



# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

**REGULAR CITY COUNCIL MEETING**  
**WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS**  
**221 STILLWATER DRIVE, WIMBERLEY, TEXAS**  
**DECEMBER 16, 2010 6:00 P.M.**

## **AGENDA**

**CALL TO ORDER:** DECEMBER 16, 2010 @ 6:00 P.M.

**CALL OF ROLL:** CITY SECRETARY

### **INVOCATION**

### **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

### **CITIZENS COMMUNICATIONS:**

*THE CITY COUNCIL WELCOMES COMMENTS FROM CITIZENS ON ISSUES AND ITEMS OF CONCERN, NOT ON THIS AGENDA. THOSE WISHING TO SPEAK MUST SIGN IN BEFORE THE MEETING BEGINS AND OBSERVE A THREE-MINUTE TIME LIMIT WHEN ADDRESSING COUNCIL. SPEAKERS WILL HAVE ONE OPPORTUNITY TO SPEAK DURING THE TIME PERIOD. SPEAKERS DESIRING TO SPEAK ON AN AGENDA ITEM WILL BE ALLOWED TO SPEAK WHEN THE AGENDA ITEM IS CALLED. INQUIRIES ABOUT MATTERS NOT LISTED ON THE AGENDA WILL EITHER BE DIRECTED TO STAFF OR PLACED ON A FUTURE AGENDA FOR COUNCIL CONSIDERATION.*

### **1. CONSENT AGENDA**

*THE FOLLOWING ITEMS MAY BE ACTED UPON IN ONE MOTION. NO SEPARATE DISCUSSION OR ACTION IS NECESSARY UNLESS REQUESTED BY A COUNCIL MEMBER OR CITIZEN, IN WHICH EVENT THOSE ITEMS WILL BE PULLED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION.*

- (A) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 2, 2010.
- (B) APPROVAL OF APPOINTMENT OF BILL WILSON TO THE WIMBERLEY TRANSPORTATION ADVISORY BOARD. (CONSENSUS NOMINEE FROM PLACE TWO COUNCIL MEMBER MAC MCCULLOUGH)
- (C) APPROVAL OF THE NOVEMBER 2010 FINANCIAL STATEMENTS FOR THE CITY OF WIMBERLEY.

### **2. CITY ADMINISTRATOR REPORT**

- STATUS REPORT ON THE EFFORTS UNDERWAY TO SECURE FEDERAL FUNDING FOR THE DOWNTOWN WASTEWATER PROJECT

- STATUS REPORT ON THE REQUEST FOR AN ATTORNEY GENERAL OPINION RELATING TO THE AUTHORITY OF THE CITY OF WIMBERLEY TO REGULATE FIREARMS WITHIN THE CITY LIMITS
- STATUS REPORT ON IMPLEMENTATION OF THE SINGLE STREAM RECYCLING PROGRAM
- STATUS REPORT ON THE SITE PLAN APPROVAL FOR THE PROPOSED CROSSROADS DEVELOPMENT ON RANCH ROAD 12
- STATUS REPORT ON THE DEVELOPMENT OF THE BLUE HOLE REGIONAL PARK

### 3. PUBLIC HEARING AND POSSIBLE ACTION

- (A) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY JAMES AND JUDY THOMPSON TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY 1.024 ACRE TRACT LOCATED AT 408 BLUE HERON RUN, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. *(JAMES AND JUDY THOMPSON, APPLICANTS)*
- (B) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY DONN AND PAMELA LAMOUREUX TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY .35 ACRE TRACT LOCATED AT 430 BLUE HERON RUN, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. *(DONN AND PAMELA LAMOUREUX, APPLICANTS)*
- (C) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY DONN AND PAMELA LAMOUREUX TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY .50 ACRE TRACT LOCATED AT 444 BLUE HERON RUN, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. *(DONN AND PAMELA LAMOUREUX, APPLICANTS)*
- (D) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A PARTICULAR TRACT LOCATED AT 13301 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING SUCH TRACT AS A WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD) WITH A BASE ZONING DISTRICT OF COMMERCIAL-LOW IMPACT (C-1); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; FINDINGS OF FACT; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. *(SIBYL BURROWS, APPLICANT)*

- (E) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING SECTION 155.075(F)(4) (OFF- STREET PARKING AND LOADING REQUIREMENTS) OF CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES TO DELETE THE PARKING REQUIREMENT FOR BED AND BREAKFAST LODGING; AND AMENDING SECTION 155.105(C) (CONDITIONAL USE PERMITS) TO CLARIFY BED AND BREAKFAST REQUIREMENTS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. *(PLANNING AND ZONING COMMISSION)*
- (F) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING SECTION 155.055 (DEFINITIONS) OF CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES TO AMEND DEFINITIONS RELATED TO LODGING AND ADD A NEW DEFINITION "VACATION RENTAL"; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. *(PLANNING AND ZONING COMMISSION)*
- (G) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES TO ADD SECTION 155.080 "LODGING REQUIREMENTS" AND ACCOMPANYING DEVELOPMENT REGULATIONS OF SUCH USES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. *(PLANNING AND ZONING COMMISSION)*
- (H) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE FIRST READING AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING § 155.035 (RESIDENTIAL ACREAGE; RA), § 155.036 (RURAL RESIDENTIAL 1; R-1), § 155.037 (SINGLE-FAMILY RESIDENTIAL 2; R-2), § 155.038 (SINGLE-FAMILY RESIDENTIAL 3; R-3), § 155.045 (OFFICE-LOW IMPACT; O-1), § 155.046 (OFFICE-HIGH IMPACT; O-2), § 155.047 (COMMERCIAL-LOW IMPACT; C-1), § 155.048 (COMMERCIAL-MODERATE IMPACT; C-2), § 155.049 (COMMERCIAL-HIGH IMPACT; C-3), § 155.061 (NEIGHBORHOOD SERVICES DISTRICT; NS), AND § 155.094 (SCENIC CORRIDOR; SC) OF CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES TO ADD "VACATION RENTAL" AS A CONDITIONAL USE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. *(PLANNING AND ZONING COMMISSION)*
- (I) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES, CERTAIN SUBSECTIONS OF SECTION 155.023 (DISTRICTS ESTABLISHED; DESIGNATION AND REVIEW) IN ORDER TO ADD "VILLAGE INN (VI)" AS A BASE ZONING DISTRICT, REVISE THE PLANNING AREAS ACCORDINGLY; AND ADD SECTION 155.063 VILLAGE INN DISTRICT AND ACCOMPANYING DEVELOPMENT REGULATIONS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. *(PLANNING AND ZONING COMMISSION)*

- (J) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING PORTIONS OF SECTIONS 155.107 (PLANNING AND ZONING COMMISSION) AND 155.108 (BOARD OF ADJUSTMENT; VARIANCES AND APPEALS) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE REMOVAL PROCESS FOR BOARD MEMBERS APPOINTED TO THE ABOVE REFERENCED BOARDS; AND PROVIDING FOR FINDINGS OF FACT, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY. *(CITY ADMINISTRATOR)*
- (K) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155 (ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR PROPERTY LOCATED AT 260 PANTHER CROSSING, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING SUCH PROPERTY FROM RESIDENTIAL ACREAGE (RA) TO RURAL RESIDENTIAL 1 (R-1); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. *(THOMAS & NANCY PAYTE, APPLICANTS)*
- (L) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN APPLICATION FOR A REPLAT OF LOT 15 FLITE ACRES LITTLE RANCHES CREATING TWO (2) LOTS TO BE KNOWN AS LOT 15A (4.436 ACRES) AND LOT 15B (2.212 ACRES), ON PANTHER CROSSING, WIMBERLEY, HAYS COUNTY, TEXAS, AND ASSOCIATED VARIANCES FROM SECTION 154.063(C) OF THE CITY SUBDIVISION CODE RELATING TO LOT SHAPE CONFIGURATION, SECTIONS 154.058 AND 154.063(D) RELATING TO LOT ACCESS AND FRONTAGE AND SECTION 154.063 RELATING TO INTERSECTION DESIGN. *(THOMAS & NANCY PAYTE, APPLICANTS)*

#### 4. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER POSSIBLE ACTION AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT WITH THE BURDINE JOHNSON FOUNDATION IN ACCORDANCE WITH THE BLUE HOLE ELEMENT/AMENITY NAMING POLICY. *(CITY ADMINISTRATOR)*
- (B) DISCUSS AND CONSIDER POSSIBLE ACTION APPROVING THE BOUNDARY SURVEY OF THE CITY OF WIMBERLEY PREPARED BY BAKER-AICKLEN & ASSOCIATES. *(CITY ADMINISTRATOR)*
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION APPROVING THE SCHEMATIC DESIGN FOR THE *WIMBERLEY SQUARE RANCH ROAD 12 IMPROVEMENT PROJECT*. *(CITY ADMINISTRATOR)*
- (D) DISCUSS AND CONSIDER POSSIBLE ACTION APPROVING THE JOB DESCRIPTION AND SALARY LEVEL FOR THE BLUE HOLE REGIONAL PARK MANAGER AND AMENDING THE FISCAL YEAR 2011 CITY OF WIMBERLEY BLUE HOLE OPERATING BUDGET IN THE AMOUNT \$25,000 TO FUND THE SALARY FOR THE NEW POSITION. *(CITY ADMINISTRATOR)*
- (E) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING THE DETERMINATION OF THE FUTURE ROLE OF THE WIMBERLEY ECONOMIC DEVELOPMENT COMMISSION. *(MAYOR PRO-TEM STEVE THURBER & COUNCIL MEMBER BILL APPLEMAN)*

- (F) DISCUSS AND CONSIDER POSSIBLE APPROVAL OF A PROPOSAL TO INVOLVE THE PUBLIC IN THE PROCESS OF PREPARING THE ANNUAL CITY OF WIMBERLEY OPERATING BUDGET. (CITY ADMINISTRATOR)

5. **CITY COUNCIL REPORTS**

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

**ADJOURNMENT**

THE CITY COUNCIL MAY RETIRE INTO EXECUTIVE SESSION AT ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSING ANY MATTERS LISTED ON THE AGENDA AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE INCLUDING, BUT NOT LIMITED TO, HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087 OF THE TEXAS GOVERNMENT CODE; ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

**CERTIFICATION**

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on December 9, 2010 at 6:00 p.m.

  
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CARA MCPARTLAND, CITY SECRETARY

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Don Ferguson, City Administrator, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.