

City of Wimberley

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

REGULAR CITY COUNCIL MEETING
WIMBERLEY COMMUNITY CENTER –JOHNSON HALL
14068 RANCH ROAD 12, WIMBERLEY, TEXAS
JANUARY 16, 2014 - 6:00 P.M.

AGENDA

CALL TO ORDER JANUARY 16, 2014 @ 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 JANUARY 2, 2014
- (B) APPROVAL OF THE CITY OF WIMBERLEY FINANCIAL STATEMENTS FOR DECEMBER 2013

2. CITY ADMINISTRATOR REPORT

- STATUS REPORT ON THE OCTOBER 2013 FLOOD IN THE CITY OF WIMBERLEY
- STATUS REPORT ON CYPRESS CREEK WATER QUALITY ISSUES
- STATUS REPORT ON THE POSSIBILITY OF CALLING A MAY 2014 BOND ELECTION FOR STREET, DRAINAGE AND WASTEWATER IMPROVEMENTS

3. PUBLIC HEARINGS AND CONSIDER ACTION

- (A) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY GENO AND SUSAN BAIAMONTE TO OPERATE A VACATION RENTAL FACILITY ON A TRACT LOCATED AT 1402 EAST SPOKE HILL ROAD, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED RESIDENTIAL ACREAGE (RA), AND IMPOSING CERTAIN CONDITIONS; PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. (*GENO AND SUSAN BAIAMONTE, APPLICANTS*)
- (B) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY JILL WEDEL TO OPERATE A VACATION RENTAL FACILITY ON A TRACT LOCATED AT 2225 RIVER ROAD, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED RURAL RESIDENTIAL 1 (R-1), AND IMPOSING CERTAIN CONDITIONS; PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. (*JILL WEDEL, APPLICANT*)
- (C) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE CHANGING THE ZONING DESIGNATION FOR APPROXIMATELY 8.0 ACRES OF PROPERTY LOCATED AT 14501 RANCH ROAD 12 AND 100 EMERGENCY LANE, WIMBERLEY, HAYS COUNTY, TEXAS FROM PUBLIC FACILITIES (PF) TO WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD), WITH A BASE ZONING DISTRICT OF COMMERCIAL-MODERATE IMPACT (C-2); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; FINDINGS OF FACT; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. (*H-E-B, APPLICANT*)

4. ORDINANCES

- (A) CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS GRANTING TEXAS DISPOSAL SYSTEMS, INC., ITS SUCCESSORS AND ASSIGNS CERTAIN RIGHTS TO OPERATE AND MAINTAIN SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL ROUTES AND SERVICES WITHIN THE CITY OF WIMBERLEY FOR A PERIOD OF FIVE (5) YEARS WITH RENEWAL PROVISIONS, PROVIDING AN EXCLUSIVE FRANCHISE, PROHIBITING THE OPERATION OF ANY OTHER RESIDENTIAL OR COMMERCIAL SOLID WASTE AND RECYCLING COLLECTION

BUSINESS OR ENTITY, PROVIDING FOR CERTAIN RIGHTS, DUTIES, TERMS, AND CONDITIONS, PROVIDING FOR PAYMENT OF FRANCHISE FEES OF TEN (10) PERCENT OF GRANTEE'S GROSS REVENUES, CIVIL AND CRIMINAL PENALTIES NOT TO EXCEED \$2,000, EFFECTIVE DATES, SEVERABILITY AND OTHER PROVISIONS RELATED TO THE GRANT OF A SOLID WASTE AND RECYCLING FRANCHISE. (CITY ADMINISTRATOR)

- (B) CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING TITLE XI (BUSINESS REGULATIONS) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES AND CREATING A NEW CHAPTER 112 (REGULATION OF VACATION RENTALS AND BED AND BREAKFAST LODGINGS); AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, A SAVINGS AND SEVERABILITY CLAUSE, AN EFFECTIVE DATE, AND PROPER NOTICE AND MEETING. (CITY ADMINISTRATOR)

5. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER POSSIBLE ACTION GRANTING A VARIANCE FROM THE ON-SITE SEWAGE FACILITY (OSSF) REQUIREMENTS TO ALLOW FOR THE PLACEMENT OF A PORTABLE RESTROOM TRAILER ON THE SEPTIC DRAINAGE FIELD FOR 101 WIMBERLEY SQUARE. (CITY ADMINISTRATOR)
- (B) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING A PROPOSED OPERATING PLAN FOR THE RECENTLY ACQUIRED PORTABLE RESTROOM TRAILER. (CITY ADMINISTRATOR)
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING A PROPOSED POLICY RELATING TO COMMERCIAL PHOTOGRAPHY IN THE BLUE HOLE REGIONAL PARK. (WIMBERLEY PARKS BOARD)

6. CITY COUNCIL REPORTS

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

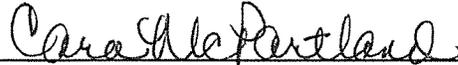
ADJOURNMENT

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 January 13, 2014 at 5:30 p.m.



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