

City Council Meeting Minutes

A special meeting of the City of Dripping Springs City Council was held Tuesday, December 3, 2015, beginning at 5:30 PM at 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

Director of Public Works and Development Rick Coneway

Code Enforcement Manager Jon Thompson

City Secretary Kerri Craig

Mayor Todd Purcell calls the meeting to order at 5:32pm. All present except Code Enforcement Manager Jon Thompson. Also present is Assistant City Attorney Theresa Pham.

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. Deliberation regarding Personnel Matters related to job descriptions, salaries, benefits, and compensation of specific employees: City Administrator, Deputy City Administrator, Director of Public Works and Development Department; Manager of Code Enforcement; Communications Coordinator; Receptionist; Administrative Assistant; Accounting Clerk; City Secretary; Utilities Coordinator; Municipal Court Clerk; Maintenance Director; Maintenance Worker; Dripping Springs Ranch Park Manager; Dripping Springs Ranch Park Lead Maintenance Worker; Dripping Springs Ranch Park Maintenance Worker; Emergency Management Coordinator (551.074 Personnel Matters)
- 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 Attorney and 551.072 Purchase, Exchange, Lease or Value of Real Property)
- C. Consultation with City Attorney regarding Amended and Restated Water and Wastewater Utility Agreement between the City of Dripping Springs, and Forestar (USA) Real Estate group, Inc., a Delaware Corporation, for 374.2 acres of land known as the Arrowhead Ranch Development and the Fellers Tract (551.071 Consultation with Attorney)

Convened to executive session at 8:00pm. 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 Theresa Pham. Reconvened to the

regular meeting at 8:40pm.

III. PLEDGE OF ALLEGIANCE – Mayor Pro Tem Bill Foulds leads 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. David Crowell – Speaks about Executive Session item B.

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 Agreement between the City of Dripping Springs and C Staff Construction, LLC for Drainage Improvements on Old Highway 290 (*Sponsor: Council Member Charles Busbey*)
Presenter: Rick Coneway
- B. Approval of Amendment to Contract with Flasher Equipment Company for Pavement Striping and Signage for Portions of Sportsplex Road, Mercer Street, and Creek Road (*Sponsor: Council Member Charles Busbey*)

Council Member Santos Alba motions to approve consent items. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.

VI. SITE DEVELOPMENTS

Consideration and Possible Action On:

- A. Site Plan and Parkland Dedication for Paisano Country Homes Phase 1, Located at 13400 Paisano Trail, *Joe Peter, Applicant*
 - 1. Presentation – Joe Peter, Applicant
 - 2. Staff Report – Director of Public Works and Development Rick Coneway, report on file. Staff recommends approval of the Parkland Dedication and Site Plan with the conditions stated in the report.
 - 3. Parks and Recreation Commission Report – The Commission voted to accept the proposed parkland as a private park and to require the balance of the parkland dedication to come in the form of a cash-in-lieu payment. The amount of the cash-in-lieu for 100% calculates to an amount of \$69,603. The amount of cash-in-lieu at the recommended 50% would be \$34,801.50.
 - 4. Planning and Zoning Commission Report – Commission Chair Mim James states that the Commission voted to deny the site plan and parkland dedication. There has been considerable public feedback and concern regarding deed restrictions, maintenance of the private road, traffic, density, fit, parkland dedication requirements, drainage, storm water run-off and septic discharge. We voted to deny primarily due to the serious concerns raised by citizens, including professional engineers, regarding storm water run-off, septic issues, drainage and maintenance of the private road. The City is continuing to work with the applicant to address these issues. The Planning and Zoning Commission has not seen the

changes made by the applicant since the October Planning and Zoning Commission meeting.

5. Public Hearing

(Individuals may speak for three minutes. If time is donated from other individuals who are present, a single person may speak for a maximum of 10 minutes. Public Hearing may be limited to 30 minutes.)

Deborah Stedman - Speaks in opposition to the proposed site plan and parkland dedication.

Andrew Clamann – Provides a presentation stating why he is opposed to this proposed site plan and parkland dedication; copy of presentation is on file.

Seth Green – Provides a presentation stating why he is opposed to this proposed site plan and parkland dedication; copy of presentation is on file.

Dwight Cassell – Speaks in opposition to the proposed site plan and parkland dedication.

Marilyn Jackson – Speaks in opposition to the proposed site plan and parkland dedication.

Jeff Jackson – Speaks in opposition to the proposed site plan and parkland dedication.

David Brandon – Speaks in opposition to the proposed site plan and parkland dedication.

Earle Britton – Speaks in opposition to the proposed site plan and parkland dedication.

Homero de la Cruz – Speaks in opposition to the proposed site plan and parkland dedication.

Russell Patrick – Speaks in opposition to the proposed site plan and parkland dedication.

Mark Handley – Speaks in favor of the proposed site plan and parkland dedication.

Shawna Hector - Speaks in favor of the proposed site plan and parkland dedication.

6. Parkland Dedication

7. Site Plan – Council Member Charles Busbey motions to discuss. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes. Council discusses issues related to drainage, engineering, retention pond, traffic, the City's related ordinances and whether or not they are adequate, and the standards used to evaluate site plans. Council Member Wade King motions to send the site plan back to the Planning and Zoning Commission so the final changes can be reviewed. Motion dies due to a lack of a second. Mayor Pro Tem Bill Foulds motions to approve the parkland dedication and site plan. Council Member Santos Alba seconds. VOTE: 4-1 in favor, Council Member Wade King votes Nay, motion passes.

VII. BUSINESS

Consideration and Possible Action On:

- A. Appointment of Comprehensive Plan Steering Committee – Mayor Pro Tem Bill Foulds motions to approve. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes.
- B. Action on Agenda Item II. Execution Session, Item A. – Mayor Pro Tem Bill Foulds motions to approve adjusting salaries and benefits as listed in the form created by staff and the Mayor, and instructs staff to correct the retirement match ratio from 2:1 to 1:1. Council Member Santos Alba seconds. VOTE: 4-1 in favor, Council Member Charles Busbey votes Nay, motion passes.

VIII. ANNOUNCEMENTS

- A. Special Planning and Zoning Commission Meeting, December 7, 2015 at 7:00 p.m.
- B. Regular Historic Preservation Commission Meeting, December 7, 2015 at 7:00 p.m.
- C. Regular Farmers Market Association Board Meeting, December 8, 2015 at 10:00 a.m.
- D. Regular City Council Meeting, December 8, 2015 at 7:00 p.m.

IX. **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 8:48pm.