

Village of Wimberley
City Hall, 13210 Ranch Road 12
Wimberley, Texas
Minutes of City Council Meeting
Thursday, October 6, 2005

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 Council Member Manis led the Pledge of Allegiance to the Texas Flag.

Present were: Mayor Klepfer and Council Members Curt Busk, Matt Manis, and Marilee Wood.

Presentations of Citizens

Citizen Comments: Pedernales Electric Cooperative representative Diane Gonzales provided the Village of Wimberley its franchise check in the amount of \$24,515.51. She also informed Council of the PEC Speaker's Bureau available free of charge to civic organizations. She also spoke of the Youth Tour Essay contest in which PEC will sponsor 6 teenagers to Washington, D.C. Information is available on PEC website. Council Member Busk asked about additional power availability in the valley. Ms. Gonzales replied that issue is ongoing and she will give report to the City Administrator.

Oaths of Office

Mayor Klepfer administered the Oath of Office to Guy Rollins as an appointee to the Building Code Board of Review.

A. Consent Items

Council Member Marilee Wood moved to approve the Minutes from the September 15, 2005 City Council meeting; Council Member Busk seconded. Motion approved by 3 Ayes to 0 Nays.

B. City Administrator Report

1. City Administrator Steve Harrison reminded Council of several upcoming Board of Adjustment and Planning and Zoning Commission appointments. The Mayor requested information as to whether the person is in the ETJ or city limits for consideration.
2. Dr. Harrison introduced Mr. Bill Bowers as a new contract employee. Mr. Bowers was hired to work 20 hour a week; however has started work during Rickey Wright's absence, and so has experienced longer days.

Dr. Harrison also informed Council that he had received the written resignation of Rickey Wright,

indicating his last day with the Village of Wimberley will be Thursday, October 13, 2005. Mr. Wright has requested no farewell parties or lunches or special recognition.

Dr. Harrison informed Council that the City will host a pre-meeting reception for Alan Bridges, the new Sheriff, on November 3, 2005. The reception will commence at 5:45 at City Hall. The public is invited to this event.

C. Reports from Boards/Committees/Staff

1. Mr. Malcolm Harris, Chair of the Parks Board reported that this has been a busy time with special meetings as well as regular meetings every month. Parks Board meeting on October 5, 2005 had presentation by Lady Bird Johnson Wildflower Center on a master-plan for the Blue Hole Park. The presentation was impressive and the Wildflower Center is anxious to do the job. Parks Board has accepted their presentation along with others for consideration. Cypress Creek Nature Preserve infrastructure is in place; draining in place and heavy construction commenced. Blue Hole openings on weekends this past summer have proved very successful and aim of Parks Board is to have Blue Hole open all weekends in 2006, provided the infrastructure is in place. Over the next 12 months, Parks Board expects to do fundraising and get input about Masterplan.

Council Member Marilee Wood recognized volunteers participation in Blue Hole projects.

2. Mr. Tevis Grinstead, Chairman of the Planning and Zoning Commission indicated three members are due for appointments: Bill Appleman, Glenn Fryer, and Paul Xiques. These will have to be filled by the first November meeting. Mr. Grinstead indicated the Comprehensive Plan provides an annual review and a more extensive 5-year review. The Planning and Zoning Commission is beginning its review and will report to Council upon completion.

At the next meeting, Planning and Zoning Commission will be receiving a presentation regarding a proposed major subdivision on 2325 and Woodcreek North. This will include several lots with impact on roads, water and schools. There will be several meetings on this issue and Mr. Grinstead offered an invitation to City Council members to attend next Tuesday's (October 11, 2005) meeting.

3. Mr. Jack Clark presented Finance Report to Council indicating the sales and use tax has increased from the previous year with a month yet to go. He stated he would present the end of year report and recommended budget amendments for fiscal year 2005 at the first Council meeting in November. Blue Hole, Cypress Creek Nature Trail, Community Center funds are on target, with land cost in Blue Hole to be reviewed at end of year.

D. Consider & Act

1. ZA-05-209, Requested Zoning of Commercial Limited (C-1), 330 Mill Race Lane (Recommended by P&Z by 5 Ayes to 0 Nays)

Dr. Steve Harrison presented the item because the Chair of this committee was not present at the last meeting and the Vice-Chair had recused himself.

Mr. Bill Appleman spoke and stated he was not opposed to the requested zoning or the related application for a Conditional Use Permit. He further stated that he felt the Council should delay approving the requests due to his belief that discrepancies exist in the plat for this property. He believes that the public roadway is being infringed upon and that this matter should be clarified prior to zoning the property.

Mary Gibson, 310 Mill Race Lane, next door to this property and former owner spoke in favor of the zoning and urged Council to identify the road comment as a separate issue; she also spoke in favor of the Item #D2, Conditional Use Permit on the same property.

Shellye Arnold, owner of this property, spoke in favor of the zoning and her understanding of Mr. Appleman's issue as not being relevant in the zoning decision.

Malcolm Harris, 210 Mill Race Lane, spoke in favor of the zoning and CUP on this property and indicated the Mill Race Lane was an easement shared and owned by adjacent property owners. He read from a 1938 document which indicated the 25' is deeded to adjacent landowners.

Dr. Steve Harrison read and entered into the record letters from Judy and James Thompson of 551 Mill Race Lane, in support of the C-1 Zoning and Conditional Use Permit for 330 Mill Race Lane.

Mr. Bill Johnson spoke saying this road was never a county road and he doesn't want it widened.

The Mayor indicated the road is a city road and a discussion at another time would be prudent to discuss the issue of a survey. The issue in front of the Council was the zoning.

Mr. Corwin Vansant, Chair of Transportation Advisory Board, indicated that an engineer should be called in to survey the road. He estimates this to be \$10-15,000. Council Member Marilee Wood moved to approve item 1, ZA-05-209, Zoning of Commercial Limited (C-1), 330 Mill Race Lane. Seconded by Council Member Manis. Motion approved by 3 Ayes to 0 Nays.

2. CUP 05-018 Conditional Use Permit Application for Bed & Breakfast Lodging, 330 Mill Race Lane (Recommended by P&Z by 4 Ayes to 1 Nay with 1 Recusal)

Dr. Harrison presented the proposed Conditional Use Permit and went through the conditions that would be required by the City.

Council Member Marilee Wood moved to approve a CUP for Bed & Breakfast Lodging for 330 Mill Race Lane. Seconded by Council member Manis. Motion Approved by 3 Ayes to 0 Nays.

3. Zoning Application – File No. ZA-05-208 – Proposed Public Parking Lot located along the South Side of Henson Street (Recommended 6 Ayes to 1 Nay)

The Mayor opened Public Hearing. Comments were heard from Nancy Schnautz, who owns 2 lots adjacent to the proposed parking lot. Jess Wright spoke in support of the shift from a commercial to a residential and public to private.

Council Member Curt Busk moved to approved File No. ZA-05-208 with use as a R-4 adding a parking lot as a permitted use. Seconded by Council Member Matt Manis. Motion approved by 3 Ayes to 0 Nays.

4. Approval of agreement with Texas Disposal System for the exclusive provision solid waste services for the residential and commercial customers in Wimberley (Recommended by Budget, Investment and Finance Advisory Board by vote: 6 Ayes to 0 Nays)

The Mayor indicated this item would include discussion but they would not take action tonight since the related Ordinance takes two readings and it would be prudent to pass both together.

Chairman Chuck Bursiel reported on the Disposal System for the exclusive provision solid waste services for residential plan to provide services for residences at or below the current rate would mean the exclusion of 'bulky items' and would include recycling. Mr. Bursiel indicated this was recommended by Budget, Investment and Finance Advisory Board by vote 6 Ayes to 0 Nays.

5. Adoption of Ordinance No. 2005-007 providing the exclusive franchise rights for operating solid waste services within the Village.

Discussion about the BIF recommendation to accept with exclusion of 'bulky items'.

Attorney Patty Akers indicated more discussion required about language in Ordinance

Ralph Weller, of Texas Disposal System, spoke indicating their attorney has not reviewed the Ordinance.

Motion to accept the adoption of Ordinance No. 2005-007, providing the exclusive franchise rights for operating solid waste services within the Village, on first reading by Curt Busk was seconded by Marilee Wood. Motion passed by 3- 0 vote.

6. Adoption of travel reimbursement policy recommended by Budget, Investment and Finance Advisory Board by vote 6 Ayes to 0 Nays.

This item was presented by Chuck Bursiel, Vice-Chair of Budget, Finance and Investment Committee. After discussion, Motion to Continue this item to allow for staff review by Council member Busk, motion seconded by Council Member Manis. Motion passed 3-0,

7. Adoption of Ordinance No. 2005-211 adopting the National Incident Management System ("NIMS") as the standard for incident management by the Village of Wimberley.

Motion to adopt by Council member Busk, seconded by Marilee Wood.
Motion passed 3-0.

8. Appointment of member to Ethics Commission; 3 year term expiration date – August 15, 2008

Motion to accept / reappoint John Meyers to Ethics Commission by Council member Manis, seconded by Council member Busk. Motion passed 3-0.

9. Appointment of members to Transportation Advisory Board for terms ending – September 19, 2008.

- a. Place 2: Councilmember Manis moved to reappoint Bob Bullock to Transportation Advisory Board, Marilee Wood seconded. Motion passed 3-0
- b. Place 3: Councilmember Wood moved to appoint Corwin Vansant to Transportation Advisory Board, Curt Busk seconded. Motion passed 3-0
- c. Place 5: Councilmember Czichos is absent; item continued.

E. Work Session

Discussion about City participation in Trail of Lights will be put on agenda for next meeting, as an action item.

F. Announcements and Council Requests for Future Agenda Items:

Council Member Wood suggested official openings for Community Center and the Nature Trail.

G. Adjournment: Council meeting adjourned at 8:43 p.m.

VILLAGE OF WIMBERLEY

By
Stephen J. Klepfer, Mayor

Respectfully submitted by:

Moira Martin, Recording Secretary