



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
MAY 17, 2012 - 6:00 P.M.

AGENDA

CALL TO ORDER MAY 17, 2012 @ 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 MAY 3, 2012.
- (B) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF MAY 3, 2012
- (C) APPROVAL OF APRIL 2012 CITY OF WIMBERLEY FINANCIAL STATEMENTS

2. **DISCUSSION AND ACTION ON ELECTION RELATED MATTERS**

- (A) CANVASS RETURNS OF GENERAL ELECTION OF MAY 12, 2012.
- (B) DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS, DECLARING THE CANVASS AND RESULT OF A GENERAL ELECTION HELD ON MAY 12, 2012, TO ELECT A MAYOR AND COUNCILMEMBERS FOR PLACE 2 AND PLACE 4; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.
- (C) COMPLETE AND ISSUE CERTIFICATES OF ELECTION TO THE MAYOR-ELECT AND THE PLACE 2 AND PLACE 4 COUNCILMEMBERS-ELECT.

3. **CITY ADMINISTRATOR REPORT**

- STATUS REPORT ON THE DEVELOPMENT AND OPERATION OF THE BLUE HOLE REGIONAL PARK
- STATUS REPORT ON SALES TAX COLLECTIONS FOR THE CITY OF WIMBERLEY
- STATUS REPORT ON THE OPERATION OF THE WIMBERLEY MUNICIPAL WASTEWATER TREATMENT PLANT

4. **PUBLIC HEARING AND POSSIBLE ACTION**

HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY ROBERT MUELLER TO OPERATE A VACATION RENTAL FACILITY ON TWO (2) TRACTS OF LAND, EACH ZONED RURAL RESIDENTIAL 1 (R-1), TOTALING 5.58 ACRES, LOCATED AT 106 RIVER BLUFF LANE, WIMBERLEY, HAYS COUNTY TEXAS, 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. *(ROBERT MUELLER, APPLICANT; THIS ITEM WAS CONTINUED FROM THE APRIL 19, 2012 CITY COUNCIL MEETING)*

5. **ORDINANCES**

- (A) CONSIDER APPROVAL OF SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE XV (LAND USAGE), CHAPTER 151 (BUILDING REGULATIONS;CONSTRUCTION), CREATING A NEW SECTION 151.03 (SURCHARGE; FINES) OF THE CODE OF ORDINANCES TO IMPOSE A SURCHARGE AND FINES FOR FAILURE TO COMPLY WITH THE CITY'S RESIDENTIAL BUILDING CODE (§151.01) AND THE CITY'S COMMERCIAL BUILDING CODE (§151.02) REQUIRING PERMITS FOR CONSTRUCTION OF RESIDENTIAL AND COMMERCIAL PROPERTIES WITHIN THE CITY LIMITS; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY

CLAUSE, PROPER NOTICE AND MEETING, AND PROVIDING FOR AN EFFECTIVE DATE. *(CITY ADMINISTRATOR)*

- (B) CONSIDER APPROVAL OF AN ORDINANCE AMENDING TITLE IX (GENERAL REGULATIONS), CHAPTER 93 (FIREWORKS) OF THE CITY OF WIMBERLEY'S CODE OF ORDINANCES TO AMEND SECTION 93.04 (EXCEPTIONS) TO ADD A PROVISION ALLOWING THE POSSESSION AND DISCHARGE OF CERTAIN NON-AERIAL FIREWORKS WITHIN THE CITY LIMITS UNLESS PROHIBITED BY A STATE STATUTE OR REGULATION OR BY A CITY OR COUNTY-WIDE BAN IMPOSED FOR A DESIGNATED PERIOD; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, A SAVINGS AND SEVERABILITY CLAUSE, AN EFFECTIVE DATE, AND PROPER NOTICE AND MEETING. *(CODE REVIEW TASK FORCE)*

6. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER ACTION REGARDING PROPOSED STREET IMPROVEMENT PLANS FOR MILL RACE LANE. *(CITY ADMINISTRATOR)*
- (B) DISCUSS AND CONSIDER ACTION AUTHORIZING THE ACQUISITION OF A FORD F-150 PICKUP TRUCK AND ASSORTED EQUIPMENT FOR THE VEHICLE FOR USE BY THE WIMBERLEY CITY MARSHAL. *(CITY ADMINISTRATOR)*
- (C) DISCUSS AND CONSIDER ACTION REGARDING A PROPOSAL TO CHANGE THE REQUIRED VOTING PROCEDURE FOR THE CITY OF WIMBERLEY CODE REVIEW TASK FORCE. *(PLACE ONE COUNCIL MEMBER TOM TALCOTT)*

7. 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 May 14, 2012 at 5:30 p.m.

A handwritten signature in cursive script, reading "Cara McPartland", is written above a horizontal line.

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.