

Village of Wimberley
Minutes of City Council Meeting
City Hall, 13210 Ranch Road 12, Wimberley, Texas
Thursday, July 17, 2003

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

Invocation - Rev. Otha Aishman of Trinity Chapel 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

Mike Jones said he was pleased to see item C.4, discussion of ordinances on junked vehicles and nuisance abatement, on the Agenda, and thanked Council for its attention to these issues.

A. Consent Items

1. **Minutes of City Council Meeting of July 3, 2003**
2. **Affirmation of Village Membership Listing for Boards/Commissions**

Mayor Klepfer said there were requests to pull both items from Consent Agenda.

1. Council member Nichols proposed corrections to minutes of July 3, 2003. Motion to accept minutes as corrected approved 5 Ayes to 0 Nays.

2. Council member Graddy noted that information on terms of appointment was missing for some of the Boards and Commissions, and that a correction was needed for one Board. Council member Wood moved to accept the list of memberships for City Boards and Commissions with the addition of Council liaison members and corrections to terms of memberships as they become available. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

B. Reports from Boards/Committees/Staff

- **Economic Development Advisory Board:**

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Jim Thompson said the Board sees its responsibility to be two-way communication between the business community and City government. The Board's first major project was creation of a communications program for the business community on the economic impacts of the RR12/Cypress Creek bridge construction proposal; Mr. Thompson reviewed the work achieved so far on this project. The Board's next priority is a review of the Sign Ordinance.

Council members discussed the timetable for review of the Sign Ordinance with Mr. Thompson. Several members noted the ordinance was an issue in the last City election and emphasized they would like Board recommendations as quickly as possible.

- **Financial Report for June 2003:**

Jack Clark reviewed the City Financial Report for June and said the City is in excellent financial shape.

C. Consider & Act

Mayor Klepfer brought Agenda item C.3 forward for discussion and action in order to allow those waiting for it from out of town to be able to leave.

1. Authorize Mayor to sign Part 1 Agreement with G. Creek Construction, Inc., and Fatter and Evans Architects, Inc., for Professional Services in relation to design and construction cost estimating for the Community Center (Recommendation of Community Center Steering Committee); and Designate City Administrator as Owners' Designated Representative per Section 2.1.3 of Agreement:

City Administrator Steve Harrison presented the item, noting the City attorneys prepared the documents and that the two companies have reviewed and signed them. Council members reviewed the documents. Mayor Klepfer said the funds for the contract have been deposited in the designated account.

Council member Czichos moved to authorize the Mayor to sign the agreement with G. Creek Construction, Inc., and Fatter and Evans Architects, Inc. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

Council member Nichols moved to designate the City Administrator as the City's representative per Section 2.1.3 of the agreement. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

2. Presentation by Consultant Bosse, Compton & Turner on Village Trails Master Plan:

Don Bosse, president of Bosse, Compton & Turner, gave a PowerPoint presentation on

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the work his firm has done so far on development of a master plan for pedestrian and biking trails in Wimberley. He termed the plan a "Wimberley Pedestrian Mobility Plan", and said he has identified five zones where trail loops could be located: North, South, and West zones, a Village Square zone, and a By-pass zone. He proposed to hold two public meetings in Wimberley for public comment on the plan, and suggested they be all-day Saturday events, for which his firm will prepare visual materials including maps and overlays, and public comment forms.

No public comment was offered on the presentation.

Council members discussed dates and locations for the meetings. Council member Graddy moved that Council set the dates for the public meetings on August 23 and September 13, at City Hall. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

Council returned to Agenda Item B.1.

3. Briefing on RR12/Cypress Creek Bridge.

Mayor Klepfer said the Texas Department of Transportation has been very cooperative in working with the City on this project and thanked the Council liaison committee for its work.

Council member Graddy and Bert Ray described the results of City's discussions with TxDOT on plans for widening RR12 and construction of a new bridge over Cypress Creek. They reviewed the history, scope, and nature of the project. TxDOT's present schedule calls for letting of the construction contract in the spring of 2004, construction to begin in the summer of 2004, and the work to be completed by the summer of 2006. They showed photographs of the type of railing and pedestrian walkway TxDOT has agreed to use on the bridge, noting the Village has won a significant concession from TxDOT to use a non-standard and innovative design for these features.

In Public Comment, Madonna Kimball asked if there would be sidewalks south of the bridge and leading to businesses off the Square. She suggested Council and TxDOT work with businesses in these areas on an "adopt-a-sidewalk" project.

Larry Brittenbaker said the left turn lane on RR12 should be continued further north, to the Wells Fargo Bank, to reduce traffic problems and the possibility for accidents.

Council returned to the Consider & Act agenda.

4. Amendment to Zoning Ordinance and Public Hearing

- **C211-03-161, Applicant Al Sander, 120 Joe Wimberley Boulevard, Planning Area D; requested zoning C-2, recommended by P&Z 7-0:**

P&Z Chair Dr. Pamela Showalter presented the item. No comment received in Public Hearing.

Council member Graddy moved to approve C-2 zoning for this case as recommended by P&Z. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

5. Acceptance of City Administrator Recommendation to refer DRAFT Possible Ordinances for Nuisance Abatement and Junked Vehicles to the following for Advice and Public Comment:

- **Planning & Zoning Commission**
- **Economic Development Advisory Board**
- **Transportation Advisory Board**

In Public Hearing, Fred Franz said there is a property on CR1492 with abandoned vehicles which are an eyesore and health hazard. He said an ordinance on junked vehicles is needed.

City Administrator Harrison presented the item. He recommended that Council send the draft ordinances to the three bodies for advice and public comment, with instructions on when to return the ordinances to Council.

Council members discussed the proposal. City attorney Patty Akers said the ordinances would be appropriate for a city the size of Wimberley, and that differing levels of fines can be set for differing levels of nuisance. Some Council members were concerned that if a vehicle is declared abandoned, the owner is forbidden from repairing it, and that a nuisance ordinance could be invoked against property owners who keep their yards in native vegetation.

Council member Nichols moved to recommend that the draft ordinances be given to the three bodies as specified. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

6. Authorize Investment of City Funds in Certificate of Deposit and TexPool per Recommendation of Investment Advisory Committee:

Mr. Harrison presented the item, noting the City has quite a bit of money that can be invested. He recommended that \$50,000 be transferred to City's account with

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TexPOOL, and that a certificate of deposit for \$95,000 be purchased with a maturity not to exceed one year.

Council member Manis moved to authorize the transfer and investment of funds per the recommendation of the Investment Advisory Committee. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

7. VA-03-010, Application by Mr. Watts and Mr. Oldmixon for Variance to Sign Ordinance No. 2001-002, at intersection of RR12 and Oldham:

- **Sec. 10 (D) - Prohibiting sign(s) in the Public Right-of-Way:**

Public Works Director Rickey Wright presented the item. The case arises as a result of a new building being constructed at this corner, whose owner brought the status of the sign to his attention. City asked the sign owners to remove it within 14 days, and they asked for a Variance. The sign intrudes into a public right of way. The Ordinance requires that a sign in a public right-of-way must be removed, and his recommendation is that the Variance not be granted.

Mr. Watts said the sign has been in existence since 1978 and he sees no reason to remove it. Mr. Oldmixon said that if City chooses to enforce removal of his sign, he would like to see the City enforce it for the many other signs in rights-of-way.

Council members discussed the issue at length and consulted City attorney Akers. Discussion focused on the lack of other space for a sign at this location, City liability for a sign in a public right-of-way, and the need for alternatives such as provision in the Ordinance for off-site signs or kiosks for businesses to advertise and identify their locations.

Council member Czichos moved that the Variance request be tabled until a sign ordinance review is completed with recommendations for other solutions. Council member Manis seconded.

In public comment, Al Sander said he was on the committee that drafted the Sign Ordinance, and off-site signs were discussed. He said it is not fair to deprive a business of the opportunity to advertise, and suggested this could be an opportunity for the parties involved in this issue to create the first sign kiosk. He encouraged the Economic Development Board to consider ways to develop sign kiosks.

Tevis Grinstead suggested a simple directional sign post those points to the location of a business.

Mayor Klepfer called for a roll-call vote. Council members Czichos, Graddy, and Manis voted Aye, Council members Nichols and Wood voted Nay, motion approved 3-2.

8. Adoption of Specifications for Street/Road Construction (recommended by Transportation Advisory Board):

Public Works Director Rickey Wright presented the item. The standards were drafted by City Engineer and reviewed by TAB. Mr. Wright said that approving these standards as a separate document means they can be referenced in individual ordinances and that if City changes the standards, the ordinances which reference them will not have to be amended. The standards are based on those of Hays County, with changes appropriate for Wimberley.

Council members discussed the document with City Engineer Joel Wilkinson. Council members proposed corrections and changes in the documents. City attorney Akers noted that these are minimum standards and that if City wants to require a contractor to meet higher standards, there needs to be language referring to those standards. She will provide suggested language for this purpose.

Council member Czichos moved that Council pass the street and road construction standards with the addition of language to be provided by the attorney and with the corrections made by Council. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

9. Accept Bid from Lone Star Paving Co. Of \$79,800 for Street/Road Overlay Paving of specified roads (Climbing Way, Brinkley Drive, Blue Hole Lane, Smith Creek Road, and Mill Race Lane):

Rickey Wright presented the item. He said the figure should be \$80,960 to include an alternate bid to do more extensive work on Mill Race Lane. Three bids were received and Lone Star Paving was the low bidder. City attorney Akers said Council cannot take action on the alternate bid for Mill Race Lane because it goes above the posted amount.

Transportation Advisory Board chair Craig Payne showed photos of Mill Race Lane indicating the need for more work on it than an overlay. He recommended that Council award the contract to Lone Star but exclude the work on Mill Race Lane.

Council members discussed the proposal with Mr. Wilkinson and Mr. Payne, focusing on the need for more extensive work on Mill Race Lane.

Council member Czichos moved that Council accept the bid from Lone Star Paving but delete the work on Mill Race Lane, at a total of \$60,415. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

10. Appoint Members of the Budget, Investment and Finance Advisory Board:

Council member Manis moved to table the item. Council member Czichos seconded. Motion to table approved by 3 Ayes to 2 Nays (Council members Nichols and Wood).

11. Process and Schedule for Review of Sign Ordinance:

Council member Manis moved to continue this item until August 7, 2003. Council member Czichos seconded. Motion to continue approved 3 Ayes to 2 Nays (Council members Nichols and Wood).

12. Discussion on Formation of an Information Systems Advisory Board:

Council member Graddy said he believes an ad hoc committee is a better way to address this issue than by appointing a board. No action.

D. City Administrator Report:

Mr. Harrison said Cindy Colvert is now responsible for administrative support to City Boards and Commissions, including preparation and distribution of agenda. 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. He reminded of the timeline for budget preparation.

E. Announcements and Council Requests for Future Agenda Items - None proposed.

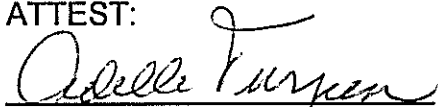
F. Adjournment - Council adjourned at 9:50 p.m.

VILLAGE OF WIMBERLEY

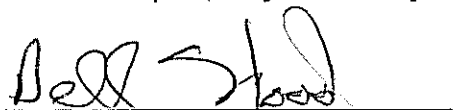
By 

Stephen Klepfer, Mayor

ATTEST:



Adelle Turpen, City Secretary



Dell Hood, Recording Secretary