

City Council Meeting Minutes

A regular meeting of the City of Dripping Springs City Council was held Tuesday, March 10, 2015, beginning at 7:00 PM in the 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
Planning Director Jon Thompson
City Secretary Kerri Craig
Planning and Zoning Commission Chair Larry McClung
City Attorney Alan Bojorquez
City Treasurer Gina Gillis
DS Ranch Park Manager Lynne Dickinson

Mayor Todd Purcell called the meeting to order at 5:37pm. All present except Council Member Wade King, Planning and Zoning Commission Chair Larry McClung, and City Treasurer Gina Gillis.

II. **WORKSHOP**

No action to be taken. 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.

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 the status and negotiations for the Roadway and Development Agreement concerning property at Roger Hanks Parkway and U.S. 290. (551.071 Consultation with City Attorney)
- 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 Update on Dripping Springs Water Supply

Corporation Exploratory Committee (551.071 Consultation with City Attorney)

D. Consultation with City Attorney on the Status of Certain Bills Pending Before the Texas Legislature and Potential Legal Implications for the City (551.071 Consultation with City Attorney)

E. Consultation with City Attorney regarding Overhead Electrical Easement to Pedernales Electric Cooperative on City Owned Property at Headwaters at Barton Creek Development (551.071 Consultation with Attorney and 551:072 Purchase, Exchange, Lease or Value of Real Property)

Convened to executive session at 6:05pm. Present: Mayor Todd Purcell, Mayor Pro Tem Bill Foulds, Council Member John Kroll, Council Member Santos Alba, Council Member Charles Busbey, City Attorney Alan Bojorquez, Planning Director Jon Thompson, and Deputy City Administrator Ginger Faught.

IV. RECESS at 6:40pm

V. RECONVENE AT 7:00 p.m.

VI. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance – Council Member Santos Alba 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. – No one speaks.

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 Regular Meeting Minutes, February 17, 2015

B. Approval of Treasurer's Monthly Report for February 2015

C. Approval of the Hays County Emergency Management Plan

D. Approval of Utility Easement to Pedernales Electric Cooperative at the City of Dripping Springs South Regional Wastewater Treatment Plant

E. Approval of Resolution 2015-18: A Resolution of the City of Dripping Springs Approving Written Procedures Regarding Continuing Compliance with Federal Tax Law Requirements for Tax-Exempt Debt

F. Approval of Renewal of the Co-Sponsorship Agreement between the City of Dripping Springs and D Bar S Roping for One Year Period (*Sponsor: Mayor Purcell*)

G. Approval of Ordinance No. 1630.33 - An Ordinance Cancelling the May 9, 2015 General Election and Declaring Each Unopposed Candidate Elected To Office; Providing That

This Ordinance Shall Be Cumulative of all Ordinances; Providing a Severability Clause and Providing an Effective Date

Aprobación de la Ordenanza N° 1630.33 – Una Ordenanza Cancelando la Elecciones Generales del día 09 de Mayo 2015 y Declarando Cada Candidato Sin Oposición; A Condición de que esta Ordenanza Será Acumulativo de Todas Las Ordenanzas; Proporcionando una Cláusula de Divisibilidad y Proporcionando una Fecha Efectiva.

- H. Approval of Facilities Use Agreement Between the City of Dripping Springs, Dripping Springs Independent School District and the Dripping Springs Lions Club related to use of facilities for 2015 Founders Day Festival
- I. Approval of 2015 Founders Day Festival Contracts
 - 1. St. Martin de Porres Catholic Church for Arts, Craft, and Business Vendor Booths
 - 2. Dripping Springs Cook Off Club for Cook Off
 - 3. Lone Star Latrine for Portable Toilets and Hand Washing Stations
 - 4. Dripping Springs Lions Club for the Mighty Thomas Carnival
- J. Approval of Resolution No. 2015-21: A Resolution of the City of Dripping Springs Approving an Agreement Between the City and Texas Department of Transportation for the Temporary Closure of State Right of Way for the Founders Day Parade on April 24, 2015
- K. Approval of a Proclamation of the City of Dripping Springs Proclaiming Friday, March 27, 2015 as "Paint the Town Purple Day"
- L. Approval of a Proclamation of the City of Dripping Springs Proclaiming the Week of April 19-26, 2015 as "Givin' Where I'm Livin' Week"
- M. Approval of Ordinance No. 2600.13: An Ordinance Amending Sec. 2.04.035(A) of the Dripping Springs Code of Ordinances; Expanding the Number of Members on the Economic Development Committee from Eight to Nine (*Sponsor: Councilman Kroll*)
- N. Approval of Appointment of Jonathan Taylor to the City of Dripping Springs Economic Development Committee, Term to Expire June 2017 (*Sponsor: Councilman Kroll*)

Council Member Santos Alba motions to approve all consent items except K and L, which will be read separately. Mayor Pro Tem Bill Foulds seconds. VOTE: 4-0 in favor, motion passes. Council Member Charles Busbey reads the Proclamation for item K. Council Member Santos Alba motions to approve the proclamation. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes. Council Member John Kroll reads the Proclamation for item L. Council Member Santos Alba motions to approve the proclamation. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.

Mayor Pro Tem Bill Foulds states that the attachment for Consent Item D (Approval of Utility Easement to Pedernales Electric Cooperative at the City of Dripping Springs South Regional Wastewater Treatment Plant) was incorrect and motions to reconsider the item. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes. Mayor Pro Tem Bill Foulds motions to table Consent Item D. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.

IX. BOARD OF ADJUSTMENT

- A. Conditional Use Permit to Construct a 1,102 square foot Accessory Dwelling at 200 Springwood Drive, *James and Melanie Fenelon, Owners*
 - 1. Presentation – Melanie Fenelon, Owner
 - 2. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval of the permit as submitted.
 - 3. Planning & Zoning Commission Report – Planning Director Jon Thompson states that the Commission voted unanimously to approve the permit.
 - 4. Public Hearing – No one speaks.
 - 5. Conditional Use Permit - Council Member Santos Alba motions to approve the permit. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.

X. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

- A. Farmers Market Manager's Monthly Report – Report on file.
- B. Maintenance Director's Monthly Report – Report on file.
- C. Dripping Springs Ranch Park Manager's Monthly Report – Report on file.

XI. BUSINESS

Consideration and Possible Action On:

- A. City of Dripping Springs Parks, Recreation & Open Space Master Plan 2014-2024 (*Sponsor: Councilman King*)
 - 1. Presentation - Brent Luck, Luck Design Team
 - 2. Parks & Recreation Commission Report – Parks and Recreation Commission Chair Robbie Zamora states that the Commission voted to approve the Master Plan.
 - 3. Public Hearing – No one speaks
 - 4. Approval of Plan –Council Member John Kroll motions to approve the Master Plan and instructs staff to bring back to Council information and recommendations from the commissions that are working toward the initiatives. Council Member Santos Alba seconds. Council discusses the skate park initiative, the recommendations in the master plan, our current funding and maintenance capabilities, additional surveys, alternate funding sources, and a request for staff to provide information showing the responses from actual city residents vs. non-residents. VOTE: 3-2 in favor, Mayor Pro Tem Bill Foulds and Council Member Charles Busbey vote Nay, motion passes.
- B. Amendments to Dripping Springs Ranch Park Facilities Rental Policy (*Sponsor: Mayor Purcell*) - Council Member Santos Alba motions to approve the amendments to the DSRP Facilities Rental Policy. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.
- C. Request from Bailey Kay Hutson for Reduced/Waiver of Rental Fees at Dripping Springs Ranch Park on March 27, 2015 for a Free Event to benefit the Students of the Special Needs Program at Dripping Springs Independent School District (*Sponsor: Mayor Purcell*) - Council Member Charles Busbey motions to approve the request for reduced/waiver of rental fees at DSRP. Mayor Pro Tem Bill Foulds seconds. VOTE: 4-0 in favor, motion passes.

- D. Special Event Permit for First Thursdays, including Requests for Waiver of Signage Fees and Itinerant Vendor License Fees, Placement of Banner at The Triangle, Use of the Stephenson Building Parking and Adjacent Lot for Parking, and Use of City Traffic Cones, *Sherrie Parks, Dripping Springs Chamber of Commerce, Applicant (Sponsor: Mayor Todd Purcell)* – Mayor Pro Tem Bill Foulds motions to approve the special event permit and related requests. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.
- E. Ordinance 1790.01: An Ordinance Granting to Texas Gas Service Company the Right, Privilege and Franchise to Use Streets, Alleys, Thoroughfares and Other Public Ways to Operate and Maintain a Natural Gas Distribution System in the City of Dripping Springs, Hays County, Texas; Providing Regulations for the Conduct of the System by the Grantee (*Sponsor: Mayor Pro Tem Foulds*)
1. Ordinance- Council Member Santos Alba motions to approve Ordinance 1790.01. Council Member John Kroll seconds. VOTE: 4-0 in favor, motion passes.
 2. Memorandum of Understanding between the City of Dripping Springs and Texas Gas Service Company, a division of ONE Gas – Mayor Pro Tem Bill Foulds motions to approve the MOU. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.
- F. Request for Reduction in Site Development Fees for Craftsman Park located at 12345 Paul's Valley Road, *Eric Thierry, Owner* - Council Member John Kroll motions to approve the request. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.
- G. Professional Services Agreement between the City of Dripping Springs and HDR Engineering, Inc. for Traffic Engineering Study - Council Member Santos Alba motions to approve the agreement. Council Member John Kroll seconds. VOTE: 4-0 in favor, motion passes.
- H. Discussion of Possible Amendments to Sign Ordinance Regarding Banners, Community Service Signs, Special Event Signs, and Signs Located in Historic Districts (*Sponsor: Mayor Pro Tem Foulds*) – No action taken. Council discusses the excessive number of banners around the City and at Veterans Memorial Park/The Triangle, and the need to find an alternative way for people to advertise events taking place on City property, such as changeable copy signs or similar options. Council directs staff to research the potential alternatives to the banners and not allowing banners at City parks unless they are advertising events being held on City property.
- I. Request from CAT Development Solutions (Caliterra Development) for Cost Sharing of Expenses in connection with Pedernales Electric Cooperative Extension of Power to serve the Wastewater Lift Station Site at the Caliterra Subdivision (*Sponsor: Mayor Pro Tem Foulds*) – Mayor Pro Tem Bill Foulds motions to approve the request. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.

XII. ANNOUNCEMENTS

- A. Regular City Council Meeting, March 17, 2015 at 6:00 p.m.
- B. Regular Founders Day Commission Meeting, March 23, 2015 at 6:30 p.m.
- C. Regular Planning & Zoning Commission Meeting, March 24, 2015 at 7:00 p.m.
- D. Regular Historic Preservation Commission Meeting, April 6, 2015 at 5:30 p.m.
- E. Regular Parks & Recreation Commission Meeting, April 13, 2015, at 6:00 p.m.
- F. Regular Founders Day Commission Meeting, April 13, 2015 at 6:30 p.m.
- G. Regular Farmers Market Association Board Meeting, April 14, 2015 at 10:00 a.m.
- H. Regular City Council Meeting, April 14, 2015 at 5:30 p.m.

XIII. ADJOURN

Council Member Santos Alba motions to adjourn. Council Member Charles Busbey seconds.
VOTE: 4-0 in favor, motion passes. Meeting adjourns at 8:28pm.