

Village of Wimberley
Minutes of City Council Meeting
City Hall, 13210 Ranch Road 12, Wimberley, Texas
Thursday, June 17, 2004, 6:30 p.m.

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

Invocation - Jason Bollinger, Youth Pastor at Wimberley First Baptist 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.

A. Consent Items:

Minutes of City Council meeting of June 3, 2004 were pulled from the consent agenda.

Mayor Klepfer and Council member Graddy corrected the minutes. Minutes for Council meeting of June 3, 2004 were accepted as corrected.

B. City Administrator Report:

City Administrator Steve Harrison reminded Council of the budget workshop scheduled for 4:30 p.m. on July 15, 2004.

Mr. Harrison said that, in response to a comment from Council member Nichols about the silt fencing at the Methodist Church construction site, he talked with project manager Wendell Payton about the problem. He said the construction company has now moved the fencing to close the gap and prevent further drainage problems.

Mr. Harrison reminded Council of the Bickerstaff-Heath annual training seminar for local government officials on June 26, 2004.

He said the ground-breaking ceremony for the Community Center on June 10 was well-attended. The City has received authorization from Texas Parks & Wildlife to begin site work, and he has so informed the contractor.

Mr. Harrison said Planning & Zoning Commission has done a considerable amount of work drafting a Zoning Ordinance amendment concerning drive-through and drive-in

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businesses. Public notice of the amendment will be published soon and the Commission should act on it in July.

C. Reports from Boards/Committees/Staff:

CPA Jack Clark reviewed the City financial report for May 2004. He complimented Council on its financial management, noting the three-year budget comparison shows the City in good shape. He called Council attention to the account for utilities, a new account created for water and wastewater activity, and to the account for legal expenses. He pointed out that a substantial part of this year's legal expenses are related to the Blue Hole property, and said that activity is beginning to have an impact on the General Fund. He suggested the City create a separate fund for the Blue Hole project, as it has for the Community Center and the Cypress Creek Nature Trail. He cautioned Council that as the City grows and begins to fund various activities and community services, it will have to find funding sources to pay for them. Council members discussed City revenue sources with Mr. Clark.

D. Consider & Act:

1. First Reading and Public Hearing - Amendment to Ordinance No. 2001-005 (Commercial Building Code) Establishing a Procedure for Providing Variances to the Building Code:

Mr. Harrison presented the item. This item and the following one provide a variance procedure for the Building Code Board of Review. He said the Board did not have a quorum at its meeting June 16 to vote on this item, so he recommended Council approve both ordinances on first reading and consider during the second reading whatever changes the Board may propose in the interim.

Council member Graddy moved to approve on first reading the amendment to Ordinance No. 2001-005 (Commercial Building Code) establishing a procedure for providing variances to the Building Code. Council member Nichols seconded. Motion approved 5 Ayes to 0 Nays.

2. 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:

Council member Czichos said he is for the variance procedure but this amendment has noticing and other delays that could hold up issuance of a Building Permit for a total of 128 days, and he asked for changes to reduce the potential waiting period for a variance. Council discussed the timeline for noticing and hearing requirements in the amendment in detail with City attorney Patty Akers and Building Code Board of Review chair Herschel McCullough and Board members Tracey Dean and David Cates. Discussion focused on requirements for public noticing of Board and Council action on a variance request, whether there is a need for public hearings, and the minimum time for Board and Council action on a variance.

Council member Nichols moved to approve on first reading the amendment to Ordinance No. 2001-021 defining the authority of the Building Code Board of Review to hear requests for variances to the Building Code. Council member Wood seconded. Council member Czichos

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proposed changes to the timeline and Council member Graddy proposed changes to simplify and clarify language in some sections. Council members discussed whether to make amendments now or to let the Board take Council suggestions into consideration when the Board acts before the second Council reading. Council members Czichos and Graddy agreed to this procedure.

On roll call vote, all Council members voted Aye. Motion approved 5 Ayes to 0 Nays.

3. Appoint Members to Board of Adjustment for Terms Ending November 1, 2005:

- Sue Johnson (Place 3, Council Member Wood)
- Mike Stevens (Place 4, Council Member Graddy):

City Administrator Harrison introduced the item, noting the original terms of the two appointees were for one year which expired in November 2003. Due to an oversight, the positions were not filled last November. Council member Czichos moved to accept Sue Johnson and Mike Stevens as appointees to the Board of Adjustment for terms ending November 1, 2005. Council member Graddy seconded. Motion approved 5 Ayes to 0 Nays.

E. Close Open Session and Convene Executive Session

- Consultation with Attorney Regarding Aqua Texas Rate Tariff Increase. *Texas Government Code Section 551.071 (Consultation with Attorney).*
- Consultation with Attorney Regarding Enforcement of On Site Sewage System Regulations on the Square. *Texas Government Code Section 551.071 (Consultation with Attorney).*

Mayor Klepfer closed the Open Session at 7:55 p.m. for consultation with City attorney per above provisions of Texas Government Code.

F. Reconvene Open Session:

Council ended Executive Session and reconvened in Open Session at 8:44 p.m.

D. Consider & Act (Continued):

4. Set Public Hearing on Aqua Texas Rate Tariff Increase:

Council member Graddy moved to set a public hearing at the Council meeting on July 1, 2004, on the rate tariff increase proposed by Aqua Texas. Council member Czichos seconded. Motion approved 5 Ayes to 0 Nays.

G. Announcements and Council Requests for Future Agenda Items:

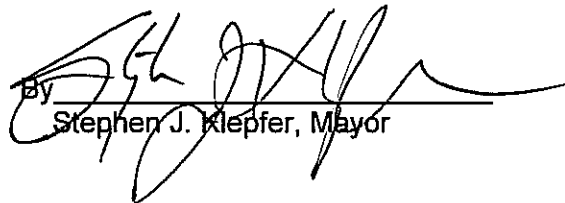
Council member Czichos thanked M. F. and Bill Johnson for arranging and conducting the groundbreaking ceremony for the Community Center on June 10.

Council member Wood asked for material for the next edition of *The Wimberley Way*.

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H. Adjournment: Council adjourned at 8:46 p.m.

VILLAGE OF WIMBERLEY


By _____
Stephen J. Klepfer, Mayor

ATTEST:



Adelle Turpen, City Secretary