

Village of Wimberley
City Council Meeting Minutes
City Hall, 14500 RR 12, Suite 22
Thursday, May 16, 2002, 7:00 p.m.

- I. **Call Meeting to Order** - Mayor Linda Hewlett called meeting to order at 7:00 p.m.

Invocation - Bishop Earl McArthur offered the invocation.

Pledge of Allegiance - Mayor Hewlett led the Pledge of Allegiance.

Roll Call - Present were: Mayor Hewlett, Council Members Steve Klepfer, Martha Knies, Matt Manis, and Tony McGee. Council member Walter Brown was absent.

Swearing in of Newly-Elected Officials

- **Councilman Matt Manis** - was sworn in by Mayor Hewlett
- **Councilman John Graddy** - was sworn in by Mayor Hewlett
- **Mayor Tony McGee** - was sworn in by Mayor Hewlett. After swearing in Mayor McGee, out-going Mayor Hewlett left the Council table to sit in the audience.

Remarks from Mayor Tony McGee regarding the Village Government

Mayor McGee addressed the public on his view of the immediate future for the Village. He sees four important areas for Council concern:

1. **Land Use Ordinances**. Look at the land use ordinances to make them as comfortable as they can be for the majority of citizens. "There are changes that need to be worked on."
2. **Traffic Problems**--especially on RR12. The City must recognize that Texas Department of Transportation does not listen very well when the City tries to tell it how to spend state money; the City must aggressively move to take care of itself. Council must find ways to take pressure off RR12 so that traffic can continue to move north and south. He wants Council to present options to the community to solve the problem, and the community will have a say in the solution.
3. **Sewer Service in the Downtown Area**. From all reports he has heard, the situation has been getting worse for years and the City will have to do

something to correct it. Groups are working on solutions, and when plans become firmer, Council will present them for discussion.

4. **Communication with the Community.** City staff has begun planning ways to get more information out to the community. One idea is a volunteer hot line to be staffed at designated hours, to take public comments and to answer questions on any issue. Staff is also working on improving the City's web site and looking into making drafts of ordinances available for public discussion.

Mayor McGee concluded by saying, "I'm going to strive as hard as I can to encourage the Council to communicate as much as possible with the citizens because we can't do a good job of governing unless we're hearing from you."

Mayor McGee then read a letter from outgoing Councilman Walter Brown, in which he wished the Mayor and new Council well in their continuing work, and urged them to include in their goals for the coming year an enlarged and more effective public information program, and providing as many services to the community as the budget will allow.

II. Presentations of Citizens

Citizen Jim Lee commented that he noted a lack of reference in the City's Sign Ordinance to a provision of Chapter 216 of the Local Government Code concerning a municipal sign control board, and quoted the language of the code on its composition. His perception that if this had been omitted, were other ordinance likewise defective.

City Administrator Steve Harrison said he would look into the issue.

III. Consent Items

- **Minutes of City Council Meeting of May 2 and May 8, 2002**

Minutes of the regular Council meeting of May 2 and the special Council meeting of May 8 to canvas the results of the May 4 election were approved as submitted.

IV. Reports from Boards and Committees - None

V. Consider & Possible Action Items

- **Discussion & Possible Action regarding Council Vacancy (Councilman Klepfer)**

City Administrator Steve Harrison reviewed a memo from City attorney on

options for filling the Council vacancy created by election of Mayor McGee. Council can appoint someone to fill the vacancy or it can call a special election. If the choice is a special election, it would have to be on the next uniform election day, the second Saturday in September. Whichever option is used, the person selected would serve out Councilman McGee's remaining term, which is until the 2003 regular election. If Council chooses to appoint, it can set procedures for the appointment and the time of the appointment.

In Public Comment, Frank Austin said that in the recent campaign people on both sides agreed the City has moved too fast. Now that Council has a major decision to make, he saw no need to move too fast and suggested it delay any action until its next meeting and consider having an election to fill the position.

Madonna Kimble said she would like to have the "Wimberley Get Back Together" party she proposed two weeks ago, before Council decides how to fill the vacancy.

Dorothy Kerbow said the entire Council should have offered to resign and hold an election when it saw that 550 people had signed the petition calling for an election to abolish the Council. She said Council had promised to appoint a member of the "Take Back Wimberley" group to the vacancy, and she now wants that promise fulfilled.

Councilman Manis moved to postpone acting on the vacancy until Council's next meeting on June 6. He said he has tried to mediate between opposing groups and thinks the community needs time to cool off. The 200 votes by which incorporation was re-affirmed do not make a mandate to keep going on the same course and at the rate as in the past. He thinks the fairest way is to have an election in September with candidates from several sides.

Councilman Klepfer said he is in opposition to the motion. Councilman Graddy seconded the motion and read a statement in which he said it was unfortunate that issues that should have been important in the Council in the election were lost in the campaign over abolition. He rejected the argument that the abolition side had won two Council seats. It is time to tell "Take Back Wimberley" people to present specific issues they want Council to address. At the same time, Council must give them a voice with which to do so. Council should seriously consider a TBW member for the vacant seat.

Councilwoman Knies said that more than 700 people voted to keep incorporation and for Council members. She thinks some of the goals of those voters are similar to those of TBW. She said it is time to appoint a Council member and waiting until September is too long to wait.

Mayor McGee said that because there are only four Council members at present, he might be required to break a tie vote. He knows the issue is creating much bitterness; it is time to end the bitterness. He is in favor of choosing a Council member now.

Councilman Manis said his motion asks only that Council wait until its next meeting in June before deciding.

On a roll call vote, Council members Graddy and Manis voted for the motion to wait; Council members Klepfer and Knies voted against. Mayor McGee voted against, breaking a tie vote. By consent, the Council agreed to allow multiple nominations and then to vote.

Councilman Klepfer moved that Carolyn Nichols be appointed to fill the unexpired term council term of Mayor McGee; Councilwoman Knies seconded.

Councilman Manis moved that Bob Bullock be appointed to the vacant Council position, Councilman Graddy seconded.

Council members Klepfer and Manis spoke in favor of their respective nominees. Mayor McGee said the vote is a distressing time for him because he knows and has great respect for both candidates and he will have to break a tie vote. He said he will vote as he will because Hays County is withdrawing from its role of maintaining Wimberley's roads, forcing the City to take on responsibility for roads and transportation. He wants someone on Council who has had experience in these issues and can give him all the help he can get. He also had to look at the votes of more than 1,200 citizens who voted for incorporation and for Council members and did not want to fly in the face of their opinions.

By roll call vote, Council members Graddy and Manis voted for Bob Bullock; Council members Klepfer and Knies voted for Carolyn Nichols. Mayor McGee voted for Carolyn Nichols.

Mayor McGee swore in Carolyn Nichols as a Council member and she took a seat at Council table.

- **Authorize solicitation of bids for road improvements at Palos Verdes and RR 12**

City Administrator Harrison said the Transportation Advisory Board recommended Council act to make improvements to the intersection of Palos Verdes and RR 12. Although City is not required to put the work out for bids, he thinks it should do so, and has received approval from TxDOT to get the work done. City Engineer Joel Wilkinson described the project. The problem

is one of flooding at the intersection, and uneven surfaces, with a related public safety issue - the possibility that a towed vehicle could be pulled off the road by moving water. City has asked Hays County to do the work and the County declined. Mr. Wilkinson will meet with contractors to be sure they meet TxDOT standards and requirements. He estimated the actual work period during which there would be partial denial of access to Palos Verdes would be three or four days.

Councilman Klepfer moved that Council authorize solicitation of bids as proposed by City Administrator Harrison; Councilman Graddy seconded. Mr. Harrison said the solicitation must be published for 15 days, and that he will set opening of bids in City Hall on June 12. Council will have to approve the accepted bid. Motion approved 5-0.

- **Selection of signatories on bank accounts**

Mr. Harrison said Council needs to identify who will be authorized to sign City checks on the new accounts it voted to create at last Council meeting. Previous practice was to name four signatories while requiring only two signatures. Councilman Klepfer moved that the following be the signatories for all checking accounts for the Village of Wimberley: Either Mayor Tony McGee or Mayor Pro-Tem Steve Klepfer, signing with either Council Member Matt Manis or Council Member Martha Knies. Councilman Manis seconded, motion approved 5-0.

VI. Reports

City Administrator

- **Joint Workshop Planning & Zoning Commission, Comprehensive Plan/Steering Committee, and Council re Village Comprehensive Plan - May 18, 2002 – 8:00 a.m. – Wimberley Independent School District Administration Building**

Administrator Harrison said a joint workshop on land use issues will be held on Saturday, May 18, from 8:00 a.m. to noon, at the WISD administrative office. The workshop is for members of Council, Planning & Zoning Commission, and the Comprehensive Plan Steering Committee; the public is invited.

▫ **Village Initiated Zoning Meeting – May 22, 2002 – 10:00 a.m. – City Hall**

A meeting on Village-initiated Zoning of residential areas will be held on Wednesday, May 22, at 10 a.m. for subdivision and property owners associations. It will be an open exchange of ideas and information on the zoning process and concerns of the POA's.

▫ **Village Communication Strategy Formulation**

City staff is developing a communication strategy for the Village for review by Council members. It will focus on ways the City can communicate with the public better, and receive ideas, information and comment from the public.

VII. Announcements

Councilman Klepfer said he would like to have a reception for outgoing Councilman Walter Brown at 6:00 p.m. before the next Council meeting.

Councilwoman Knies said there will be meeting of the Parks & Recreation Board at 7:00 p.m. Tuesday, May 21, at City Hall.

Councilman Graddy and Frank Austin reminded everyone of the “Celebrate Wimberley” at VFW Hall on Saturday, May 18, and invited everyone to come.

VIII. Adjournment

Council adjourned at 8:45 p.m.

VILLAGE OF WIMBERLEY

By Tony McGee
Tony McGee, Mayor

Dell Hood
Dell Hood, Recording Secretary