

Village of Wimberley
Minutes of City Council Meeting
City Hall, 13210 Ranch Road 12, Wimberley, Texas
Thursday, December 4, 2003, 6:30 p.m.

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

Invocation - Former Mayor of Wimberley Tony McGee 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 Linda Hudson, new appointee to the Parks and Recreation Board.

A. Consent Items

1. Minutes of City Council Meeting of November 20, 2003:

Minutes of November 20, 2003 meeting were accepted as submitted.

2. Resolution Honoring Lady Texas Volleyball Team's Victory in State Playoffs:

Former Wimberley Mayor Tony McGee spoke about the victory of the Wimberley Lady Texans volleyball team in winning the state 3-A championship November 22. He praised the "tremendous dedication and focus these girls put into their season", and their maturity in handling the pressure of being a winning team. He said they were "a class act" and "a grand credit to the community" for their sportsmanship and exemplary behavior.

Mayor McGee introduced Wimberley High School volleyball coach Lee Grisham and noted his achievements as coach since 1996. Mr. Grisham thanked Council for inviting the team and himself to City Hall and for the honor of designating December 10 in honor of the team. He introduced five of the team members: Caitlin Rainbird, Tera Kaye, Kinsey Vallier, Ashley Thomason, and Lauren Batts.

Mayor Klepfer asked for a motion to approve the proclamation. Council member Graddy moved to pass Proclamation R67-2003. Council member Manis seconded.

Motion approved 5 Ayes to 0 Nays.

Mayor Klepfer read Proclamation R67-2003 designating Wednesday, December 10, 2003, as Lady Texans Volleyball Day in the Village of Wimberley. The Proclamation noted the achievements of the Lady Texans and expressed the pride of the community in their achievement. Council members congratulated the team members.

3. Approval of Holiday Schedule for 2004:

Council member Czichos moved to accept the holiday schedule for 2004. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

B. Reports from Boards/Committees/Staff

1. Financial Report for October 2003:

City CPA Jack Clark noted the October 2003 financial report was the subject of the budget familiarization workshop he led for Council members the previous hour and asked if there were any further questions. Council had no questions or issues for discussion. Council member Manis moved to accept the October 2003 financial report as submitted. Council member Nichols seconded. Motion approved 5 Ayes to 0 Nays.

2. Economic Development Committee: No report presented, no Council discussion.

C. Consider and Act

1. Amendments to Lighting Ordinance; recommended by P&Z Commission 7-0 (Public Hearing)(Second 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.

Mayor Klepfer opened the Public Hearing. No comments received.

Council member Graddy said the minutes of the November 20 Council meeting did not capture the discussion of the wording of the enforcement section of the Ordinance in Section J. He expressed concern that it does not allow for discretionary authority on the part of City staff, and suggested a situation in which a non-resident passing through town could complain about a lighting fixture. As he interprets the enforcement provision, this would trigger an investigation by City staff, when there may otherwise be no grounds for it. He moved to continue the item pending rewriting of the section on enforcement. Council member Manis seconded.

Council members discussed the enforcement language with Planning & Zoning Commissioner Curt Busk. It was noted that Council had not acted on Section J at the last Council meeting and therefore it could not be considered for the same action as

Wimberley City Council Minutes, December 4, 2003

Sections B, C, and D.1.d at this meeting. Council member Graddy amended his motion to approve Sections B, C, and D.1.d on second reading. Council member Manis accepted the amended motion. Motion as amended approved 5 Ayes to 0 Nays.

Council member Graddy moved to request Planning & Zoning Commission to submit a reworded Section J on enforcement by the second Council meeting in January. Council member Manis seconded. Council members discussed concerns about complaints made for reasons of retaliation, enforcement by complaint, and arbitrary or discretionary enforcement with City Attorney Akers. Motion approved 5 Ayes to 0 Nays.

D. City Administrator Report

City Public Works Officer Rickey Wright presented the report in the absence of City Administrator. There will be a Special Council meeting on December 11 at 10:00 a.m. to consider annexation of property next to the Methodist Church. There will be a holiday reception to honor volunteer members of City agencies at 5:00 p.m., before the regular Council meeting, on December 18.

E. Close Open Session and Convene Executive Session

Mayor Klepfer closed the Open Council session at 7:16 p.m. and convened Council in Executive Session to consider:

1. Real property for the Community Center (Texas Government Code Section 551.072);
2. Real property for the land adjacent to the wastewater treatment facility (Texas Government Code Section 551.072).

F. Reconvene Open Session

Council reconvened in Open Session at 8:27 p.m.

1. Authorize the Mayor to make written offer to McNeil Trust and Wimberley Senior Citizens Activity, Inc., for Acquisition of Community Center Property and Associated Reversionary Interest in the Community Center Property:

Council member Nichols moved to authorize the Mayor to make a written offer to the McNeil Trust for acquisition of the reversionary interest in the Community Center property for the appraised value plus one dollar, the total not to exceed \$1,000. Council member Wood seconded. Motion approved 5 Ayes to 0 Nays.

2. Authorize Mayor to Execute Option Contract on 120.0 Acres adjacent to Wastewater Treatment Plant Site:

No action by Council.

G. Announcements, Requests for Future Agenda Items:

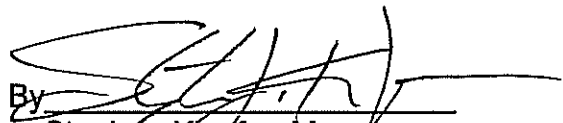
Council member Nichols asked that discussion of the budget proposed by the Trust for Public Lands for acquiring the Blue Hole property be on the next agenda.

Council member Czichos reminded Council of the parade at 2:00 p.m. on Wednesday, December 10, on the occasion of Wimberley High School Lady Texans Volleyball Day.

Council member Graddy said he asked the City Administrator some time ago for a report on the City fee schedule, but has not seen anything on this yet.


H. Adjourn: Council adjourned at 8:30 p.m.

VILLAGE OF WIMBERLEY

By 
Stephen Klepfer, Mayor

ATTEST:


Adelle Turpen, City Secretary


Dell Hood, Recording Secretary