



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS
221 STILLWATER DRIVE, WIMBERLEY, TEXAS
NOVEMBER 7, 2013 - 6:00 P.M.

AGENDA

CALL TO ORDER NOVEMBER 7, 2013 @ 6:00 P.M.

CALL OF ROLL CITY SECRETARY

INVOCATION

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

CITIZENS COMMUNICATIONS

THE CITY COUNCIL WELCOMES COMMENTS FROM CITIZENS ON ISSUES AND ITEMS OF CONCERN, NOT ON THIS AGENDA. THOSE WISHING TO SPEAK MUST SIGN IN BEFORE THE MEETING BEGINS AND OBSERVE A THREE-MINUTE TIME LIMIT WHEN ADDRESSING COUNCIL. SPEAKERS WILL HAVE ONE OPPORTUNITY TO SPEAK DURING THE TIME PERIOD. SPEAKERS DESIRING TO SPEAK ON AN AGENDA ITEM WILL BE ALLOWED TO SPEAK WHEN THE AGENDA ITEM IS CALLED. INQUIRIES ABOUT MATTERS NOT LISTED ON THE AGENDA WILL EITHER BE DIRECTED TO STAFF OR PLACED ON A FUTURE AGENDA FOR COUNCIL CONSIDERATION.

1. CONSENT AGENDA

THE FOLLOWING ITEMS MAY BE ACTED UPON IN ONE MOTION. NO SEPARATE DISCUSSION OR ACTION IS NECESSARY UNLESS REQUESTED BY A COUNCIL MEMBER OR CITIZEN, IN WHICH EVENT THOSE ITEMS WILL BE PULLED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION.

- (A) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 17, 2013.
- (B) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF OCTOBER 17, 2013.
- (C) APPROVAL OF MINUTES OF THE SPECIAL JOINT MEETING WITH THE PLANNING AND ZONING COMMISSION OF OCTOBER 30, 2013.

- (D) APPROVAL OF THE SEPTEMBER 2013 FINANCIAL STATEMENTS OF THE CITY OF WIMBERLEY

2. CITY ADMINISTRATOR REPORT

- STATUS REPORT ON THE OCTOBER 2013 FLOOD IN THE CITY OF WIMBERLEY
- STATUS REPORT ON *THE CENTRAL WIMBERLEY WASTEWATER PROJECT*
- STATUS REPORT ON CYPRESS CREEK WATER QUALITY ISSUES
- STATUS REPORT ON THE DESIGNATION OF A TRUCK ROUTE IN THE CITY OF WIMBERLEY
- STATUS REPORT ON THE OPERATION OF THE BLUE HOLE REGIONAL PARK

3. PRESENTATION

PRESENTATION BY HAYS COUNTY PRECINCT THREE COMMISSIONER WILL CONLEY REGARDING THE RECENT DECISION OF HAYS COUNTY TO ENTER INTO A WATER-RESERVATION SUPPLY AGREEMENT WITH FORESTAR USA REAL ESTATE INC. (*COMMISSIONER WILL CONLEY*)

4. PUBLIC HEARINGS AND CONSIDER ACTION

- (A) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY SUE JONES TO ALLOW FOR A SECONDARY RESIDENTIAL BUILDING ON A TRACT OF LAND ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), LOCATED AT 205 FREEDOM DRIVE, WIMBERLEY, HAYS COUNTY, TEXAS, AND IMPOSING CERTAIN CONDITIONS; PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. (*SUE JONES, APPLICANT*)
- (B) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY AARON SCOTT TO OPERATE A BED AND BREAKFAST FACILITY ON A TRACT LOCATED AT 1861 FLITE ACRES, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), AND IMPOSING CERTAIN CONDITIONS; PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. (*AARON SCOTT, APPLICANT*)
- (C) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155 (ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A TRACT OF PROPERTY LOCATED AT 103 AND 107 OAK DRIVE, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING SUCH

PROPERTY FROM SINGLE FAMILY RESIDENTIAL 2 (R-2) TO COMMERCIAL-HIGH IMPACT (C-3); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. (*CHRIS ODDO, APPLICANT*)

- (D) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155 (ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A TRACT OF PROPERTY LOCATED AT 516 FLITE ACRES ROAD, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING SUCH PROPERTY FROM SINGLE FAMILY RESIDENTIAL 2 (R-2) TO RURAL RESIDENTIAL 1 (R-1); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. (*MICHAEL GIEBER & JANICE MULLENAX, APPLICANTS*)
- (E) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155 (ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A TRACT OF PROPERTY LOCATED AT 222 TWILIGHT TRAIL, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING SUCH PROPERTY FROM COMMERCIAL-LOW IMPACT (C-1) TO PUBLIC FACILITIES (PF); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. (*WIMBERLEY EMERGENCY MEDICAL SYSTEMS, INC., APPLICANT*)

5. ORDINANCE

CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE AMENDING TITLE XIII (GENERAL OFFENSES), CHAPTER 130 (GENERAL OFFENSES), SECTION 130.03 (DISCHARGE OF FIREARMS PROHIBITED; EXCEPTIONS) OF THE CITY OF WIMBERLEY'S CODE OF ORDINANCES TO REGULATE THE DISCHARGE OF A BOW AND ARROW WITHIN THE CITY LIMITS; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. (*CITY ADMINISTRATOR*)

6. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER POSSIBLE ACTION AUTHORIZING THE TRANSFER OF \$10,000 FROM THE CITY OF WIMBERLEY'S GENERAL FUND BALANCE TO HELP FUND, WITH HAYS COUNTY, THE DESIGN OF IMPROVEMENTS TO THE INTERSECTION OF RANCH ROAD 12 AND FM 3237, AMENDING THE FISCAL YEAR 2014 GENERAL FUND BUDGET TO REFLECT THE TRANSFER AND EXPENDITURE AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY RELATED INTERLOCAL AGREEMENT. (*CITY ADMINISTRATOR*)

- (B) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING A REQUEST TO REIMBURSE PLACE TWO COUNCIL MEMBER MAC MCCULLOUGH FOR LEGAL COSTS INCURRED RELATING TO HIS RECENT DEFENSE AGAINST CONFLICT OF INTEREST ALLEGATIONS. (*PLACE TWO COUNCIL MEMBER MAC MCCULLOUGH*)
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING A PROPOSAL THAT THE CITY OF WIMBERLEY ASSUME MAINTENANCE OF THE RANCH ROAD 12 ROADSIDE PICNIC AREA. (*WIMBERLEY PARKS BOARD*)

7. CITY COUNCIL REPORTS

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

ADJOURNMENT

THE CITY COUNCIL MAY RETIRE INTO EXECUTIVE SESSION AT ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSING ANY MATTERS LISTED ON THE AGENDA AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE INCLUDING, BUT NOT LIMITED TO, HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087 OF THE TEXAS GOVERNMENT CODE; ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on November 4, 2013 at 5:30 p.m.



CARA MCPARTLAND, CITY SECRETARY

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Don Ferguson, City Administrator, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.