

# City Council Regular Meeting Minutes– January 17, 2017

---

A City Council Regular Meeting of the City of Dripping Springs was held **Tuesday, January 17, 2017**, beginning at 6:00 PM in the City Hall, 511 Mercer Street, Dripping Springs, Texas.

## **I. CALL TO ORDER AND ROLL CALL - 6:00 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  
Planning and Zoning Commission Chair Mim James  
Assistant City Attorney Laura Mueller  
City Treasurer Gina Gillis  
DS Ranch Park Manager Lynne Dickinson  
Acting Director of Public Works and Development Kyle Dannhaus  
Development Coordinator Lali Rambeau

*Mayor Todd Purcell calls the meeting to order at 6:00pm. All present. Also present was Legal Counsel Dottie Palumbo*

## **II. 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 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)
- B. 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)
- C. Consultation with Attorney Regarding Legal Requirements and Procedures for the Creation of a Public Improvement District (PID), Including Statutory Mandates, Timelines, and Authorized Infrastructure for the Westwood Public Improvement District. (551.071 Consultation with City Attorney)
- D. Consultation with City Attorney Regarding Position of Director of Public Works and Development and Consultation with City Attorney regarding Professional Services Agreement for Engineering Services (551.071 Consultation with City Attorney and 551.074 Personnel Matters)

*Convened to executive session at 6:02 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, Assistant City Attorney Laura Mueller and Legal Counsel Dottie Palumbo.  
Reconvened to the regular meeting at 6:19 p.m.*

**III. PLEDGE OF ALLEGIANCE**      *Mayor Todd Purcell led the Pledge of Allegiance.*

**IV. 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.*

*No one presented.*

**V. 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. Request from DSISD Middle School to hold its Texas Independence Day Celebration at Dripping Springs Ranch Park for a Reduced fee on March 2, 2017.**
- B. Approval of Treasurer's Report Ending November 30, 2016**
- C. Approval of Regular Meeting Minutes for December 13, 2016**
- D. Approval of Termination of Historic Preservation Consulting Agreement between the City of Dripping Springs and Roark-Foster Consulting, LLC and Directive to Staff to Send Notice**
- E. Approval of Historic Preservation Consulting Agreement between the City of Dripping Springs and Fosters Four Consulting**
- F. Approval of Ordinance No. 1225.02:** An Ordinance Adopting the Official City Map of Incorporated Municipal Boundaries (City Limits) And Extraterritorial Jurisdiction; Requesting that a Copy of the Map Be Filed in the Office of the City Secretary; Providing for: Findings of Fact, an Effective Date, Severability, Repealer, and Proper Notice and Meeting
  - 1. Ordinance No. 1225.02
  - 2. City Limit and ETJ Maps
- G. Approval of Resolution No. 2017-13:** A Resolution of the City Council of the City of Dripping Springs, Texas, Approving an Interlocal Agreement between the City of Dripping Springs and Hays County for Funding of Consultant Services

*Council Member Santos Alba motions to approve consent items with a deletion of agenda item B. Approval of Treasure's Report Ending Nov. 30, 2016 as an administrative error. Mayor Pro Tem seconds. VOTE: 5-0 in favor, motion passes.*

## VI. ZONING

### **Consideration and Possible Action On:**

#### **A. Initiation of rezoning process by City for 200 East Creek Drive as newly annexed property, pursuant to Section 1.5.3 of the City of Dripping Springs Zoning Ordinance, Chapter 30, Exhibit A, from Agriculture Use (AG) to Single Family Use (SF-1)**

1. Staff Report (Lali Rambeau) – Presented and gave overview
2. Direct City Staff to Complete Zoning Request Application

*Mayor Pro Tem Bill Foulds motions to initiate zoning change and directs staff to complete zoning request application. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.*

## VII. PARKS AND RECREATION

### **Consideration and Possible Action On:**

#### **A. Request for Reduced Commercial Activity Park Use Fees for Tinkergarten Dripping Springs, Jennie Skilbred, Tinkergarten**

*City Administrator Michelle Fischer provided overview. Report on file recommending approval of \$6 per session.*

*Council Member John Kroll motions to approve the request to approve a per session rate of \$6.00 per session for the Tinkergarten Playgroup. Council Member Wade King seconds. VOTE: 5-0 in favor, motion passes.*

#### **B. Request from Amy Kirk for Waiver of Commercial Vendor Fees associated with Rental of Veterans Memorial Park/The Triangle for Monthly Market Days**

*City Administrator Michelle Fischer provided overview. Report on file.*

*Applicant Amy Kirk provided overview.*

*Mayor Pro Tem Bill Foulds motions the approval of this request for waiver of commercial vendor fee; vendor to pay the \$15 fee for their first market, and the fee will be waived for their subsequent participation in markets through December 2017; the market shall not have produce vendors (not to compete with Farmers Market. Council Member Wade King seconds. VOTE: 5-0 in favor, motion passes.*

## VIII. BUSINESS

### **Consideration and Possible Action On:**

#### **A. *Public Hearing # 2* for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Section 43.024 of the Local Government Code (request by area voters) for the tracts commonly known as The Springs Subdivision: 9.07 acres of Lots 2 and 3, The Springs Subdivision, Book 9, Pages 151-152 of the Plat Records of Hays County, Texas.**

- B. **Public Hearing # 2** for the purpose of receiving public comments on the proposed initiation of voluntary annexation under Section 43.028 of the Local Government Code (sparsely occupied area) for the tracts commonly known as **Bell Springs Subdivision**, The Springs Subdivision, and Springs Lane: 173 acres of Lot 2A, Indian Point Estates, recorded in Vol. 9, Page 286; Bell Springs Subdivision, recorded in Vol. 393, Page 415; The Springs Subdivision, Lot 4, The Springs, recorded in Book 9, Pages 151-152; and Spring Lane recorded in Book 12, Pages 231-232 of the Plat Records of Hays County, Texas.

*Mayor Pro Tem Bill Foulds motions to review both hearings (Agenda Item A Public Hearing #1 and Agenda Item B Public Hearing #2) at the same time.*

*No one presented for Agenda Item A and no one presented for Agenda Item B.*

- C. **Resolution no. 2017-15: Accepting by Special Warranty Deed 2.305 Acres of Property Donated by Blue Blazes Development, LLC and Pursuant to the Blue Blazes Development Agreement.**

1. Staff Report (Ginger Faught) *Staff provided overview. Resolution and documents on file.*

*Mayor Pro Tem Bill Foulds motions to accept the special warranty deed 2.305 Acres pursuant to the Blue Blazes Development contingent on receiving a clean title. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.*

- D. **Public Hearing # 1** for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Section 43.028 of the Local Government Code (sparsely occupied area) for the tracts commonly known as **Blue Blazes**: 35.022 acres of land in the William Walker Survey No. 130, Abstract No. 475, being all of Lots A-1, A-2, and A-3 of the Replat of Tract A, Vista Ranch, a subdivision of Hays Country, Texas, according to the plat of record in Volume 14, Pages 12 and 13, plat records of Hays County, Texas.
- E. **Public Hearing # 1** for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Section 43.026 of the Texas Local Government Code (annexation of City-owned property) for the tracts commonly known as **Blue Blazes Ranch**: 2.305 acres of land in the William Walker Survey No. 130, Abstract No. 475, Hays County, Texas; being a portion of Tract A-3, Re011010plat of Tract A, Vista Ranch, a subdivision according to the plat of record in Volume 14, Pages 11 and 12, plat records of Hays County, Texas.
- F. **Public Hearing # 2** for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Section 43.028 of the Local Government Code (sparsely occupied area) for the tracts commonly known as **Blue Blazes**: 35.022 acres of land in the William Walker Survey No. 130, Abstract No. 475, being all of Lots A-1, A-2, and A-3 of the Replat of Tract A, Vista Ranch, a subdivision of Hays Country, Texas, according to the plat of record in Volume 14, Pages 12 and 13, plat records of Hays County, Texas.

- G. **Public Hearing # 2** for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Section 43.026 of the Texas Local Government Code (annexation of City-owned property) for the tracts commonly known as **Blue Blazes Ranch**: 2.305 acres of land in the William Walker Survey No. 130, Abstract No. 475, Hays County, Texas; being a portion of Tract A-3, Replat of Tract A, Vista Ranch, a subdivision according to the plat of record in Volume 14, Pages 11 and 12, plat records of Hays County, Texas.

*Mayor Pro Tem Bill Foulds motions to review all hearings (Agenda Items: D, E, F, G all Public Hearings) at the same time.*

*No one presented for Agenda Item D, E, F, and G.*

H. **Appointments to fill unexpired terms on the City's Historic Preservation Commission**

*Recommendation from Commission Chair Melissa Oehler and Vice Chair Kathryn Chandler to appoint: Emilie Kopp-term expires June 2017; Doyle Fellers-term expires June 2017; Kelli Tucker-term expires June 2018; Bruce Lewis-term expires June 2018.*

*Mayor Pro Tem Bill Foulds motions to approve staff recommendations for appointments and time of each term. Council Member Wade King seconds. VOTE: 5-0 in favor, motion passes.*

I. **City of Dripping Springs Subgrant Application for FEMA's Public Assistance Alternative Procedures Pilot Program for Permanent Work for Dam located in Dripping Springs Ranch Park**

*City Administrator Michelle Fischer provided overview of the sub-grant application. Application on file.*

*Council Member Charles Busbey motions approval to move forward with the sub-grant application for FEMA's Public Assistance Alternative Procedures Pilot Program. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes.*

J. **Site Development Permit Fee Reduction Request for West Travis County Public Utility Agency - 1340 Transmission Main Segments B & C**

1. Staff Report - Rick Coneway, City Engineer provided overview. Staff recommends council reduce the permit fee to \$500 (same fee for minor projects). Report on file.

*Mayor Pro Tem Bill Foulds motions to approve site development permit fee reduction request. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.*

K. **Site Development Permit Fee Reduction Request for Dripping Springs Water Supply Corporation Wallace Street Water Line Extension, Reconnection and Replacement**

1. Staff Report - Rick Coneway, City Engineer provided overview. Staff recommends council

*reduce the permit fee to \$500 (same fee for minor projects). Report on file.*

*Council Member John Kroll motions to approve site development permit fee reduction request. Council Member Wade King seconds. VOTE: 5-0 in favor, motion passes.*

**L. Resolution No. 2017-14:** Accepting a Petition and Calling for a Public Hearing on the Creation of the Westwood Public Improvement District within the Extraterritorial Jurisdiction of the City of Dripping Springs Pursuant to Chapter 372 Texas Local Government Code and Authorizing the Mailing and Publication of Notice of the Public Hearing.

1. Resolution 2017-14 - *Dottie Palumbo, Assistant City Attorney recommends approval. Report on file.*

2. Petition – *Mayor Pro Tem Bill Foulds motions to approve Resolution No. 2017-14. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.*

**M. Professional Services Agreement for Engineering Services**

*Agreement on File.*

*Mayor Pro Tem Bill Foulds motions to approve agreement for engineering services. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.*

**N. Buyer Representation Agreement between the City of Dripping Springs and Eric Franklin, Keller Williams Realty**

*Agreement on File.*

*Mayor Pro Tem Bill Foulds motions to approve Buyer Representation Agreement. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.*

**IX. REPORTS OF AGENCIES, COMMISSIONS AND STAFF**

A. November 2016 Farmers Market Manager's Monthly Report

**X. ADJOURN**

*Council Member Santos Alba motions to adjourn the meeting. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes. Meeting adjourns at 6:38pm.*