

Village of Wimberley **City Council Meeting Minutes**

City Hall, 14500 RR 12, Suite 22

Thursday, October 4, 2001 – 7:00 PM

1. **Call to Order.** The meeting was called to order by Mayor Hewlett at 7:10 p.m.

2. **Invocation.** The invocation was delivered by Reverend Odom Dyess,
First Baptist Church.

3. **Pledge of Allegiance** was led by Mayor Linda Hewlett.

4. **Roll Call** Present were: Mayor Linda Hewlett
Councilmember Walter Brown
Councilmember Steve Klepfer
Councilmember Martha Knies
Councilmember Matt Manis
Councilmember Tony McGee

5. **Consent Items**
 - A. **Minutes** The minutes of 9/27/01 were approved as amended as per
Councilman Steve Klepfer.

6. **Presentations of Citizens.** None
 - A. **Citizens' Comments.** None

(1) Update on Pedernales Electric Cooperative's activities in the Wimberley area.

PEC representative, Russ Adamiak reported that PEC offices are open for business on Saturdays from 8 a.m. to 5 p.m. He also said that PEC would once again distribute metallic Halloween bags for the children in the community and that they are available at any of their offices. Mr. Adamiak presented council with the PEC franchise check in the amount of \$20,003.16 which represents 2% of the gross revenue receipts from the sale of electric power and energy for the billing period of July 1, 2001 through September 30th, 2001.

7. **Reports from Committees.** None.

8. **Items from Council.** None.

9. Old Business

(A) Discussion and possible action to adopt a procurement Policy and Procedures Manual for the Village of Wimberley.

Councilman Brown gave council a draft of the proposed procurement policy and procedure manual. It is currently being reviewed by the city attorney. Councilman Brown made the motion that this item be postponed until October 18th meeting. Seconded by Councilman Manis, the motion passed 5-0.

(B) Discussion and possible action to name Wimberley Parks and Recreation Board Members.

Councilwoman Knies reminded those present that the council had approved the establishing of a Parks and Recreation Board at the last council meeting. She said that there were six members of the current Parks and Recreation *Committee* who will carry over to the Parks and Recreation *Board* that will have a total of nine members, with three new members being council consensus appointments. Mayor Hewlett asked council members to nominate candidates for the three vacancies at this meeting and a draft of the list will be sent to council members so they could contact those persons if they wish. The council will vote for three new members to the board at the next meeting. Councilman Walter Brown nominated Jan Fulkerson and recommended that council be provided a brief statement from each potential candidate with their qualifications to serve and their goals and objectives for the park board. Councilman Manis nominated Paul Xiques, Mike Cox, and Jerry Valladao. Mayor Hewlett nominated Malcolm Harris. Councilwoman Knies said that the six members who will carry forward to the board from the P&R committee will be Kris Cusak, Thad Nance, Jane Morton, Kathleen Kline, Fred Franz, and Dell Hood. A total of five of the board members – or more – must live within the city limits. Therefore, two of the new appointments must living within the city limits. Councilman Manis made the motion that the nominations for new board members close. Seconded by Councilman Brown, the motion passed 3-1-1, with Councilwoman Knies voting no and Councilman Klepfer abstaining.

(C) Discussion and possible action to adopt an Outdoor Lighting Ordinance for the Village of Wimberley.

Mayor Hewlett read a letter from Pete Anderson recommending that council approve a strong outdoor lighting ordinance, especially regarding security lights. He stated that these lights can be very disturbing to residents and that it is possible that they can be shielded in a manner that will not impact their neighbor's ability to view the night sky.

Councilman Brown reminded everyone that about three weeks ago, council approved the inclusion in the zoning ordinance of a simplified outdoor lighting ordinance that would apply to properties in general - the main thrust will be the shielding of lights and

reducing the glare that intrudes on other properties. The enforcement would be by complaint only. There will be no active pursuit of lighting violations by the building code officer. Councilman Brown made the motion that council adopt the ordinance as recommended by the Planning Commission. Seconded by Councilman McGee. Discussion centered on the assurance that rules for enforcement would not be onerous and that a complaint would only trigger an investigation and does not necessarily mean the person is violating the ordinance. Often, it will only mean that the light needs to be adjusted or shielded. The general consensus of the council members was that this is a validated concern to the community confirmed by the number of complaints to council members as well as by calls to city hall and that it can be enforced without infringing upon anyone's rights. The motion was approved 5-0.

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

Councilman Walter Brown introduced a "housekeeping" amendment that adds duplex use as a conditional use in Zoning Districts AG, R1, R2, and R4, which means that it is subject to notification and public hearing before council can approve the zoning if it is for duplexes. He asked that this same item be placed again on the agenda of the October 18th meeting so that further amendments might be made; he moved that this item be approved. Seconded by Councilman Klepfer, the motion was passed 5-0.

10. Zoning & Subdivision Cases

A. Zoning Cases Presented by Glenn Fryer, Chair, Planning & Zoning Comm.

- (1) App. No. C211-01-025
Applicant – Tom Sones
Agent – N/A
Location – 310 & 320 Little Ranches Rd.
Proposed Use – Duplex
Planning Area – A
Requested Zoning – From Unzoned to R-5
Recommended Zoning: R-2 (with CUP)
Council Action: Yes Vote 5 to 0

- (2) App. No. C211-01-022
Applicant – Gary McFarland
Agent – Self
Location – 171 Rhodes Lane
Proposed Use – Mixed use – moved trailer on site
Planning Area – D
Requested Zoning - From Unzoned to C-2
Recommended Zoning: C-1
Council Action: Yes Vote 5 to 0

- (3) App. No. C211-01-027
Applicant - Dan Murphy
Agent – Terrill Giere (EWC Construction Inc.)
Location – 263 Mesa Drive
Proposed Use – Single Family Residence
Planning Area – A
Requested Zoning – From Unzoned to R-1
Recommended Zoning: R-1
Council Action: Yes Vote 5 to 0
- (4) App. No. C211-01-028
Applicant – Mary Hill
Agent – Dunn & Burnette Construction
Location La Toya Trail
Proposed Use – Single Family Residence
Planning Area – B
Requested Zoning – From Unzoned to R-2
Recommended Zoning: R-2
Council Action: Yes Vote 5 to 0
- (5) App. No. C211-01-029
Applicant – Kenny Therrien
Agent – N/A
Location – 201 River Meadows Rd.
Proposed Use – Single Family Residence
Planning Area – A
Requested Zoning – From Unzoned to AG
Recommended Zoning: AG
Council Action: Yes Vote 5 to 0

Council requested that the Planning and Zoning Commission notify property owners (or their agents) that unless someone is present before council to answer questions regarding the project at the time the zoning request is placed on the agenda, that item will be postponed.

11. New Business

A. Financial Report for the Village of Wimberley

Councilman Matt Manis presented the September financial report to council as well as the budget for the upcoming fiscal year. He cautioned council members that it was very important that expenditures be kept to a minimum so there will be adequate city operating funds in the event that the economy continued to deteriorate.

B. Introduction of Village of Wimberley Code Compliance Officer and discussion of duties.

Mayor Hewlett introduced Rickey Wright to those present and stressed the importance of his efforts to Village Sign Ordinance enforcement in the determination of signs that are not in compliance. The enforcement will consist of 1) a conversation with the sign owner regarding the sign, and 2) a three-day notice will be issued to allow time for compliance, and 3) the sign owner will be given one more three day extension, after which, legal enforcement procedures will be instigated. In response to Councilman Manis' question, information was elicited that the sign ordinance enforcer has no police authority, but after the appropriate formalities have been observed and the sign owner does not respond, then the sign ordinance enforcer has authority to proceed with legalities to require compliance. Council thanked Mr. Wright for his volunteer efforts to date.

C. Discussion & Possible Action for a sign ordinance variance for size requirement for United Way sign.

John Diaz, a volunteer with the United Way Agency, presented council with a request for a sign ordinance variance for the United Way sign that will be placed in the front of Ozona Bank. The sign will be 4'x7' with a thermometer painted upon it. During the campaign, the sign will be changed from time to time. The goal period starts in October and could go until January. Mr. Diaz stated he had spoken to Rickey Wright who had suggested that he (Diaz) come before council. Councilman Brown clarified that the council has authority to grant variances as they apply to the sign ordinance. Councilmember Tony McGee moved that council approve the requested variance to permit the installation of a 4'x7' sign depicting their thermometer (as shown on the exhibit presented) for the period of time necessary to conduct their campaign, approximately 90 days. Seconded by Councilman Brown, the motion was approved 5-0.

D. Discussion & Possible Action to appoint John Hyink to the Planning & Zoning Commission to replace Cheryl Turner.

Councilman Steve Klepfer moved that John Hyink be appointed to the Planning & Zoning Commission. Seconded by Councilman Matt Manis. Councilman Klepfer stated that there was only one concern, that being John was also currently serving on the Comprehensive Planning Steering Committee where he was a valuable asset. After discussion, it was decided that since the steering committee was temporary, there would be no conflict if John served on both committees since it would actually be beneficial to both groups, especially since they have similar goals and objectives. The motion was approved 5-0.

D. Discussion & Possible Action to direct the Planning & Zoning Commission to appoint another member to the Comprehensive Plan Steering Committee.

Councilman Brown withdrew this item from consideration since it was covered through action on the previous agenda item.

E. Discussion & Possible Action to appoint a City Administrator for the Village of Wimberley.

Mayor Hewlett pulled this item from the agenda.

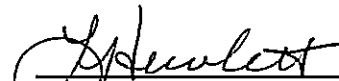
12. Announcements

Councilman Brown announced that he received documentation regarding an application for a new communications tower, which is to be located outside of the city limits of Wimberley and outside the city limits of Woodcreek – 420 ft. tall on a hill northeast of the Junction 12 north and Skyline Drive. City lawyers are determining the options available to the city regarding this installation.

13. Adjournment. There being no further business, the meeting was adjourned



Jimmie Robinson
Assistant City Secretary



Mayor Linda Hewlett

The next regularly scheduled Village Council meeting is Thursday, October 18, 2001.