

THE VILLAGE OF WIMBERLEY
City Council Meeting and Budget Hearing
Thursday, September 28th, 2000
Senior Citizens Center
7:00 p.m.

***** MINUTES *****

A regular meeting of the Village of Wimberley City Council and a Called Budget Hearing was held on Thursday, September 28th, 2000, a notice of each meeting having been posted at least 72 hours in advance and in accordance with Section 551, Texas Government Code. Mayor Linda Hewlett called the meeting to order at 7:00 p.m. in the Senior Citizens Center, 14050 RR 12.

- 1. CALL TO ORDER**
- 2. INVOCATION**

Reverend Everett Trebtoske, Pastor of St. Mary's Catholic Church delivered the Invocation.

- 3. PLEDGE OF ALLEGIANCE** was led by Mayor Hewlett.
- 4. ROLL CALL:** All Council members were present.

- 5. CONSENT ITEMS**

A. Approval of Minutes

There being no objection, the minutes were approved.

- 6. PRESENTATION OF CITIZENS.** There were no presentations by citizens.

- 7. OLD BUSINESS**

- A. Discussion and Possible Approval of depository bank bid notice and timetable.
 - 1) Sept. 30, 2000 – Bid Notice in Wimberley View and also in Oct. 4th issue.
 - 2) Oct. 23 – 2 p.m., deadline for returned bids.
 - 3) Oct. 24 – Finance Committee meeting to review bids.
 - 4) Oct. 25 – Recommendation to City Council, by Finance Committee, Of Depository Bank.

Councilman Matt Manis made a motion that the above schedule be approved. Seconded by Councilman Steve Klepfer, the motion was approved 5-0.

B. Discussion and Possible Approval of Agreement with Balcones Bank for \$50,000 Line of Credit.

Councilman Matt Manis noted that approval had previously been given by Council to negotiate an agreement with Wells Fargo and Ozona Banks for a \$50,000 Line of Credit and he is requesting approval by Council to consider Balcones Bank as a third possible source. The Finance Committee will meet next week to decide on which bank to use for the Line of Credit. Councilman Manis made the motion to approve Balcones Bank as a possible source for consideration of a \$50,000 Line of Credit. Seconded by Councilman Water Brown, the motion passed 5-0.

C. Discussion and Possible Action on Moratorium re: erection of Cellular Towers.

Councilwoman Martha Knies stated that this motion was a "continuance" of an earlier agenda item. If approved, this ordinance enacts a 90 day moratorium on issuing permits for cellular towers (with an option for extension of another 90 days if necessary). The purpose of this ordinance being presented for adoption is to provide for the orderly siting, placement, construction and/or modification of antennae facilities within the corporate boundaries of the Village of Wimberley and its extra-territorial jurisdiction. This ordinance is for the purpose of maintaining the status-quo in order to allow the Village Council to gather information, to receive public input, conduct research, establish reasonable policies and prepare a comprehensive ordinance that will adequately and equitably regulate antennae facilities. This ordinance provides temporary regulations while the Village Council enacts the appropriate regulatory rules and administrative procedure and includes the provision that no person will build, construct, erect or modify any antennae facility without first having obtained building and construction permits issued by the Village. This prohibition is effective immediately upon passage and until such time as the Village Council approves and adopts a comprehensive antennae ordinance subject to Section 8 herein enacted. This provision shall not apply to residential "receive only" antennae. This ordinance will be effective upon passage by Council and public notice, as might be required. It has some enforcement stipulations for violations of the ordinance, which will be published in the Wimberley View. Section 5, Page 4, states that permits will be suspended temporarily for 90 days and subject to extension of another 90 days. Councilwoman Knies stated that the Comprehensive Plan would address this issue in detail when it is formulated.

Discussion was held regarding the possible inclusion of regulations regarding new technology that will become available to citizens wherein they may install a residential satellite dish to receive and send internet messages. It was recommended that appropriate language be included in the ordinance to exclude these types of sending and receiving satellites attached to residents. Steve Klepfer recommended language be included to exclude this type of residential antennae which will be done before the ordinance is published.

Recommended language to be used is as follows: Residential "receive only antennae" means any tower or antennae located on a residential tract of land that is used exclusively for reception only including local television broadcast reception antennas, receive and/or send direct satellite antennas or multi – channel, multi-point distribution services."

Councilwoman Martha Knies made the motion that the Village of Wimberley enact an ordinance establishing a ninety day moratorium on issuing permits for cellular tower installations. Seconded by Councilman Steve Klepfer, motion passed 5-0.

Councilman Klepfer stated that it is necessary for Council to establish some procedural/administration methods to deal with ordinance enforcement. He informed Council that problems had arisen regarding the enforcement of the moratoria on the signage issue. He said that most of the people that had asked him about the sign ordinance were very understanding and were going to keep their signs in conformance. Others are just going ahead and putting up the signs. Councilman Brown recommended that we send a letter from the Council to those persons who are violating the moratorium and that a "notice of violation" be prepared to put on the signs.

If they do not comply, the next step will be court. The letter (with copy of ordinance) and notice will be applied simultaneously. Councilman Manis stated it might be a good idea to post this ordinance on the glass of the city office. Councilwoman Knies stated that she did not see the sign ordinance because it was in the Ad section of the View.

8. NEW BUSINESS

A. Report on submission to PUC re: Franchise Fee rates for Verizon Telephone Co.

Councilman Matt Manis sought approval of Council for action that had already been taken due to a submission deadline of information on behalf of the city to PUC regarding rate setting for franchise fees. This information had to be submitted by the end of September or the Village would have to wait a full year to receive franchise fees for Verizon (GTE). Council Manis moved that Council approval be given for this submission. Mayor Hewlett stated that Wimberley would not negotiate fees since they are based on kw hours already set in accordance with the statewide average. Wimberley will receive the statewide average of what every city in the state gets, which has the potential to be very beneficial to Wimberley since these cities have budget that afford them legal assistance to negotiate the fees to a higher level.

Councilman Walter Brown seconded the motion and it passed 5-0.

B. Approval of appointments to Finance Committee.

Councilman Matt Manis stated that he had made three – out of six – appointments to the Finance Committee and is looking for one or two more. They are: Mike Marcus, who is Finance Manager for Wimberley Ind. School District. Leslie Howe, lawyer, who can help with legal budget matters. Rene Gonzales, Purchasing Agent for San Antonio for about ten years.

9. ITEMS FROM COUNCIL.

Councilman Walter Brown informed the Council that:

- 1) the first meeting of the Sign Ordinance Committee will be this Monday evening (October 2nd.) at 7 p.m. at the Chamber of Commerce.
- 2) the second meeting of Building Code Drafting Committee will be at the Chamber of Commerce on Tuesday at 7 p.m. Guests will be representatives of the National Building Code and the Southern Building Code from Austin offices so that should be very informative.

The building Code Committee is working on a system of recommendations for plan review inspections, and permit fees, etc. And when completed, will present a whole package for Council to review.

10. PUBLIC HEARING ON THE BUDGET

There were no citizens wishing to speak to any budget item.

Councilman Matt Manis presented the proposed budget for the Village of Wimberley for the Fiscal Year October 1 through September 30, 2001 (Attachment).

Stating that the Village will be operating on a Line of Credit acquired from one of the local banks during the start-up months of governance implementation. Councilman Manis emphasized the importance of passing the upcoming sales tax initiative to fund city operations.

Franchise fees will be a critical component of revenue to run the government. PEC is dating their franchise fee as of May 6th. Others are currently being negotiated.

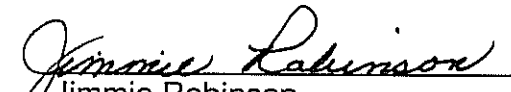
Councilman Manis pointed out that a large item in budget expenditures during the first year will be for legal fees. The consensus of the council is that it is better to pay legal fees at this point than to risk the possibility of having to defend lawsuits later on.

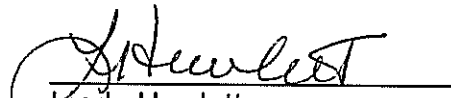
The motion was made by Councilman Manis that this budget be accepted. Seconded by Councilman Tony McGee, the budget passed 5-0. Budget evaluation and adjustments will be done on a regular basis.

11. ANNOUNCEMENTS

Councilwomen Martha Knies announced that David Baker, Wimberley Valley Watershed, and County Agent Kniffen, are working together to sponsor a Water Harvesting and Conservation Workshop – set for Saturday, October 28th, at the VFW. There will be speakers, vendors, and booths at this workshop.

There being no further business and no objections, the meeting adjourned at 9:15 p.m.


Jimmie Robinson
Acting City Secretary


Linda Hewlett
Mayor

Next Regular Council Meeting Dates:

Wednesday, October 11th, 7 p.m. Senior Citizens Center
Wednesday, October 25th, 7 p.m.

The Village Of Wimberley

Budget for the Fiscal Year October 1 through September 30, 2001

INCOME	Tax	# of months		
	Sales Receipts	4	20217	\$80,868.00
	Hotel/Motel			\$0.00
	Franchise Fees			
	Pedernales Electric Coop	13.75	4107	\$56,471.00
	Telephone	6	1400	\$8,400.00
	Cable	6	1166	\$6,996.00
	Trash	9	933	\$8,397.00
	Waste Water			\$0.00
	Wimberley Water Supply			\$0.00
	Development Fees			
	Subdivision	7	2500	\$16,250.00
	Site	7	850	\$5,950.00
	Building Permits	7	850	\$5,950.00
	Municipal Court Fines			\$0.00
	Miscellaneous			\$0.00
	Grants			\$0.00
	SubTotal Income			\$189,282.00
	Loans			\$50,418.00
	Total Income			\$239,700.00
EXPENSES	Personnel Costs			
	Full time City Administrator			\$0.00
	Half time Secretary	12		\$12,000.00
	Fringe Benefits			\$1,800.00
	Employee Travel			\$1,125.00
	Employee Seminars & Training			\$2,250.00
	Contract Labor & Start-up cost			\$6,500.00
	Professional Services			
	Legal Assistance			\$39,000.00
	City Engineer			\$12,000.00
	City Treasurer volunteer with some help			\$3,100.00
	Audit Services			\$4,000.00
	Unanticipated Professional Services Start Up Costs			\$12,000.00
	Texas Municipal League Dues & Insurance			\$3,465.00
	Office Furniture & Equipment			\$4,500.00
	Office Supplies			\$1,350.00
	Dues, Fees & Publications			\$650.00
	Office			
	Rent			\$8,976.00
	Telephone - 2 lines			\$1,000.00
	Electricity			\$2,100.00
	Trash			\$180.00
	Postage & Shipping			\$945.00
	Misc.			\$600.00
	Police Protection			\$0.00
	Road Maintenance			\$54,667.00
	Election & Public Notices			\$2,400.00
	Beautification Projects			\$2,400.00
	Signage			\$6,000.00
	Loan Payments			\$50,418.00
	Interest			\$1,813.00
	Contingency			\$4,461.00
	Debt			\$0.00
	Total Expenses			\$239,700.00
	Matt Manis, Counciman 9-28-00			