

**City of Wimberley**  
City Hall, 221 Stillwater  
Wimberley, Texas 78676  
**Minutes of Regular Meeting of City Council**  
July 21, 2011 at 6:00 p.m.

City Council meeting called to order at 6:16 p.m. by Mayor Bob Flocke.

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

Councilmembers Present: Mayor Bob Flocke and Councilmembers Tom Talcott, Mac McCullough, Matt Meeks, Steve Thurber, and John White.

Staff Present: City Administrator Don Ferguson, City Secretary Cara McPartland, and Assistant City Attorney Steven Weller

**Citizens Communications**

Tammie Sedam of 10 Las Flores spoke favorably of Council's decision to close her street to through traffic and of the positive changes in her neighborhood due to said closure. She expressed concerns over threats, intimidation, and vandalism against her family and other residents. She stated that her children have learned that everyone has a voice and that all Council members listen. Ms. Sedam recounted specific negative experiences and felt her family is labeled as a target. She cautioned Council against considering re-opening of Las Flores and hoped Council has "a way to protect us from these people who have been assaulting us verbally and physically the last year."

Jean Veriato of 8 Las Flores thanked Council for its decision to close her street, which she felt has helped her neighborhood. She stated that people who want to reopen Las Flores "just want to reopen it so they can speed down there and save thirty seconds." She noted specific incidents of abuse by her neighbors and stated that to reopen Las Flores would be not be in the interest of safety. Ms. Veriato said that the neighborhood is now a safe place to walk, but expressed some concerns about speeding, in spite of speed humps. She distributed a handout to Council containing her notes on this issue.

Melvin Hildebrandt of 581 Climbing Way read the following text from a letter addressed to Mayor Flocke, City Council members, Planning and Zoning Commission members, and City Administrator Ferguson:

"On behalf of concerned residents and property owners of Paradise Hills, we are delivering to you our Statement of Position reasserting our firm opposition to the granting of Bed & Breakfast and Vacation Rental Conditional Use Permits in Paradise Hills. A list of the Concerned Residents and Property Owners of Paradise Hills and copies of the Statement of Position they have endorsed and signed is included. It is our sincere hope that City Government will discourage applications for such Conditional Use Permits in Paradise Hills, and if submitted

disapprove them. Your favorable consideration in this matter is respectfully requested. Most sincerely, (signed by) Jean Adams, Ron Freeman, Melvin Hildebrandt, and Jo Kathryn Quinn.”

He noted that the list of signed Statements of Position “includes 111 signatures representing 63 properties, which is 84% of the properties in Paradise Hills having owners who express a position on this matter.” The complete text of the “Statement of Position” and list of signatories is attached to these minutes.

## 1. Consent Agenda

- A. Approval of the minutes of the Regular City Council meeting of July 7, 2011.
- B. Approval of the minutes of the Special City Council meeting of June 25, 2011.
- C. Approval of the June 2011 City of Wimberley Financial Statements. (*City Administrator*)

Councilmember Thurber pulled Consent Agenda Item 1C.

Councilmember Thurber moved to approve Consent Agenda Items 1A and 1B, as presented. Councilmember McCullough seconded. Motion carried on a vote of 5-0.

Councilmember Thurber and City Administrator Ferguson discussed the cyclical nature of collection of certain franchise fee revenues.

Councilmember Thurber moved to approve Consent Agenda Item 1C, as presented. Councilmember McCullough seconded. Motion carried on a vote of 5-0.

## 2. City Administrator Report

- Status report on the development and operation of the Blue Hole Regional Park

City Administrator Ferguson reported on Phase I completion efforts, strong attendance, a resolved guest/employee incident, and design awards received for the Park.

- Status report on the development of a revised interlocal agreement with Hays County regarding law enforcement

City Administrator Ferguson reported on ongoing meetings with Hays County representatives, per Council direction, to arrive at an agreement acceptable to all parties. He anticipated presentation of a draft agreement to Council in the near future.

- Status report on the development of a revised City of Wimberley Sign Ordinance

City Administrator Ferguson presented a preliminary draft of the revised City of Wimberley Sign Ordinance to be used as a starting point for discussion and possible action on a future Council agenda. Councilmember McCullough suggested delegating one member of Council to perform an initial review of the revised ordinance. After Council has had an opportunity to review the

revision, Mayor Flocke advised that consideration of delegating one Council member may be placed on a future agenda for action.

### **3. Public Hearing and Possible Action**

- A. Hold a public hearing and consider approval of an ordinance of the City of Wimberley, Texas amending Section 155 (Zoning), Appendix F, of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for a 7.58 acre tract of property located at 12500 Ranch Road 12, Wimberley, Hays County, Texas, designating such property from Residential Acreage (RA) and Single Family Residential 2 (R-2) to Scenic Corridor (SC); and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting. (*Bren and John Carr, Applicants*)

This item was heard after Agenda Item 4M.

City Administrator Ferguson reported on the subject property's location, current/proposed zoning and uses, and geographical features. He noted that rezoning is necessary due to an associated subdivision application to subdivide the subject property into two 1.77 acre tracts, one 7.58 acre tract, and an access easement. No comments were received and staff recommended approval of this zoning change, subject to approval of the aforementioned subdivision. He advised that on July 14, 2011, the Planning and Zoning Commission voted unanimously to recommend approval of the zoning change, subject to approval of the associated subdivision.

Mayor Flocke opened the public hearing. Hearing no comments, Mayor Flocke closed the public hearing.

Discussion addressed possible future uses of the property after subdivision and the existing conditional use permit for a bed and breakfast, which will not be affected by the proposed zoning change.

Councilmember McCullough moved to approve the item, as presented, subject to approval of the associated subdivision. Councilmember Thurber seconded. Motion carried on a vote of 5-0.

- B. Hold a public hearing and consider approval of an ordinance of the City of Wimberley, Texas amending Section 155 (Zoning), Appendix F, of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for two (2) 1.77 acre tracts of property located at 12500 Ranch Road 12, Wimberley, Hays County, Texas, designating such tracts of property from Residential Acreage (RA) to Single Family Residential 2 (R-2); and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting. (*Bren and John Carr, Applicants*)

City Administrator Ferguson reported on the need to rezone the subject property due to an associated subdivision application, corrected acreages, and property access. He recommended approval, advised that no comments were received on the requested zoning change, and noted the

Planning and Zoning Commission's unanimous recommendation for approval (subject to approval of the associated subdivision) at its meeting on July 14, 2011.

Mayor Flocke opened the public hearing. Hearing no comments, Mayor Flocke closed the public hearing.

Councilmember Thurber moved to approve the item, as presented, subject to approval of the associated subdivision. Councilmember White seconded. Motion carried on a vote of 5-0.

- C. Hold a public hearing and consider approval of an ordinance approving an application for a conditional use permit (CUP) submitted by Effat Shekarforoosh for a sit-down eating establishment including the sale of beer and wine for on-premise consumption on an approximately 0.121 acre tract located at 303 Wimberley Square, Wimberley, Texas, zoned Commercial – Moderate Impact (C-2); 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. (*Effat Shekarforoosh, Applicant*)

City Administrator Ferguson reported on the subject property's location, current/proposed zoning, and the applicant's intent to sell beer and wine only as part of the existing sit-down restaurant operation (known as *Marco's Italian Restaurant & Pizzeria*). He noted that no comments from the public have been received by staff. He advised that the Planning and Zoning Commission unanimously recommended approval at its July 14, 2011 meeting, with the following conditions: sales limited to beer and wine; sales would be allowed daily between the hours of 11 a.m. to 2:30 p.m. and 5 p.m. to 9 p.m.; and, all Texas Alcoholic Beverage Commission (TABC) requirements are met.

Mayor Flocke opened the public hearing. Hearing no comments, Mayor Flocke closed the public hearing.

Discussion addressed limitation of sales to stated operating hours versus no mention of time-specific references.

Councilmember McCullough moved to approve the item, "contingent on the applicant's operating hours." Discussion addressed whether the contingency should simply state unspecified "operating hours" versus stating specific operating hours. Planning and Zoning Commission member Steve Klepfer spoke to Council on the Commission's discussion relating to concerns about late-night beer/wine/alcohol consumption in the Square.

Councilmembers Talcott and White favored conditional language limiting sales/consumption during "operating hours" only, without time-specific references, in order to avoid the need for a CUP amendment, should operating hours be changed in the future.

Councilmember McCullough stated: "That's my motion." Councilmember Talcott seconded.

City Administrator Ferguson requested clarification on the motion. Discussion established that the previously stated motion is to approve the CUP for sales during operating hours (regardless of what those hours may be), as allowed under TABC regulations. City Administrator Ferguson reminded Council that in the event of a transition in ownership, the CUP would remain in effect.

Councilmember Thurber spoke on the advisability of specifying a time range (such as 11 a.m. to 9 p.m.) or an “end of day” time (such as 10 p.m.) for operating hours, with future changes in operating hours subject to approval of a CUP amendment, should the current or future owners wish to change the hours or add a bar to the existing sit-down restaurant operation. Councilmember White asked whether the motion could be amended to state: “operating hours up to 10 p.m.” City Administrator Ferguson replied affirmatively.

Procedural issues were discussed about withdrawal versus amendment of the previously stated motion and second to accommodate Councilmember White’s suggested amendment to the motion. City Administrator Ferguson recommended withdrawal of original motion and second, (should Council wish to add the 10 p.m. limit to the operating hours) and restatement of the motion. Councilmember Talcott did not agree to withdraw his second to the motion and stated that the business should comply with TABC regulations.

Councilmember Thurber asked if another motion could be made to include time-specific operating hours. No additional motion was made.

Mayor Flocke called for a vote on the original motion and confirmed City Administrator Ferguson’s understanding of the motion language as “during operating hours.” Motion carried on a vote of 4-1. Councilmember Thurber voted against.

#### **4. Discussion and Possible Action**

- A. Discuss and consider possible action accepting a \$5,000 donation to the City of Wimberley for the FM 2325 sidewalk project. (*City Administrator*)

City Administrator Ferguson stated that this donation was made by a local resident who asked that his/her name not be made public. The donor expressed support for current efforts to secure funding needed to construct sidewalks along FM 2325 and indicated special interest in the donated funds being used to create a safe pedestrian route to those schools located along FM 2325.

Gratitude was expressed for the donation, and Councilmember Thurber moved to accept the \$5,000 donation. Councilmember White seconded. Motion carried on a vote of 5-0.

In response to Councilmember White, City Administrator Ferguson replied that a separate bank account will be set up, so as not to commingle donation(s) with other funds.

- B. Discuss and consider possible action regarding changes to the City election process stemming from the adoption of Texas Senate Bill 100. (*City Administrator*)

City Administrator Ferguson introduced Assistant City Attorney Steven Weller, who presented information on the newly adopted State Senate Bill 100 (SB 100), intended to comply with the federal Military and Overseas Voter Empowerment Act (MOVE). SB 100 moves the runoff date for the March primary election to the fourth Tuesday in May. The designation of this new date puts it in close proximity to the May uniform election date, which is the second Saturday in May. Under SB 100, county elections administrators are no longer required to provide elections services to local entities, such as the City of Wimberley, in even-numbered years. Hays County Elections Administrator Joyce Cowan has notified the City that her office will not be able to provide elections equipment/services for May elections in even-numbered years.

Attorney Weller presented the following options, along with associated benefits/disadvantages:

*Option 1:* SB100 permits Wimberley to move its elections from the May uniform election date to the November uniform election date, in both even- and odd-numbered years. In order to implement this option, the terms of all Council members would carry over for a six-month period.

*Option 2:* No longer stagger the terms of Council members and hold elections on the May uniform election date, but only in odd-numbered years, which would elect an entire City Council every two years.

*Option 3:* Continue to stagger terms, buy or lease voting machines/services (possibly sharing costs with other entities), and continue to hold City elections on the May uniform election date.

Discussion addressed specific pros/cons of each option, estimated costs of purchasing/leasing voting equipment/services, holdover/term length issues, opportunities to share election costs with other governmental entities, ballot placement for municipal elections on a November ballot, possible future changes to SB 100 by State legislators, and the statutory deadline (December 31, 2011) for adoption of a resolution by City Council approving the designated option. Mr. Weller recommended that the City meet with other entities to discuss which options would best meet the needs of the voters and all involved parties. City Administrator Ferguson anticipated reporting back to Council on this issue at its August 18, 2011 meeting, pending meetings with other entities.

Councilmember Talcott moved to direct staff to provide an updated report to Council for discussion and action at its August 18, 2011 meeting. Councilmember White seconded. Motion carried on a vote of 5-0.

C. Discuss and consider possible action regarding proposed changes to the City of Wimberley Water Conservation Ordinance. (*Mayor Pro Tem Steve Thurber*)

Councilmember Thurber encouraged a proactive stance to mitigate current drought conditions through conservation education and promotion.

City Administrator Ferguson noted that the current comprehensive Water Conservation Ordinance is broad-based and applies year-round. Staging of regulations, specific triggers (such

as rainfall or river flow), tightening restrictions, and supplemental regulations (such as rainwater harvesting requirements and low-flow fixtures) were offered as possible ways to strengthen the ordinance.

Discussion addressed complaint-based enforcement, voluntary conservation, local well conditions, and possible briefing of Council by Wimberley Water Supply Corporation (WWSC) representatives. Councilmember Thurber asked that Council review the current Water Conservation Ordinance for consideration and possible action at its next meeting on August 4, 2011. City Administrator Ferguson requested Council's input for inclusion in a draft revision.

No vote was taken on this item.

*Wimberley View* reporter Susan Marx spoke on her past research and reporting on rainwater collection and suggested requiring that new developments incorporate rainwater collection systems.

- D. Discuss and consider possible action regarding a proposal to extend the 2011 operating season for the Blue Hole Regional Park. (*Wimberley Parks and Recreation Advisory Board*)

City Administrator Ferguson presented the Parks Board's reasoning and recommendation to extend the 2011 operating season to October 16, 2011, open on weekends only from September 6<sup>th</sup> through October 16<sup>th</sup>. He noted that the Park would continue to be available for reservation for special events.

Discussion addressed whether the extended operating schedule would interfere with the recovery period need for recently planted vegetation, amount of minimum staff required, expected use patterns after Labor Day, and water depth and quality. Councilmember White moved to extend the Park's 2011 operating season, to remain open weekends only from September 6<sup>th</sup> through October 16<sup>th</sup> (hours to remain 10 a.m. to 8 p.m. on Saturdays and 11 a.m. to 6 p.m. on Sundays). Councilmember Talcott seconded. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action regarding the proposed establishment of a user fee for the fire pit at the Blue Hole Regional Park. (*Wimberley Parks and Recreation Advisory Board*)

City Administrator Ferguson presented the Parks Board's reasoning and recommendation to establish a user fee of \$35/per hour. He noted that use of the fire pit will only be allowed during Park hours with staff present and when the burn ban is not in effect.

Council discussion addressed whether or not the proposed fee is reasonable. Councilmember Thurber moved to approve the proposed fee of \$35/per hour, in accordance with the Wimberley Parks Board's recommendation. Motion died for lack of a second.

Councilmember McCullough moved to approve establishment of a fire pit user fee of \$20/per hour. Councilmember Talcott seconded.

Discussion established that the City will furnish wood for the fire and City Administrator Ferguson noted that Park fees are set to cover operating costs.

Mayor Flocke called for a vote as follows: Councilmember Talcott, aye; Councilmember McCullough, aye; Councilmember Meeks, aye; Councilmember Thurber, nay; Councilmember White, aye. Motion carried on a vote of 4-1.

- F. Discuss and consider possible action regarding plans for a proposed *Sunday Night Jazz* concert series at the Wimberley Community Center. (*Wimberley Parks and Recreation Advisory Board*)

City Administrator Ferguson presented the Parks Board's recommendation to approve a proposed *Sunday Night Jazz* concert series at the Wimberley Community Center. The musicians would donate time and talent, while the City would provide the room at no charge and generate revenue for the Center from concessions, which would not include alcohol.

Discussion addressed rules for concession sales (no alcoholic beverages served or BYOB allowed).

Councilmember White moved to approve plans for the concert series and concession sales, as recommended. Councilmember McCullough seconded. Motion carried on a vote of 5-0.

- G. Discuss and consider possible action amending the Fiscal Year 2011 City of Wimberley General Fund, Municipal Court and Blue Hole Budgets for the purpose of accounting for actual and anticipated expenditures, and declaring the adjustments as a necessity. (*City Administrator*)

City Administrator Ferguson requested continuance of this item and advised that it will be placed on a future agenda for discussion and possible action. No vote was taken.

- H. Discuss and consider possible action relating to the proposed Fiscal Year 2012 City of Wimberley Budget Calendar. (*City Administrator*)

City Administrator Ferguson reviewed the budget process and key dates on the proposed calendar (attached to these minutes), which allow for some flexibility in scheduling, as the need arises. Scheduling conflicts were discussed and it was agreed to move the joint Council/Budget Advisory Board workshop meeting from August 24<sup>th</sup> to August 29<sup>th</sup>.

Councilmember Thurber moved to approve the calendar, including the aforementioned change, with the understanding that future adjustments to the calendar may be made, if needed. Councilmember Talcott seconded. Motion carried on a vote of 5-0.

- I. Discuss and consider possible action relating to a proposal to utilize *Zero Based Budgeting* in the preparation of the City of Wimberley Annual Budget. (*Place One Councilmember Tom Talcott*)

Councilmember Talcott presented a summary of zero based budgeting and certain advantages, such as providing greater detail on explanations of each line item. He supported a two-phase approach to utilize zero based budgeting. The first phase would use portions of zero based budgeting in the explanation of each line item detailing exactly “what this money is going to be going towards.” The second phase would be working with the Budget Advisory Board early on in the summer of next year to establish the various zero base line items and then build on each one of those line items as an effective way to “justify exactly what is needed.” Councilmember Talcott moved to take this two-phased approach and adopt zero based budgeting in the future. Councilmember White seconded.

Councilmember Thurber offered a friendly amendment to authorize the first phase at this time, but to hold off until completion of the current budget cycle to discuss full-blown implementation of the second phase at a later time. Discussion addressed procedural issues related to friendly amendments. Councilmember McCullough seconded Councilmember Thurber’s friendly amendment. Councilmember Talcott stated that he did not have a have a problem with phasing in, because “that’s what we’re talking about doing anyway.”

Mayor Flocke called for a vote on the friendly amendment. Motion carried on a vote of 5-0. Mayor Flocke called for a vote on the original motion. Motion carried on a vote of 5-0.

Councilmember Thurber stated the following: “I think we just voted to phase it in and then we voted to not phase it in.”

City Administrator Ferguson clarified for Mayor Flocke that the motion needs to adopt the amendment, and then adopt the amended motion. Mayor Flocke stated his understanding that Council voted to adopt the motion, as amended.

- J. Discuss and consider possible action regarding a proposal to conduct a comprehensive review of the City of Wimberley Code of Ordinances. (*Place One Councilmember Tom Talcott*)

Councilmember Talcott presented a proposal to create a three-person committee charged with reviewing and making recommendations to Council on modifications to the City Code “to identify and eliminate antiquated and outmoded rules that unnecessarily burden business, stifle investment and innovation, or confuse and unnecessarily frustrate the citizens of the town.” He encouraged citizen input and presented organizational charts to help illustrate the roles and duties of various bodies in the proposed review process, including public participation and input. Councilmember Talcott announced that he has one person to recommend for the proposed three-person committee and encouraged Council to offer possible appointments. He offered to “take the leadership role in this as a fourth person, but we should have three people from the City.”

Discussion addressed whether prospective committee members should be residents, non- or ETJ residents, or required to own a business within the City. Councilmember Talcott felt that one committee position should be left open for a non-resident. Other areas of discussion included: impetus for the proposed Code review; complaints from citizens from incorporation to the

present; problems (past and present) with interpretation and enforcement; public education (such as pamphlets) on ordinances, policies, and procedures (particularly building/zoning); improvements made in the last five years resulting in a more user-friendly City government; lingering problems with citizens' perceptions of City Hall; possible "sunset" provisions; need for recodification; and residency requirements for appointees to the proposed code review committee.

Councilmember Talcott made a motion as follows: "We adopt the provision to develop a code review task force with the purpose of reviewing all of the Code and eventually simplifying the Code to a reasonable manner that people can understand in a format to be decided upon later and that the committee be made up of two citizens within the City and one business person that doesn't necessarily have to reside in the City." In response to Councilmember Thurber's inquiry, Councilmember Talcott clarified that one business "person" means one business "owner." Councilmember Talcott added: "I don't want to start this until after the budget is over with, so we would start around the first of October. In response to Mayor Flocke's request for clarification, Councilmember Talcott stated of the aforementioned wording: "That's my motion." Councilmember White seconded.

Councilmember McCullough stated that the focus should be on educating citizens on necessary procedures, particularly related to redevelopment/zoning issues, which he felt "is paramount to the actual Code review." Discussion established that the Code review process would include public education on procedural issues, including reasoning for certain required forms and documents, which sometimes pose a source of frustration for citizens.

Councilmember Thurber called the question. Mayor Flocke called for a vote. Motion carried on a vote of 5-0.

Councilmember Talcott stated that he would like to have committee nominations submitted by next month and City Administrator Ferguson advised that a call for volunteers will be issued in the form a press release to be published in the *Wimberley View* and on the City's website.

- K. Discuss and consider possible action regarding a proposal to establish a City Council policy relating to the City Council's ability to reconsider previous City Council actions.  
(*Place Two Councilmember Mac McCullough*)

Councilmember McCullough provided reasoning for the following stated proposal: "My proposal is that when a Council (a sitting Council) looks at the prospect of overturning a past Council's actions, that that person who is intending to present that on the agenda, bring it, and then before it's placed on the agenda for the public to consider, it has to pass this Council's approval on a super majority." In response to Councilmember Talcott's inquiry, Councilmember McCullough said that his statement was intended to be a motion. Councilmember White requested clarification on the motion, and asked if Councilmember McCullough wanted a super majority to approve putting an item on the agenda. Councilmember McCullough replied "expressly not," and stated "I want a super majority if you bring up the idea." There was continued discussion of past specific Council votes, including a recently overturned decision, and clarification from City Administrator Ferguson that a super majority would require a unanimous

Council vote. At this point in the discussion, Councilmember Talcott noted that Councilmember McCullough's motion had not been seconded. Mayor Flocke called for a second to the motion. Motion failed for lack of a second.

- L. Discuss and consider possible action regarding the development of an historic preservation program. (*Mayor Bob Flocke*)

Mayor Flocke pulled this item from consideration.

## **5. City Council Reports**

- Announcements
- Future Agenda Items

As future agenda items:

Councilmember Talcott requested discussion regarding open containers within the City center to allow people to take a plastic container from an establishment that serves beer and/or wine and be able to shop and visit other places within the City center.

Councilmember Thurber requested that a representative, either the chair or chair's designee from the Planning and Zoning Commission (as well as other City boards/commissions), present their reports and recommendations to Council.

Councilmember Meeks encouraged support for a Hill Country Recreation Association fundraising event on Saturday, July 30, 2011 and provided details on activities.

Hearing no further announcements or future agenda items, Mayor Flocke called the meeting adjourned.

## **Addendum to the Regular Agenda**

### **4. Discussion and Possible Action**

- M. Discuss and consider possible action on a proposal to name the gatehouse at the Blue Hole Regional Park as "*The Way Family Gatehouse*" in honor of the Way Family's contribution to the acquisition and development of the Park. (*City Administrator*)

This item was heard after Agenda Item 2.

City Administrator Ferguson explained the intent of this action is to honor local landowner and part-time resident Peter Way and his family for their generosity in purchasing and holding the property at no profit, while acquisition funding was obtained by the City. The gatehouse was chosen to carry the family's name because of the role it plays as a gateway to the Park, which the family has worked so hard to protect and preserve. He recommended approval of the proposal to name the Park gatehouse/cistern "*The Way Family Gatehouse.*" Council discussion expressed support for the proposal.

Friends of Blue Hole Executive Director Steve Klepfer praised the Way Family for their generosity and for playing an integral role at every stage of Blue Hole's acquisition and development as a public park.

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

**Adjournment:** (Hearing no further announcements or future agenda items, Mayor Flocke called the meeting adjourned after Agenda Item 5.) Council meeting adjourned at 8:57 p.m.

Recorded by:

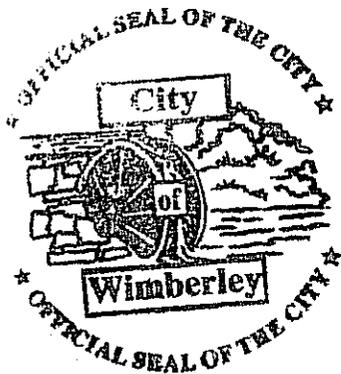
  
Cara McPartland

These minutes approved on the 4<sup>th</sup> of August, 2011.

**APPROVED:**



**Bob Flocke, Mayor**



## Concerned Residents and Property Owners of Paradise Hills

### Statement of Position Regarding Bed & Breakfast and Vacation Rental Conditional Use Permits

March 1, 2011

City Council recently enacted changes to the Zoning Ordinance related to Conditional Use Permits for Bed & Breakfast and Vacation Rental Lodging. The purpose of this Statement of Position is to clearly confirm to City Government our position on this matter.

The properties in Paradise Hills are zoned for the purpose of "development of primarily detached, single-family residences". Bed & Breakfast and Vacation Rental Lodging are CONDITIONAL uses in Paradise Hills. Therefore, when considering an application for a Conditional Use Permit for Bed & Breakfast or Vacation Rental Lodging in Paradise Hills, the Planning and Zoning Commission must consider the "impact of tenant activity on the surrounding residential properties, the neighborhood and the environment" and whether such uses are "harmonious and compatible with surrounding existing uses".

The occupants of Bed & Breakfast and Vacation Rental properties change daily and are strangers to the neighborhood. This fundamental difference in occupancy affects single family residents living in surrounding homes. Many of these effects are adverse. Furthermore, the interests of the owner/residents of single-family homes are not consistent with the commercial interests of owners of Bed & Breakfast and Vacation Rental properties.

We are owner/residents of Paradise Hills, and we believe the character and environment of our neighborhood will change dramatically, and to our detriment, with further proliferation of Bed & Breakfast and Vacation Rental properties. The interests of owner/residents will not be well served by such proliferation.

Therefore, because Paradise Hills has been and is primarily a neighborhood of single family homes, and because it is zoned as primarily single-family residential, it then follows that City Government should give primary consideration to the interests and clearly expressed desires of the single family residents of Paradise Hills, and grant no more Conditional Use Permits for Bed & Breakfast and Vacation Rental Lodging in Paradise Hills.

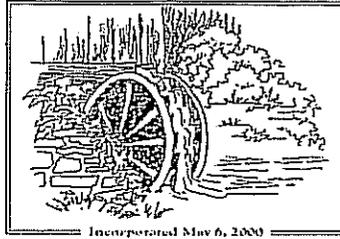
The undersigned support and endorse this Statement of Position.

The attached copies of the Statement of Position have been endorsed and signed by the following list of Concerned Residents and Property Owners of Paradise Hills.

This list includes 111 signatures representing 63 properties, which is 84% of the properties in Paradise Hills having owners who express a position on this matter.

Jean Adams  
Carol and Sheri Bandy  
Rosemary and James Barta  
Teresa and Brad Burnett  
Diane and Tom Byer  
Norma and Tex Call  
John and Bren Carr  
Janet and James Casper  
Pam and Bob Chamberlain  
Lois Clark  
Sharon Coe  
Buell Collins  
Janell Cottam  
Margaret Dearth  
Martha Denman  
Donna and Jimmy Dodd  
Karin and Greg Donovan  
Mia and Adam El Hafi  
Lisa and Salah El Hafi  
Lou and Ken Ellis  
Sophia and Ivor Ellul  
Janice and Jackie Fisher  
Ruth and Ron Freeman  
Sharron Gonzalez  
Betty and Harold Guntow  
Annanette Harper  
Margaret and Mel Hildebrandt  
Yvette and Bob Holland  
Tassie and Richard Holt  
Linda and Dave Hoppes  
Reese and Ray Lewandowski  
Tomoko and Ken Long  
Lissette Lopez and Gregory Dunn  
Diane and Jerry Mace  
Karen and James Martin  
Shirley and Larry Meeks  
John Meyer  
Keith Miles  
Ellen and Michael Miller  
Stan and Sandra Miller  
Dina Rodriguez and Michael Murphy  
Lynn Oldham

Gretchen Papazis  
Nedra and Dwayne Patterson  
Donna Payne  
Marlys and Chuck Peterson  
Jan and Paul Prasek  
Jo Kathryn and Eric Quinn  
Gary Ritchie and Lee Uerkwitz  
Pat and Charles Roccaforte  
Cindy and R.R. Rodriquez  
Lauraine-Miller Rose and Larry Rose  
Helen and Erik Sprohge  
Charlotte and Raymond St. Germain  
Liz and Scott Stephens  
E.J. Tork  
Joan Jernigan and Gene Toscano  
Amanda and Larry Troxell et al  
Bea and Barry Tyler  
Linda Webb  
Jana White  
Jan and Jimmy White  
Betty Williams



**CITY OF WIMBERLEY**  
**FISCAL YEAR 2012 BUDGET**  
**PREPARATION CALENDAR**

Tuesday, July 19, 2011

- Presentation of City staff budgetary recommendations to Mayor for review.

Wednesday, July 20, 2011 *(Regular Budget Advisory Board Meeting)*

- Presentation of City staff budgetary recommendations to Budget Advisory Board for review

Late July

- Development of Proposed Budget in draft form by Mayor
- Budget work sessions, **if necessary**.

Friday, July 29, 2011

- Distribution of Preliminary FY 2012 Budget (Staff Version) to members of Budget Advisory Board & City Council

Tuesday, August 2, 2011 *(Joint Meeting of City Council & Budget Advisory Board)*

- Community Budget Forum

Thursday, August 4, 2011 *(Regular City Council Meeting)*

- City Council Budget work session.
- Set the date for the public hearing on the Proposed FY 2012 Budget

Tuesday, August 16, 2009

- Final Draft of Proposed Budget (Mayor Version) developed by the Mayor presented to City Council and Budget Board and copy placed with the City Secretary and the Wimberley Community Library.

Wednesday, August 17, 2011 *(Special Budget Advisory Board Meeting)*

- Budget work session, if necessary

Thursday, August 18, 2011 *(Regular City Council Meeting)*

- Budget work session, if necessary.

Saturday, August 20, 2011

- "Notice of Public Hearing on Proposed Budget" published in newspaper

Wednesday, August 24, 2011 *(Joint Meeting of City Council & Budget Advisory Board)*

- Budget work session

Thursday, September 1, 2011 *(Regular City Council Meeting)*

- Public Hearing on Proposed Budget

Wednesday, September 7, 2011 *(Special Budget Advisory Board Meeting)*

- Budget work session

Wednesday, September 14, 2011 *(Special Budget Advisory Board Meeting)*

- Budget work session, if necessary

Thursday, September 15, 2011 *(Regular City Council Meeting)*

- Budget work session, if necessary.
- Adoption of budget and appropriation resolution.

Tuesday, September 20, 2011 *(Special City Council Meeting)*

- Adoption of budget and appropriation resolution, if necessary