

Village of Wimberley
City Hall, 13210 Ranch Road 12
Wimberley, Texas
Thursday, August 19, 2004

City Council Meeting Minutes

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

Invocation: Rev. Ann Beal of the Wimberley Presbyterian Church gave the invocation.

Pledge of Allegiance: Mayor Klepfer led in the Pledge of Allegiance United States Flag.

Pledge of Allegiance to Texas Flag: Council Member Matt Manis led in the Pledge of Allegiance Texas Flag

Roll Call: Present were Mayor Steve Klepfer; Council Members Carroll Czichos, John Graddy, Carolyn Nichols, Matt Manis, and Marilee Wood.

Presentation of Citizens: Mayor Klepfer announced that two persons had signed up to speak and they were speaking on specific items on the agenda and would speak at that appropriate time.

Consent Items: Minutes of City Council Meeting of August 5, 9 and 12, 2004 were accepted as submitted.

City Administrator Report:

- **Budget Status Report for FY 2004/2005:** Steve Harrison reported that the proposed budget for FY 2004/2005 was on display at City Hall. Council has worked extensively on the budget and there will be a total of 3 public hearings before the budget is adopted by Council. No budget has been adopted at this time. At the first Council Meeting in September, the Council will pass a budget approved by them. There will then be 2 more public hearings before a final budget is adopted, which will become effective October 1, 2004.
- **Comprehensive Plan Review Recommendation from Planning & Zoning Commission:** Mr. Harrison stated that Council had been presented a letter from the Planning & Zoning Commission with their suggestions for a proposed review of the City's Comprehensive Plan, and that the letter with their recommendations was self explanatory. (See attached letter).
- **Water Quality Testing:** Mr. Harrison advised Council that the City does water quality testing on Cypress Creek on a regular basis and, on August 18, 2004, the tests determined that there was a high fecal coli form level in Cypress Creek extending from the Sheffield property on the west end of the Square to Blue Hole on the east. Property owners along the Creek were notified that swimming was unsafe at the present time. David Baker then spoke and advised that additional testing was done later in the day on August 18, and results were back--that it is now determined that the fecal coli form levels on August 19, 2004 are within the normal acceptance limits for human contact, which is 394. The City will re-notify property owners.

Reports from Boards/Committees/Staff:

- **Financial Report** for June and July 2004. Jack Clark, CPA mainly reviewed the July 2004 report, noting that the City continues to be in good financial condition. He noted that there was very little activity in the Blue Hole Account or the Cypress Creek Nature Trail Account. Most of the expenditures on the Nature Trail were for professional fees. There is a cash balance in the Community Center Construction Fund of \$395,334.68, and that account would become more active. Revenues from July 2004 were the best July so far. There will be some year-end adjustments.

- **Building Code Board of Review:** No report.

Consider & Act:

Appointment of Members of the Budget, Investment & Finance Advisory Board:

- Upon the nomination by Council Member Manis (Place 2), Jenelle Flocke was reappointed to the Budget, Investment & Finance Advisory Board for a two-year term ending August 7, 2006, by a vote of 5 (Ayes) 0 (Nays).

Appointment of Members to the Ethics Commission:

- Upon the nomination by Council Member Carroll Czichos (Place 5), Patrick Fain was reappointed to the Ethics Commission for a three-year term ending August 15, 2007, by a vote of 5 (Ayes) 0 (Nays).
- Council Member Matt Manis (Place 2) nominated Terri Bursiel, and Council Member Nichols (Place 1) nominated Barbara Alexander, to serve on the Ethics Commission. Mayor Klepfer called for a vote, which was as follows: Terrie Bursiel received 3 votes: Czichos (Place 5), Graddy (Place 4), Manis (Place 2); Barbara Alexander received 2 votes: Nichols (Place 1) and Wood (Place 3). Terrie Bursiel was appointed to the Ethics Commission for a three-year term ending August 15, 2007.

Appointment of Members to the Water/Wastewater Board:

- Upon the nomination by Mayor Klepfer, Pete Anderson was reappointed to the Water/Wastewater Board for a three-year term ending September 1, 2007 by a vote of 5 (Ayes) to 0 (Nays).
- Upon the nomination by Council Member Nichols (Place 1), Eddie Gumbert was reappointed to the Water/Wastewater Board for a three-year term ending September 1, 2007, by a vote of 5 (Ayes) to 0 (Nays).

Approve Community Center Design and Authorize City Administrator to Submit to Texas Parks & Wildlife Re: Grant (Recommended by Community Center Steering Committee).

Steve Harrison stated that Marvin Fatter and Barnaby Evans were present to present Council with the final Community Center Design, stating that the Community Center Steering Committee had recommended approval of the design with minor changes.

Malcolm Harris addressed Council setting forth his concern that a paved parking lot would result in excessive storm water runoff which would be a threat to Cypress Creek and the Blanco River. Mayor Klepfer responded that this matter had already been investigated.

Marvin Fatter, of Fatter & Evans Architects, Inc., presented the final design to Council.

Council Member Czichos moved to approve the Community Center Design and Authorize the City Administrator to Submit the Design to Texas Parks & Wildlife. The motion was seconded by Council Member Manis. The motion was passed by a vote of 5 (Ayes) 0 (Nays).

Public Hearing Re: Proposed Village Budget for Fiscal Year 2004/2005.

Mayor Klepfer opened the public hearing. There were no questions or comments and the public hearing was closed.

Authorize City Administrator to Sign Operation and Maintenance Agreement for On-Site Sewage Facilities (Cluster System) Relating to Certain Properties on the Square.

Steve Harrison advised Council that a few months ago the Village experienced major failures of a joint use septic system on the Square. Due to health and safety reasons the City and County collaborated to shut the system down until repairs could be made. The work has been completed and a legal agreement between the participants has been developed and signed. The agreement outlines restrictions to the amount of water that can go into the system and defines responsibility for maintenance of the system. The City Administrator stated that the County is in consensus with the Agreement and that they and the City will sign as approval. Carl Leineweber thanked the City for taking action and causing this situation to be corrected. He explained the terms of the Agreement and what corrections had been made to the system. He stated that each of the property owners will be pleased when the City is able to provide central wastewater to the Square.

Council Member Graddy made a motion that Council Authorize the City Administrator to sign the operation and maintenance agreement for on-site sewage facilities (Cluster System) relating to certain properties on the Square, which was seconded by Council Member Nichols, the motion was carried by a vote of 5 (Ayes) 0 (Nays).

Close Open Session and Convene Executive Session.

Mayor Klepfer announced that Open Session was closed at 8:00 p.m., and that Council would take a 10 minute break and then Convene into Executive Session pursuant to Government Code Section 551.071 (Consultation with Attorney); and Section 551.072 (Deliberations about Real Property) and Consult with Attorney Regarding Pending Litigation and Potential Litigation Relating to Community Center Project, Related Settlement Offers, Related Purchase and Value of Certain Property Interests.

Open Session was reconvened at 9:38 p.m.

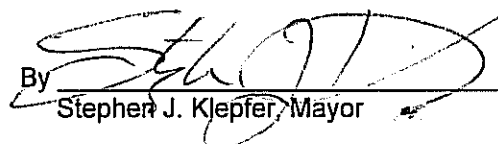
Mayor Klepfer called for a motion. There was none.

Announcements and Council Requests for Future Agenda Items.

Council Member Wood asked for a clarification on the next budget workshop. The next budget workshop will be held on Thursday, August 26, 2004 at 4:00 p.m.

Adjournment. 9:40 p.m.

VILLAGE OF WIMBERLEY

By 
Stephen J. Klepfer, Mayor


Adelle Turpen, City Secretary