

Village of Wimberley **City Council Meeting Agenda**

City Hall, 14500 RR 12, Suite 22

Thursday, September 20, 2001 – 7:00 PM

1. **Call to Order:** The meeting was called to order at 7 p.m.
by Mayor pro-tem Steve Klepfer.
2. **Invocation** was delivered by Reverend E.O. Ervin, First Baptist Church.
3. **Pledge of Allegiance** was led by Mayor pro-tem Steve Klepfer.
4. **Roll Call**
Present were: Mayor pro-tem Steve Klepfer
Councilmember Walter Brown
Councilmember Martha Knies
Councilmember Matt Manis
Absent were: Mayor Linda Hewlett
Councilmember Tony McGee

Mayor pro-tem Klepfer stated that the mayor was out of town and that Councilmember McGee was in Austin conferring with city attorneys in a settlement hearing on the AquaSource rate case.

5. **Consent Items**

A. **Minutes** The minutes of the September 14, 2001 meeting were approved as presented. The minutes of the Executive Session of September 14, 2001 were approved as presented.

6. **Presentations of Citizens**

A. **Citizens' Comments**

(1) **Hydrology Study presentation.** Mayor pro-tem Klepfer introduced a group of Southwest Texas Hydrology students, led by Professor Lawrence Estaville, Chair of the Department of Geology, and Rell Fowler, Project Manager, who led a presentation regarding the hydrology of Wimberley. The group: Geographic Research and Consulting (GRC) of Southwest Texas State University, San Marcos. The students presented the results of a five-week study conducted in a SW Texas summer program.

Participating in the study and presentation were: Rell Fowler (Future Modeling Analyst and Project Manager), John Goodwin (Geo Visualization Analyst), Shelley Hauschild (Geo Visualization Analyst), Joey Boggess (Hydrology Analyst), Stephanie Stiefel (Hydrology Analyst), Charlie Bashara (Flood Plain Analyst), Bernadette Marion (Flood Plain Analyst), and Jennifer Minor (future Modeling Analyst).

The students presented the results of the Wimberley Hydrology Report that sought to enhance the understanding of the dynamic qualities of the Wimberley area and the resources that are available to its citizens. The water data of the area was explored to produce a representation of the hydrology characteristics of the Wimberley and the surrounding area.

The analysis provides insight into the past, present and future use of the water resources of the area and to identify potential problems, plan for better development and create a general awareness of the regional water resources.

Report Conclusion: The Wimberley area is experiencing a continuing growth spell and will have to learn how best to cope with this problem. Area water resources and issues are being stretched and will continue to be a source of controversy until more studies can be conducted to find the true extent of the condition. Only time can tell how Wimberley will address these daunting issues. The report indicates the Wimberley area has a lot to be concerned with and needs to take action to allow for smart growth.

Professor Estaville commended his students for their work stating they had spent countless hours working with Dr. Deborah Bryant as well as Dr. Sally Caldwell on this project and with the Village of Wimberley, pointing out that SW Texas had provided the incorporation map for the city and would be pleased to furnish any additional information that will be helpful to the Village. Mayor pro-tem Klepfer thanked the students for their interesting presentation.

7. Reports from Committees - None

8. Items from Council:

Councilmember Brown stated he wanted to read into the minutes some items he planned to put on the next agenda in order that these items will be a matter of record:

1. Discussion and possible action to adopt a Procurement Policy and Procedures Manual for the Village of Wimberley.
2. Discussion and possible action to adopt a Historic Preservation Ordinance for the Village of Wimberley, including the establishment of a Historic Preservation Board.
3. Discussion and possible action to adopt an Ordinance establishing the Village of Wimberley Parks and Recreation Board.
4. Discussion and possible action to adopt certain amendments to the Village of Wimberley Zoning Ordinance (2001-010) as recommended by the Planning and Zoning Commission.
5. Discussion and possible action to adopt an Outdoor Lighting Ordinance for the Village of Wimberley
6. Under "Presentations from Citizens": Presentation by Mr. Bert Johansen of Anvil Communications, Inc. concerning options for broadband access to a community network.

Mayor pro-tem Klepfer apologized to Councilmember Brown on behalf of the city for the omission of two items requested by him that had been left off this meeting's agenda.

9. Old Business – None

Mayor pro-tem stated that this council meeting was the smallest held since incorporation and asked if there were any items on the current agenda that anyone wished to withdraw for later action.

Councilmember Brown stated he wished to postpone Items "I" Item "K" to October 4th.

Councilmember Knies stated she wished to postpone Item "E" because the matter needed input from Dr. Dee Ann Story who is leaving to go out of the country and will not be back from Scotland until October 10 and the city attorney would also like to be present when this item was discussed,

Councilmember Brown stated he had forwarded the "Historic Preservation Ordinance" to the Planning & Zoning Commission and it will be on their agenda for discussion Monday night, October 24th and that Dr. Story would be there to make a presentation to them to get the ball rolling on it and they will have a recommendation for submission to council by the time she is back in the country.

10. New Business

A. Discussion & Possible Action to adopt the Village of Wimberley 2001-200 Budget

Councilmember Manis made the motion that council approve the proposed fiscal budget as presented (copies were made available to council meeting attendees.) Seconded by Councilmember Brown. Councilmember Manis reported that the council had two work sessions and that public sessions have also been held. He stated that if the economy deteriorates later this year, council will have to make adjustments to the budget. He said that the mayor and council members have worked hard on the budget and he is of the opinion that this proposed budget, as presented, will enable all departments to operate adequately, barring any unforeseen adjustments to the expected city revenues. The two main budget items are the roads and water/wastewater demands.

Councilmember Brown said he was concerned about the lack of enough personnel budget dollars to help with code enforcement. (Further information and action was decided upon and is included under agenda item "J".) The motion was approved 4-0.

B. Discussion & Possible Action to extend the Moratorium on the Building of Dams in the Village of Wimberley (Ordinance No. 2001-020) which expires 10-1-01, or in the alternative, to enact a proposed permanent Dam Ordinance.

Mayor pro-tem Klepfer moved that council extend the moratorium as the ordinance allows for, i.e., an additional 90 days. Seconded by Councilman Manis, the motion passed 4-0, the motion passed 4-0.

C. Discussion & Possible Action to amend Village of Wimberley Resolution No. R021-2001 (which authorizes the Mayor to make application to the LCRA concerning a proposed grant), proposing that Section 2 shall read: "Applicant" hereby certifies that the matching share for this application will be pledged by December 1, 2001 or the application will be withdrawn."

Mayor pro-tem Klepfer said that council had previously passed a resolution (meeting before last) that stated the application would only contain the matching share items that were pledged - and in - on the date the application was to go to LCRA. Subsequent information determined that it was permissible to submit the application with whatever matching share the applicant anticipates to have pledged by December 1 and if not on hand by that date, the application will be withdrawn. Councilmember Knies moved that this resolution be adopted. Seconded by Mayor pro-tem Klepfer, the motion passed 3-0-1. Councilmember Manis abstaining.

D. Discussion & Possible Action to rescind the motion passed by at the City Council meeting of September 6, 2001 that provides that it was the Council's understanding that the application for an LCRA PIP Grant would list only those amounts pledged as matching funds as of the date of the application.

Councilmember Brown made the motion to approve council action to rescind the resolution as outlined above. Seconded by Councilmember Knies. The motion was approved 3-1, with Councilmember Manis voting "no".

E. Discussion & Possible Action to adopt a Historic Preservation Ordinance for the Village of Wimberley.

Postponed until October 18th.

F. Discussion & Possible Action concerning the preparation of a carved Village of Wimberley seal, as prepared by Doran Teague.

Councilmember Knies informed council that Doran Teague, local artist who carved the eagle which hangs in the city hall, had offered to hand carve a city seal that would represent a rendition of the Village seal (somewhat modified) in a carving 2 ft. in diameter for the city. A replica was presented for viewing. Councilman Manis questioned the date of 1874 which was on the replication, asking whether should be the date of incorporation or the date the postoffice was established. The entire council will consider this item at a later date.

Continued until the next council meeting.

G. Discussion & Possible Action to implement the recommendation of the Uniform Directional Signs Program.

Councilman Knies stated that several months ago a sub-committee of the Village Sign Committee was formed to address this specific matter. The sub-committee had met and are now asking council to take possible action on their recommendations.

Dick Kinas and Gary Brim spoke to council referring to the first meeting at which the committee proposed a plan to help solve the problem of proliferation of individual off-premise signage and yet be sensitive to the needs of the business persons in the community. The proposed program to deal with this problem was outlined to the council. It has three elements, 1. Kiosks, small structures located at strategic locations in the Village designed to help visitors find their way around town and to local businesses. 2. Actual street signs at intersections with identification of various types of businesses that were located on that street, using internationally recognized icons to identify them. 3. Duplication of the sign itself on small directional maps available at the kiosks to enable visitors to find various businesses and attractions around Wimberley. The committee recommended scaled fees to business owners that elect to participate in the program and that would be used to pay for it. The committee recommended this program be coordinated by the Chamber of Commerce. The goal is to have soft control but create an atmosphere that will be attractive while adequately satisfying business needs with the possible inspiration that will convince owners of non-conforming signs to remove them prior to "**having** to remove them". The committee feels this proposal meets, as well as can be met, the requirements of the ordinance while protecting the interest of the business people in the community.

The committee recommended that the first action should be to get the kiosks in place to demonstrate to business persons the value of this kind of signage and how it will help direct visitors to their businesses. The idea is to incorporate this type of collaborative effort between the Chamber and the city while keeping the city's responsibility to a lesser degree.

Mayor pro-tem Klepfer made the motion that council send the kiosk portion of this concept to the Planning & Zoning Commission for their review and recommendation for changes in the sign ordinance language that might be necessary to permit the kiosks within that portion of the ordinance – and – because this issue transportation issues, it is imperative that both the sign committee and the transportation committee be involved in formulating any plan of action. Seconded by Councilman Walter Brown, who commented that the sign committee must be asked to make recommendations regarding the changes that will be necessary in the sign ordinance, bring their suggestions back to the council for possible approval and then the council would invite communication with the Chamber of Commerce. The motion passed 4-0.

H. Discussion & Possible Action to adopt a Procurement Policy and Procedures Manual for the Village of Wimberley.

Councilman Brown introduced a draft of a proposed Procurement Policy for the Village of Wimberley. He thanked Elizabeth Sumter for helping - on a voluntary basis - to compile this data from various municipal and state sources. Liz pointed out that some new measures passed by the legislature during the last session affect how municipalities do business and it was important to incorporate these changes into any policies enacted by the Village. Councilman Brown asked that council start reading this draft and formulating their opinion as to how Wimberley should address the matters of procurement. In response to Councilman Knies' question, Liz Sumter stated that the data came from state regulations, as well her experiences in state and defense department procurement, pointing out that there were many things that are required by law that have nothing to do with the size of the municipality.

This item was continued and will be considered after council members review the draft.

I. Discussion & Possible Action to approve certain minor corrective revisions to the Ordinance establish the Building Code Board of Review, as recommended by the Board.

This item was continued.

J. Discussion & Possible Action to establish and clarify the City Council's policy for enforcement of Wimberley Sign Ordinance No. 2001-002, and the Village of Wimberley Building Code.

Councilman Brown commented on the lack of action on the sign ordinance enforcement for the Village, in that it was pointless to enact ordinances aimed at controlling signage as well building code regulations without anyone in the field to cite offenders and file charges in municipal court on violators who refuse to conform to ordinance regulations enacted by the Village Council. He stated the Village must put a procedure in place for determining responsibility for violations and the city must enforce the ordinances. Currently, citizens are receiving conflicting messages from city hall as to enforcement. He cited blatant violations by contractors who ignore the citations for work that is not being done in accordance with the

city's building code. One contractor recently tore up the citation regarding out-of-code plumbing, and continued to pour a concrete slab over it that might cause the unsuspecting home owner future problems. Right now, the city does not have personnel to enforce the building code and as long as this is the case, these contractors will continue to ignore ordinance requirements. To protect the Village and home owners, council must formulate some clear cut enforcement rules to guarantee compliance, even if it involves legal procedures to accomplish it. Discussion centered on the need to formulate the "rules" at the time ordinances are enacted by council.

Discussion concluded in a method for adjusting some budget line items so that money would be available for an enforcement officer without adversely affecting the overall budget.

K. Discussion & Possible Action to adopt certain amendments to the Village of Wimberley Zoning Ordinance No. 2001-010, as recommended by the Planning & Zoning Commission.

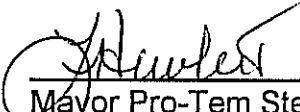
Continued.

11. Announcements

Councilman Brown stated that there have been several strong candidates for the position of City Administrator and that the personnel committee would be interviewing applicants next week. After discussion, it was determined that the full council will interview the top three people as selected by the personnel committee.

12. Adjournment: There being no future business, the meeting was adjourned at 9:30 p.m.

Jimmie Robinson
Assistant City Secretary



Mayor Pro-Tem Steve Klepfer

The next regular meeting of the Village of Wimberley Council will be held at 7 p.m. on Thursday, October 4, 2001.