

Village of Wimberley

City Hall, 13210 Ranch Road 12

Wimberley, Texas

Minutes of City Council Meeting

Thursday, June 16, 2005 - 6:30 p.m.

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

Mayor Klepfer gave the Invocation.

Mayor Klepfer led The Pledge of Allegiance to the U.S. Flag and the Pledge of Allegiance to the Texas Flag.

Present were: Mayor Stephen Klepfer and Council members Curt Busk, Marilee Wood, John Graddy and Carroll Czichos. Council member Matt Manis was absent.

Presentations of Citizens

Mayor Klepfer administered the Oath of Office to City Secretary, Cindy Colvert and to new Board of Adjustment member Jason Aldridge. Bob Flocke will be sworn in as a new member of Transportation Advisory Board at a later date.

A. Consent Items:

Mayor Klepfer read the items: Minutes of City Council Meeting of June 2, 2005 and Resolution to Apply for Designation as a *Preserve America* Community and asked Council members if there was need to pull either item. Council members Wood, Busk and Graddy asked to pull the minutes to place under Consider & Act.

Council member Busk moved to adopt on consent the Resolution to Apply for the Designation as a *Preserve America* Community. Council member Wood seconded the motion. Motion approved by a vote of 4 Ayes to 0 Nays.

B. City Administrator Report

The City Administrator reported on the hiring June 13th of Janice Madden as Receptionist/Office Clerk for the City.

C. Reports from Boards/Committees/Staff

1. Building Code Board of Review:

Chair Mac McCullough stated that there was no significant report to offer, and that there would be a future report on the adoption of the various building codes when they are able to have a meeting.

2. Transportation Advisory Board:

Chair Corwin Vansant presented the second quarterly report to the Council. He said TAB had accomplished a great amount since the last quarter to include recommending the

awarding of contracts for mapping; a study of flooding at low-water crossings; and road inventory and maintenance. He also spoke about the drainage survey of the Square, the joint meeting with San Marcos TAB, and recent meetings with Commissioner Conley regarding the by-pass, sidewalks, and Square enhancement. The Mayor and Council members commended TAB members for the work being done.

3. Monthly Financial Report:

Jack Clark presented the monthly Financial Report. He stated the Budget is on target for this time of year, and that the cash, investments, and legal expenses are where they should be. Discussion ensued regarding activity on the Community Center, the Nature Trail and The Blue Hole, and Mr. Clark answered various questions.

D. Consider & Act:

Minutes for Council meeting June 2nd: The minutes had been pulled from the Consent items on the Agenda. Council member Busk requested a change on page 6 regarding the wording describing a portion of the Ethics Commission report. Council member Graddy noted a needed change on page 5, 3rd paragraph, re-wording his motion regarding the CUP-05-009. Council member Wood requested an abridged, shorter version of the entire minutes. Council member Wood moved that Council not adopt these minutes and requested a set of minutes which reflects the usual style of minutes, presented at the next Council meeting. Council member Graddy seconded the motion. Motion approved by a vote of 4 Ayes to 0 Nays.

1. Change of Zoning (Public Hearing)

- **ZA-05-203 (Application No.C211-05-205) 303 Wimberley Square: Change of Zoning from C-1 to C-2. Recommended for Approval with Conditions by Planning & Zoning Commission by a vote of 7- 0.**

Planning & Zoning Chair Tevis Grinstead presented the application. The reason for the request is to ensure parking appropriate space is available. The proposed new business will add fifteen (15) new parking spaces on the Square. He presented a list of conditions recommended by P&Z. Legal counsel recommended changes to these conditions, as outlined in Exhibit B, attachment to these minutes.

The public hearing was opened.

The City Administrator presented copies of two letters the City had received regarding this matter.

The public hearing was closed.

A ten minute recess was called to allow the applicants time to look at the two letters.

The meeting reconvened.

The Mayor moved to item D-2, giving the applicants of item D-1 adequate time to study the new information.

2. First Reading of Ordinance No. 2005-005, Amending the Subdivision Ordinance, to provide exemption to the ground water availability test for certain small subdivisions with specific limits on ground water pumping for each new lot. (Public Hearing) Recommended for Approval by P&Z by a vote of 7- 0.

Planning & Zoning Chair Tevis Grinstead presented the item, explaining that the intention was to exempt subdivisions subject to short form requirements from the water availability test, and further explained the exemptions, the "clean up" provisions, and new well criteria.

The public hearing was opened.

There were no comments.

The public hearing was closed.

Council members discussed reasons for the proposed change, the experts who were consulted to determine calculations on sufficient water usage, variance procedure, and specific wording. It was determined to delete the word "new" in B-3b.

Council member Busk moved that, upon first reading, Council adopt Ordinance No. 2005-005 an amendment to the Subdivision Ordinance to provide exemption to the ground water availability test for certain small subdivisions with specific limits on ground water pumping for each new lot, with a change in Section B, 3b to read: results from a re-plat or amending plat of an existing subdivision creating a number of lots no greater than the original number of lots. Council member Graddy seconded. Motion approved by a vote of 4 Ayes to 0 Nays.

The Mayor returned to Agenda item D-1, as previously described:

Council members and the Mayor discussed whether the items should be addressed as Conditions to the Zoning or during the Site Development approval at a later date. City Attorney Patty Akers stated that the Zoning Ordinance applies to land use, not behavior. She recommended that it would be advisable to place the conditions as part of the zoning action, and further suggested that the provision in Section 2 of Exhibit B use the phrase "encouraged" rather than "required". She indicated it would be noted as a plan note on the Site Development Plan.

Council members discussed the trash receptacles/dumpsters, garbage pick up, the septic field location, the location and lease of the property for the parking lot, signage, parking issues involving all businesses on the Square and working toward solutions.

Council member Wood moved to adopt Ordinance No.ZA-05-203, change of zoning from C-1 to C-2 for 303 Wimberley Square, with changes to Exhibit B. (Changes reflected in Exhibit B attached to these minutes). Council member Graddy seconded the motion. Motion approved by a vote of 4 Ayes to 0 Nays.

**3. Appointment of Member to Water/Wastewater Advisory Board.
(Council Member Busk)**



Council member Busk requested the item be continued.

**4. Consider Setting Special Off-Site Work Session for Strategic Planning.
(Council Member Graddy)**

Council member Graddy presented the item and the positive aspects of such a Work Session. Discussion followed regarding the proposed facilitator, possible dates, costs, and length of time involved. The City Administrator said the proposed cost would fit within the budget.

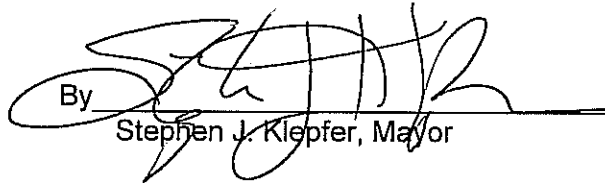
Council member Graddy moved that an off site planning workshop be held during the first week in August, with a professional facilitator, and use money that is currently in the Budget to cover costs. Council member Wood seconded the motion. Motion approved by a vote of 4 Ayes to 0 Nays.

F. Announcements and Council Requests for Future Agenda Items.

- City Attorney Patty Akers encouraged attendance at the Bickerstaff workshop on Saturday, June 18th.
- The Mayor provided clarification in Appeal to the Rule of the Chair is a limit of the debate and requires a 2/3 vote.

Council member Wood moved for adjournment. Council member Czichos seconded. Meeting adjourned.

VILLAGE OF WIMBERLEY

By 
Stephen J. Klepfer, Mayor

Respectfully Submitted By:


Cindy Colvert, City Secretary