

**CITY OF DRIPPING SPRINGS, TEXAS
MINUTES OF THE CITY COUNCIL AND
BOARD OF ADJUSTMENT
Tuesday, September 19, 2017 at 6:00 p.m.**

A Regular Meeting of the City Council of the City of Dripping Springs, Texas, was held on Tuesday, September 19, 2017 at 6:00 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

City Council Members present were:

Mayor Todd Purcell
Mayor Pro Tem Bill Foulds
Council Member Wade King
Council Member John Kroll
Council Member Taline Manassian
Council Member Travis Crow

City Staff and Appointed Officials present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
City Planner Megan Will
Code Enforcement Officer Kyle Dannhaus
Planning and Zoning Commission Chair Mim James
Assistant City Attorney Laura Mueller

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:01 p.m. Mayor Purcell led the Pledge of Allegiance.

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 the City Council may establish a time limit as necessary.

No one spoke during Presentation of Citizens.

CONSENT ITEMS

The following items are anticipated to require little or no individualized discussion due to their nature begin 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. Co-Sponsorship Application from Dripping Springs Baseball Booster Club for Annual Skeet Shoot Sporting Clay Shoot on October 8, 2017**
- B. Approval of the Special City Council minutes of September 5, 2017**
- C. Approval of a Professional Services Agreement between the City of Dripping Springs and David Taussig & Associates, Inc. for TIRZ 1 & 2 Administration**

A motion was made by Mayor Pro Tem Foulds to approve the Consent Agenda as read. Council Member Kroll seconded the motion, which carried unanimously 5 to 0.

VARIANCES/SPECIAL EXCEPTIONS

Consideration and Possible Action on:

- A. A request for a variance from the Dripping Springs Code of Ordinances, Chapter 30, Sections 5.7.6 and 5.7.7 to allow reduction of required parking for a mixed-use structure containing place of worship and commercial/retail uses for H.O.M.E. Church, located at 145 Broken Lance Lane, Dripping Springs, Tx 78620.**
 - 1. Presentation – Lynne Alderson, Lynne Alderson Group, Inc.*

The applicant added the additional two spaces to meet the requirements of the variance and addressed issues regarding traffic on Broken Lance Lane, and has modified the ingress and egress to allow a right turn only onto Broken Lance Lane.

- 2. Staff Report – Megan Will*

With the submission of the revised site plan increasing the parking, the applicant no longer requires a variance for the amount of parking spaces needed for the location. The application is requesting a variance to allow for the uses in a single mixed-use structure to share parking, and that the amount of required parking be based on what is required for place of worship. Staff recommends approval with the following conditions:

- 1) The property owner acknowledges in writing the requirements of Section 5.7.5 (excerpt below), and the understanding that the future expansion or reconfiguration of uses on the subject property may require approval of additional variances and/or shared parking arrangements.

“Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.”
- 2) The hours of operation for the commercial/retail use and the times of regularly scheduled church activities, with the exception of regular church office staff

hours, shall be mutually exclusive.

3. *Planning and Zoning Commission Report – Mim James*

The Commission recommended approval with staff recommendations 5 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Variance to allow reduction of required parking for mixed use structure containing place of worship and retail spaces*

A motion was made by Council Member King to approve the variance with staff recommendations. Mayor Pro Tem Foulds seconded the motion, which carried unanimously 5 to 0.

BUSINESS

Consideration and Possible Action on:

A. Ordinance No. 1100.74: An Ordinance of the City of Dripping Springs, Texas, Setting and Approving the Municipal Budget for the 2017-2018 Fiscal Year; Funding Municipal Purposes; Authorizing Expenditures; Providing for: Findings of Fact; Enactment; Filing of Budge; Repealer; Severability; Effective Date; and Proper Notice and Meeting

1. FY 2017-2018 Budget Ordinance

A motion was made by Council Member Kroll to approve Ordinance No. 1100.74, and to set and approve the Municipal Budget for the 2017-2018 Fiscal Year. Council Member King seconded the motion, which carried unanimously 5 to 0 via roll call vote.

B. Resolution 2017-61: Ratification of the property tax increase reflected in the adopted annual budget for Fiscal Year 2017-2018

1. FY 2017-2018 Ratification Resolution

Mayor Purcell announced that this vote is in addition to and separate from the vote to adopt the budget. This vote is to ratify that the property tax increases the tax revenue to support the budget for this fiscal year.

A motion was made by Council Member Kroll to approve Resolution No. 2017-61 ratifying the property tax increase. Mayor Pro Tem Foulds seconded the motion, which carried unanimously 5 to 0 via roll call vote.

C. Ordinance No. 1110.18: Adoption of the Property Tax increase reflected in the Adopted Annual Budget for Fiscal Year 2017-2018

Mayor Purcell announced that this vote is in addition to and separate from the vote to adopt the budget. This vote is to adopt that the property tax increases the tax revenue to support the budget for this fiscal year.

A motion was made by Council Member Kroll to approve Ordinance No. 1110.18 to increase the property tax rate by the adoption of a tax rate of nineteen cents, which is effectively a 9.01 percent increase in the tax rate. Council Member Crow seconded the motion, which carried unanimously 5 to 0 via roll call vote.

D. Annexation Public Hearing # 1 for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings of property under provisions of Chapter 43 of the Texas Local Government Code for approximately 16.0118 acres, located in the City of Dripping Springs ETJ and described as follows: 16.0118 acres of land out of the Thomas R. Jackson League Abstract No. 9, in Hays County, Texas, being that certain tract or portion of land conveyed to Roberta Crenshaw by deed recorded in Volume 469, Page 263 of the Real Property Records of Hays County, Texas.

No one spoke during the Public Hearing.

E. Annexation Public Hearing # 2 for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings of property under provisions of Chapter 43 of the Texas Local Government Code for approximately 16.0118 acres of land, located in the City of Dripping Springs ETJ and described as follows: 16.0118 acres of land out of the Thomas R. Jackson League Abstract No. 9, in Hays County, Texas, being that certain tract or portion of land conveyed to Roberta Crenshaw by deed recorded in Volume 469, Page 263 of the Real Property Records of Hays County, Texas.

No one spoke during the Public Hearing.

F. Street Closure Request and Special Event Application with Request for Waiver of Bond for Dripping Springs High School Homecoming Parade on October 11, 2017

A motion was made by Council Member King to approve the application and waiver with the condition that property owners and business owners receive notification regarding the event. Council Member Kroll seconded the motion, which carried unanimously 5 to 0.

**G. Wastewater Pump & Haul Plan for Texas Heritage Village Subdivision (AKA-- Meritage Homes of Texas,LLC/Planned Development District #4)
*Sponsor: Mayor Pro Tem Foulds***

A motion was made by Mayor Pro Tem Foulds to approve the plan. Council Member Kroll seconded the motion, which carried unanimously 5 to 0.

H. Request to Rent a Portion of the Triangle for the Pumpkin Patch from October 9, 2017 to November 1, 2017 from Dripping Springs United Methodist Church
Mayor Pro Tem Foulds read the caption.

Michelle Fischer explained to the City Council that the Parks and Recreation Commission approved of the request, but with the condition that no deliveries are to be made during the Farmers Market.

A motion was made by Mayor Pro Tem Foulds to approve the rental request with the condition that deliveries are not to be made during the Farmers Market. Council Member Crow seconded the motion, which carried unanimously 5 to 0.

I. Request to Rent a Portion of the Triangle for Christmas Tree Sales from November 18, 2017 to December 20, 2017 from Frosty's Christmas Trees

A motion was made by Council Member Crow to approve the rental request with the condition that deliveries are not to be made during the Farmers Market. Council Member Crow seconded the motion, which carried unanimously 5 to 0.

J. Discuss and consider an employment agreement with the City Administrator.

1. Staff Report – Laura Mueller

The City Administrator agreement has been updated with changes as requested by City Council, and reflect provisions from the Texas City Management Association for City Administrator Agreements.

2. City Administrator Contract

A motion was made by Council Member King to approve the City Administrator employment agreement. Council Member Manassian seconded the motion, which passed unanimously 5 to 0.

K. Discuss and consider an employment agreement with the Deputy City Administrator.

1. Staff Report – Laura Mueller

The Deputy City Administrator agreement has been updated with changes as requested by City Council, and reflect provisions from the Texas City Management Association for City Administrator Agreements.

2. Deputy City Administrator Contract

A motion was made by Mayor Pro Tem Foulds to approve the Deputy City Administrator employment agreement. Council Member King seconded the motion, which carried unanimously 5 to 0.

L. Approval of Creation and Job Description for Records Management Clerk

1. Job Description

Michell Fischer reviewed the job description and noted that she added a description for Maintenance Duties at City Hall.

A motion was made by Council Member Kroll to approve the creation and job description for Records Management Clerk. Mayor Pro Tem Foulds seconded the motion, which carried unanimously 5 to 0.

M. Discuss and consider action on appointment of trustee for Westwood Public Improvement District.

1. Staff Report – Laura Mueller

Laura Mueller made herself available for any legal questions the City Council may have regarding this item.

A motion was made by Mayor Pro Tem Foulds to appoint Wilmington Trust, N.A. as trustee for the Westwood Public Improvement District. Council Member Kroll seconded the motion, which carried unanimously 5 to 0.

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session. Council Member King seconded the motion, which carried unanimously.

The City Council recessed into Executive Session at 6:35 p.m.

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 551.07 (Consultation with an Attorney), 551.072 (Deliberations about Read 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.

(551.017 Consultation with Attorney)

City Council met in Executive Session from 6:35 p.m. – 6:36 p.m.

No vote or action was taken in Executive Session.

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 6:36 p.m.

Date Approved: October 10, 2017



MAYOR PRO TEM BILL FOULDS

Attest:

CITY SECRETARY ANDREA CUNNINGHAM