

Wimberley City Council Minutes, November 20, 2003

Village of Wimberley
Minutes of City Council Meeting
City Hall, 13210 Ranch Road 12, Wimberley, Texas
Thursday, November 20, 2003, 6:30 p.m.

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

Invocation - Rev. Ted Knies of St. Stephen's Episcopal 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 - No comments were offered.

Oath of Office for New Appointees to Commissions, Boards and Committees:

Mayor Klepfer administered the Oath of Office to the following appointees:

Jimmy Lee	Transportation Advisory Board
Linda Jennett	Building Code Board of Review.

A. Consent Items

1. Minutes of City Council Meeting of November 6, 2003
2. Resolution Honoring Lady Texas Volleyball Team

Both items were pulled from the Consent agenda.

Council member Nichols corrected the spelling of a name in the minutes of Council meeting of November 6 which were then accepted as corrected.

Mayor Klepfer read the text of a Resolution congratulating the Wimberley High School Lady Texans volleyball team and its coach for their achievement in reaching the 2003 University Interscholastic League state tournament on November 21-22 and extending to them the full support of the community. Council member Manis moved that Council accept the Resolution. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

B. Reports from Boards/Committees/Staff**1. Financial Report for October 2003:**

City CPA Jack Clark reviewed the City financial report for September 2003 and for the fiscal year ending September 30, 2003. He will have the October report at Council's first meeting in December. He said the City "ended the year the way you began - in good shape." He noted the Capital Projects fund will have major activity in the current year for the Community Center and suggested that in future he prepare two monthly financial statements, one for the General Fund and a separate one for Community Center special revenue fund. Council members agreed with this proposal by consensus.

2. Water/Wastewater Advisory Board:

Board chair Gail Pigg said the Board recommended unanimously at its November 17 meeting to endorse City acquisition of the entire 126-acre Blue Hole tract. She said the greatest task the Board faces is implementation of the wastewater treatment plant and it looks forward to taking an active role in this process. The Board is researching grant availability for wastewater treatment facilities, and is looking into other issues related to wastewater plants.

3. Budget, Finance, and Investment Advisory Board:

Board chair Curtis Cadenhead said the Board has held four meetings since its start in August. It will focus its efforts this year on studying sources of revenue for the City, especially new franchise fees; on ways to enhance collection of sales taxes from sources such as service labor and other sources; and how to educate merchants who come to Wimberley periodically whose main places of business are elsewhere to report their sales accurately to the state so that sales taxes can be allocated to Wimberley. The Board will also look at the City's investments, especially their safety and the returns from them. He suggested a subcommittee of the Board should act as an audit committee to deal with the contract auditing firm.

C. Consider and Act**1. Adopt Final Amendments to FY 2002/2003 Budget:**

City CPA Jack Clark reviewed amendments to the 2002-2003 budget to bring year-end departmental expenditures into balance. Council member Manis moved to accept the final budget amendments for fiscal year 2002/2003 as proposed by Mr. Clark. Council member Czichos seconded. Motion approved 5 Ayes to 0 Nays.

2. Designate Reserve Fund Balances:

Mr. Clark said the City has a projected fund balance of \$304,723 in its General Fund. He cautioned Council not to let the undesignated fund balance get too low by shifting money from it to special reserves, in case the City needs money for an unforeseen expense. Council members discussed the issue with Mr. Clark. Council member Manis

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moved to accept the breakdown of projected fund balances with the special revenue for designated reserve fund balances presented by Mr. Clark. Council member Nichols seconded. This means no funds will be moved from the General Fund. Motion approved 5 Ayes to 0 Nays.

3. Application for Zoning (Public Hearing):

C211-03-175, Joyce Collier, 450 River Road, Planning Area C, for C-1 zoning; approval recommended by Planning & Zoning Commission by 7-0:

Planning and Zoning Commissioner Glenn Fryer presented the case, noting no issues were raised in the Commission hearing. No comment received in Public Hearing. Council member Czichos moved to accept the zoning as requested. Council member Nichols seconded. Motion approved 5 Ayes to 0 Nays.

4. Amendments to Lighting Ordinance; recommended by P&Z Commission 7-0 (Public Hearing)(First Reading):

Amendment to Sections B, C, D.1.d, and J of Lighting Ordinance:

- Clarifying Exemption for Shielding;
- Clarifying Redirection and Removal of both Fixtures and Bulbs;
- Add Clarification for Measuring "Maximum Illumination";
- Increase Requirements to Forestall New Construction Violations and Add Definition of Light String:

Planning & Zoning Commissioner Glenn Fryer presented the item and distributed to Council a preamble he prepared to explain terms and concepts used in the Lighting Ordinance. He said three of the four sections are clarifications and reduction of the regulatory power of the Ordinance; they make the Ordinance simpler and less onerous.

Council discussed the amendments separately at length with Mr. Fryer.

Council member Nichols moved to approve on first reading the amendment to Section B to clarify but not alter requirements of the Lighting Ordinance as presented. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

Council member Nichols moved to adopt on first reading the amendment to Section C of the Lighting Ordinance to clarify and extend the requirements for alteration of adjustable lighting as presented. Council member Wood seconded. In discussion Council member Graddy expressed concern about who would have standing to complain, thus triggering enforcement of the Ordinance. Council discussed how to address this concern. Council member Wood suggested that wording in the appropriate sentence be: "Complaints shall be evaluated and investigated". Commissioner Fryer agreed to include wording to this effect for the second reading. Motion approved 5 Ayes to 0 Nays.

Council member Nichols moved to accept on first reading the proposed amendment to

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Section D.1.d of the Lighting Ordinance reducing the requirements of the Ordinance as presented. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

Council took no action on the proposed amendment to Section J of the Ordinance.

5. Appointment of Member to Parks & Recreation Board:

Council member Graddy said the vacancy is for one of the three consensus members of the Board and is for the remainder of a two-year term expiring October 17, 2004. There are two applicants who meet the Village residency requirement. Council member Nichols nominated Linda Hudson as a consensus appointee. Council member Wood seconded. Linda Hudson approved by 5 Ayes to 0 Nays.

6. Accept Resignation of Don Kuhs as member of Budget, Investment & Finance Advisory Board:

Council member Manis moved to accept the resignation of Don Kuhs with regrets. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

7. Affirm Gail Blachly as Chamber of Commerce Representative on Economic Development Advisory Board for remainder of term ending April 3, 2005:

Mayor Klepfer said that when a new executive director took over at the Chamber, its board selected Gail Blachly as its representative on the Economic Development Advisory Board. Although the Chamber can select its own representative, Council retains the right to affirm that selection. Council member Wood moved that Council affirm Gail Blachly as the Chamber of Commerce representative on the EDAB. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

8. Resolution Establishing Inter-jurisdictional Emergency Management Program:

City Administrator Steve Harrison presented the item, noting the Resolution goes with the Ordinance establishing the emergency management program (next item). Under the Ordinance, the City adopts the County Emergency Management Plan as its own. The Resolution concerns management and implementation of the E.M. plan. Council member Czichos moved that Council adopt Resolution R68-2003. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

9. Second Reading of Ordinance Establishing Emergency Management Program:

Mr. Harrison presented the item, noting the version before Council now includes changes recommended by City attorney. Council member Czichos moved that Council adopt Ordinance 2003-008 on second reading. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

D. Close Open Session and Convene Executive Session

1. Regarding Real Property for the Community Center (Texas Government Code Section 551.072);

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2. Regarding Real Property for Wastewater Treatment Facility (Texas Government Code Sec. 551.072);

3. Regarding Real Property for the Land Adjacent to Wastewater Treatment Facility (Texas Government Code Sec. 551.072):

Council adjourned Open Session at 8:27 p.m. and met in Executive Session.

E. Reconvene Open Session: Council adjourned Executive Session at 9:22 p.m. and reconvened in Open Session at 9:24 p.m.

1. Authorize Mayor to Make Written Offer to McNeil Trust & Wimberley Senior Citizens Activity, Inc., for Acquisition of Community Center property and Associated Reversionary Interest in the Community Center Property:

No action.

2. Authorize Mayor to Execute Contract to Purchase Wastewater Treatment Plant and Associated Land:

Council member Nichols moved that Council authorize the Mayor to finalize negotiations with Blue Hole Limited for the purchase of a wastewater treatment site and to execute the contract in accordance with the terms discussed in the Executive Session. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

3. Authorize Mayor to Execute Option Contract on 120.0 acres Adjacent to Wastewater Treatment Plant Site:

No action.

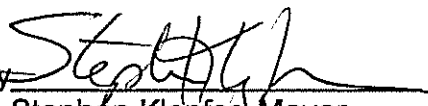
F. City Administrator Report:

Mr. Harrison introduced Kay Wilkins, new Assistant to the City Administrator. Council members welcomed her to the City staff.

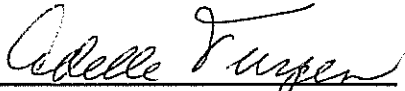
G. Announcements, Request for Future Agenda Items: None.

H. Adjournment: Council adjourned at 9:30 p.m.

VILLAGE OF WIMBERLEY

By 
Stephen Klepfer Mayor

ATTEST:



Adelle Turpen, City Secretary



Dell Hood, Recording Secretary