

Village of Wimberley
Minutes of City Council Meeting
City Hall, 14500 RR 12, Suite 22
Thursday, September 19, 2002, 7:00 p.m.

Call Meeting to Order - Mayor Tony McGee called meeting to order at 7:00 p.m.

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

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

Roll Call - Present were: Mayor McGee, Council members Steve Klepfer, Martha Knies, and Carolyn Nichols. Council members John Graddy and Matt Manis were excused.

Tribute to Betsy Markland - Mayor McGee read a letter to outgoing Planning and Zoning Commissioner Betsy Markland from City Council, thanking her for "exemplary service" on the Commission. Mayor McGee and Commission Chairman Curt Busk signed the letter.

A. Consent Items

1. Minutes of City Council Meeting, September 5, 2002

2. Proclamation declaring a National U.S. Constitution Week

3. Approval of Zoning Applications upon Second Reading:

a. **Applicant Zoning No. 211-02-110**, Steve Vaughn, 120 Jewel Lane, Planning Area B, R-3 zoning requested, approval recommended by P&Z Commission vote 7-0;

b. **Applicant Zoning No. 211-02-115**, Tracey Dean, 101 Stillwater, 192 Flat Rock, 210 Flat Rock, 215 Flat Rock, 205 Flat Rock, 179 Flat Rock, 151 Flat Rock; Planning Area C, C-1 zoning requested for each lot, approval recommended by P&Z Commission vote 7-0;

c. **Applicant Zoning No. 211-02-109**, James Sheffield, Wimberley Log Homes Motel, 712 FM 2325, Planning Area C, L-1 zoning with PUD requested, Site Plan approval and L-1 zoning recommended by P&Z Commission vote 7-0;

d. **City-initiated Zoning No. 211-02-111**, Villas of Wimberley Hills, 251A, B, C, D Wimberley Hills Drive, Planning Area C, requested zoning MF-1, approval

recommended by P&Z Commission vote 7-0;

e. **City-initiated Zoning No. 211-02-113**, River Meadows Estates, Planning Area A, proposed zoning RA, R-1, approval recommended by P&Z Commission vote 7-0; (process jointly with C211-02-114);

f. **City-initiated Zoning No. 211-02-114**, Lazy "L" Estates Section 1, Planning Area A, proposed zoning R-1, approval recommended by P&Z Commission vote 7-0; (process jointly with C211-02-113);

Council member Nichols asked to have minutes of September 5 Council meeting withdrawn from Consent items. Mayor McGee declared the remaining Consent items passed.

4. **Minutes of City Council Meeting of September 5, 2002:**

Council member Nichols corrected item B.2, Investment Committee Report to read: *"Council member Klepfer reported that he and Council member Manis attended a two-day class given by Texas Municipal League on investment of public funds. City Administrator Steve Harrison had already attended a previous class."*

Council member Klepfer moved to adopt the amended minutes; Council member Nichols seconded. Motion approved 3-0.

Citizen Comments : - No citizen comments offered at this point.

B. Reports for Boards/Committees/Staff

1. **Finance Report of August 2002:**

Jack Clark reviewed City financial report for month ending August 31, 2002. He noted Council is meeting its budget goals and financial objectives.

2. **Citizen Comment Procedure:**

Rickey Wright reported on the tracking system he has developed to follow up on citizen comments, questions, and complaints. The procedures began on July 9; each citizen comment is assigned a number so it can be tracked as City staff respond to it. Most of the 15 comments or requests received so far have dealt with roads issues.

3. **Updated Zoning Ordinance:**

City Administrator Steve Harrison said Planning & Zoning Commission has produced an updated version of the Zoning Ordinance, which incorporates all amendments and changes made through August 16, 2002. The Commission

approved the new version and recommends that it be used now as the official version of the Ordinance.

C. Consider & Act

1. Adoption of Investment Policy

Council member Klepfer briefed Council on the proposed investment policy for City funds. The policy is adapted from one written by Texas Municipal League and has been reviewed by City Attorney. The statement needs to be corrected in Section VI.A, to state that City's prime revenue source is from a sales tax, not a property tax. Council members noted spelling errors to be corrected. Mayor McGee said the statement: "*The City Council should review the policy annually,*" needs to be added on page 11, in Section XII

Council member Klepfer moved to adopt the investment policy dated September 5, 2002, with any reference to a property tax changed to sales tax, spelling corrections and paragraph renumbering as needed, and the sentence offered by Mayor McGee added. Council member Knies seconded. Motion approved 3-0.

2. Authorize Investment of Village Funds with TXPOOL: Resolution Authorizing Participation and Participation Agreement

Council member Klepfer said these documents allow the City to invest public funds in the TXPOOL. He moved to approve the Resolution authorizing participation in TXPOOL, and to approve the Participation Agreement. Council member Knies seconded. Mr. Harrison noted that page two of the Resolution has space for names of three authorized representatives. Council member Klepfer amended his motion to state that the authorized representatives to TXPOOL shall be City Administrator Steve Harrison, Council member Steve Klepfer and Council member Matt Manis. Council member Knies accepted the amendment. Motion to approve the Resolution and Participation Agreement approved 3-0.

3. Amendments to 2001-2002 Budget:

Jack Clark said there are two ways Council can amend its budget: by reviewing revenue and allocating additional revenue to budget items that have been overspent, or by reallocating funds from an expenditure item that is under budget to another expenditure line item. He recommended two changes to revenue items and allocation of the increases to specific expenditure items. Council discussed the suggested changes. Council member Klepfer moved to adopt proposed budget amendments as follows:

- a. Increase "Zoning fees" in General Fund Revenue by \$2,500, Increase "Sales and Use Tax Collected" by \$40,000:
- b. Expenditures line items to increase by the indicated amounts:

Audit and Bookkeeping	\$3,000
Municipal Court Judge	\$1,500
Professional Fees	\$1,000
Special Events	\$ 750
Office Supplies	\$1,000
Rent	\$3,000
Telecommunications/AT&T	\$1,000

Council member Nichols seconded. Motion approved 3-0.

4. Amend Ordinance No. 2002-004 to exempt Council action on zoning applications from two readings:

Mayor McGee read a memo from City attorney Alan Bojorquez suggesting adding one sentence to the ordinance requiring two readings for selected ordinances. In Section 2 of Ordinance No. 2002-004, "Two Readings Required", paragraph A, after the first sentence, the following will be added: *This requirement shall not apply to ordinances assigning a zoning district designation to particular properties or authorizing Planned Unit Developments.*

Council member Knies moved to add the proposed sentence to Ordinance 2002-004; Council member Nichols seconded. Motion approved 3-0.

5. Applications for Zoning, Public Hearing:

- a. **C211-02-117**, applicant zoning, 14306 RR 12, Planning Area D, proposed zoning C-1, recommended by P&Z vote of 7-0:

P&Z Chairman Busk presented the case. The lot is the Y Center, and all uses conform to C-1 zoning district requirements. No comment received in Public Hearing. Council member Knies moved to adopt the proposed zoning; Council member Klepfer seconded. Motion approved 3-0.

- b. **C211-02-116**, City-initiated zoning, Rancho Madrone Subdivision, Planning Area A, proposed zoning RA, recommended by P&Z vote 6-0, one recusal: No comment received in Public Hearing.

Council member Knies moved to adopt proposed zoning; Council member Klepfer seconded. Motion approved 3-0.

6. Proposed Amendments to Zoning Ordinance No. 2001-010, Public Hearing:

a. **Section 52. Entrance Corridor Overlay District (ECOD) - Second reading**
Council member Nichols moved to adopt Section 52 of the Zoning Ordinance, Entrance Corridor Overlay District, on second reading. Council member Klepfer seconded. Council member Nichols offered an amendment, noting that at the first reading, Section D, Parking, on page 171, was changed to say, "*Special* parking provisions for the EC Overlay District are as follows:..." Council member Klepfer accepted the amendment. Motion approved 3-0.

b. **Section 47.15. Commercial Landscape Regulations - Second reading**
Council member Klepfer moved to adopt Section 47.15, Commercial Landscape Regulations, of the Zoning Ordinance, with the changes made at the first reading. Council member Nichols seconded.

P&Z Chairman Busk reviewed changes suggested by City attorney Alan Bojorquez:

1. In second sentence of Section 1.A., Purpose, insert *the business community* after *to promote*.
2. Add the following sentence at the end of item A. in Section 3., General Requirements:
These reference materials are available at City Hall.
3. In Section 4, Required Site Landscaping, paragraph A. Minimum Coverage, the first specification is changed to: *30% in the case of Multi-family Residential development.*
4. In Section 6, Screening, item C., Waste Containers, in third sentence, "*may*" is changed to "*must*."
5. In Section 6, Screening, item D., Loading Docks, in the last sentence the words, "*of the construction of the dock*" are added after "*within two years.*"
6. Section 7, Lighting is changed to read: "*Refer to the Village of Wimberley ordinance governing the nature and extent of outdoor illumination for the provisions of that enactment as they may apply to overall landscape plans.*"
7. Section 8, Slope Development is changed to read: "*Refer to the Village of Wimberley ordinance imposing specific requirements for steep slope development for the provisions of that enactment as they may apply to landscape plans for new development.*"
8. Section 9, Fencing, the second sentence is changed to read: "*Refer to the Village of Wimberley ordinance that imposes certain requirements on the erection of new fencing for further direction.*"

9. In Section 10, Drainage, add the following to the end of third sentence: *for all projects and required for projects disturbing more than 1,000 square feet of land.*

10. In Section 11, Hazardous Trees, the word *resident* is changed to *tenant*, and the word *promptly* is changed to *immediately*.

11. In Section 12, Paths, Walkways and Retaining Walls, the last word at the end of the first sentence of the second paragraph is changed from "*discouraged*" to "*prohibited*."

Council member Nichols amended her motion to accept the above changes. Council member Klepfer accepted the amendment. Motion to adopt approved 3-0.

7. Review and possible appointment of members to the following:

A. Water/Wastewater Advisory Board:

Council member Klepfer named the following people for current appointment:

<u>Board member</u>	<u>Appointed by</u>	<u>Appointment Expires</u>
Pete Anderson	Tony McGee	September 6, 2005
John Estep	Consensus	September 19, 2005
Eddie Gumbert	Carolyn Nichols	September 6, 2005
Jim Harper	Martha Knies	September 6, 2003
Gail Pigg	Steve Klepfer	September 20, 2005

Council member Klepfer moved to appoint John Estep as a consensus member; Council member Knies seconded. Motion approved 3-0.

B. Parks and Recreation Board

Council member Knies presented the following nominees to the Board:

Fred Franz	Consensus	October 17, 2004
Linda Hewlett	Consensus	October 17, 2004
Dell Hood	Consensus	October 17, 2004
Thad Nance	Martha Knies	October 17, 2004

Council member Nichols moved to approve Fred Franz and Dell Hood as consensus appointments. Council member Klepfer seconded. Motion approved 3-0.

Council member Knies moved to appoint Linda Hewlett as the third consensus member of the Board; Council member Klepfer seconded. Motion approved 3-0.

C. Transportation Advisory Board

Council member Nichols presented the following nominees to the Board:

Frank Austin	Martha Knies	September 19, 2005
Bob Bullock	Matt Manis	September 19, 2005
Bill Johnson	Steve Klepfer	September 19, 2005
Matt Kiely	Carolyn Nichols	September 19, 2005
Craig Payne	Consensus	September 19, 2005

Council member Nichols moved to name Craig Payne as a consensus member of the Board; Council member Klepfer seconded. Motion approved 3-0.

D. Planning and Zoning Commission

Council member Nichols presented the following nominees to the Commission:

Curt Busk	Consensus
David Glenn	Martha Knies
John Hyink	Steve Klepfer
Marilee Wood	Carolyn Nichols

Council member Nichols moved to appoint Curt Busk as a consensus member of the Commission; Council member Klepfer seconded. Motion approved 3-0. Chairman Busk noted that to get the rotation of Commissioners correct, two of those named above will be for a two-year appointment and two will be for three-year appointments. Rather than have assigned terms, he said Commissioners would draw straws at next Commission meeting for either two or three year terms.

E. Ethics Commission

Council member Klepfer named Dan Jackson as his appointment to the Ethics Commission. Council member Knies does not have a nominee yet.

8. Authorize Water/Wastewater Advisory Board and City Administrator to buy water quality monitoring equipment:

David Baker, Board chairman, explained to Council the Board's request to buy automated water quality monitoring equipment for \$15,000, to enable it to track and report on more pollution factors in streams and wells in the Wimberley Valley. He noted that Cypress Creek was listed in 2000 on the 303.B list by the Texas Natural Resource Conservation Commission and the Environmental Protection Agency for failing to meet stream standards on dissolved oxygen and was classified as an

"impaired water body". The testing regime the Board has developed will provide a scientific base for any recommendations on watershed protection. The data would also be useful if there is another application for a wastewater CCN in the area. A training program will train people in using the equipment and testing will begin next year.

Council member Klepfer said the water quality monitoring program would be a partnership of the Village of Wimberley, the Wimberley Valley Watershed Association, and the Guadalupe-Blanco River Authority and others. The testing protocols developed in conjunction with use of this equipment will help the Village reach the level of TCEQ standards for scientific validity, and can be used to support the Village's positions on water quality issues. The Village will own and control use of the equipment, but trained staff of GBRA or LCRA will do testing.

Council member Klepfer moved to approve the budgeted expenditure from the 2002 budget of up to \$15,000 for purchase of Hydrolab Corporation of Austin water quality testing equipment, and to permit City Administrator Steve Harrison and the Water/Wastewater Advisory Board to purchase up to \$15,000 of such equipment. Council member Nichols seconded. Motion approved 3-0.

9. Change of starting time for regular Council meetings

Mayor McGee said there has discussion of moving the starting time for Council meetings to 6:30 p.m., to allow people to get home earlier when meetings run late. Council member Klepfer moved to change the starting time for Council meetings to 6:30 p.m. Council member Knies seconded. In discussion, Council member Nichols expressed concern about public notification of a new meeting time and said she would like to have public input on the proposal first. By consensus, Council continued discussion on this item.

10. Expenditure of funds for move to new City Hall

a. Moving Company

Mr. Harrison said he has talked to several moving companies about the move to the new City Hall location, and received quotes from \$465 to almost \$1,200. The cost will come from the Contract Labor budget item. City staff will move computers and other fragile items themselves. Council member Nichols moved to accept the bid of \$465 from Stagecoach Moving; Council member Knies seconded. Motion approved 3-0.

b. Sound System

Mr. Harrison briefed Council on the proposal by Clark Technical Service to install a sound system, including microphones, speakers, and recording equipment. He recommended the \$1,750 cost come from the Contract Labor line item in the budget. Council member Nichols moved to approve purchase of the system from Clark Technical Service; Council member Klepfer seconded. Motion approved 3-0.

c. Computer Technology

Mr. Harrison explained the proposed computer system for the new City Hall. Estimated total cost of hardware and software is approximately \$6,352. Council members discussed printers and data storage arrangements. Council member Nichols moved to authorize expenditure of \$6,352 for computer technology; Council member Klepfer seconded. Motion approved 3-0.

d. Security Monitoring System

Mr. Harrison said Jack Mynier of Timeline Internet Service would continue to provide Internet service to new City Hall at no cost, for a period of three years. City Hall will have a built-in security system and City will have a contract with a security monitoring service. No action.

11. Authorization to close City Hall on September 30

Council member Klepfer moved to authorize closure of City Hall on September 30 for the move to new quarters. Council member Nichols seconded. Motion approved 3-0. Frank Austin offered to donate an antique safe to City Hall. Council members accepted the offer, thanking Mr. Austin.

12. Authorization to reimburse P&Z members for travel to El Paso conference

Mr. Harrison said four P&Z members plan to attend the El Paso conference in October of the Texas American Planning Association, at which the Planning & Zoning Commission will be recognized for its APA award. Council member Knies moved to authorize payment of up to \$200 each for the four Commissioners to attend the award ceremony. Council member Nichols seconded. In discussion, it was noted that the APA invited former Council member Walter Brown and Dr. Sally Caldwell, advisor to the Commission, to the conference as presenters. Council member Klepfer said these two will be representing the Village of Wimberley and moved to amend the motion to include payment of up to \$200 each for all six Wimberley participants. Council members Knies and Nichols accepted the amendment. Motion to pay up to \$200 for six people passed 3-0.

13. Ordinance outlining responsibilities and procedures for Transportation Advisory Board

Mayor McGee said the TAB approved the draft ordinance unanimously. The word "bicycle" needs to be inserted in the first sentence of Section III. Duties of the Board, so that it states:

"The Board shall hold public meetings, conduct work sessions and make recommendations to the City Council regarding road and bridge development, road and bridge maintenance, traffic flow patterns, parking, bicycle and pedestrian walkways/trails."

Council member Nichols moved to adopt the ordinance establishing a Transportation Advisory Board and providing for the duties, appointment, and removal of Board members. Council member Klepfer seconded. In discussion it was noted that Sections of the ordinance should be renumbered to eliminate two sections numbered III. Council member Nichols proposed the following change:

The first sentence of the renumbered Section IX. Board Meetings, to state:

"The Board shall conduct regular public meetings at least once a month at a time and place determined by resolution adopted by the Board."

Council member Klepfer accepted this change. Motion to adopt amended TAB ordinance approved 3-0.

14. Authorize Mayor to sign agreement with GBRA for dual wastewater CCN in ETJ

Mayor McGee said this agreement was requested by the attorney representing the City in the CCN request at Texas Council on Environmental Quality. It will certify that land in the Extra-Territorial Jurisdiction will be certificated jointly by the Village of Wimberley and GBRA. Council member Knies moved to authorize the Mayor to sign the agreement. Council member Klepfer seconded. Motion approved 3-0.

15. City Administrator Report

a. Clerical Hiring Status:

Mr. Harrison said six people who responded to the City's advertisement for a clerical assistant were invited in for interviews. Of those interviewed, he checked references of three people. Of those three, he has offered the position to Cindy

Colvert, for 25 hours per week. She will work from 9:00 a.m. to 2:30 p.m., Monday through Friday.

b. Logistics for move to new City Hall:

Mr. Harrison said staff would spend the end of next week packing for the move. No new furniture will be bought until staff can see how the new space works out.

16. Announcements, Future Agenda Items:

Council agreed by consensus to meet at 6:30 p.m. on Thursday, October 3 to go over the status of appointed members of City commissions and boards.

Council member Knies said Casey Klepfer, a high school intern, has begun working for Parks and Recreation Board on a survey of student recreation interests. He also has talked with the school principals at the high school and Bowen school on use of school facilities for a summer recreation program.

F. Adjournment - Council adjourned at 9:45 p.m.

Village of Wimberley

By Tony McGee
Tony McGee, Mayor

Adelle Turpen
Adelle Turpen, City Secretary

Dell Hood
Dell Hood, Recording Secretary