

Minutes of City Council Regular Meeting –March 21, 2017

A City Council Regular Meeting of the City of Dripping Springs was held **Tuesday, March 21, 2017**, beginning at 5:30 PM in the City Hall, 511 Mercer Street, Dripping Springs, Texas.

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

Mayor & City Council Members/Board of Adjustment

Mayor Todd Purcell
Mayor Pro Tem Bill Foulds
Council Member Santos Alba
Council Member Charles Busbey
Council Member Wade King
Council Member John Kroll

City Staff/Appointed Officials

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Angelica Reyes
Assistant City Attorney Laura Mueller
Dripping Springs Ranch Park Manager Lynne Dickinson
Planning and Zoning Commission Chair Mim James
Code Enforcement Manager Kyle Dannhaus
Development Coordinator Lali Rambeau

Mayor Todd Purcell calls the meeting to order at 5:37p.m. All present

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.

During Workshop, City Council discussed moving the first city council workshop meetings 30 minutes earlier. They discussed moving the first Council Meeting Workshop from 6:00 p.m. to 5:30 p.m. starting in April, 2017. Moving the Planning and Zoning Commission meeting to 6:30 p.m. from 7:00 p.m. was also discussed.

Legal confirmed that moving the City Council meeting time requires amending the ordinance, but not for Planning and Zoning Commission.

III. 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).

- A. Consultation with City Attorney regarding Conveyance of Greenbelt in Harrison Hills to City of Dripping Springs and Its Use (551.072: Deliberations about Real Property and 551.071: Consultation with Attorney)**
- B. Consultation with City Attorney regarding Potential Lease Agreement for a Portion of the Stephenson Building, located at 101 Old Fitzhugh Road (551.072: Deliberations about Real Property)**

- C. **Consultation with City Attorney regarding the Proposed Settlement Agreement between the City of Dripping Springs and the City of Austin regarding Texas Pollutant Discharge Elimination System Permit No. WQ001448803** (551.071 Consultation with City Attorney)
- . **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)

Convened to executive session at 5:52 p.m. Present: Mayor Todd Purcell, Mayor Pro Tem Bill Foulds, Council Member Santos Alba, Council Member Charles Busbey, Council Member Wade King, Council Member John Kroll, City Administrator Michelle Fischer, Deputy City Administrator Ginger Faught, and Assistant City Attorney Laura Mueller. Reconvened to the regular meeting at 7:01 p.m.

IV. RECESS

V. RECONVENE AT 7:00 p.m.

VI. PLEDGE OF ALLEGIANCE *Council Member Charles Busbey leads the Pledge of Allegiance.*

VII. 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 may establish a time limit as necessary.

- *Mr. James Skipton addressed the city council on a complaint regarding the new trash service provider for the city. This was the first complaint that the city has received.*
- *Mr. Sean Gorman addressed the city council on concerns regarding the Harrison Hills Trails.*

VIII. 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 Treasurer's Report for February 2017**
- B. **Approval of Regular Meeting Minutes for January 17, 2017**
- C. **Approval of Regular Meeting Minutes for February 15, 2017**
- D. **Approval of Regular Meeting Minutes for February 21, 2017**
- E. **Approval of Dripping Springs Chamber of Commerce Request for Waiver of Dripping Springs Ranch Park Special Event Room Rental Fee for the Candidate Forum scheduled for April 4, 2017** (Sponsor: Mayor Todd Purcell)
- F. **Approval of Ordinance 1000.60: An Ordinance of the City of Dripping Springs Repealing Certain Sections of Chapter 2, Division 3. Records Management Program and adding new sections to Division 3. Records Management.** (Sponsor: Councilman Santos Alba)
- G. **Approval of Co-Sponsorship Application and Agreement between the City of Dripping Springs, the Dripping Springs Cook Off Club, and the North Hays County Fire Rescue for the Henly VFD BBQ on June 3, 2017** (Sponsor: Mayor Pro Tem Bill Foulds)
- H. **Approval of Ordinance No.1225.02: An Ordinance of the City of Dripping Springs Adopting**

the Official City Maps of Incorporated Municipal Boundaries (City Limits) and Extraterritorial Jurisdiction; Requesting that a Copy of the Maps Be Filed in the Office of the City Secretary; Providing for: Findings of Fact; An Effective Date; Severability; Repealer; and Proper Notice and Meeting.

- I. Approval of Co-Sponsorship Agreement between D Bar S Roping Club and the City of Dripping Springs for Roping Events at Dripping Springs Ranch Park (Sponsor: Mayor Todd Purcell)**
- J. Approval of Appointment of Election Judges Richard Boltz for the DSISD Polling Location and Pat Gibson for the Sunset Canyon Polling Location for May 6, 2017 General Election**
- K. Approval of Resolution No. 2017-36: A Resolution of the City of Dripping Springs, Texas, Approving the Use of Rob Shelton Boulevard as a Public Street of the City of Dripping Springs**

Mayor Pro Tem Bill Foulds motions to approve consent items A - K. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.

- L. Approval of Proclamation of the City of Dripping Springs Declaring April 2017 "Sexual Assault Awareness Month" (Sponsor: Council Member Wade King)**

Council Member Wade King read the proclamation.

- M. Approval of Proclamation of the City of Dripping Springs Declaring April 2017 "Child Abuse Prevention Month" (Sponsor: Mayor Pro Tem Bill Foulds)**

Mayor Pro Tem read the proclamation.

Council member John Kroll motions both proclamations, Agenda Items L and M. Mayor Pro Tem Bill Foulds seconds. VOTE: 5-0 in favor, motion passes.

IX. ZONING

Consideration and Possible Action On:

- A. Ordinance No.1220.135: An Ordinance of the City of Dripping Springs, Texas, rezoning the tract of land commonly known as 200 E. Creek Drive, and totaling approximately 5.127 acres, described as Lot 1, Resubdivision of Lots 41, 43, 44, & 45 of Kirby Springs Ranch, Phase Two, a subdivision in Hays County, Texas, from Agriculture (AG) to Single Family Residential District-Low Density (SF-1), City of Dripping Springs, Applicant.**

- 1. Staff Report (Lali Rambeau) - *Lali Rambeau presented and gave overview. Staff report on file. Staff recommends approval.*
- 2. Planning and Zoning Commission Report - *Planning and Zoning Chair Mim James stated that the Commission voted to approve according to staff's recommendation at their 2/28/17 meeting.*
- 3. Public Hearing – *No one was present to speak.*
- 4. Ordinance No.1220.135

Council member Charles Busbey motions to approve Ordinance No. 1220.135. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.

B. Ordinance No.1220.136: An Ordinance of the City of Dripping Springs, Texas, rezoning approximately 22.09 acres described as Lot 2, Lot 3, and Lot 4 of the Springs Subdivision, out of the B.F. Hanna Survey No. 28, Abstract No. 222 according to the public records of Hays County, Texas, from Agriculture (AG) to Multiple-Family (MF). Marc Dickey-TRE & Associates, Applicant

1. Presentation - *No one was present to speak.*
2. Staff Report (Anjali Naini/Lali Rambeau) - *Lali Rambeau presented and gave overview. Staff report on file. Staff recommends approval.*
3. Planning and Zoning Commission Report - *Planning and Zoning Chair Mim James stated that the Commission voted to approve according to staff's recommendation at their 2/28/17 meeting*
4. Public Hearing - *No one was present to speak.*
5. Ordinance No.1220.136

Mayor Pro Tem Bill Foulds motions to approve Ordinance No. 1220.136. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.

C. Ordinance No. 1220.137: An Ordinance of the City of Dripping Springs, Texas rezoning one tract of land commonly known as Esperanza, and totaling approximately 107.8 acres, described as Lot 2A of Indian Point Estates, out of the B.F. Hanna Survey No. 28, Abstract No. 222 according to the public records of Hays County, Texas, and located at 4900 Bell Springs Road, from Agriculture (AG) to Single-Family, Moderate Density (SF-2). Marc Dickey-TRE & Associates, Applicant

1. Presentation - *No one was present to speak.*
2. Staff Report (Lali Rambeau/Anjali Naini) - *Lali Rambeau presented and gave overview. Staff report on file. Staff recommends approval.*
3. Planning and Zoning Commission Report - *Planning and Zoning Chair Mim James stated that the Commission discussed concerns regarding traffic and location to adjacent properties. After those discussions, Commission voted to approve with a vote to 7-8 at their 2/28/17 meeting.*
4. Public Hearing - *No one was present to speak.*
5. Ordinance No.1220.137 - *Council member Santos Alba motions to approve Ordinance No. 1220.137. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes.*

X. PARKS AND RECREATION

Consideration and Possible Action On:

A. Blue Blazes Parkland and Open Space Plan (Sponsor: Councilman Wade King)

1. Staff Report – *Michelle Fischer presented and gave overview. Report of File. Staff recommends approval.*
2. Parks and Recreation Commission Report – *Report on File*
3. Planning & Zoning Commission Report - *Planning and Zoning Chair Mim James stated that the Commission voted to approve this report at their 2/28/17 meeting.*
4. Public Hearing - *No one was present to speak.*
5. Parkland Dedication - *Council member Wade King motions to approve Blue Blazes Parkland and Open Space Plan. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.*

B. Amendment to the Policy for Use of Dripping Springs Ranch Park at No Cost or a Reduced Rate to allow the DSRP Manager to make Approvals in Certain Circumstances (Sponsor: Mayor Todd Purcell)

Lynne Dickinson, Dripping Springs Ranch Park Manager presented and gave overview. Report on file. Staff recommends approval.

Mayor Todd Purcell directs staff to bring current policy back to future city council with amendments.

Mayor Pro Tem also directs staff to provide a quarterly report of names and number of entities that have qualified for reduced rates.

No action taken. Staff will introduce this as a resolution to be adopted at future council meeting.

C. Request from Buda Vocational Agriculture Booster Club to rent Dripping Springs Ranch Park at a Reduced Rate (Sponsor: Mayor Todd Purcell)

Lynne Dickinson, Dripping Springs Ranch Park Manager presented and gave overview. Report on file. Staff recommends approval.

Anthony Hernandez with the Agriculture Booster Club presented and gave overview.

Council member Charles Busbey motions to approve request. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes.

D. Request from Heart of the Hills Barrel Racing Association to use the Facilities at Dripping Springs Ranch Park at a Reduced Rate (Sponsor: Mayor Todd Purcell)

Lynne Dickinson, Dripping Springs Ranch Park Manager presented and gave overview. Report on file. Staff recommends approval.

Heart of the Hills, Mr. and Mrs. Wetz presented and gave overview.

Council member John Kroll motions to approve request. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.

E. Request from Hays County Sheriff's Department for a refund of Bleacher Rental Fees for their Fundraising Event on March 3-4, 2017 (Sponsor: Mayor Todd Purcell)

Lynne Dickinson, Dripping Springs Ranch Park Manager presented and gave overview. Report on file. Staff recommends full refund.

Council member Charles Busbey motions to approve request. Council Member Wade King seconds. VOTE: 5-0 in favor, motion passes.

F. Proposed Amendments to Maintenance and Use Agreement between the City of Dripping Springs and Dripping Springs Youth Sports Association for Founders Memorial Park and Sports and Recreation Park (Sponsor: Council Member Wade King)

Michelle Fischer presented and gave overview. Report of File. Staff recommend to table this item based on Parks and Recreation Commission wanting to add additional language regarding the use of the lights of the fields.

Council Member Charles Busbey motions to table and bring the item back to City Council for re-consideration. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes.

XI. BUSINESS

Consideration and Possible Action On:

- A. Public Hearing # 1 for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings of property owned by the City of Dripping Springs under Section 43.026 of the Texas Local Government Code for an approximately 2.522 acre tract of land running north from US 290 west of McGregor Lane to the southeast corner of Lot 7 of the Ladera Subdivision.**

No one was present to speak at this public hearing.

- B. Public Hearing # 1 for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Chapter 212 of the Local Government Code for approximately 682.534 acres located in the ETJ at the northwest corner McGregor Lane and US Highway 290 and commonly known as Westwood.**

No one was present to speak at this public hearing.

- C. Public Hearing # 2 for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings of property owned by the City of Dripping Springs under Section 43.026 of the Texas Local Government Code for an approximately 2.522 acre tract of land running north from US 290 west of McGregor Lane to the southeast corner of Lot 7 of the Ladera Subdivision.**

No one was present to speak at this public hearing.

- D. Public Hearing # 2 for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Chapter 212 of the Local Government Code for approximately 682.534 acres located in the ETJ at the northwest corner McGregor Lane and US Highway 290 and commonly known as Westwood.**

No one was present to speak at this public hearing.

- E. Professional Services Agreement between the City of Dripping Springs and Grant Development Services for Texas Department of Transportation Alternatives Set-Aside Grant Application (Sponsor: Councilman Wade King)**

Mayor Pro Tem Bill Foulds motions to accept agreement. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes.

XII. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

- A. Farmers Market Manager's Monthly Report
- B. Dripping Springs Ranch Park Monthly Report
- C. Transportation Committee Monthly Report
- D. Economic Development Committee Monthly Report

XIII. ANNOUNCEMENTS

- A. Transportation Committee Meeting, March 27, 2017 at 3:30 p.m.
- B. TIRZ #1 and #2 Board Meeting, March 22, 2017 at 4:00PM
- C. Farmers Market Board Meeting, March 23, 2017 at 10:00 a.m.
- D. Emergency Management Commission Meeting, March 23, 2017 at 5:00 p.m.
- E. Founders Day Commission Meeting, March 27, 2017 at 6:30 p.m.
- F. **Second City Council Meeting, March 28, 2017 at 6:00 p.m.**
- G. Planning & Zoning Commission Meeting, March 28, 2017 at 7:00 p.m.
- H. Parks & Recreation Commission Meeting, April 10, 2017 at 6:00 p.m.
- I. Economic Development Committee Meeting, on Wednesday, April 26th, 2017

XIV. ADJOURN

Council Member Santos Alba motions to adjourn the meeting. Council Member Wade King seconds. VOTE:5-0 in favor, motion passes. Meeting adjourns at 7:53 p.m.