

City Council & Board of Adjustment

Workshop and Regular Meeting

May 8, 2018 at 5:30 p.m.

A Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, May 8, 2018 at 6:00 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL - 5:30 p.m.

City Council Members Present were

Mayor Todd Purcell (arrived at 5:41 p.m.)

Mayor Pro Tem Bill Foulds

Council Member Travis Crow

Council Member Wade King (arrived at 6:02 p.m.)

Council Member John Kroll

Council Member Taline Manassian

City Staff/Appointed Officials

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

City Secretary Andrea Cunningham

City Treasurer Gina Gillis

Parks & Community Services Director Mariana Espinoza

Dripping Springs Ranch Park Manager Lynne Dickinson

City Engineer Chad Gilpin

Assistant City Attorney Laura Mueller

Planning and Zoning Commission Chair Mim James

With a quorum of the City Council present, Mayor Pro Tem Foulds called the meeting to order at 5:35 p.m.

II. WORKSHOP

No action to be taken during workshop. Staff Reports regarding Consent, Site Developments, Subdivisions, Zoning, On Site Sewage Facilities, Signs, Variances, Waivers, Special Exceptions, Annexations, Alternate Standards, Business, and Other Agenda Items listed below.

The City Council discussed the following agenda items with staff, and no action was taken on these items:

- 1) Item VII, B – City Treasurer’s Report
- 2) Item VII, C – Official City Zoning Map
- 3) Item VII, D – Show Series Contract Templates
- 4) Item IX, A – Alcohol Permit Ordinance Amendment
- 5) Item IX, E – Land Use Public Hearings and Actions

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session to discuss Executive Session Agenda Items A – I and under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076 and 551.086. Council Member Kroll seconded the motion, which carried unanimously 5 to 0.

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 the Proposed Settlement Agreement between the City of Dripping Springs, the City of Austin and other Parties regarding Texas Pollutant Discharge Elimination System Permit No. WQ001448803** *(551.071 Consultation with City Attorney)*
- B. Consultation with City Attorney Regarding Allocation of Wastewater Capacities and Potential Alternatives and Options to Currently Planned Wastewater Discharge Permitting Plans, Including Potential Additional Area Needed to Meet Wastewater Service Needs** *(551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease, or Value of Real Property)*
- C. Deliberation regarding the potential purchase of all or a portion of real property related to the Transportation Plan.** *(551.072 Purchase, Exchange, Lease or Value of Real Property)*
- D. Consultation with City Attorney regarding an Agreement between the City of Dripping Springs and the Hays County Livestock Board** *(551.071 Consultation with City Attorney)*
- E. Consultation with City Attorney regarding the status of Development Agreements and Utility Agreements with regards to Big Sky/Scott Ranch, Cannon Residential and Commercial, Rutherford North, and Driftwood 552** *(551.071 Consultation with City Attorney)*
- F. Consultation with Attorney regarding legal issues related to the long term parking of Recreational Vehicles on city owned property.** *(551.071 Consultation with City Attorney)*
- G. Deliberation regarding the employment, compensation, benefits, and duties of Code Enforcement Manager, Director of Public Works, Planning Assistant, and City Maintenance Worker Raoul Asuan** *(551.074 Personnel Matters; 551.071 Consultation with City Attorney)*
- H. Consultation with City Attorney related to the inclusion the Burke property in the City's Extraterritorial Jurisdiction.** *(551.071 Consultation with City Attorney)*
- I. Consultation with City Attorney regarding legal issues related to scheduled mediation with the City of Austin and other Parties regarding Texas Pollutant Discharge Elimination System Permit No. WQ001448803** *(551.071 Consultation with City Attorney)*

The City Council met in Executive Session from 6:02 p.m. – 6:37 p.m.

No action or vote was taken. Mayor Purcell closed the Executive Session and returned the meeting to Open Session at 6:38 p.m.

III. RECESS

The City Council did not recess the meeting after Executive Session.

IV. RECONVENE AT 6:30 p.m.

Mayor Purcell returned the meeting into Open Session at 6:38 p.m.

V. PLEDGE OF ALLEGIANCE

Mayor Purcell led the Pledge of Allegiance to the Flag.

Mayor Purcell read a proclamation proclaiming the week of May 6-12, 2018 as Municipal Clerks Week in the City of Dripping Springs and presented the proclamation to City Secretary Andrea Cunningham.

VI. PRESENTATION OF CITIZENS

Floor open to discussion on any subject. No action may be taken by law. Citizens wishing to speak shall do so after being recognized by the Mayor. The Mayor and City Council establish a time limit of two (2) minutes per speaker, for a total of thirty (30) minutes. The Mayor and City Council may extend the session.

A. Bureau Veritas, Greg Anderson

Greg Anderson spoke and thanked the City for their business with Bureau Veritas.

VII. CONSENT ITEMS

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 Regular City Council meeting minutes of April 10, 2018 and April 17, 2018**
- B. Approval of City Treasurer's Report for March 2018**
- D. Approval of amended Dripping Springs Ranch Park Show Agreement Templates for Show Staff: Show Series Secretary, Show Series Judge, and Show Series Manager**
- E. Approval of the Appointment of Matthew Fougerat to the Parks & Recreation Commission as a representation of the Dripping Springs Independent School District for a term ending June 30, 2018**
- F. Approval of a Resolution Accepting Substantial Completion of Improvement and Approving and Accepting Maintenance Bond for Blue Blazes Ranch Site Improvements, Grading, Paving, Drainage, and Water and Wastewater Improvement**
- G. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and Dripping Springs Youth Sports Association Volleyball to display a volleyball registration banner at The Triangle**
- H. Approval of a Resolution of the City of Dripping Springs, Texas ("City"), changing the name of the existing Coralbery Drive in the Founders Ridge Subdivision to Arbor Bay Drive**

At the request of staff, the City Council removed Item C from the Consent Agenda for separate consideration.

A motion was made by Council Member Kroll to approve Consent Agenda Items A-B, and D – H. Council Member King seconded the motion which carried unanimously 5 to 0.

C. Approval of an Ordinance of the City of Dripping Springs, Texas Adopting the Official Zoning Map; Requesting that Copies of the Map be Filed in the Offices of the City Secretary, the City Engineer, and the City Planner; and Providing for: Findings of Fact; Effective Date; Severability; Repealer; and Proper Notice and Meeting

A motion was made by Council Member Manassian to approve an Ordinance of the City of Dripping Springs, Texas Adopting the Official Zoning Map; Requesting that Copies of the Map be Filed in the Offices of the City Secretary, the City Engineer, and the City Planner; and Providing for: Findings of Fact; Effective Date; Severability; Repealer; and Proper Notice and Meeting with the condition that the map be revised to reflect Ordinance No. 1220.152. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

VIII. SUBDIVISION/SITE DEVELOPMENT/ ZONING/SIGNAGE/CONDITIONAL USE PERMITS/VARIANCES/WAIVERS/SPECIAL EXCEPTIONS

Discussion and Possible Action on Zoning, Conditional Use Permits, Subdivision, Site Development, Signage, Variances, Special Exceptions, Waivers and other matters:

A. SUB2018-0005: Replat of Harmon Hills Sec.1, Lot 31, located at 304 Harmon Hills Cove, Dripping Springs, TX 78620. Applicant, Jon Thompson

1. *Presentation – no presentation*
2. *Staff Report (Chad Gilpin, P.E.)*

Chad Gilpin presented the staff report for this item and the following item. Staff recommends approval of the replat.

3. *Planning & Zoning Commission Report*

Chair James: The Commission recommended approval 6 – 0

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Replat*

A motion was made by Mayor Pro Tem Foulds to approve SUB2018-0005: Replat of Harmon Hills Sec.1, Lot 31, located at 304 Harmon Hills Cove, Dripping Springs, TX 78620. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

B. VAR2018-0002: Variance request for Minimum Lot Size in the Extraterritorial Jurisdiction, located at 304 Harmon Hills Cove, Dripping Springs, TX 78620. Applicant, Jon Thompson

1. *Presentation – no presentation*
2. *Staff Report (Chad Gilpin, P.E.)*

Staff reports was presented with the previous item.

3. *Planning & Zoning Commission Report*

Chair James: The Commission recommended approval 6 – 0

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Variance*

A motion was made by Council Member Kroll to approve VAR2018-0002: Variance request for Minimum Lot Size in the Extraterritorial Jurisdiction, located at 304 Harmon Hills Cove, Dripping Springs, TX 78620. Council Member King seconded the motion which carried unanimously 5 to 0.

C. Sign Variance Request for Stiles Switch BBQ, located at 166 Hargraves Dr. Ste. G-100, Austin, TX 78737, Al Ross Sign Group, Applicant

1. *Presentation – no presentation*
2. *Staff Report*

Michelle Fischer presented the staff report. Staff recommends approval of the variance.

3. *Planning & Zoning Commission Report*

Chair James: The Commission recommended approval 6 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Variance Request to Allow a Projecting Sign to Exceed the Maximum Height Allowed*

A motion was made by Council Member Kroll to approve the Sign Variance Request for Stiles Switch BBQ, located at 166 Hargraves Dr. Ste. G-100, Austin, TX 78737. Council Member King seconded the motion which carried 3 to 2, with Mayor Pro Tem Foulds and Council Member Crow opposed.

D. Sign Variance Requests for Chick Fil A, located at 165 Hargraves Dr., Ste. L, Austin, TX 78737, Chandler Signs, Applicant

1. *Presentation – no presentation*

2. Staff Report

Michelle Fischer presented the staff report. Staff recommends approval of the sign variance requests.

3. Planning & Zoning Commission Report

Chair James: The Commission recommended approval of the requests 6 to 0

4. Public Hearing

No one spoke during the Public Hearing.

5. Variance Request to Allow an Additional Projecting Sign

6. Variance Request to Allow Three Projecting Signs to Exceed The Maximum Height Allowed

7. Variance Request to Allow Two Menu Boards

The City Council took all variance request in one motion.

A motion was made by Council Member Kroll to approve Sign Variance Requests for Chick Fil A, located at 165 Hargraves Dr., Ste. L, Austin, TX 78737. Council Member King seconded the motion which carried 3 to 2, with Mayor Pro Tem Foulds and Council Member Crow opposed.

E. Sign Variance Requests for Chase Bank, located at 165 Hargraves Dr., Ste. K, Austin, TX 78737, Comet Signs, Applicant

1. Presentation – no presentation

2. Staff Report

Michelle Fischer presented the staff report. Staff recommends approval of the sign variance request.

3. Planning & Zoning Commission Report

Chair James: The Commission recommended approval 6 to 0

4. Public Hearing

No one spoke during the Public Hearing.

5. Variance Request to Allow an Additional Projecting Sign

A motion was made by Council Member Kroll to approve the Sign Variance Request for Chase Bank, located at 165 Hargraves Dr., Ste. K, Austin, TX 78737. Council Member King seconded the motion which carried 4 to 1, with Council Member Crow opposed.

IX. BUSINESS

Consideration and Possible Action On:

- A. An Ordinance Amending Chapter 6, Article 6.04, Division 2, Section 6.04.031, Section 6.04.032, and Section 6.04.033 of the City of Dripping Springs Code of Ordinances (Alcoholic Beverage Ordinance); and providing for the following: Findings of Fact; Enactment; Repealer; Severability; Codification; Effective Date; and Proper Notice and Meeting**

A motion was made by Mayor Pro Tem Foulds an Ordinance Amending Chapter 6, Article 6.04, Division 2, Section 6.04.031, Section 6.04.032, and Section 6.04.033 of the City of Dripping Springs Code of Ordinances (Alcoholic Beverage Ordinance); and providing for the following: Findings of Fact; Enactment; Repealer; Severability; Codification; Effective Date; and Proper Notice and Meeting. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- B. An Amendment to the Professional Services Agreement between the City of Dripping Springs and Keenan E. Smith, AIA, d/b/a City Lights Design Alliance regarding Project Management, Staff Support and Coordination Services for Tax Increment Reinvestment Zones (TIRZ) No. 1 and No. 2**

A motion was made by Council Member Kroll to approve An Amendment to the Professional Services Agreement between the City of Dripping Springs and Keenan E. Smith, AIA, d/b/a City Lights Design Alliance regarding Project Management, Staff Support and Coordination Services for Tax Increment Reinvestment Zones (TIRZ) No. 1 and No. 2. Council Member Crow seconded the motion which carried unanimously 5 to 0.

- C. Agreement between the City of Dripping Spring and the Hays County Livestock Board to Build an Annex Stock Show Facility to Dripping Springs Ranch Park Event Center**

Hays County Livestock Board Member Jeff Dodd spoke regarding parking.

A motion was made by Council Member Kroll to approve an Agreement between the City of Dripping Spring and the Hays County Livestock Board to Build an Annex Stock Show Facility to Dripping Springs Ranch Park Event Center. Council Member King seconded the motion. Without objection from Council Member King, Council Member Kroll amended his original motion to include cost sharing between the City of Dripping Springs and the Hays County Livestock Board to where each entity would be responsible for 50% of the costs to address parking at the facility. The motion as amended carried unanimously 5 to 0.

- D. Co-Sponsorship Request from The Journey School, with waived fees, for the CANopaloosa Event in the Vendor Hall at Dripping Springs Ranch Park July 21, 2018**

Lynne Dickinson presented the staff report. Staff recommends approval of the Co-Sponsorship Agreement.

Journey School Director Sacha Lyson spoke regarding the item.

A motion was made by Council Member Kroll to approve the Co-Sponsorship Request from The Journey School, with waived fees, for the CANopalooza Event in the Vendor Hall at Dripping Springs Ranch Park July 21, 2018 with the condition that staff enter a team into the can sculpture contest. Council Member King seconded the motion which carried unanimously 5 to 0.

E. Discuss and consider process related to timing of publication of notices for land use public hearings and actions.

Laura Mueller presented the staff report.

A motion was made by Council Member Kroll to postpone discussion and consideration of processes related to timing of publication of notices for land use public hearings and actions to the Regular City Council meeting of June 12, 2018. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

X. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

The following reports are on file and available for review upon request.

- A. Parks and Community Services Monthly Report**
- B. Dripping Springs Ranch Park Monthly Report**
- C. Transportation Committee Monthly Report**
- D. Economic Development Committee Monthly Report**

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session to discuss Executive Session Agenda Items A – I and under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076 and 551.086. Council Member Kroll seconded the motion, which carried unanimously 5 to 0.

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The City Council met in Executive Session from 7:05 p.m. – 7:25 p.m.

No action or vote was taken in Executive Session.

Mayor Purcell closed Executive Session and returned the meeting to Open Session at 7:25 p.m.

A motion was made by Mayor Pro Tem Foulds under Executive Agenda Item G: Deliberation regarding the employment, compensation, benefits, and duties of Code Enforcement Manager, Director of Public Works, Planning Assistant, and City Maintenance Worker Raoul Asuan, to revise the Public Works Director job description to remove the Code Enforcement duties as a separate position. Council Member King seconded the motion, which carried unanimously 5 to 0.

A motion was made by Mayor Pro Tem Foulds under Executive Agenda Item G: Deliberation regarding the employment, compensation, benefits, and duties of Code Enforcement Manager, Director of Public Works, Planning Assistant, and City Maintenance Worker Raoul Asuan, to authorize Deputy City Administrator Ginger Faught to take appropriate action related to the Planning Assistant as related to employment and pay. Council Member King seconded the motion which carried unanimously 5 to 0.

XII. ANNOUNCEMENTS

- A. May 15, 2018 - Regular City Council Meeting, 6:00 PM**
- B. June 12, 2018 - Regular City Council Meeting, 5:30 PM Workshop/6:30 PM Meeting**
- C. June 19, 2018 - Regular City Council Meeting, 6:00 PM**
- D. July 10, 2018 - Regular City Council Meeting, 5:30 PM Workshop/6:30 PM Meeting**

XIII. ADJOURN

A motion was made by Council Member Kroll to adjourn the meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

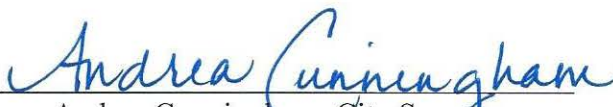
This regular meeting adjourned at 7:29 p.m.

DATE APPROVED: June 12, 2018



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary