

Minutes of City Council Regular Meeting: November 15, 2016

City of Dripping Springs

A City Council Regular Meeting of the Board of Trustees of City of Dripping Springs was held **Tuesday, November 15, 2016**, 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
Director of Public Works and Development Rick Coneway
City Secretary Angelica Reyes
Dripping Springs Ranch Park Manager Lynne Dickinson

Mayor Todd Purcell called the meeting to order at 6:00pm. All present except Council Member Santos Alba. Also present were Assistant City Attorney Laura Mueller, City Attorney Alan Bojorquez, City Planner Anjali Naini, and Planning and Zoning Chair Mim James.

II. PLEDGE OF ALLEGIANCE – Council Member Charles Busbey leads the Pledge of Allegiance.

III. 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 speaks.

IV. 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. Deliberation regarding Personnel Matters related to job descriptions, compensation, and benefits for Planning Assistant, City Secretary, and Receptionist (551.074 Personnel Matters)
- B. Consultation with City Attorney Regarding Legal Requirements and Procedures for the Potential Creation of Certain Special Districts to Finance Improvements Benefitting the Westwood (Scenic Greens) Subdivision (551.071 Consultation with City Attorney)
- C. Consultation with City Attorney Regarding Legal Requirements and Procedures for the Potential Creation of Certain Special Districts to Finance Improvements Benefitting the Heritage Subdivision (551.071 Consultation with City Attorney)

- D. 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)
- E. Deliberation regarding the potential purchase of all or a portion of real property the public discussion of which would have a detrimental effect on the negotiating position of the City, related to the transportation plan. (551:072 Purchase, Exchange, Lease or Value of Real Property).

Convened to executive session at 6:40P.M. Present: Mayor Todd Purcell, Mayor Pro Tem Bill Foulds, Council Member Charles Busbey, Council Member Wade King, Council Member John Kroll, City Administrator Michelle Fischer, Deputy City Administrator Ginger Faught, Director of Public Works and Development Rick Coneway, City Attorney Alan Bojorquez, Assistant City Attorney Laura Mueller, City Planner Anjali Naini, and Planning and Zoning Chair Mim James.

Reconvened to the regular meeting at 7:45P.M.

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. Approval of Resolution No. 2017-08: 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 Water Control and Improvement District No. 1 for Inspection and Plan Review Services

Council Member Wade King motions to approve consent item. Council Member Charles Busbey seconds. VOTE: 4:0 in favor, motion passes.

VI. 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 under Section 43.024 of the Local Government Code (request by area voters) for the tract commonly known as 200 East Creek Drive: 5.127 Acres, Lot 1 Resubdivision of Lots 41, 43, 44 & 45, Kirby Springs Ranch, Phase Two, a subdivision in Hays County, Texas, according to the map or plat of record in Volume 5, Pages 187-199, of the Plat Records of Hays County, Texas – *No one was present to speak. No action taken.*

VII. ZONING

Consideration and Possible Action On:

- A. Staff Report on Approval of Ordinance No. 1220.127: An Ordinance of the City of Dripping Springs rezoning of two tracts at 198 Creek Road, totaling approximately 3.1 acres, from Two-Family Residential, Duplex (SF-4) to General Retail (GR). *Applicant: Jon Thompson, No action*

to be taken

- B. Ordinance No. 1220.128: An Ordinance of the City of Dripping Springs rezoning of one tract at 205 Creek Road, totaling approximately 1.69 acres, from Two-Family Residential, Duplex (SF-4) to Local Retail (LR). *Applicant: Jon Thompson*

1. Presentation - *Jon Thompson presented and gave overview.*
2. Staff Report - (Anjali Naini) *Presentation on file*
3. Planning and Zoning Commission Report – *Mim James Planning and Zoning Commission Chair provided report and requested approval with staff recommendations.*
4. Public Hearing – *No one was present to provide testimony.*
5. Ordinance 1220.128

Council Member Charles Busbey motions to approve and adopt this ordinance with staff recommendations. Council Member John Kroll seconds. VOTE: 3:1 in favor, motion passes.

- C. Ordinance No. 1220.129: An Ordinance of the City of Dripping Springs rezoning one tract at 209 Creek Road, totaling approximately 5.19 acres, from Two-Family Residential, Duplex (SF-4) to Local Retail (LR). *Applicant: Jon Thompson*

1. Presentation - *Jon Thompson presented and gave overview.*
2. Staff Report (Anjali Naini) *Presentation on file*
3. Planning and Zoning Commission Report - *Mim James Planning and Zoning Commission Chair provided report and requested approval with staff recommendations.*
4. Public Hearing – *No one was present to provide testimony*
5. Ordinance 1220.129

Council Member John Kroll motions to approve and adopt this ordinance with staff recommendations. Council Member Charles Busbey seconds. VOTE: 3:1 in favor, motion passes.

VIII. PARKS AND RECREATION

Consideration and Possible Action On:

- A. Co-Sponsorship Agreement between the City of Dripping Springs and The Dripping Springs Ag Boosters to hold the 2017 Dripping Springs Fair and Rodeo - *Dripping Springs Ranch Park Manager Lynne Dickinson provided staff report and overview of agreement. Mayor Pro Tem Bill Foulds congratulated the Dripping Springs Ranch Park for coordinating such a success full event this year.*

Mayor Pro Tem Bill Foulds motions to approve agreement. Council Member John Kroll seconds. VOTE: 4:0 in favor, motion passes.

- B. Equipment Placement Agreement between the City of Dripping Springs and Coca-Cola Refreshments for Dripping Springs Ranch Park - *Dripping Springs Ranch Park Manager Lynne Dickinson provided staff report and overview of agreement.*

Mayor Pro Tem Bill Foulds motions to approve agreement. Council Member John Kroll seconds. VOTE: 4:0 in favor, motion passes.

- C. Co-Sponsorship Agreement between Red Arena and the City of Dripping Springs to hold the Red Arena Round-Up at Dripping Springs Ranch Park. - *Dripping Springs Ranch Park Manager Lynne Dickinson provided staff report and overview of agreement.*

Speaker Jennifer Young provided information on this event and requested co-sponsorship.

Council Member John Kroll motions to approve co-sponsorship agreement. Council Member Charles Busbey seconds. VOTE: 4:0 in favor, motion passes

IX. BUSINESS

Consideration and Possible Action On:

- A. Resolution No. 2017-05: A Resolution of the City of Dripping Spring Approving a Comprehensive Plan and Implementation Guide for the City Limits and Extraterritorial Jurisdiction

1. Presentation – *Chris Holtkamp provided overview. Report on file.*
2. Public Hearing - *No one was present to provide testimony*
3. 2016 Comprehensive Plan – *On file*
4. 2016 Comprehensive Plan Implementation Guide – *On file*
5. Resolution No. 2017-05

Mayor Pro Tem Bill Foulds motions to approve co-sponsorship. Council Member John Kroll seconds. VOTE: 4:0 in favor, motion passes

- B. Resolution 2017-09: A Resolution of the City of Dripping Springs accepting certified petition and affidavit and calling public hearings for a petition requesting annexation for inclusion of the following property into the City of Dripping Springs Corporate City Limits: 9.07 Acres (Within the Springs Subdivision) out of the B. F. Hanna Survey No. 28 Abstract No. 222, Being a Portion of the Tract of the B.F. Hanna Survey No. 28, Abstract No. 222 of record in the Official Public Records of Hays County, Texas, including certain parcels west of Springs Lane, North of U.S. Highway 290 and including portions of the Springs Subdivision, on request of area voters

1. Staff Report (Anjali Naini) – *Report on file*
2. Public Hearing - *No one was present to provide testimony*
3. Acceptance of Petition – *On file*
4. Resolution No. 2017.09

Mayor Pro Tem Bill Foulds motions to approve petition. Council Member John Kroll seconds. VOTE: 4:0 in favor, motion passes

- C. Resolution 2017-10: A Resolution of the City of Dripping Springs granting petition and calling public hearings for a petition requesting annexation for inclusion of the following property into the City of Dripping Springs Corporate City Limits: 173 Acres (Within the Springs Subdivision)

out of the B. F. Hanna Survey No. 28 Abstract No. 222, Being a Portion of the Tract of the B.F. Hanna Survey No. 28, Abstract No. 222 of record in the Official Public Records of Hays County, Texas, including certain parcels west of Bell Springs Road, North of U.S. Highway 290 and including portions of the Bell Springs Subdivision, the Springs Subdivision, and Springs Lane on request of landowners

1. Staff Report (Anjali Naini) - *Report on file*
2. Public Hearing - No one was present to provide testimony.
3. Acceptance of Petition - *On file*
4. Resolution No. 2017-10

Council Member John Kroll motions to approve with staff recommendations. Council Member Charles Busbey seconds. VOTE: 4:0 in favor, motion passes

- D. 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 tract commonly known as 200 East Creek Drive: 5.127 Acres, Lot 1 Resubdivision of Lots 41, 43, 44 & 45, Kirby Springs Ranch, Phase Two, a subdivision in Hays County, Texas, according to the map or plat of record in Volume 5, Pages 187-199, of the Plat Records of Hays County, Texas

No one was present for this Public Hearing #2

Convened to executive session at 6:40pm. Present: Mayor Pro Tem Bill Foulds, Council Member Charles Busbey, Council Member Wade King, Council Member John Kroll, City Administrator Michelle Fischer, Deputy City Administrator Ginger Faught, and City Attorney Alan Bojorquez. Council Member John Kroll left meeting at 7:16pm. Reconvened to the regular meeting at 7:20pm.

- E. Discussion and Direction to City Staff on the following Executive Session items:

1. Consultation with City Attorney Regarding Legal Requirements and Procedures for the Potential Creation of Certain Special Districts to Finance Improvements Benefitting the Westwood (Scenic Greens) Subdivision (551.071 Consultation with City Attorney)
2. Consultation with City Attorney Regarding Legal Requirements and Procedures for the Potential Creation of Certain Special Districts to Finance Improvements Benefitting the Heritage Subdivision (551.071 Consultation with City Attorney)
3. 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)
4. Deliberation regarding Personnel Matters related to job descriptions, compensation, and benefits for Planning Assistant, City Secretary, and Receptionist.

X. ANNOUNCEMENTS

- A. Regular Emergency Management Commission Meeting, November 17, 2016 at 5:00 p.m.

- B. Regular Economic Development Committee Meeting, November 23, 2016 at 4:00pm
- C. Regular Transportation Committee Meeting, November 28, 2016 at 3:30 p.m.
- D. Regular Planning & Zoning Commission Meeting, November 29, 2016 at 7:00 p.m.
- E. Regular City Council Meeting, December 13, 2016 at 7:00 p.m.

XI. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

- A. Transportation Committee Monthly Report

XII. ADJOURN

Council Member Charles Busbey *motions to adjourn the meeting. Mayor Pro Tem Bill Foulds seconds.*
VOTE: 4:0 in favor, motion passes. Meeting adjourns at 7:47pm.