

**Village of Wimberley**  
**Minutes of City Council Meeting**  
City Hall, 13210 Ranch Road 12, Wimberley, Texas  
Thursday, July 3, 2003

**Call Meeting to Order** - Mayor Steve Klepfer called Council to order at 6:30 p.m.

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

Mayor Steve Klepfer led the Pledge of Allegiance to the United States flag.

Council member Matt Manis led the Pledge of Allegiance to the Texas flag.

**Roll Call:** Present were Mayor Steve Klepfer and Council members Carroll Czichos, John Graddy, Matt Manis, Carolyn Nichols, and Marilee Wood.

**Presentations of Citizens**  
**Citizen Comments**

1. Russ Adamiak of Pedernales Electric Cooperative, reported on the 2003 annual meeting of the Cooperative, and announced that the Board of Directors voted to no longer require residential or commercial clients to pay deposits for new service, and to refund deposits to current clients. He presented a check to Council for \$13,624.42 as PEC's franchise payment for the April 1-June 30, 2003 quarter. Council members thanked Mr. Adamiak for the payment and for the smooth way PEC exchanged old power poles from Wimberley with no disruption to service.

2. Parker Burgin, president of Blanco Bend Homeowners Association, said the group was told the new road signs it recently paid for and erected are illegal and have to be removed. The association maintains the roads and has problems with non-residential traffic by people trying to get access to the river. He believes the association should be able to put up signs to deal with this problem.

3. Tom Keyser, owner of Inoz Restaurant, said he supports the goals of the Sign Ordinance, but there are problems with its interpretation. He said he used a sandwich board sign the week before a concert at the restaurant which he removed from the street every night. He spent \$200 to have it made professionally, but was told it was an illegal sign. He also had a banner over the stage which he believes was not readily visible from the street, but was told this was also illegal. He believes the ordinance is not being equitably enforced and wants fair and equitable treatment with other establishments which put up short-term signs.

## **A. Consent Items**

### **1. Minutes of City Council Meeting of June 19, 2003**

### **2. 2<sup>nd</sup> Reading of Amendment to Zoning Ordinance Section 42.4.n.A – Bed & Breakfast Lodging (adding language and definition to clarify zoning regulations for short term rental of property for lodging)**

Council member Wood asked that item 2 be pulled for consideration later as an Agenda item.

Council member Graddy moved to accept minutes of June 19, 2003 meeting. Council member Manis seconded. Motion to accept approved 5 Ayes to 0 Nays.

## **Reports from Boards/Committees/Staff**

### **Staff Report on Village-initiated Zoning:**

David Cancialosi reported that since the Village began City-initiated residential zoning in February 2002, more than 700 residential tracts have been zoned, saving land owners approximately \$50,000 in fees. The project provides the Village a mechanism to promote a healthy long-term growth pattern. He thanked everyone who has participated in this process. He showed Council members a map indicating all zoning to date, noting that more than 60%-70% of these properties were zoned under City-initiated zoning.

Mayor Klepfer thanked Mr. Cancialosi for his work and expressed appreciation to everyone who worked on City-initiated zoning.

### **Building Code Board of Review:**

Mac McCullough reported the Board is in the process of a comprehensive review of building codes. The Board is also examining rules for licensing professional trades such as air conditioning, plumbing, electrical work, etc. The Village does not have reciprocal licensing agreements with any other entities. The Board will develop a recommendation for Council on this issue. The Board will act at its next meeting to determine staggered terms for its members.

## **C. Consider & Act**

### **1. Amendments to Zoning Ordinance and Public Hearing**

#### **City-initiated Zoning (Public Hearing):**

1. **C211-03-156**, residential properties from Mill Race Lane (North section of Village), including Johnson Ranch and Hewlett properties, for RA, R-1, R-2, and R-3 zoning; recommended by Planning & Zoning Commission by vote 6-0:

David Cancialosi presented the case. Only the following properties are to be zoned

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under this action: R17191, R26084, R26085, R26086, R26087, R26088, R26089, R26090. All other properties on the list for this case are being excluded because they were not totally in Planning Areas A and B, a requirement of City-initiated zoning.

No comment received in Public Hearing

Council member Nichols moved to approve City-initiated zoning for the following properties under case no. C211-03-156: R17191, R26084, R26085, R26086, R26087, R26088, R26089, R26090. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

2. **C211-03-158**, Loma Vista Subdivision (The Point), R-1, R-2, and R-3 zoning; recommended by P&Z by vote 6-0:

David Cancialosi presented the case. There are no changes to the case as presented.

No comment received in Public Hearing.

Council member Wood moved to approve City-initiated zoning for this case as presented. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

3. **C211-03-159**, certain residential properties bounded by South River Subdivision on the north, and by the intersection of RR12 & RR32 on the south (includes unzoned properties along entrance corridor and lots in Spoke Hollow Ranch and Spoke Hills Road, Paradise Hills to the east); recommended with adjustments by P&Z by 6-0:

David Cancialosi presented the case. Pete Anderson asked that all but one of his properties in this area be zoned collectively as RA, and his 1.9 acre property on Spoke Hollow Road be zoned R-2. All properties in Wimberley Hills Business Park are excluded from this zoning case.

No comment received in Public Hearing.

Council member Nichols moved to adopt City-initiated zoning for this case with the following changes: Lots R48512, R48515, R48516, R48517 in Wimberley Hills Business Park be excluded; Lot R14543 be zoned as R-2, and lots R14553, R14554, R14555, and R14538 be combined for zoning as one RA zone. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

2. **2<sup>nd</sup> Reading of Amendment to Zoning Ordinance Section 42.4.n.A – Bed & Breakfast Lodging (adding language and definition to clarify zoning regulations for short term rental of property for lodging):**

Council member Wood moved that Council adopt on second reading the amendment to

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Zoning Ordinance Section 42.4.n.A providing for bed & breakfast lodging. Council member Graddy seconded.

Council member Wood said she and Council member Graddy reviewed the amendment after Council's first reading, and were concerned over two issues of language. She proposed the following changes:

a. Substitute the following for the language in Section II.1 defining a Bed & Breakfast facility:

*A residential facility, otherwise permitted in a zoning district authorized by Sec. 13.1 of this ordinance, that is offered for rental for periods not to exceed 160 consecutive days. All such residential facilities located on or within a single property shall be considered as constituting a single Bed & Breakfast Lodging for the purposes of this ordinance.*

b. In the first sentence in section 42.3, Bed and Breakfast Lodging, delete the word *facility*.

Motion to adopt the amendment with the proposed language changes identified above approved by vote 5 Ayes to 0 Nays.

### **3. Appoint Mark Roden as member of Transportation Advisory Board:**

Council member Nichols said her appointee to TAB has moved out of the Village limits and is no longer eligible for the position, and as her new appointee she names Mr. Mark Roden, who is anxious to serve. Mayor Klepfer welcomed Mr. Roden to the TAB.

### **4. Authorize Request for Qualifications (RFQ) for Professional Services for the preparation of preliminary and final design plans and specifications for the Cypress Creek Nature Trail (recommended by Park and Recreation Board):**

City Administrator Steve Harrison presented the item. He reviewed the RFQ process, the time line for this RFQ, and the evaluation criteria. The City attorney approved the RFQ and the Parks Board recommended unanimously that Council allow it to go forward. A subcommittee of the Board will review responses to the RFQ, rank the top five respondents, and the full Board will interview those five and recommend action to Council.

In discussion, Council member Nichols asked if a public member could be added to the subcommittee, and Mayor Klepfer said Council liaison John Graddy should be a member also. He suggested that the full Board interview only the top two firms to keep the process from becoming unwieldy.

Council members reviewed the RFQ and proposed several language changes. Council member Graddy moved that Council authorize release of the RFQ as recommended by

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the Parks Board and with the changes made by Council. Council member Nichols seconded. Motion approved 5 Ayes to 0 Nays.

**D. City Administrator Report:**

Mr. Harrison reminded Council of the arrangements for the July 4<sup>th</sup> parade. Arrangements have been made with TxDOT and the sheriff's office, fire department and EMS for road closures, police and emergency services coverage.

He reminded again of the TxDOT public meeting on the Ranch Road 12 and Cypress Creek bridge projects on July 24 at the VFW Hall. The City may sponsor one more public meeting with the general public also, in addition to the two meetings held specifically for businesses which might be affected by the projects.

He reviewed the schedule for budget preparation and workshops.

**E. Announcements and Council Requests for Future Agenda Items.**

Council member Nichols asked that the following items be on the Agenda as soon as possible: affirmation of appointments to boards and commissions; amendment to the Zoning Ordinance on Planning & Zoning Commission terms, and amendment to the ordinance creating the Board of Adjustments for appointment of new member.

Council member Czichos asked for appointment of a committee to review the Sign Ordinance.

Council member Graddy said there will be briefing for the general public next Wednesday, July 9, at 6:30 p.m., on the RR12 project. He attended the dinner held by the Central Texas chapter of the American Planning Association, at which the award to the Wimberley Comprehensive Plan Steering Committee was presented, and said it was a very nice event.

Council member Wood said the Economic Development Advisory Board would like to be on the agenda to report on its activities.

Council member Manis concurred with Council member Czichos's request that review of the Sign Ordinance be on the agenda.

**F. Executive Session as authorized by Texas Government Code Section 551.071, Consultation with Attorney on legal issues associated with Open Meetings and Open Records.**

Council adjourned to Executive Session at 7:45 p.m.

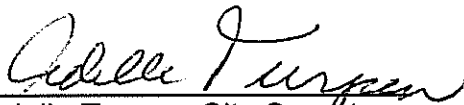
Council reconvened in public session at 8:13 p.m.


**G. Adjournment** - Council adjourned at 8:13 p.m.

VILLAGE OF WIMBERLEY

By   
Stephen Klepfer, Mayor

ATTEST:

  
Adelle Turpen, City Secretary

  
Dell Hood, Recording Secretary