

Village of Wimberley
City Hall, 13210 Ranch Road 12
Wimberley, Texas
Thursday, November 18, 2004
City Council Meeting Minutes

City Council Meeting was called to order at 6:30 p.m. by Mayor Stephen Klepfer.

Father Pedro Garcia of St. Mary's Catholic Church offered the invocation. The Pledge of Allegiance to the United States Flag was led by Mayor Klepfer; and Council Member Manis led in the Pledge of Allegiance to the Texas Flag.

The following were present: Mayor Stephen Klepfer, Council Member Carroll Czichos, Council Member John Graddy, Council Member Matt Manis, Council Member Carolyn Nichols, and Council Member Marilee Wood.

Presentations of Citizens

- **Citizen Comments:** None

A. Consent Items.

- Council Member Graddy made a motion to approve the minutes of City Council Meeting of November 4, 2004 as presented. The motion was seconded by Council Member Wood. The motion was carried by a vote of 5 (Ayes) 0 (Nays).
- Council Member Graddy made a motion to continue action on the Village Holiday Schedule for 2005 until the next Council Meeting. The motion was seconded by Council Member Czichos. The motion was carried by a vote of 5 (Ayes) 0 (Nays).

B. City Administrator Report.

- **Community Center Update**
 - o **Reversionary Interest Settlement**
 - o **Construction Plan**

Mayor Klepfer, in the absence of the City Administrator, said that the Community Center Steering Committee had met, and that Council had been provided with a timeline for the project. The Community should see some action on this project the last week of November with the water bore under RR 12. The Mayor anticipated that the project would be completed by September 2005. Because of the delay the Community Center would have some cost increase but that it would not be significant.

- **Cypress Creek Nature Trail Status**

Mayor Klepfer said that there are three more areas of the plans to be finalized—the ramp, sidewalk and drainage. It is anticipated that the project will go out for bid by December 10, 2004.

C. Reports from Boards/Committees/Staff:

- **October 2004 Financial Report (Jack Clark, CPA)**

Jack Clark presented the October 2004 financial report. Council had not been provided with financial statements for the Community Center, Cypress Creek Nature Trail, and Blue Hole Accounts. Questions were raised concerning certain items on the financial statements and whether they had been properly allocated. Mr. Clark said he would review these items and that, additionally, the \$359,582.50 Fund Balance (Acct. 467) had not been designated and this should be done. Mr. Clark said that there were still some year end adjustments to be made for the FY 2003-2004, and these would be discussed when

the next report was given. It was noted that a reserve fund of \$85,000.00 should be established at the next Council Meeting regarding the Community Center Reversionary Interest. Mr. Clark requested that he be given a half day to spend with the City Administrator to review the City's accounts.

- **Planning & Zoning Commission**

Tevis Grinstead reported that Mac McCullough had been appointed as a member of the Planning & Zoning Commission and that new officers had been chosen: Tevis Grinstead, Chair; Bill Appleman, Vice-Chair; and Curt Busk, Parliamentarian. The Commission is presently working on three amendments, two to the Zoning Ordinance and one amendment to the Subdivision Ordinance. These amendments include an amendment to [Section 41] to allow Wimberley Planned Development District (WPDD) zoning for projects that have no immediate development plans; and to site development plans [Section 46] where residential properties were zoned based on lot size. An instance would be where there is a steep slope on the lot, sometimes the minimum size of the lot is increased three or four times. So the Commission found minimum size of some lots could be increased more than the maximum permitted size. This is a cleanup and both amendments should be ready to present to Council after the Commission has one more meeting. On the Subdivision Ordinance amendment, the Commission has been working with the Transportation Advisory Board to come up with a concept of parkways in new subdivisions. Certain streets will be designated as "parkways" which means that they will be wider and more attractive, and with fewer curb cuts. Mr. Grinstead stated that this is a temporary definition while waiting for the Road Plan from TAB.

Council Member Wood questioned why this was a "temporary" amendment. Mr. Grinstead clarified that this amendment would be in place until such time as the master Roads Plan was in place. Mr. Grinstead was questioned by Council Member Nichols as to whether or not he would recommend commercial zoning be done similar to the way the City zoned residential lots. In a discussion that followed, Mr. Grinstead pointed out that the Planning & Zoning Commission had not recommended proceeding with commercial zoning, that commercial zoning is more complicated than the residential. Mr. Grinstead said that if it was a concern, it was P&Z's position that the first commercial zoning would be without a fee. No recommendation was made by Council. City Attorney Patty Akers commented that the Neighborhood Services District had been created to overcome some of the commercial zoning problems.

- **Board of Adjustment (Sue Johnson)**

Sue Johnson said that the Board of Adjustment had granted two out of three setback variances on one piece of property. Board members were all recently reappointed. Bill Cline and Steve Gartside will serve as alternates; and new officers were chosen: Sue Johnson, Chair; Susan Thurber, Vice-Chair. The Board would also be making some amendments to the By-Laws at the January 2005 meeting. Dr. Johnson stated that she was elected chair of the Board of Adjustment but upon examining the by-laws of the Board of Adjustment she noted that she was unable to serve consecutive terms, and they would correct that at their next meeting.

Mayor Klepfer inquired if the procedures for obtaining variances were working. Dr. Johnson said she felt that the Applicant was not fully aware of what steps to follow to obtain a variance.

D. Consider & Act:

1. Appointment of Member to the Economic Development Advisory Board:

Council Member Wood made a motion to appoint Ron Millard for a term ending April 3, 2005, as a consensus, non-business member of the Economic Development Advisory. The motion was seconded by Council Member Graddy. The motion was carried by a vote of 5 (Ayes) 0 (Nays.)

2. Set Public Hearing for December 21, 2004 Regarding Land Use Assumptions Proposed to be Used for Creation of a Capital Improvement Plan.

Council Member Nichols commented that the City has an Interlocal Agreement with GBRA to design, build, and finance a sewer plant for the City. GBRA hired Black & Veach to come up with a land usage

and assumptions facilities report. A meeting was held this week with the City's Water/Wastewater Advisory Board, GBRA and Black & Veach finalizing that report.

There was discussion about the need for a public hearing as part of the process for setting an impact fee for the wastewater plant project. The City Attorney raised concerns about the correct process for setting impact fees (if the City is the public entity setting the fee).

Council Member Manis made a motion to continue setting the public hearing date. The motion was seconded by Council Member Wood. The motion was carried by a vote of 5 (Ayes) 0 (Nays).

3. Authorize Participation with City of Woodcreek and GBRA to Jointly Fund Retaining a Lawyer to Research Questions Related to a Possible Method of Acquisition of Sewer Facilities Owned by Aqua Texas (Mayor Klepfer).

Mayor Klepfer advised that the proposal was intended to join with the City of Woodcreek and the GBRA to hire an attorney who has expertise in eminent domain matters to answer questions about possible acquisition of the wastewater plant owned by Aqua Texas. After additional discussion, including hearing from Fred Wade, Woodcreek Mayor Pro-Tem, Council Member Czichos made a motion to authorize participation with the City of Woodcreek and GBRA to jointly fund retaining a lawyer to research questions related to a possible method of acquisition of sewer facilities. The motion was seconded by Council Member Graddy. Council Member Nichols requested an amendment to the motion to add "at a cost not to exceed \$3,333.33." Council Member Czichos accepted the amendment. The motion was carried by a vote of 5 (Ayes) 0 (Nays).

4. Budget Adjustments Needed to Close Out Financials for Fiscal Year 2003-2004 Budget.

Council Member Nichols inquired if this matter should be continued in light of the adjustments mentioned in the earlier discussion at this meeting. Jack Clark said that this could be continued until the next meeting and the deadline for completing the year end adjustments was not a problem.

Council Member Manis made a motion to continue the budget adjustments needed to close out financials for the fiscal year 2003-2004. The motion was seconded by Council Member Graddy. The motion was carried by a vote of 5 (Ayes) 0 (Nays).

5. Council Policy Regarding Assignment and Duties of Council Members as Liaisons to City Boards/Commissions (Continued from Nov. 4—Council Member Czichos).

Council Member Czichos said that he had forwarded a questionnaire to members of the various committees and boards but had not received a reply from all of them. He said that he felt it was not the intent to do away with liaisons but to establish some guidelines.

Council Member Czichos made a motion to continue the council policy regarding assignment and duties of council members as liaisons to the City Board/Commissions. The motion was seconded by Council Member Graddy. The motion was carried by a vote of 5 (Ayes) 0 (Nays).

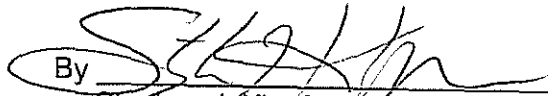
F. Announcements and Council Requests for Future Agenda Items.

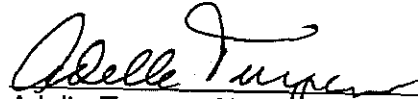
- Establish Reserve of \$85,000 (Mayor Klepfer)
- Replacement of Oak Tree on Emergency Lane (Council Member Wood)
- Report Concerning Emergency Phone System, as approved by Hays County Commissioners, Impact on Wimberley (Council Member Nichols)

Mayor Klepfer reminded those present of the Blanco River tragedy that occurred during the recent flood conditions. The Mayor said that those living close to nature must be aware that dangerous conditions can exist. The Mayor thanked Council Member Czichos and the rescue team for the fine work they do in protecting the community.

G. Adjournment: 7:25 p.m.

VILLAGE OF WIMBERLEY

By 
Stephen J. Klepfer, Mayor


Adelle Turpen, City Secretary