

***Village of Wimberley***  
**City Hall, 13210 Ranch Road 12**  
**Wimberley, Texas**  
**Thursday, January 20, 2005**  
**City Council Meeting Minutes**

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

Council Member Graddy offered the invocation. The Pledge of Allegiance to the U.S. 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 (late arrival), Council Member John Graddy, Council Member Matt Manis, and Council Member Carolyn Nichols. Council Member Marilee Wood was absent.

**Presentations of Citizens**

- Citizen Comments: None
- Pedernales Electric representative Rusty Dunham said that PEC had established 25 student scholarships of \$1,000 each for high school seniors whose parents or guardians are PEC members. The applications may be obtained from any school councilor or from the PEC office. Franchise fees were paid earlier this month for \$18,512. PEC has established a new program—CASE (Conservation and Energy Safety Education) primarily for retirees and provides a variety of information on safety, conservation and landscaping concerns.

**A. Consent Items.**

- Minutes of City Council Meeting of December 16, 2004,
- Accept Loomis-Austin Donation of Engineering Services (Value \$51,000) for Blue Hole Regional Park.
- Resolution Authorizing Amendment to Authorized Agents to TexPool Accounts Adding Jack Clark, CPA as "Inquiry Only" Representative.

Council Member Nichols made a motion to accept the three Consent Items as presented. The motion was seconded by Council Member Graddy. The motion was adopted by a vote of 3 (Ayes) 0 (Nays) 0 (Abstain). Council Member Czichos was not present for the vote.

**B. City Administrator Report.**

- Nature Trail Construction Status: City Administrator Steve Harrison commented that the City had received bids from several contractors for the construction of the Nature Trail project. The bids are presently being evaluated and he anticipates that he will be able to provide the lowest and best bid at the next Council meeting and provide Council with information to assist them in deciding on four alternate items in the bid.
- Community Center Construction Status (Timeline): Mr. Harrison said that the foundation had been poured and construction was proceeding. He anticipated that the project would be complete between mid-to-end of August 2005. Building material delivery is expected in early March and then the building construction will begin.
- Interlocal Agreement with County Fire Marshall Status: Mr. Harrison has been working with Council Member Czichos and legal council on a draft Agreement, which will be presented to Hays County for review. He anticipates he will have more to report at the 2<sup>nd</sup> Council meeting in February.

**C. Reports from Boards/Committees/Staff:**

- Public Works/Roads: Rickey Wright presented a summary of Public Works and Code Enforcement activities for the 1<sup>st</sup> Quarter of 2005. A copy of the summary is attached. Mayor Klepfer requested that a report from ATS be included in the next report.
- Transportation Advisory Board Chair, Corwin Vansant, said that the Sub-Committee is working on a Master Plan. The Traffic Count Survey is nearly completed, which will be integrated into the Master Plan. Sub-Committee is also working on the modification of the streets, roads and parking sections of the Subdivision Ordinance. TAB met with TxDOT, Merchants Assn., EDAB and Council

regarding Ranch Road 12 and Square design. TxDOT has now accepted the plan with some guidelines for restoration and upgrading. TxDOT will do these improvements within their maintenance area, tying this in with the completion of RR 12 and the Bridge Project. The Village will be responsible for other improvements. TAB is working on additional drainage concerns on the Square with the City Engineer. TAB is looking into grants.

- Building Code Board of Review: Mac McCullough said that the Board has been working primarily on Family of Codes (Electrical, Plumbing, Mechanical, Fire, and ADA); recommendations will be presented to Council in May 2005. ATS is providing input. An effort is being made to adopt codes that do not create an undue burden. There was no immediate interest in requiring licensing permits.
- December 2004 Financial Report: The financial report for December 2004 was presented by Mr. Harrison in the absence of Mr. Clark. Mr. Harrison said that revenues continue to increase monthly. \$85,000 will be transferred to the Community Center Fund during the month of January, pursuant to Council's direction.

#### **D. Consider & Act:**

##### **1. Application for Zoning (Public Hearing):**

- C211-04-192 – 610 Melody Way; Planning Area C, for C-2 Zoning (Recommended by P&Z by a vote of 4 to 0).

Planning & Zoning Commissioner's Vice-Chair, Bill Appleman, presented the case and stated that P&Z recommended approval.

Public Hearing: No comments.

Council Member Manis made a motion to grant C-2 zoning for Application No. C211-04-192. The Motion was seconded by Council Member Graddy. The motion was carried by a vote of 4 (Ayes) 0 (Nays) 0 (Abstain).

- C211-04-193 – 14210 Ranch Road 12, Planning Area D for C-2 Zoning (Recommended by P&Z by a vote of 4 to 0).

Planning & Zoning Commissioner's Vice-Chair, Bill Appleman, presented the case and stated that P&Z recommended approval.

Public Hearing: No comment.

Council Member Graddy made a motion to grant C-2 zoning for Application No. 211-04-193. The motion was seconded by Council Member Czichos. The motion was carried by a vote of 4 (Ayes) 0 (Nays) 0 (Abstain).

##### **2. Application for Conditional Use Permit (Public Hearing):**

- CUP-04-006 – 300 Loma Vista, Application for Conditional Use Permit to operate a Bed & Breakfast Lodging facility (Recommended by P&Z by a vote of 4 to 0).

Planning & Zoning Commissioner's Vice-Chair, Bill Appleman, presented the case and stated that P&Z recommended approval.

Public Hearing: No comment.

Council Member Carolyn Nichols made a motion to approve Application CUP-04-006, 300 Loma Vista, for a Conditional Use Permit to operate a Bed & Breakfast Lodging Facility as recommended by the Planning & Zoning Commission by a vote of 4 to 0. The motion was seconded by Council Member Graddy. The motion was carried by a vote of 4 (Ayes) 0 (Nays) 0 (Abstain).

**3. Amendments to Zoning Ordinance No. 2001-010 (First Reading - Public Hearing):**  
(Recommended by P&Z by a vote of 4 to 0).

- Section 41: Wimberley Planned Development District—Clarify language and process needed for zoning designation of WPDD.
- Section 46: Site Development Plans—Redefining process and requirements for site development plan.

Planning & Zoning Commission Vice-Chair, Bill Appleman, requested that the proposed amendments to Sections 41, 46 be continued to review the language with that recommended of the Planning and Zoning Commission. Legal council advised that the document before the Council was not the same as the Planning & Zoning Commission had passed; however, was not sure why.

Public Hearing: No comment.

Council Member Manis made a motion to continue the proposed Amendments to Zoning Ordinance No. 2001-010, Sections 41 and 46. The motion was seconded by Council Member Graddy. The motion was approved by a vote of 4 (Ayes) 0 (Nays) 0 (Abstain).

- Section 47.8.C: Lot Size Multiplier – Apply lot multiplier to maximum lot size (First Reading)

Planning & Zoning Commissioner's Vice-Chair, Bill Appleman, presented the amendment and stated that P&Z recommended this amendment to correct the proper zoning classification when a lot has a steep slope..

Public Hearing: No comment.

Council Member Nichols made a motion to approve the proposed Amendment to Zoning Ordinance No. 2001-010, Section 47.8.C – Lot Size Multiplier. The motion was seconded by Council Member Graddy. The motion was approved by a vote of 4 (Ayes) 0 (Nays) 0 (Abstain).

Mayor Klepfer requested that council be provided with a red-line copy of all amendments to ordinances.

**4. Amendments to Subdivision Ordinance No. 2001-014 (First Reading - Public Hearing):**  
(Recommended by P&Z by a vote of 4 to 0).

- Section 33010.A: Designation of arterial streets as "Greenways."
- Section 33030.A: Designation of arterial streets as "Greenways."
- Section 33030.G.5: Placement of Greenways.
- Definition of "Greenways."

Planning & Zoning Commission Vice-Chair, Bill Appleman, requested that the proposed amendments to Subdivision Ordinance No. 2001-014, Sections 33010.A, Section 33030.A, Section 33030.G.5, and Definitions be continued for review by the City Attorney. Attorney Patty Akers stated the amendments needed further review and should be referred back to the Planning and Zoning Commission.

Public Hearing: No comment.

Council Member Czichos made a motion to refer the proposed Amendments to Subdivision Ordinance No. 2001-014, Sections 33010.A, Section 33030.A, Section 33030.G.5, and Definitions be referred back to the Planning & Zoning Commission. The motion was seconded by Council Member Graddy. The motion was approved by a vote of 4 (Ayes) 0 (Nays) 0 (Abstain).

**5. Authorize City Administrator to Proceed with Necessary Planning to Open a Portion of Blue Hole Regional Park for Swimming Activities During Summer of 2005.**  
(Recommended by Parks & Recreation Board).

Mr. Harrison introduced Kay Wilkins, Assistant to City Administrator, who has been working closely with the Parks Board. Ms. Wilkins presented parameters to the Council so they could make a decision

concerning opening the swimming hole at Blue Hole for the summer of 2005. A copy of the conceptual plan is attached. Council Member Manis requested that "no alcohol" be included in the rules.

Council Member Nichols made a motion to authorize the City Administrator to proceed with necessary planning to possibly open a portion of the Blue Hole Regional Park for event or swimming activities during the summer of 2005. The motion was seconded by Council Member Graddy. The vote was as follows: 2 (Ayes—Council Member Nichols and Council Member Graddy), 2 (Nays—Council Member Czichos and Council Member Manis). With the resulting tie vote, Mayor Klepfer voted "Aye." The motion was carried.

**6. Approve Contractual Agreement with Langford Community Management Services to Implement the 2004 Texas Parks & Wildlife Regional Park Grant (Blue Hole).**

The City Administrator presented the contract document and recommended that Council hire Langford Community Services to administer the grant for Blue Hole.

Council Member Nichols made a motion to approve the Contractual Agreement with Langford Community Management Services to Implement the 2004 Texas Parks & Wildlife Regional Park Grant for Blue Hole. The motion was seconded by Council Member Graddy. The motion was adopted by a vote of 4 (Ayes) 0 (Nays) 0 (Abstain).

**7. Amend Fundraising Contract with Trust for Public Land to Provide Procedure for Handling \$250,000 Grant (Continued from 1/20/05).**

Attorney Akers said there needs to be some clarification on the contract with TPL, and she is working on this with the TPL attorneys.

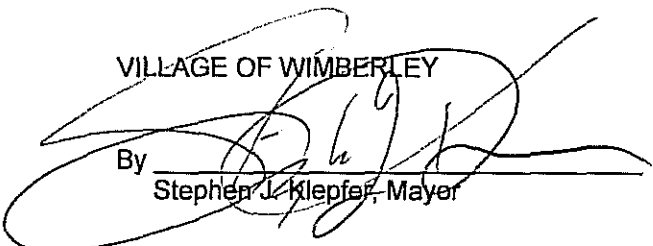
Council Member Nichols made a motion to continue the item to "Amend Fundraising Contract with Trust for Public Land to Provide Procedure for Handling \$250,000 Grant". The motion was seconded by Council Member Graddy. The motion was carried by a vote of 4 (Ayes) 0 (Nays) 0 (Abstain).

**E. Announcements and Council Requests for Future Agenda Items.**

- Mr. Harrison said that the City has purchased a Chevrolet half-ton pickup for \$11,800 through the State's Purchasing Cooperative for Cities. The list price of the truck was \$22,000.
- Council Member Nichols said that Thad Nance had been instrumental in obtaining a commitment of \$150,000 from the Burdine Johnson Foundation for the development of soccer fields at Blue Hole. \$75,000 has been received and the balance will be paid during their 2005 FY.
- Council Member Nichols reminded council member of the death of Duke Moreland.
- Mayor Klepfer announced council liaison assignments as follows: Budget, Investment & Finance Advisory Board—Council Member Nichols; Water/Wastewater Advisory Board—Council Member Manis; Economic Development Advisory Board—Council Member Graddy; Transportation Advisory Board and Parks Board—Council Member Wood.

**F. Adjournment: 8:40 p.m.**

  
Adelle Turpen, City Secretary

VILLAGE OF WIMBERLEY  
By   
Stephen J. Klepfer, Mayor