilmembers Thurber and Davis abstained from Consent Agenda Items A-F. Motion on Items A-F carried on a vote of 3-0 and Items G-H carried on a vote of 5-0.

Mayor McCullough presented retiring and longest-tenured employee, Bill Bowers, with a "stop work" order and invited previous mayors (Steve Klepfer, Tom Haley, Bob Flocke, and Steve Thurber) to speak on Mr. Bowers' remarkable record of public service and express appreciation for his not just his work ethic, but for risking his life to save others during the 2015 Memorial Day Flood. Mayor McCullough recounted stories of Mr. Bowers' history and thanked him for his service. Mr. Bowers thanked all of the mayors for coming tonight and spoke of his long journey working for the City.

2. Mayor/ Assistant City Administrator / Park Manager Reports

Mayor McCullough assumed duties as Presiding Officer at this time.

- Status report on the Central Wimberley Wastewater Project

See Mayor McCullough's comments at beginning of meeting (Page 1).

- Status report Hidden Valley Low Water Crossing Reconstruction Project

Mayor McCullough reported that Myers Concrete Construction is making good progress and said an issue with a property owner was resolved this week.

- Status report on findings from City Council's recent trip to the Demi-John Island, Texas Wastewater Facility

Mayor McCullough reported on touring the facility to view a vacuum collection system and descriptions of photos were provided that detailed specific features of the system, its costs, financing, installation, operation, and maintenance.

- Status report on the Mayor's Town Hall Meeting of May 11, 2017

Mayor McCullough reported the meeting was attended by approximately five (5) people.

- Status report on Blue Hole Regional Park operations

Blue Hole Regional Park Manager Rebecca Manning reported on operating dates/time, new staff member training, number of visitors to swimming area to date, half-price punch passes sold to date, playscape project (to provide shade), and development of a food vendor policy. Discussion addressed summer camp registration statistics.

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

Assistant City Administrator McPartland reported the City's May sales tax check, representing March collections, totaled \$87,957.95, which is a slight decrease from the same period last year, but still running well ahead of budget.

3. Presentation

Presentation of the Hotel Occupancy Tax (HOT) Advisory Committee's recommendations for funding applications. (*City of Wimberley Hotel Occupancy Tax Advisory Committee Chair Mark Bursiel*)

This item was heard after Agenda Item 5I.

HOT Advisory Committee Chair Mark Bursiel reported on the HOT Committee's recommendation to approve the funding request for the Wimberley Valley Art League's (WVAL) Paint Wimberley event, on the condition that WVAL secures other funding needed such as grants, sponsorships, and ticket sales. He reported that the application for Wimberley Artist Workshops was discussed and resulted in a tie vote, with one abstention. He advised that in a subsequent conversation with the applicant for Wimberley Artist Workshops, the application was withdrawn and Mr. Bursiel offered to sit down with the applicant to help him submit an application that would have the full support of the Committee. Mr. Bursiel put forth the possibility of a future Committee/Council workshop to review the Committee's policies and procedures.

4. Public Hearing and Possible Action

Hold a public hearing and consider approval of an ordinance amending Ordinance No. 2012-029, which amended Ordinance No. ZA-06-013, which designated real property located on approximately 15.4 acres, more commonly known as 14100 Ranch Road 12, Wimberley, Hays County, Texas, as a Wimberley Planned Development District (WPDD) with a base zoning district of Commercial-Moderate Impact (C-2), and imposed certain conditions, in order to revise the Concept Plan and certain development regulations relating to maximum building floor area, maximum building footprint, required parking space, side yard setbacks, impervious cover and development standards; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*David Ferrette, Trepex Construction, LLC, Applicant*)

Assistant City Administrator McPartland reported on the proposed amendment to allow for development of senior housing that includes 41,000 square feet of assisted living space (45 units); 12,000 square feet of memory care living space (16 units); and 15,000 square feet of independent living cottage space (10 units). She noted all of these structures will be developed on Parcel 3, will be one-story, and designed to reflect predominant building styles and materials found in the Wimberley Valley. She provided details on drainage, including redesign of the existing detention pond. She stated there will be an access drive located on Ranch Road 12. She explained that after the Planning and Zoning Commission's May 11th public hearing, the Commission voted 3-1, with 1 abstention to recommend approval of the WPDD amendment request, with the following conditions:

- Addition of rainwater harvesting
- Consider, but not require, compliance with any future tree ordinance that may be adopted by Council, should such an ordinance be approved before the commencement of construction
- Maintain the natural vegetative buffer zone between the proposed development and the Patsy Glenn Refuge; maintain maximum vegetation around detention pond area
- The height of the storage tank shall not exceed the highest point of any roof line

The Planning and Zoning Commission also requested that project engineers provide the total amount of impervious cover on the entire 15-plus acre tract.

Mayor McCullough opened the public hearing.

Casey Craig said she is not opposed to assisted living facilities, but wanted more information on the rainwater harvesting system and the facility's water usage. She was concerned about this being high density and the availability of water. She said we need a traffic study and there are issues that need to be addressed regarding impervious cover. She wanted more information on the detention pond and development's impact on the Patsy Glenn Refuge. She said the lift station should have an on-site generator since it overflows into Cypress Creek where there are big runoff problems from Brookshire. Ms. Craig stated this is way too large for C-2 zoning at this location and felt all developers lately want to go much bigger than allowed for in our zoning or Comprehensive Plan. She suggested sending this zoning request back to the Planning and Zoning Commission.

Lila McCall stated we have a golden opportunity to do something for our seniors and reminded the other two previous undeveloped projects were larger than this one. She cited social media posts as "giving everybody fits" because they want assisted living, but not here. She asked "Where then?" She stated there are rumors of two other places, neither one of which have any kind of utilities and spoke of problems associated with lack of utilities that would make those projects extremely expensive. She said she felt like a broken record by saying affordable housing is no longer going to be available to Wimberley or small rural communities because rules dictate funds go to larger communities. She said there is little to no chance of obtaining low income money for senior projects and cited previous failed attempts. She quoted Wimberley EMS Director Ken Strange and Wimberley Fire Chief Carroll Czichos as both being supportive of the project and its location. Ms. McCall said she was surprised at the amount of social media attention given this project and further stated that "the social media called them (Strange/Czichos) to try and say that they want nothing to do with this project." Ms. McCall stated the developers will do what has to be done to keep runoff from running toward Mill Race Lane.

Jeanne Ann Cope of Mill Race Lane said she noticed at the Planning and Zoning Commission meeting that a lot of people were confused about what assisted living is. She spoke of her mother's experience of having to go to San Marcos for assisted living, which she describes as a more active lifestyle with trips and activities. She noted assisted living is not the same as Deer Creek and residents will be a vibrant part of our community. She visited Ledgestone in Dripping Springs and described it as beautiful and fitting in with the Hill Country. She said Ledgestone's prices are similar to San Marcos and asked Council to think about our senior citizens who have lived here a long time and hoped Council and Trepex will work together, as Wimberley needs this terribly.

Vicki McCuiston agreed with Mrs. Cope's comments and did not like people having to leave their friends, churches, and community when they get to a certain age. She did not understand all of the engineering, but saw value to the facility having easy access to grocery stores and the senior citizens center. Ms. McCuiston wished that more affordable housing was possible, but felt any additional housing helps.

David Ferrette of Trepex Construction compared the proposed development's floor area/footprint square footages with the existing concept plan, pointed out the access entry and signage, detention pond, one-story construction, and statistics on number and type of units and parking spaces. He stated the impervious cover is not to exceed 70 percent, and noted that Parcel 3's impervious cover totals 37 percent. After looking at existing impervious cover on Parcels 1 and 2, which contains the Brookshire Brothers area, Mr. Ferrette stated that total impervious is at about 65 percent, leaving a 5 percent buffer. He advised there will be a much larger detention pond filtered with sedimentation filtration and vegetative strips, with drainage plans designed to meet all local, state, and TCEQ requirements. Speaking to concerns expressed on social media regarding tagged trees, Mr. Ferrette said those were strictly for counting in the tree survey and that out of 130 existing trees, 24 are estimated to be removed, with a 1-1 replacement ratio for removed trees. He stated there will not be fencing and landscaping/trees will be used for screening around the perimeter. Mr. Ferrette estimated the number of trips for assisted/independent living facilities and staff. He advised staff will have go carts to drive residents back and forth to surrounding stores and there will be a walking/cart path. He noted that TxDOT has the final say in the Ranch Road 12 entry driveway and it will determine what type traffic control(s) would be required. He advised that a traffic analysis study will be submitted to TxDOT for final approval. Regarding fire protection, Mr. Ferrette stated there will not be a second emergency access, but there will be a 26-foot wide entry access which allows two EMS vehicles to pass each other. He said there will be a loop around the assisted living facility with hydrants all around it. He spoke on fire protection and mitigation measures such as smoke compartments, alarms, and sprinklers, which are heavily regulated and inspected by Texas Department of Aging and Disability Services. He noted there will be a trained staff and advised that City Marshal Gibb Watt has reviewed and signed off on the planned layout, which meets all International Fire Code requirements. He displayed an artist's rendering of the facility, which will be designed specifically to look like Wimberley and highlighted types of architectural features and materials. Mr. Ferrette said that rainwater harvesting will be included in the project, as discussed at the Planning and Zoning Commission meeting. He spoke of features such as large windows, porte cochere, walking paths, and fountains. Regarding impact on EMS services, Mr. Ferrette said there would be more trips to this central location, but people would not be aging in place in their homes. He noted there will be a trained staff on site and the facility will bring jobs and increased tax revenues without impacting area schools.

Ledgestone Dripping Springs Executive Director and Wimberley resident Chrystal Gabel, spoke of Civitas, which is the company that operates Ledgestone and the proposed development. She described Civitas' mission statement and its owners who live in Texas and operate about 30 other facilities. She spoke on facility activities, including trips to events, stores, doctor appointments, and banks. She noted that residents have a lot of activities to choose from that get them out into the community and surrounding area. She advised that the facility also hosts events such as a recent Easter egg hunt and has visits from therapy animals. She displayed photos of the facility, its furnishings, birthday parties, holiday celebrations, church services, outdoor activities, beauty salon, family dinners, movie nights, volunteer high school interns, and noted Ledgestone's involvement in giving back to the community.

Lila McCall relayed calculations by David Glenn showing the facility would not use nearly as much water as it will collect and may possibly be able to sell excess water.

Mayor McCullough opened Council discussion.

Councilmember Thurber said he liked the project, but thought it was too big for our Comprehensive Plan. He stated there are advantages to being in the middle of town and close to food and pharmacies. He noted that with 53,000 square feet of roof area, the facility would generate over one million gallons of water per year with average rainfall. He asked how big the storage tank will be and how the collected water will be used. He questioned collecting only for landscaping irrigation when there is not that much landscaping to water. Referring to Ms. McCall's statement about selling excess water, Councilmember Thurber said that is not possible, as it is against state law. He said we need rainwater collection for as many uses as possible, particularly for grey water reuse. Discussion between Mr. Ferrette and Councilmember Thurber included compliance with the City's "dark sky" requirements and controlling any overflow from the expanded detention pond to minimize flows across Mill Race Lane. Councilmember Thurber felt it a bit onerous to ask the developer to comply with a future tree ordinance, when it has not been drafted or approved yet. He said that instead of removing trees and planting smaller ones, they can be moved to another location. Discussion addressed the developer saving as many big trees as possible and moving trees as an alternative to cutting them down. Regarding removal of the second access, Councilmember Thurber favored having a second entry for emergency purposes.

Councilmember Davis spoke of the trade-off of removing the second entry/crash gate in order to add rainwater harvesting to the project. Mr. Ferrette noted aforementioned fire safety measures in place such as smoke compartments, hydrants, sprinklers, and a 26-foot wide lane for double EMS that loops around the facility, which he said meets and exceeds safety requirements. Councilmember Davis asked if there was any way to protect natural resources through rainwater harvesting and the people living in the facility. Mr. Ferrette said if both rainwater harvesting and the second access were required there would have to be serious review given to the project's feasibility.

Councilmember Fore spoke of his visit to the site and loss of large trees. He expressed concerns about traffic and access and it was confirmed that TxDOT approval is required. He recalled that the recently denied Tractor Supply development complied with TxDOT and recommended a turn lane for this development due to the layout of the intersection. He also questioned what the various colors indicated on the concept plan. Councilmember Fore questioned Mr. Ferrette's impervious cover calculations and Mr. Ferrette said he would verify them. Councilmember Fore said the ideal situation would be for the developer to purchase the Hired Killers property and move the driveway to be more aligned with Emergency Lane. He recommended putting in a deceleration/turn lane. Other entry access points and easement problems with certain locations were discussed. Mr. Ferrette noted that the existing plans for the Ranch Road 12 entrance driveway are for a 2-way entry. Councilmember Fore said his main concerns are trees, traffic, and runoff. Mr. Ferrette said the increased size of the detention pond will help improve runoff problems.

Councilmember White spoke of the estimated one million gallons of rain water collected per year and asked about getting it to Blue Hole Park for irrigation.

Councilmember Barchfeld favored senior housing, but wanted it to be in the right place. He displayed photos he took of the area showing access, location of trees, need for deceleration/turn lanes, and lack of alignment with Emergency Lane. He spoke of advantages of this location, but said you cannot put people at risk and cited his own experience trying to cross a heavily traveled street. He asked Mr. Ferrette if there are any alternative entry/exit options. Mr. Ferrette replied that this is the only place for the entry that will work. Councilmember Barchfeld pointed out tags on certain trees and questioned if the trees were just being marked for counting purposes. Mr. Ferrette said the red dots were used to survey the site to count the trees. Councilmember Barchfeld pointed out a significant tree and hoped that the developer would abide by a future tree ordinance, if approved. Mr. Ferrette noted that the Planning and Zoning Chair encouraged the developer to look at the ordinance and implement strategies that made sense. Councilmember Barchfeld spoke of berms around the detention pond and Mr. Ferrette confirmed that any runoff from the pond would have to leave the site as it does today. Councilmember Barchfeld felt it is important to talk to TxDOT about making the entry safer. Councilmember Barchfeld questioned the amount of expansion of the detention pond and asked if the expanded detention pond area is considered pervious or impervious. Mr. Ferrette answered that it is pervious. It was confirmed that Aqua Texas will provide wastewater service and again noted that the detention pond is pervious. Councilmember Barchfeld questioned how with all the concrete and with this (referring to detention pond) being pervious cover, how the development can comply with the 70 percent maximum impervious cover requirement. Mr. Ferrette said that the impervious cover requirement will be proved up. Regarding the second entry/crash gate, Mr. Ferrette stated to Councilmember Barchfeld that most of the cost comes from building the road, not the gate. Councilmember Barchfeld favored sending this back to Planning and Zoning for more discussion. Assistant City Administrator McPartland advised that sending this case back to the Planning and Zoning Commission would trigger the need to re-notice the public.

Mayor McCullough asked if there is room to move on some of our concerns. Councilmember Thurber did not favor sending this back to Planning and Zoning and cited questions about rainwater, tree removal/replacement, ingress/egress, and mitigating traffic impact.

Councilmember Barchfeld favored sending this back to Planning and Zoning as there were two commissioners absent and Mr. Ferrette has more information to give them. Mayor McCullough felt the project developers are willing to work on areas of concern. Mr. Ferrette said he is not allowed to make a decision tonight on the crash gate without consulting with his colleagues first.

Councilmember Thurber moved to continue this item until Council's meeting on June 1, 2017. Councilmember Davis seconded. Councilmember White asked Mr. Ferrette if he is clear on what Council is asking for. Discussion addressed inclusion of answers to all of the questions brought up by Planning and Zoning and Council. The following items were listed as needing further details from Mr. Ferrette: trees; rainwater collection/reuse; emergency access/crash gate; ingress/egress; and verification of impervious cover percentages. Mr. Ferrette confirmed that Planning and Zoning was advised that the developer will do what is necessary to meet the impervious cover requirement on all parcels, including deleting building(s) or parking spaces from the project. Motion carried on a vote of 3-2. Councilmembers Barchfeld and Fore voted against.

5. Discussion and Possible Action

- (A) Discuss and consider possible action regarding a recommendation from the Parks and Recreation Advisory Board on conducting a professional survey to provide input from citizens on future park facilities and activities. (*Blue Hole Regional Park Manager Rebecca Manning*)

Blue Hole Park Manager Rebecca Manning spoke on room available at the Park for additional activities and the Parks Board's discussions on how to best conduct a survey that would provide real statistics, as opposed to Facebook surveys. She did not want to waste money putting in a facility that is not used. She noted there are about 130 acres at the Park and a lot of space that needs to be utilized. She asked for Council's direction before initiating Parks Board's efforts to develop a plan and explore survey options to maximize community input. Friends of Blue Hole Director Susan Nenny said the Parks Board feels a survey will be helpful in targeting energy and fundraising for things the community really needs and will use. She did not want to waste any space, money, or opportunity.

Parks Board member Mark Bursiel said a lot of ideas have been thrown out and a survey of the 78676 zip code area will help provide direction.

Discussion addressed use of Texas State University resources and the need for a professional survey to ensure that options are viable and in alignment with the Blue Hole Master Plan and Comprehensive Plan. Councilmember Thurber favored a well-thought survey with assistance from Texas State University. Discussion included the need to receive wider community response and to ensure that survey options are feasible. Councilmember Barchfeld favored an impartial and unbiased survey. He congratulated Ms. Manning on earning her master's degree. Councilmember Davis was in complete support of the survey as responsive to the community.

Councilmember Fore moved to direct the Parks Board to proceed with efforts to conduct a professional survey to provide input from citizens on future park facilities and activities. Councilmember Barchfeld seconded. Motion carried on a vote of 5-0.

- (B) Discuss and consider possible action regarding a recommendation from the Parks and Recreation Advisory Board on development and distribution of an informational flyer to local schools on Blue Hole Regional Park. (*Blue Hole Regional Park Manager Rebecca Manning*)

Blue Hole Regional Park Director Rebecca Manning presented an informational flyer to Council that includes details such as park activities, programs, discounts. As this serves the community, she recommended the City contribute by printing 500 flyers for distribution to area schools.

Councilmember Thurber moved to approve the Parks Board's recommendation to develop, print, and distribute an informational flyer to local schools. Councilmember Fore seconded. In response to Councilmember Barchfeld's inquiry about sending flyers to churches, it was agreed that the flyers could be provided to churches or other local organizations. Motion carried on a

vote of 5-0.

- (C) Discuss and consider possible action regarding Hotel Occupancy Tax funding applications. (*City of Wimberley Hotel Occupancy Tax Advisory Committee Chair Mark Bursiel*)

Chair Mark Bursiel referred to his earlier presentation recommending approval of the WVAL application for \$14,000 in HOT funds that had a 60-day contingency to secure additional funding needed to hold the event. He noted it was a unanimous vote by the HOT Advisory Committee.

Discussion clarified the reason for the 60-day contingency due to uncertainty about whether WVAL will be receiving future grant funds. Chair Bursiel noted that WVAL asked for \$25,000, but the Committee recommended approval of \$14,000.

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

- (D) Discuss and consider possible action regarding approval of an interlocal agreement with Hays County for floodplain administration services. (*Assistant City Administrator*)

As the finalized draft was received this afternoon, Assistant City Administrator McPartland recommended continuing this item until Council's June 1st meeting.

Councilmember Thurber moved to continue this item, as requested. Councilmember White seconded. Motion carried on a vote of 5-0.

- (E) Discuss and consider possible action to engage the City's water/wastewater attorney to monitor the City's loan with the Texas Water Development Board to ensure the City is in compliance with all requirements and deadlines associated with the loan. (*Place One Councilmember Steve Thurber & Place Three Councilmember Allison Davis*)

Councilmember Davis favored having City Attorney Emily Rogers review requirements and deadlines associated with the TWDB loan. Mayor McCullough said that Ms. Rogers can provide a written outline. Councilmember Barchfeld questioned the costs involved. Discussion addressed possible teleconferencing, and verbal versus written timelines. Mayor McCullough asked if everyone was amenable with a written report and there was general agreement, with the understanding that Attorney Rogers would be available to brief Council, as needed.

- (F) Discuss and consider possible action to engage the City Attorney to attend all regular City Council meetings until a new city administrator is hired. (*Place One Councilmember Steve Thurber*)

Councilmember Thurber spoke of legal questions raised recently and of the City's past practice to have the City Attorney present at all meetings. He noted that the City is not presently paying

for a city administrator. Discussion addressed past attendance by legal counsel. Councilmember Barchfeld favored calling the attorney by phone, if needed.

Councilmember Thurber moved to have a City attorney present at all regular meetings until a city administrator is hired. Motion died for lack of a second.

(G) Discuss and consider possible action on plans to hire a city administrator. (*Place One Councilmember Steve Thurber*)

Councilmember Thurber questioned why there has been no movement on hiring a city administrator. Councilmember Barchfeld said that the decision was made to postpone holding special meetings until after the election and he favored resuming those meetings.

Councilmember Thurber asked to re-post the position. Councilmember Barchfeld felt that all pertinent personnel items should be discussed in a special meeting. Councilmember Thurber said we are talking about the hiring for the position of city administrator, and that re-posting the ad has nothing to do with a specific individual. Assistant City Administrator McPartland advised that Council can talk about the position in open session and specific individuals in an executive (closed) session. Councilmembers Barchfeld felt Councilmember Thurber needed to be brought up to speed and favored discussion in an executive session. Councilmember Thurber and Mayor McCullough pointed out that the discussion can be open, as it is about the job and not a particular person. Discussion addressed the previous review process and Councilmember Thurber suggested narrowing down the reviewers to 2-3 people who could make recommendations to Council.

Councilmember Barchfeld moved to hold an executive session on Monday to discuss and review the hiring a city administrator. Councilmember White seconded. Motion carried on a vote of 5-0.

(H) Discuss and consider possible action on issuance of a Request for Proposals for engineering services for the Central Wimberley Wastewater Project. (*Mayor Mac McCullough*)

Mayor McCullough spoke of CDM Smith Engineering's Kim Chancellor as a possible choice to explore the vacuum collection system option and work on providing a preliminary cost estimate by reviewing Alan Plummer's plans.

Councilmember White moved to approve engaging CDM Smith Engineering to provide a preliminary estimate, as requested by Mayor McCullough.

Councilmember Thurber questioned if this is subject to the bid process and Mayor McCullough said he spoke to legal counsel on this matter. Discussion addressed who would receive the Request for Proposal (RFP), possible delays caused by RFP issuance and associated consequences that would jeopardize funding, and confirmation from TCEQ that pursuing the vacuum system will not require a major permit amendment.

Councilmember White moved to approve issuance of a Request for Proposals for engineering services for the Central Wimberley Wastewater Project. Councilmember Barchfeld seconded. Motion carried on a vote of 4-1. Councilmember Thurber voted against.

- (I) Discuss and consider possible action to review the use of a vacuum collection system for the Central Wimberley Wastewater Project with a qualified engineer. *(Place Four Councilmember Gary Barchfeld)*

This item was heard after Agenda Item 2.

Councilmember Barchfeld referenced Steve Coonan's previous correspondence on the City's options and read from the City's agreement with Alan Plummer Associates, Inc. (APAI): "If the fixed Construction Budget is exceeded by the lowest bona fide bid or proposal, the Owner shall . . . cooperate in revising the project scope and quality as required to reduce the construction cost and the engineer, without additional charge, shall modify the drawings and Specifications as necessary to comply with the Fixed Construction budget and the requirements of TWDB. Engineer shall use best efforts to use such modification as soon as possible after the date the bids are opened, but in no event later than 30 days after such date, unless an alternate time is agreed upon by Engineer and Owner in writing." Councilmember Barchfeld felt that the City should follow up with Mr. Coonan to have him help the City at no cost "to get the Airvac, if we elect to go that way, taken care of." He continued to read from page 13 of the Plummer agreement relating to Engineer's Professional Liability Insurance and stated "what this is in fact saying is if he can't help us with one, then he has insurance for errors and omissions and I think that that would be very helpful in getting any new plans that we have and I think we should exercise our rights as a Council under this contract with Alan Plummer."

Mayor McCullough spoke of his conversation with Steve Coonan and Councilmember Thurber noted that negotiating our contract with Alan Plummer is not relevant to this agenda item. Councilmember Barchfeld said this is in direct relation to his item. Mayor McCullough shared his conversation with Alan Plummer that conveyed Council's disappointment and asked Mr. Coonan to come to a meeting, which Mr. Coonan was amenable to doing. No action was taken.

After Agenda Item 5H, more discussion was held to clarify Councilmember Barchfeld's abovementioned comments on what he expects from Alan Plummer Associates, Inc. and after subsequent discussion of procedural matters, it was agreed to add an action item to Monday's special meeting on submission of a letter to Plummer.

- (J) Discuss and consider possible action regarding additional storage facilities at Blue Hole Regional Park. *(Mayor Mac McCullough)*

(See Christine Byrne's previous remarks during Citizen Communications.)

Mayor McCullough stated that Blue Hole's new maintenance building and storage spaces are full and cannot accommodate anything from the City's storage unit. Discussion included having Bill Bowers and Aaron Reed research possible additional storage options at City Hall, projections on future storage needs, and property disposal procedures. No action was taken.

(K) Discuss and consider possible action regarding designating a Council member to act as liaison between Central Wimberley property/business owners and City Council on issues related to the Central Wimberley Wastewater System. (*Place Three Councilmember Allison Davis*)

Councilmember Davis requested that this item be continued until Council's next meeting on June 1, 2017.

6. City Council Reports

- Announcements
- Future Agenda Items

Hearing no announcements or future agenda items, Councilmember Fore moved to adjourn. Councilmember Thurber seconded. Motion carried on a vote of 5-0. Mayor McCullough called the meeting adjourned.

Adjournment: Council meeting adjourned at 9:41 p.m.

Recorded by:

Cara McPartland

Cara McPartland

These minutes approved on the 1st of June, 2017.

APPROVED:

Mac McCullough

Mac McCullough, Mayor

