

Village of Wimberley
City Council Meeting Minutes
City Hall, 14500 RR 12, Suite 22
Thursday, December 6, 2001, 7:00 p.m.

Mayor Linda Hewlett called the meeting to order at 7:00 p.m.

Father Everett Trabtoske of St. Mary's Catholic Church offered the Invocation.

Linda Hewlett, Mayor, led in the Pledge of Allegiance.

Adelle Turpen, City Secretary, conducted the roll call. The following were present:

Mayor, Linda Hewlett
Council Member, Walter Brown
Council Member, Steve Klepfer
Council Member, Martha Knies
Council Member, Matt Manis
Council Member, Tony McGee

1. Consent Items

- A. The Minutes of the November 27, 2001 City Council Meeting were presented by Adelle Turpen, City Secretary

The minutes were approved with two corrections: Item 6—Change to read "...if Ms. Nichols would still represent her clients before the Planning & Zoning Commission." Item 7—Change to read "Councilman Brown made a motion that the Village of Wimberley retain Joe Wilkinson as the City's Interim City Engineer for the remainder of the year 2001, and that the matter be put on the December 20, 2001 agenda for further discussion. The motion was seconded by Councilman Klepfer and was passed by a vote of 5 to 0."

2. Presentations of Citizens

A. Citizens' Comments.

Glenn Fryer, Chairman of the Planning & Zoning Commission, made an informal complaint on behalf of a Wimberley contractor regarding a case where a job was underway with a Village Building Permit where the contractor is alleged to be an undocumented alien.

Bob Bowman, citizen and owner of the Blue Willow retail store, expressed his belief that the City Council is anti-business, and that it would be wrong to close down Banister's Creekview Grill.

B. Emergency Services District Board of Directors, Ted Covington, and Kyle Gerdes, Director of Operations for EMS, discussed the growth of emergency services in Wimberley, and advised the City Council that they would be asking the citizens for a tax increase from 3 cents per hundred of property value to 10 cents per hundred of property value. Such increase should take care of equipment and personnel needs for the next several years. They advised that the tax measure will be on the ballot for the February 2002 election.

3. New Business

A. Financial Report for the Village of Wimberley

Councilman Matt Manis presented a financial report for the month of November 2001. He advised that the revenues were lower than anticipated for, i.e. sign permits, building inspections, legal fees, outside copying; and cautioned that outside copying and legal expenses were running higher than projected.

B. Discussion & Possible Action to purchase a room divider, add additional phone lines, and other equipment needed at City Hall.

Councilman Matt Manis moved, and it was seconded by Martha Knies, that the Council approve the attached list of City Hall Modifications. He presented the needs of City Hall. Funds were already allocated and/or budgeted for one phone instrument (including wiring), two chairs, answering machine, glass enclosure, printer for Building Inspector/Codes Enforcer. Councilmen Klepfer and McGee requested that further investigation be done and that any construction be included in the budget before the other items were approved. Councilman Klepfer moved, and Councilwoman Knies seconded it, to amend the motion of Councilman Manis that Items 2, 3, 4, 6 and 7 be approved (See attached list). The motion was passed by a vote of 5 to 0.

C. Discussion & possible action to approve a Memorandum of Understanding between the Village, GBRA and Quintana Development regarding wastewater service, Blue Hole wastewater CCN and Blue Hole wastewater treatment permit.

Councilman Klepfer made a motion, and Councilman McGee seconded it, that the Mayor and City Administrator, or their designees, be authorized to negotiate with Quintana Development regarding wastewater service, and bring such negotiations back to the Council. Councilman Klepfer stated that Blue Hole has a CCN, a plant, and a permit to increase usage. If Blue Hole would give Wimberley their CCN if could be included in the City plan. Councilman Brown stated that in item G, the term "Committee" should be changed to "Commission" in the draft. Councilman Klepfer advised

that the City Attorney should review the Memorandum of Understanding. Councilman McGee seconded the motion. The motion was passed by a vote of 5 to 0.

D. Discussion & Possible action on adjustments to the fee schedule for sign permits, including setting annual fees for repetitive commercial banners, and a fee structure for new commercial development sign plan review and permitting.

Councilman Brown stated that the fee schedule was reviewed on the basis of the stakeholders recommendations, and that 4 propositions, as recommended by the Sign Ordinance Committee, were now presented.

Councilman Klepfer made a motion, seconded by Councilman Brown, that Fee Schedule #1 be adopted as follows:

- **Fixed Fee Schedule:**

Up to 12 square feet	\$25.00
Up to 16 square feet	\$35.00
Up to 24 square feet	\$45.00
Up to 32 square feet	\$60.00
Up to 48 square feet	\$75.00
Up to 64 square feet	\$100.00

- A motion was made by Councilwoman Martha Knies, and seconded by Councilman Manis, to amend Section 8.D.2 (Commercial Banners) to read:

After “Banners other than community service signs” add the following:

- and Section 5.A (Definitions) to read:

Add a definition for “Annual Commercial Banner Permit Program” as follows:

“...and other than banners erected under the Village’s Annual Commercial Banners intended to promote sales or special retail promotions, which are erected on a temporary basis and no more frequently than twelve (12) times per year, and for no more than 14 days, and are otherwise in compliance with this ordinance, may be displayed under an annual permit, after the payment of an annual fee of \$250.”

Councilman Brown made a substitute motion that the number of times be 8 rather than 12. Councilman Klepfer seconded the motion. The motion failed by a vote of 2 to 3.

The original motion was called and passed by a vote of 5 to 0.

E. Discussion & Possible action to approve an Interim Annexation Plan for the Village of Wimberley.

Councilman Brown presented an Interim Annexation Plan for the Village of Wimberley, based on Judge Jim Powers' inquiry as to whether the City had an annexation plan. This plan is drawn to comply with the state law regarding general law cities; it should be no financial burden to the city; and such plan should be adopted on December 20, 2001 provided there are no legal problems. Councilman Brown moved that the Interim Annexation Plan for the Village of Wimberley be approved. Councilman Klepfer seconded the motion. Councilman McGee stated that it should include that the Council would support annexation if and only if such action would further the goals of the City. Councilman Klepfer asked if City Attorney had reviewed the plan, to which. Councilman Brown said that the City Attorney had not reviewed the plan but that it had been passed by the Planning & Zoning Commission. The motion was passed on a vote of 5 to 0.

F. Discussion & Possible Action to direct the City Administrator to issue a Request for Proposals for turnkey design and installation of voice and data systems improvements for City Hall, including networked computer workstations and server, printer(s) and full-time broadband internet capabilities.

Councilman Brown made a motion that the City Administrator obtain information for a turnkey design and installation of voice and data systems improvements for City Hall, including networked computer workstations and server, printer(s) and full-time broadband internet capabilities. Councilwoman Martha Knies seconded the motion. The motion was passed by a vote of 5 to 0.

G. Executive session to obtain legal advice from City Attorney concerning New Business Agenda Item H.

The Council did not go into executive session.

H. Discussion & Possible Action to issue a building permit for electrical, plumbing and mechanical work at Banister Creekview Grill at 14004 RR12.

Councilman McGee moved that the Village of Wimberley issue a building permit for electrical, plumbing and mechanical work at Banister's Creekview Grill, located at 14004 RR 12. Councilwoman Martha Knies seconded the motion. John Herzer of Banisters, and President of Vachie Properties, apologized that he had not obtained a building permit prior to starting his remodeling project. He stated that there was no change in use, and that he was 60-70% finished with the work. He stated that there was no intent not to follow the rules and that the error was because of ignorance. The restaurant would be hiring 32 part-time employees; that this would be a

first-class restaurant. Councilman Klepfer offered an amendment to the motion that would require that no Certificate of Occupancy would be granted until zoning was completed and all necessary health permits, including septic, were in place. Councilman McGee accepted the amendment. Mr. Herzer agreed to this solution and agreed to comply with the Village fee policy to double fees because of his failure to obtain the necessary permits prior to starting remodeling. The motion was passed by a vote of 4 to 1.

- I. Discussion & Possible Action to adopt certain Amendments to the Village of Wimberley Zoning Ordinance (No. 2001-010) as recommended by the Planning & Zoning Commission, including possible Additions, amendments or deletions by the City Council.

Councilman Brown stated that this matter would be continued.

4. City Administrator Report

- **Border Patrol Incident**

Steve Harrison stated that this was not really a city issue other than the health and welfare of the community and the use of force issues. He had a dialogue with the INS people and they were conducting an internal investigation. The Del Rio officers are aware of the complaint; that it is out of the border patrol hands; they took statements, which differed from the allegations made locally. This triggered an automatic investigation. We will request a report under the freedom of information act.

- **Building Permit Process Review**

Steve Harrison briefly reviewed the present process of issuing building permits. It was suggested that inspection fees should be charged and collected on the front end. He also advised that a meeting is being planned in January with all of the builders to discuss the permit process. He stated he is planning to document the process so applicants will have a better understanding of it.

5. Announcements

Councilwoman Knies announced that a reception would be held on December 20 from 4-6 p.m. to introduce Steve Harrison to the community.

Mayor Hewlett announced that Al Sanders had been advised that in spite of the letters that had been written, the cellular tower on the north side of town was going to be built.

Councilman Brown said, "Sebastian liked his blanket."

Councilman McGee advised that the football team would be in the regional finals at the Alamo Dome this coming Saturday.

Councilman Klepfer advised that he was actively seeking a member for the Water/Wastewater board.

Mayor Hewlett said that in the past council members had suggested names for appointments to committees for boards. She recommended that the Council publish a notice in the paper that there is an opening on the Planning and Zoning Commission. Councilman Brown stated that he has an application and that the web site could be modified for such items—that an application could be obtained at City Hall if anyone was interested.

The next regular meeting of the City Council will be held on December 20, 2001, 7:00 p.m.


6. Adjournment

Since there was no more business, Councilman Manis moved that the meeting be adjourned. Councilman McGee seconded the motion. The motion was passed by a vote of 5 to 0.

The meeting was adjourned at 9:55 p.m.

VILLAGE OF WIMBERLEY

By _____
Linda Hewlett, Mayor



Adelle Turpen, City Secretary