

Village of Wimberley
Minutes of City Council Meeting
City Hall, 13210 Ranch Road 12, Wimberley, Texas
Thursday, June 3, 2004, 6:30 p.m.

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

Invocation - Rev. Tim Moore of Wimberley Church of Christ 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:

Swearing in of Mayor and Council members:

City Secretary Adelle Turpen administered the Oath of Office to Stephen Klepfer, elected Village of Wimberley Mayor in General Election held May 15, 2004, for a two-year term.

Mayor Klepfer administered the Oath of Office to Matt Manis, elected as Village of Wimberley City Council member, Place 2, and John Graddy, elected as Village of Wimberley City Council member, Place 4, in General Election held May 15, 2004, for two-year terms.

Citizen Comments: No comments were offered.

A. Consent Items

- Minutes of City Council Meeting of May 20 and May 24, 2004:

Minutes of May 20 and May 24 Council meetings were adopted as submitted.

B. City Administrator Report

City Administrator Steve Harrison reminded Council members of the budget workshop scheduled for 4:30 p.m. on July 15, 2004, and of the Community Center groundbreaking ceremony at noon on June 10, 2004.

He said the City has received a copy of the documents filed by Aqua Texas for a different rate structure for wastewater service, and four letters from citizens expressing concern about the proposed rate increase. The City will reply to the letters.

City Public Works Director Rickey Wright is coordinating with the Chamber of Commerce on arrangements for the City parade on July 5. Volunteers are needed to help with moving barricades and signs both before and after the parade.

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C. Reports from Boards/Committees/Staff:

1. Water and Wastewater Advisory Board:

Amy Frederick, chair of the Water/Wastewater Advisory Board, said the Board has adjusted its internal structure. Gail Pigg stepped down as co-chair and is now Vice Chair. The terms of three Board members will expire in the next several months and the Board is looking for new members with expertise in water and wastewater issues. The Board is working on a solution for the restroom at Cypress Creek Nature Trail but has determined that it does not have enough factual information to make a decision now.

2. Council Sub-Committee on Possible Recommendation Re: Sale of Portion of Blue Hole Property (Councilmember Graddy):

Council member Graddy reminded Council members that the subcommittee designated to work on the issue of selling a part of the Blue Hole property to the Baptist Church had not made a counter offer to the Church as directed by the Council. He said discussion of this issue started about 20 weeks ago and he is concerned that no progress has been made. Council member Nichols said she asked the Baptist Church for additional information, and that there are issues which require consideration by the Water and Wastewater Advisory Board and the Parks and Recreation Board. She is also concerned about the budget consequences and said she cannot think of any good reason to sell a part of the heritage of the community. Mayor Klepfer said the City did not yet own the property and thus could not negotiate to sell it; and if it does sell property it has to go through an open bidding process.

D. Consider & Act:

1. Selection of Mayor Pro-Tem for One Year Term:

Council member Czichos nominated Council member Nichols as Mayor Pro-Tem. Council member Wood seconded. Motion approved 4 Ayes to 1 Nay (Council member Manis).

2. Second Reading and Public Hearing - Amendment to Zoning Ordinance No. 2001-010:

- **CONDITIONS REQUIRED FOR VARIANCE - SECTION 10.6**
 - o Delete Sections 10.6.C, 10.6.D, and 10.6.E
 - o Re-designate Sections 10.6.F and 10.6.G as Sections 10.6.D and 10.6.E
 - o Add new conditions for variance.

Passed by Council on first reading on May 20, 2004, by a vote of 5 to 0:

Mayor Klepfer opened the Public Hearing. Paul Xiques said there may be some misunderstanding of the criteria for granting a variance and cited the requirements from Section 211.009.a.3 of the Texas Local Government Code. He said his concern is with the understanding of the term "reasonable" as used in the Code and with the requirement that the condition requiring the variance must not be self-imposed. He believes the issue should be sent back to the Board of Adjustment for further consideration.

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Bob Flocke, member of the Zoning Board of Adjustment, said he supports the amendment as it is. He noted that under existing procedure the Board must make ten separate findings, several of which are redundant. The Board had to compromise; he believes the amendment is an excellent solution and urged Council to approve it.

Council members discussed with City attorney Patty Akers circumstances under which a condition requiring a variance would be considered self-imposed.

Council member Wood moved to approve on second reading the amendment to Zoning Ordinance No. 2001-010. Council member Nichols seconded. Motion approved 5 Ayes to 0 Nays.

3. **First Reading and Public Hearing - Amendment to Ordinance No. 2001-005 (Commercial Building Code) Establishing a Procedure for Providing Variances to the Building Code:**
4. **First Reading and Public Hearing - Amendment to Ordinance No. 2001-021 Defining the Authority of the Building Code Board of Review in Relation to Hearing Requests for Variances to the Building Code:**
5. **Amend Ordinance No. 2004-012 Providing Commercial Building Code Exemptions to Certain Properties for Placement of Fire Sprinkler Systems in Order to Continue Effective Date and Waive Second Reading:**

Mayor Klepfer said agenda items 3, 4, and 5 are inter-related, all dealing with amendment to the Building Code to provide a mechanism for a variance. He reviewed the background to the issue and said the Building Code Board of Review (BCBR) needs more time to write a variance ordinance. He said the Board passed a motion last night (June 2) by vote of 5-0 recommending Council extend the deadline for implementation of the exemption from the Building Code passed earlier on first reading.

In Public Hearing, Walter Brown said the difference in the actions Council can take is between taking a single special action in favor of one party versus establishing a standard procedure which would apply to all structures of a given type. He urged Council to rescind its previous action creating an exemption.

Council members discussed the status of the building projects of the Wimberley Methodist Church and the First Baptist Church with City Administrator Harrison. Mayor Klepfer proposed Council give the BCBR a further 20 days to work on drafting a variance ordinance for Council consideration. Council discussed the merits of a variance process and how it should proceed.

Council member Graddy moved to amend Ordinance No. 2004-012 providing commercial building code exemptions to certain properties for placement of fire sprinkler systems, to continue the effective date of the amendment, to waive the second reading of the amendment, and to suspend the rules on when information is to be presented to Council. Council member Manis seconded. Motion approved 4 Ayes to 1 Nay (Council member Czichos).

Council took no action on above items 3 and 4.

E. Close Open Session and Convene Executive Session

- **Consultation with Attorney Regarding Community Center Appeal Status on Real Property for Community Center, per Texas Government Code Section 551.071 Consultation with Attorney); and Section 551.072 (Deliberations about Real Property).**

Mayor Klepfer closed the Open Session to convene in Executive Session at 8:05 p.m.

F. Reconvene Open Session

Council reconvened in Open Session at 8:38 p.m. No action was taken.

G. Announcements and Council Requests for Future Agenda Items:

Council member Nichols asked Mr. Harrison to report on the situation concerning a hole in the storm water retaining wall at the Methodist Church building site.

Council member Czichos asked for an update on providing a variance for drive-through operations at the doughnut shop on CR 2325.

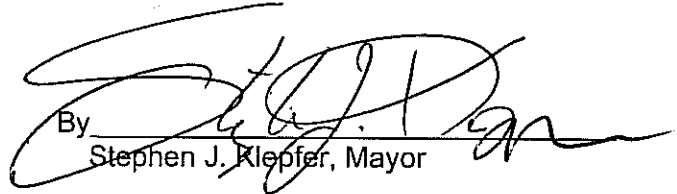
Council member Graddy said he will be out of town until June 15.

Council member Manis said the subcommittee working on the Sign Ordinance should finish its work soon and present recommendations to Council.

City attorney Patty Akers said her firm will offer its basic course on municipal law for Council members and interested City staff on June 26.

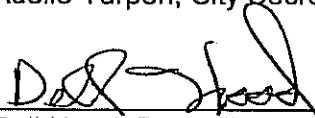
H. Adjournment: Council adjourned at 8:42 p.m.

VILLAGE OF WIMBERLEY

By 
 Stephen J. Klepfer, Mayor

ATTEST:


 Adelle Turpen, City Secretary


 Dell Hood, Recording Secretary

CITY COUNCIL BUDGET WORKSESSION

June 3, 2004

ROADS

- Spoke Hollow/RR12 Intersection
- Old Kyle Road/FM3237 Intersection
- Blue Hole Roads/Parking
(including Wastewater access)
- Improvements to Square
- Signage/RR12 Bridge Project
- Directional Signage
- Survey of Square (Finish)
- Addressing Public Right-of-Way Issues on Square
- Master Planning
- Right-of-Way Issues throughout Village
- Mapping of Population
- Phase I – Pedestrian Movement/Connectivity Sidewalks
- Animal Removal
- Blue Hole Gates, Fencing (*also in Parks & Recreation)
- Street Signage (Speed, Street Name, etc.)
- TXDOT Coordination RE: RR12/32 (possible legal costs)
- Privatizing of Roads

STATUS

- This Year \$ County/City
- Not Currently on TAB Agenda
- To be covered in Grants
- Legal Work
- Roads Budget
- Seed \$ This Year
- This Fiscal Year
- Legal
- 20,000 in Budget
- Legal & Survey
- Interns
- Parks Master Plan – No \$
- Public Works
- Blue Hole Start-up
- In Budget
- Possible Legal Costs
- Not Currently Policy

WASTEWATER

- Water Testing
- Land Acquisition (What if Bluehole ??)
- Attorney Fees
- Nature Trail Public Restrooms
- Customer Survey of Potential Customers
(Education/Information)

- In Budget
- ?
- TCEQ Permit Process
- See Cost Breakout
- This Year – W/WW Board
- (No \$)

*Consider Legal Department

STATUS

PARKS & RECREATION

- Separate Line Items for Each
 - Community Center (Operational Expense)
 - Public Information to Educate
 - Legal Fees RE: Community Center
 - Blue Hole:
 - Legal Fees
 - Sale of Property
 - Engineering Fees
 - Planning RE: Entrance, Gates, Fencing (*also in Roads)
 - Open Next Summer (Lease, Personnel, etc.) (RV Park?)
 - Signage
 - Master Planning
 - Surveying RE: Hike/Bike Trails
 - Operation of Cypress Creek Nature Trail
 - Maintenance Costs associated with features (water features/pump & haul)
 - Security Concerns
 - Re-Build features due to floodplain
- Each have own Budgets but need help from GF
 - See Attached Sheet
 - In Budget
 - From GF
 - Temporary TPW Sign This Year
 - Blue Hole 50,000 – 100,000
 - Not in Budget
 - See Attached
 - GF
 - Work with Sheriff (Possible Citizen Patrol)
 - Not in Budget

***Agreements of WSCAI operating expenses copies to Council**

ECONOMIC DEVELOPMENT

- Creekside Christmas
 - Support during RR12 TXDOT Project
 - Advertising
 - Master Plan
 - Hill Country Trail
 - Signage
 - Public Information
- EDAB Request
 - No Specific Line Item
 - No \$
 - No \$
 - No \$
 - Seed \$ This Year
 - Council/Board Budget
- Revenue Enhancement**
- Lodging Tax
 - Economic Development Tax
 - Hill Country Trail
 - Annexation Fees
- Council Will
 - Not Currently Possible
 - No \$
 - Not Currently Policy

STATUS

PUBLIC INFORMATION

- Survey
- Wimberley Way (Broader Area)
- Good Map of Village (Possible Revenue)
- Website
- Bulk E-mail
- General Signage (Professional to help)
- Directional Signage
- Business License
(Educate Business RE: Ordinances/Rules)
- Public/Town Hall Meetings
- Projector Stand or Podium
- Computer for Council
- Brochures/Handouts
RE: Bluehole & Community Ctr.
- Grand Openings
- In Budget
- In Budget
- Project Next Fiscal Year
- In Budget
- In Budget
- Not In Budget
- Seed \$ This Year
- Committee Project
- In Budget
- This Fiscal Year
- This Fiscal Year
- In Budget
- Public Affairs/Receptions

OFFICE/CITY HALL SPACE/FURNISHINGS/EQUIPMENT/VEHICLES

- Codification Maintenance
- Vehicle
- Alternate Meeting Site (Overflow)
- Equipment Storage
- Drop Box
- Laptops for Council
- Flat Screen TV at Council for Public
- Communications (Telephone to other locations)
- File Storage
- Bigger City Council Table
- City Hall Maintenance Line Item
- Future City Hall
- Mileage Expenses
- 9,000 Next Year
- In Budget
- Community Center
- This Year
- This Year
- Not In Budget
- TBD
- TBD
- Year's Sq. Footage
- Exploring
- In Budget
- Year for Serious Study
- In Budget (also City Vehicle Purchase)

PUBLIC SAFETY

- Road Insurance
- Lifeguard
- Insurance
- Sheriff --- CERT (Study Usage)
- Low Water Crossing (Closing/Opening)
- In Budget
- Blue Hole Open Next Year
- In Budget
- Project This Year
- Electronic Gates – Not in Budget
- Study & Application

- Revenue Enhancement
- Homeland Security Grants

STATUS

MISCELLANEOUS

- Annexation
- Court Costs

- No Specific Line Item
- In Budget

Revenue Enhancement

- RV Park
- Garbage Franchise
- Sanity Check on Franchise Payment
- Sales Tax
- Aqua Texas Franchise
- Lodging Tax

- TBD
- This Year
- On-going Study
- FIB Project
- This Year (possible \$800)
- Needs Council Direction

PERSONNEL

- City Engineer Costs
- Parks Person
- Consider Different Way of Showing Personnel Costs
- Bulk Buying Program
- Personnel Plan Evaluation
(City Administrator Recommendation)
- Salary Scales for Each Job
- Grant Writer
- Report on Benefit Program
- Council Pay

- In Budget
- Joint Use Person
- In Budget
- Already a Member
- This Year Project
- Consultant
- Part of Above
- On Board
- TBD
- Not in Budget