

City Council

Regular Meeting Minutes

March 12, 2019 at 6:00 p.m.

A Regular Meeting of the City Council of Dripping Springs, Texas, was held Tuesday, March 12, 2019 at 6:00 p.m. in the City Hall Council Chambers, located at 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL

Mayor/City Council/Board of Adjustment:

Mayor Todd Purcell
Mayor Pro Tem Bill Foulds
Council Member Travis Crow
Council Member Wade King
Council Member John Kroll (arrive at 6:42 p.m.)
Council Member Taline Manassian (arrived at 6:09 p.m.)

City Staff/Appointed Officials/Consultants:

City Administrator Michelle Fischer
Assistant City Attorney Laura Mueller
City Treasurer Gina Gillis
City Secretary Andrea Cunningham
Planning Director Jason Lutz
City Engineer Chad Gilpin
Parks & Community Services Director Mariana Espinoza
DSRP Manager Lynne Dickinson
Communications Coordinator Bonnie Gonzalez
Planning & Zoning Commission Chair Mim James

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:05 p.m.

II. WORKSHOP

No action will be taken during the Workshop.

A motion was made by Mayor Pro Tem Foulds to recess in to Executive Session under Texas Government Code Sections 551.071 and 551.074 and regarding Executive Session Agenda Items A – C and Business Agenda Item L. Council Member King seconded the motion which passed unanimously 3 to 0.

Executive Session Agenda

- A. Consultation with City Attorney regarding legal issues related to subdivision and street requirements for property at Gateway 26 doors.
Consultation with Attorney, 551.071
- B. Consultation with City Attorney regarding legal issues related to the regulation of motor-assisted scooters.
Consultation with Attorney, 551.071

- C. **Consultation with City Attorney regarding legal issues related to the regulation of outdoor burning.**
Consultation with Attorney, 551.071

Business Agenda

- L. **Discuss and consider approval of the Job Description for a Full-time Billing Assistant.**
Sponsor: Mayor Purcell

The City Council met in Executive Session from 6:07 p.m. – 6:35 p.m.

No action or vote was taken in Executive Session. Mayor Purcell returned the meeting to Open Session and continued with the Regular Agenda at 6:35 p.m.

III. RECESS

The Mayor did not recess the meeting.

IV. RECONVENE AT 6:30 P.M.

Mayor Purcell reconvened the meeting at 6:35 p.m.

V. PLEDGE OF ALLEGIANCE

Mayor Purcell led the Pledge of Allegiance to the Flag.

VI. PROCLAMATIONS & PRESENTATIONS

No action to be taken on proclamations and presentations. The City Council may choose to discuss and take public comment on these items as necessary.

- A. **Proclamation proclaiming March 31 - April 7, 2019 as "Dark Sky Week" in the City of Dripping Springs.**
Sponsor: Council Member King

Council Member King read and presented the proclamation to Parks & Community Services Director Mariana Espinoza.

VII. PRESENTATION OF CITIZENS

The floor is open for Citizens wishing to speak on items that are not on the posted agenda or do not have a public hearing, and speakers are encouraged to sign in prior to speaking. Citizens wishing to speak shall do so after being recognized by the Mayor. Speakers are allowed two (2) minutes to speak, which the Mayor or City Council may extend. By law no action may be taken during Presentations of Citizens.

No one spoke during Presentation of Citizens.

VIII. CONSENT AGENDA

The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.

- A. Approval of the City Treasurer's Report for February 2019.
- B. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and D Bar S Roping to hold weekly Roping Practices and Events at Dripping Springs Ranch Park and Event Center.
Sponsor: Council Member King
- C. Approval of the Appointment of Jana Muniz to the Farmers Market Association Board for a term ending June 30, 2020.
- D. Approval of a Resolution Appointing Hays County Commissioner Precinct No. 4 Walt Smith and Hays County Representative Mike Figer to the City of Dripping Springs Tax Increment Reinvestment Zone (TIRZ) No. 1 and Tax Increment Reinvestment Zone (TIRZ) No. 2 for terms ending December 31, 2020.

Filed as Resolution No. 2019-R13.

- E. Approval of a Professional Services Agreement between the City of Dripping Springs and Grant Development Services regarding Grant and Pre-Application Services for Transportation Alternatives/Safe Routes to School funds.
Sponsor: Council Member Manassian
- F. Approval of 2019 Founders Day Festival Participation Agreements between the City of Dripping Springs and:
 - 1. Church of Springs regarding Waste Removal;
 - 2. VFW Post 2933 and American Legion Post 290 regarding Parking at The Triangle;
 - 3. Dripping Springs Lions Club regarding Food Vendor Booths and the Mighty Thomas Carnival;
 - 4. JP Musical Services Group regarding Stage Lighting and Sound System;
 - 5. St. Martin de Porres Catholic Church regarding Arts & Crafts and Business Booths;
 - 6. Dripping Springs Cook-Off Club regarding Cook-Off Sponsorship; and
 - 7. JBAR regarding Portable Restrooms and Hand Washing Stations
 - 8. People's Choice for Entertainment
 - 9. Wyatt Weaver Band for Entertainment
 - 10. Type A Band for Entertainment
 - 11. Lisa Litman Band for Entertainment

12. Rochelle and the Sidewinders for Entertainment
13. Carport Casanovas for Entertainment
14. Bobby Pounds Band for Entertainment
15. Lonnie Atkinson for Entertainment
16. Braydon Zink for Entertainment

Sponsor: Mayor Purcell

- G. **Approval of a Resolution of the City of Dripping Springs finding that the Founders Day Parade scheduled to be held on Friday, April 26, 2019, in and near the City, serves a valid and legitimate public purpose, and authorizing the City's support of and cooperation with the Event.**

Sponsor: Mayor Purcell

Filed as Resolution No. 2019-R14.

- H. **Approval of a Facilities Use Agreement between the City of Dripping Springs, the Dripping Springs Lions Club and the Dripping Springs Independent School District for the 2019 Founders Day Festival.**

Sponsor: Mayor Purcell

- I. **Approval of a Temporary Street Closures for the 2019 Founders Day Festival to be held Friday, April 26, 2019 to Sunday, April, 28, 2019:**

1. Old Fitzhugh from RR 12 to Mercer (closed to thru traffic);
2. Mercer from Bluff to RR 12 (closed to thru traffic 5 p.m. on Thursday);
3. Mercer from 290 to RR 12 (closed to thru traffic 12 noon on Friday);
4. Wallace from RR 12 to Bluff (closed); and
5. Bluff, College and San Marcos from US 290 to Mercer (closed).

Sponsor: Mayor Purcell

A motion was made by Mayor Pro Tem Foulds to approve Consent Agenda Items A – I. Council Member King seconded the motion which carried unanimously 4 to 0.

IX. BUSINESS

- A. **Presentation and consideration of acceptance of the Fiscal Year 2018 Year End Audit Report.**

Donald L. Allman, CPA

1. Presentation

Donald Allman presented the report which is on file.

2. Acceptance of Year End Audit Report

A motion was made by Mayor Pro Tem Foulds to accept the Fiscal Year 2018 Year End Audit Report. Council Member King seconded the motion which carried unanimously 5 to 0.

- B. Discuss and consider approval of a Liability & Sponsorship Agreement between the City of Dripping Springs and Dripping Springs Outfitters regarding Parking for the 2019 Founders Day Event.**
Sponsor: Mayor Purcell

Mariana Espinoza presented the staff report which is on file. Staff recommends approval of the agreement.

A motion was made by Council Member King to approve Liability & Sponsorship Agreement between the City of Dripping Springs and Dripping Springs Outfitters regarding Parking for the 2019 Founders Day Event. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

- C. Discuss and consider approval of a Request to Waive Rental Fees at Dripping Springs Ranch Park and Event Center for the Special Event Room for two days for the League of Agricultural and Equine Centers Footing Academy to allow three Dripping Springs Ranch Park staff members to attend the training.**
Sponsor: Council Member King

Lynne Dickinson presented the staff report which is on file. Staff recommends approval of the request.

A motion was made by Council Member King to approve a Request to Waive Rental Fees at Dripping Springs Ranch Park and Event Center for the Special Event Room for two days for the League of Agricultural and Equine Centers Footing Academy to allow three Dripping Springs Ranch Park staff members to attend the training. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

- D. Discuss and consider approval of SUB2018-0063: a preliminary plat application establishing the Esperanza Subdivision, located in the City of Dripping Springs, along Bell Springs Rd. and south of Harmon Hills Rd./FM 348 (Legal Description: Indian Point, Lot 2A, acres 107.80) for the construction of 104 residential lots.**
Applicant: Marc Dickey

1. Presentation – No presentation given.

2. Staff Report

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the preliminary plat application.

3. Planning & Zoning Commission Report

Chair James: Commission recommended approval 7 to 0. Two individuals spoke during the public hearing citing issues with drainage, traffic and density.

4. Public Hearing

Kathy Boydston, Jericho Lupe, Dr. Clive Bosnyak, Martin McConahay and John Clarke spoke in opposition to the item, citing issues with traffic, density, drainage and buffers.

5. SUB2018-0063: Esperanza Preliminary Plat

A motion was made by Council Member Kroll to approve SUB2018-0063: a preliminary plat application establishing the Esperanza Subdivision, located in the City of Dripping Springs, along Bell Springs Rd. and south of Harmon Hills Rd./FM 348 (Legal Description: Indian Point, Lot 2A, acres 107.80) for the construction of 104 residential lots. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

- E. Discuss and consider approval of SUB2018-0065: Ragland Replat, located northeast of Roger Hanks Parkway and in between Highway 290 and Old Highway 290 (Legal Description: R J Ragland - Dripping Springs LOT 1 and Approximately 0.752 acres out of A0415 Philip A Smith Survey, and a Vacated Pt of US HWY 290). Applicant: City of Dripping Springs**

Council Member Kroll recused himself from this item and stepped down from the dais.

1. Presentation – No presentation given.

2. Staff Report

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the replat.

3. Planning and Zoning Commission Report

Chair James: Commission recommended approval 7 to 0.

4. Public Hearing

No one spoke during the Public Hearing.

5. SUB2018-0065: Ragland Replat

A motion was made by Mayor Pro Tem Foulds to approve SUB2018-0065: Ragland Replat, located northeast of Roger Hanks Parkway and in between Highway 290 and Old Highway 290 (Legal Description: R J Ragland - Dripping Springs LOT 1 and Approximately 0.752 acres out of A0415 Philip A Smith Survey, and a Vacated Plat of US HWY 290), subject to the name of the road being brought back to the Mayor for final approval after staff's recommendation. Council Member Crow seconded the motion which carried 4 to 1, with Council Member Kroll recused.

- F. Discuss and consider approval of an Ordinance of the City of Dripping Springs Voluntarily Annexing approximately 18.355 acres of land, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222, Hays County, Texas, generally located at Quail Farm Drive south of U.S. Highway 290, into the City Limits.**

Applicant Jon Thompson

1. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends approval of the ordinance.

2. Public Hearing

No one spoke during the Public Hearing.

3. Annexation Ordinance and Municipal Services Plan

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance of the City of Dripping Springs Voluntarily Annexing approximately 18.355 acres of land, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222, Hays County, Texas, generally located at Quail Farm Drive south of U.S. Highway 290, into the City Limits. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2019-10.

- G. Discuss and consider the approval of Resolution supporting the Hays County Application for inclusion in the Countywide Polling Place Program and the appointment of City Secretary Andrea Cunningham to the Hays County Polling Place Study Committee.**
Sponsor: Mayor Pro Tem Foulds

Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the resolution.

A motion was made by Council Member King to approve a Resolution supporting the Hays County Application for inclusion in the Countywide Polling Place Program and the appointment of City Secretary Andrea Cunningham to the Hays County Polling Place Study Committee. Council Member Kroll seconded the motion which carried 4 to 1, with Council Member Crow opposed.

Filed as Resolution No. 2019-R15.

- H. Discuss and consider approval of an Ordinance Amending Division 2. Public Information Policy of the Dripping Springs Code of Ordinances, and establishing standards for requesting, processing, disclosing and withholding City records.**
Sponsor: Mayor Pro Tem Foulds

Laura Mueller presented the staff report which is on file. Staff recommends approval of the ordinance.

A motion was made by Council Member Kroll to approve an Ordinance Amending Division 2. Public Information Policy of the Dripping Springs Code of Ordinances, and establishing

standards for requesting, processing, disclosing and withholding City records. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2019-11.

I. Discuss and consider approval of the February 12, 2019 and February 19, 2019 City Council meeting minutes, and staff direction on minutes format.

Sponsor: Mayor Pro Tem Foulds

1. Minutes Format Discussion

Andrea Cunningham presented the staff report which is on file. Staff recommends the recording of minutes in action form.

The City Council directed staff to maintain audio files of all meetings for one year after approval of the minutes.

2. Minutes Approval

A motion was made by Mayor Pro Tem Foulds to draft the City Council minutes in action format. Council Member Crow seconded the motion which carried unanimously 5 to 0.

A motion was made by Mayor Pro Tem Foulds to approve the February 12, 2019 and February 19, 2019 City Council meeting minutes in action form. Council Member Crow seconded the motion which carried unanimously 5 to 0.

J. Discuss and consider approval of the Award of a bid to TTE, LLC and Standard Form Agreement between the City of Dripping Springs and TTE, LLC regarding the Dripping Springs ISD Elementary School Lift Station Upgrade.

Sponsor: Mayor Pro Tem Foulds

A motion was made by Mayor Pro Tem Foulds to approve the Award of a bid to TTE, LLC and Standard Form Agreement between the City of Dripping Springs and TTE, LLC regarding the Dripping Springs ISD Elementary School Lift Station Upgrade. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

K. Discuss and consider approval of an Ordinance amending Chapter 18, Traffic and Vehicles, creating Article 18.04, of the Dripping Springs Code of Ordinances; establishing regulations for motor-assisted scooters.

Sponsor: Mayor Pro Tem Foulds

Council Member Kroll recused himself from this item and stepped down from the dais.

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance amending Chapter 18, Traffic and Vehicles, creating Article 18.04, of the Dripping Springs Code of Ordinances; establishing regulations for motor-assisted scooters. Council Member King seconded the motion which carried 4 to 1, with Council Member Kroll recused.

The City Council directed staff to continue to review this item with the City Prosecuting Attorney for updates in the next 90 days.

Filed as Ordinance No. 2019-12.

- L. Discuss and consider approval of the Job Description for a Full-time Billing Assistant.**
Sponsor: Mayor Purcell

A motion was made by Council Member King to approve the Job Description for a Full-time Billing Assistant. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

X. REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies. All reports are on file and available for review upon request.

- A. Transportation Committee Report**
Erik Burgeson, Chair
- B. Parks and Community Services Department Monthly Report**

Reports are on file and available for review upon request.

XI. EXECUTIVE SESSION

The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

- A. Consultation with City Attorney regarding legal issues related to subdivision and street requirements for property at Gateway 26 doors.**
Consultation with Attorney, 551.071
- B. Consultation with City Attorney regarding legal issues related to the regulation of motor-assisted scooters.**
Consultation with Attorney, 551.071
- C. Consultation with City Attorney regarding legal issues related to the regulation of outdoor burning.**
Consultation with Attorney, 551.071

The City Council met in Executive Session during the Workshop.

XII. UPCOMING MEETINGS

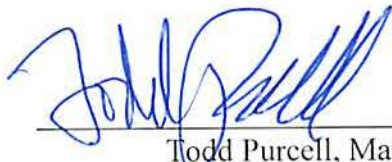
- A. City Council & BOA Meetings:
March 19, 2019 - 6:00 p.m. Regular Meeting
April 9, 2019 - 6:00 p.m. Workshop / 6:30 p.m. Regular Meeting
April 16, 2019 - 6:00 p.m. Regular Meeting
- B. March/April Board, Commission & Committee Meetings:
March 13, 2019 - 4:00 p.m. Utility Commission (TBD)
March 14, 2019 - 10:00 a.m. Farmers Market Association Board
March 25, 2019 - 6:30 p.m. Founders Day Commission
March 26, 2019 - 6:30 p.m. Planning & Zoning Commission
March 28, 2019 - 5:00 p.m. Emergency Planning Commission
April 1, 2019 - 4:00 p.m. TIRZ No. 1 & No. 2 Board
April 1, 2019 - 6:00 p.m. Parks & Recreation Commission
April 3, 2019 - 4:00 p.m. Historic Preservation Commission

XIII. ADJOURN

A motion was made by Mayor Pro Tem Foulds to adjourn the meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

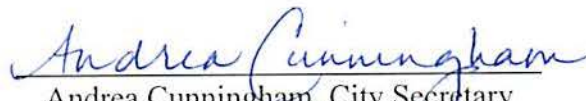
This regular meeting adjourned at 7:45 p.m.

DATE APPROVED: April 9, 2019



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary

