

City Council Meeting Minutes

A regular meeting of the City of Dripping Springs City Council was held Tuesday, October 20, 2015, beginning at 6:00 PM at 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

Code Enforcement Manager Jon Thompson

City Secretary Kerri Craig

City Attorney Alan Bojorquez

Mayor Pro Tem Bill Foulds calls the meeting to order at 6:00pm. All present except Mayor Todd Purcell, Code Enforcement Manager Jon Thompson, and Council Member Wade King. Also present is Dripping Springs Ranch Park Manager Lynne Dickinson.

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 Attorney and 551.072 Purchase, Exchange, Lease or Value of Real Property)
- B. 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 and Manager of Code Enforcement 551.074 (Personnel Matters)
- C. Consultation with City Attorney regarding legal process, provisions, and concerns with draft contract with Strategic Government Resources (SGR) for personnel and organization consulting services (551.071 Consultation with Attorney).

Convened to executive session at 6:49pm. Present: Mayor Pro Tem Bill Foulds, Council Member Santos Alba, Council Member John Kroll, Council Member Charles Busbey, Deputy City Administrator Ginger Faught, City Administrator Michelle Fischer, and City Attorney Alan Bojorquez. Reconvened to the regular meeting at 7:09pm. Council Member Charles Busbey motions to act on Executive Session item C and approve the salary survey for all regular full time employees with the exception of the two most recently created positions. Council Member John Kroll seconds. VOTE: 4-0 in favor, motion passes.

III. PLEDGE OF ALLEGIANCE – Council Member John Kroll 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.

Sidney Jones, Driftwood – Concerned about the possible discharge into Onion Creek. I'm a scientist who has worked with water quality control. We are concerned about having a discharge permit that will allow you to discharge into the creek into the future. We have some ideas and funding sources that we could bring to the table if you will let us be a part of the conversation about this issue.

John Jones, Driftwood – Real estate attorney and developer. I've created and run a water supply corporation. We suggest creating a master plan for now and in the future for water quality control and we can help procure grant funds to help with this.

Annice Cook – Landowner and tax payer for many years behind Twisted X. We have enjoyed the crystal clear waters of Onion Creek. I am against the discharge into the creek. It can damage the balance of flora and fauna of the area. I also oppose it because it ignores the resource that treated water can be used for such as watering and fire protection.

David Crowell – I live near the eastern border of the ETJ. Our perception is that you don't care about your neighbors because you want to dump wastewater into the creek we share. I am against discharging into to the creek. I'm also against the Anthem Development Project.

Bonnie Gonzalez – Thank you for considering the Dripping Springs Century News newspaper as the official newspaper for Dripping Springs. Our team is here tonight and we appreciate the opportunity. We are family oriented and focused on Dripping Springs, and we partner with the Dripping Springs Chamber of Commerce and other community organizations.

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 Regular Meeting Minutes, September 15, 2015
- B. Approval of Regular Meeting Minutes, October 13, 2015
- C. Approval of Professional Services Agreement with MCCi for Laserfiche Records Management Software and Services
- D. Approval of Amendment to Engineering Services Agreement between the City of Dripping Springs and CMA Engineering, Inc. dated June 3, 2015 (CMA Job 1695), to prepare a new wastewater permit application for South Regional Wastewater Facilities for submittal to the Texas Commission on Environmental Quality
- E. Approval of Resolution 2016-03: A Resolution of the City Of Dripping Springs, Texas, Accepting the Findings and Recommendations of the Traffic Study Regarding US 290 & RM

12 Prepared By HDR Engineering, Inc. on October 8, 2015

- F. Approval of Co-Sponsorship Agreement for Run By the Creek to be held on November 8, 2015, *Dripping Springs Running Club, Applicant*
- G. Approval of Proclamation In Recognition of Dripping Springs Ranch Park Volunteer of the Year Penny Reeves
- H. Approval of a Dripping Springs Ranch Park Annual Arena Membership for Penny Reeves

Council Member Charles Busbey motions to approve consent item G. Council Member John Kroll seconds. VOTE: 4-0 in favor, motion passes. Council Member Charles Busbey reads aloud the “Proclamation in Recognition of Dripping Springs Ranch Park Volunteer of the Year Penny Reeves”. Council Member Charles Busbey motions to approve consent items A, B, C, D, E, F, and H. Council Member John Kroll seconds. VOTE: 4-0 in favor, motion passes.

VI. PARKS AND RECREATION

Consideration and Possible Action On:

- A. Request from Friends of the Pound House Foundation to Use Parking Areas in Founders Memorial Park for Special Events on November 21, 2015 and April 2, 2016 (*Sponsor: Councilman King*)
 - 1. Staff Report – City Administrator Michelle Fischer, report on file. Staff recommends approval of the request with the following conditions: the Friends of the Pound House provides a certificate of insurance that covers the City and park property for the dates of the events; they shall not use the parking spaces in front of the pool, playground and pavilion; they shall submit a parking plan for the events that is reviewed and approved by Director of Public Works and Development Rick Coneway.
 - 2. Request to Use Parking Areas – Council Member John Kroll motions to approve the request according to staff’s recommendations. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.

VII. SITE DEVELOPMENT/VARIANCE REQUESTS

Consideration and Possible Action On:

- A. Land Use: Reconsideration of Outdoor Lighting Ordinance variances approved for Dripping Springs Independent School District for lights at Dripping Springs High School Athletic Facility Improvements, Located at 940 US Hwy 290 and deliberation regarding alternate Mitigation Plan requested by DSISD Board of Trustees.
 - 1. Proposal from Green Earth Lighting to Conduct Nonconforming Outdoor Lighting Inventory of Dripping Springs Independent School District Facilities (*Sponsor: Mayor Pro Tem Foulds*) – Mayor Pro Tem Bill Foulds motions to approve. Council Member Santos Alba seconds. VOTE: 3-0-1 in favor, Council Member John Kroll abstains, motion passes.

VIII. BUSINESS

Consideration and Possible Action On:

- A. Land Use: Request from Cities of Kyle and Mountain City for Extraterritorial Jurisdiction Release in Regards to the Anthem Development Project by Clark Wilson
 - 1. Presentation – James Earp, Assistant City Manager, City of Kyle
 - 2. Staff Report – City Administrator Michelle Fischer, report on file. Mayor Pro Tem Bill

Foulds states that the City of Dripping Springs needs to have the letters on file from the property owners requesting release from Dripping Springs ETJ. Council discusses the surrounding area ETJ boundaries and the restrictions and regulations within them. No action taken.

B. Resolution No. 2016-01: A Resolution of the City of Dripping Springs Designating an Official Newspaper for Fiscal Year 2016

1. Staff Report – City Secretary Kerri Craig, report on file. Staff recommends Council choose between the Dripping Springs Century News and the NewsDispatch by selecting the newspaper whose focus and circulation best represents the citizens of Dripping Springs.
2. Resolution 2016-01 - Council Member Charles Busbey motions to designate Dripping Springs Century News as the City's official newspaper. Council discusses the newspapers chosen in the past, the process for choosing, circulation and representation. Council Member John Kroll seconds. VOTE: 4-0 in favor, motion passes.

C. Request for Refund of Preliminary Plat Fees for Hudson Ranch Subdivision, *Bill Crouch, Representative of Applicant/Owner*

1. Staff Report – Director of Public Works and Development Rick Coneway, report on file. Staff recommends refunding the application fees less all actual expenses incurred during the administration and review process for the application.
2. Request for Refund - Council Member Santos Alba motions to approve according to staff's recommendation. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.

D. Acceptance of Bid and Authorization for Mayor to Execute the Contractor Agreement between the City of Dripping Springs and Ground Exchange for Drainage Improvements at The Triangle and Wallace Street (*Sponsor: Councilman Busbey*)

1. Staff Report - Director of Public Works and Development Rick Coneway, report on file. Staff recommends the City enter into a contract with Ground Exchange for the two drainage improvement projects.
2. Bids - Council Member John Kroll motions to approve according to staff's recommendation. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.

E. Traffic Control Device Improvement and Escrow Agreement between the City of Dripping Springs and Forestar (USA) Group, Inc. for Traffic Signal at Highway 290 and the Entrance to Arrowhead Ranch Subdivision (*Sponsor: Councilman Busbey*)

1. Staff Report - Director of Public Works and Development Rick Coneway, report on file. Staff recommends the City enter into an escrow agreement with Forestar (USA) Group, Inc.
2. Agreement - Council Member Charles Busbey motions to approve according to staff's recommendation. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.

IX. ANNOUNCEMENTS

- A. Regular Founders Day Commission Meeting, October 26, 2015 at 6:30 p.m.
- B. Regular Planning & Zoning Commission Meeting, October 27, 2015 at 7:00 p.m.
- C. Regular Historic Preservation Commission Meeting, November 2, 2015 at 7:00 p.m.
- D. Regular Parks & Recreation Commission Meeting, November 9, 2015, at 6:00 p.m.
- E. Regular Farmers Market Association Board Meeting, November 10, 2015 at 10:00 a.m.
- F. Regular City Council Meeting, November 10, 2015 at 7:00 p.m.

- X. **ADJOURN** - Council Member Santos Alba motions to adjourn the meeting. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes. Meeting adjourns at 7:11pm.