

The motion was made by Councilman Steve Klepfer that the ~~resolution~~ be adopted. Seconded by Council Tony McGee. Motion was approved 5-0.

D. Establishment of a Finance Committee.

Councilman Matt Manis made a motion that the Village set up a Finance Committee. Appointment recommendations will be asked for from council members and all will be brought before the Council for approval before the appointment is made. The motion was seconded by Councilman Walter Brown and approved 5-0.

E. Consideration of resumes of Municipal Attorneys to provide legal service to the Village and possible action to authorize the Mayor or her designate to negotiate agreements with those attorneys selected by the Council.

Councilman Tony McGee informed the council that after considering what the Council had discussed last week, he had changed his mind and now believed that the Village would be better served by employing one firm and that one member of that firm would be our city attorney and other members of the firm would be the support group for what specialized problems we might encounter. In that way, the city's problems would be known among other members of the firm who had specific expertise in municipal matters, and thus they would be handled better and more economically. The search was narrowed down to two firms, Bickerstaff, Heath, Smiley, Pollan, Keever & McDaniel, LLP. and Scanlan, Buckle and Young, PC, both specializing in municipal law, and are recommended highly by those who have dealt with them. His preference would be for the larger firm, in that Scanlan, Buckle & Young would sometimes have to go outside of that firm. He stated he was impressed with Alan Bojorquez, who is extremely well regarded in the cities he served and would be the Village's City Attorney. The firm itself is extremely knowledgeable in administrative law and is involved now in matters that involve the TNRCC and Aqua Source so they have some expertise in that area.

The attorney would only come to the meetings when necessary or demanded, in order to keep fees at a minimum. There is no retainer fee and the Village would be billed in six minute increments. Bill will be itemized and the Village would have an excellent way of monitoring the costs of legal services which must be stringently controlled by the the Village to keep down legal costs. Hourly rate quotes from the firms indicated that fee ranges were from \$100-150 per hour. Bickerstaff was in mid range - \$125.00 per hr.

Mayor Hewlett stated that she had been called by Woodcreek Mayor Ken Jacobs and asked to attend a meeting at the Bickerstaff office at which time the sewer rate increase by AquaSource would be discussed. Bickerstaff represents several cities who are joining in to protest this increase.

Councilman Tony McGee moved that Council pass a resolution authorizing the Mayor or her designate to negotiate an agreement with Bickerstaff, Heath, Smiley, Pollan, Kever and McDaniel, LLP. Seconded by Councilman Matt Manis, the motion passed 5-0.

- F. Appointment by the Mayor of Steve Klepfer, Councilman Tony McGee and Mayor Linda Hewlett to serve as representatives from the Village in the mediation hearings at TNRCC on the wastewater issue with AquaSource.

The motion was made by Councilman Walter Brown that this item be accepted. Councilwoman Martha Knies seconded the motion and it was approved 5-0.

## 8. NEW BUSINESS

- A. Discussion and possible approval of an ordinance establishing rules for on-site sewage facilities.

Gary Weeks addressed the council regarding his - already under construction - on-site wastewater system and as he went to the County to get the permit was told it could not be issued without city approval. Since construction had started, he was not covered under the moratorium and all he needs is to have someone from council call the county and tell them it is okay.

Councilman Steve Klepfer read the ordinance adopting on-site sewage facilities rules establishing an effective date and moved that it be passed. (Attachment III)  
Seconded by Councilwoman Martha Knies and approved 5-0.

### 8A.1 ADOPTING RULE FOR ADMINISTRATIVE OVERSIGHT OF ITEM 8A

Councilman Steve Klepfer moved that the Mayor appoint a member of Council to have administrative oversight over the septic permitting process. Seconded by Councilman Tony McGee. Motion approved 5-0.

- B. Discussion and possible approval of an ordinance establishing regulatory rules and permit requirements for cell phone communication towers and similarly constructed towers in the Village.

Councilwoman Martha Knies stated that she had not found ordinances that she thought would be appropriate for Wimberley and would move to continue this item until such time as she develops an ordinance. Seconded by Councilman Manis.  
Approved 5-0.

- C. Discussion and possible approval of an ordinance establishing a moratorium on non-residential new construction or expansion of existing structures to enable the Village to adopt zoning, building code and other land use ordinances. The ordinance to last no longer than 90 days.