

**Minutes
City of Dripping Springs
City Council
Regular Meeting
September 9, 2014**

A Regular Meeting of the City of Dripping Springs City Council was held Tuesday, September 9, 2014, beginning at 5:30 PM at 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL

Mayor Pro Tem Bill Foulds called the meeting to order at 5:30 pm. City Administrator Michelle Fischer took roll call. All Council Members were present except for Councilman King who arrived at 5:47 pm. Mayor Purcell was absent.

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

Present were City Administrator Michelle Fischer, City Treasurer Gina Gillis, Special Counsel David Tuckfield, and DS Ranch Park Coordinator Lynne Dickinson. Absent were Deputy City Administrator Ginger Faught, Planning Director Jon Thompson, Planning and Zoning Chair Larry McClung, and City Attorney Alan Bojorquez.

Mayor Pro Tem Foulds skips the workshop at this time and goes into executive session at 5:31 pm to consult with Special Counsel regarding the items listed for executive session as well as Business Item I. Resolution 2014-19 regarding allocating wastewater connections.

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.

A. Proposed Fiscal Year 2015 Budget

1. Review and Discuss Proposed FY 2015 Budget
2. Review and Discuss Commission/Committee Budget Requests

3. Review and Discuss Budget Requests

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 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. Consultation with City Attorney Regarding Update on Dripping Springs Water Supply Corporation Exploratory Committee (551.071 Consultation with City Attorney)

The City Council comes out of executive session at 6:00 pm and holds the workshop on the proposed Fiscal Year 2015 Budget.

Historic Preservation Commission Chair Ted Lehr and Commissioner Kathryn Chandler present the Commission's budget request. Mayor Pro Tem Foulds states that he would like to see the year end balance in the Mercer Street fund and be sure that there are funds to cover the request.

City Treasurer Gina Gillis goes over the proposed budget.

IV. RECESS

V. RECONVENE AT 7:00 p.m.

VI. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance

Boy Scouts attending the meeting lead 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.

Representatives of the Dripping Springs Running Club present the City with a \$2500 donation to be used at the Dripping Springs Ranch Park for benches and trail signage. They invite the public to participate in the club and its volunteer opportunities.

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, August 12, 2014
- B. Approval of Regular Meeting Minutes, August 19, 2014
- C. Approval of Treasurer's Report for August 2014
- D. Approval of FY 2015 Meeting Schedule and Holidays for City Council and Commissions
- E. Approval of Facilities Use Agreement Between the City of Dripping Springs and the Dripping Springs Lions Club for Christmas on Mercer Street
- F. Approval of Proclamation Declaring September 17-23, 2014 "Constitution Week"
- G. Approval of Proclamation Declaring September 2014 as "Helping Hands Awareness Month"
- H. Approval of Request for Temporary Street Closure of Roger Hanks Parkway for Run By the Creek 5/10k on November 2, 2014 and Approval of Waived Street Closure Fee, *Dripping Springs Running Club*
- I. Approval of Resolution No. 2014-19: A Resolution of the City of Dripping Springs Approving a Lease Agreement between the City of Dripping Springs and Ricoh for Copier

Councilman Alba makes a motion to approve the consent items, except for items F and G, seconded by Councilman Busbey. VOTE: all in favor, except Councilman Kroll abstains on items A and B. The motion is carried.

Councilman King reads the proclamation for item F. Councilman Busbey makes a motion to approve item F, seconded by Councilman Kroll. Vote: all in favor. The motion is carried.

Councilman Busbey reads the proclamation for item G. He states that the agenda has an error and it should state the proclamation is for the month of November. Councilman King makes a motion to approve item G, seconded by Councilman Kroll. VOTE: all in favor. The motion is carried.

IX. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/ALTERNATE STANDARDS/ANNEXATIONS

Consideration and Possible Action On:

- A. Sign Variance Request from Deep Eddy Distillery, located at 2250 East Highway 290, *Bob Strobeck, FSG Signs*

1. Presentation-Bob Strobeck with FSG Signs gives an overview of the request.
 2. Sign Administrator's Report-report on file. She recommends approval of the variance request.
 3. Planning & Zoning Commission Report-recommends approval.
 4. Public Hearing-no one speaks.
 5. Variance Request to Exceed the Maximum Height of 54 Inches Allowed for a Projecting Sign
Councilman King makes a motion to approve the variance request, seconded by Councilman Kroll. VOTE: all in favor. The motion is carried.
- B. Master Signage Plan for Austin's Automotive Specialists, located at 3996 Highway 290, *Jamey Whitlock, Owner*
1. Presentation-Jamey Whitlock gives an overview of the applications and variance requests.
 2. Sign Administrator's Report-report on file. She recommends approval of the variance request to allow one of the following: one projecting sign and the 7 wall signs in accordance with Section 26.06.067 Private Traffic-Control Signs (which means no stars) in addition to the proposed monument sign; or two projecting signs in addition to the proposed monument sign.

The Planning & Zoning Commission approved the 7 wall signs in accordance with regulations for private traffic-control signs and the two projecting signs in addition to the monument sign.

The Planning & Zoning Commission and Sign Administrator recommend the following conditions for any approved variance request:

all exterior lighting on the entire property shall be brought into compliance with the Lighting Ordinance (this applies to the Austin's Automotive Specialists and the adjacent multi-tenant building);

the exterior of the building shall be modified as shown in the variance application (such as painting of the exterior and adding masonry);

landscaping shall be installed within 6 months of the monument sign being completed; and

the masonry shall follow the existing roofline.

3. Public Hearing-no one speaks.
4. Variance Request to allow a Monument Sign to Exceed 6 Feet In Height-Councilman Kroll makes a motion to approve the variance with the condition that the applicant comply with the Sign Administrator's recommendation on landscaping, seconded by Councilman Busbey. VOTE: all in favor. The

motion is carried.

5. Variance Request to Allow a Projecting Sign to Exceed the Maximum Signable Area Allowed-Councilman Busbey makes a motion to approve the variance with the condition that the white stripes at the ends of the sign on the north elevation be removed, seconded by Mayor Pro Tem Foulds. Councilman Kroll states that the building will look much better and the white stripes do not bother him. Mayor Pro Tem Foulds states that he does not want stores in Dripping Springs to look like ones in Austin, he wants them to look better. VOTE: Busbey, Foulds and Alba in favor and Kroll and King against. The motion passes 3-2.
 6. Variance Request to Exceed the Cumulative Sign Limitations for a Multiunit Property-Councilman Kroll makes a motion to approve the Planning & Zoning Commission's recommendation on the request and to include staff's recommendations, seconded by Councilman Busbey. VOTE: all I favor except Mayor Pro Tem Foulds who opposed. The motion is carried.
 7. Master Signage Plan-Mayor Pro Tem Foulds makes a motion to approve the plan as modified, seconded by Councilman Alba. VOTE: all in favor. The motion is carried.
- C. Preliminary Plat - Headwaters at Barton Creek, Phase One, located at 2410 East Hwy 290 across from Hays Country Acres Rd. and East Creek Dr., *Matt Matthews, Freehold Capital Management, LLC*
1. Presentation-The applicant is present and available for questions.
 2. Planning Director's Report-report on file. He states that the revisions based on Hays County comments are pending and recommend tabling the plat and reconsidering it on the 16th.
 3. Planning & Zoning Commission Report-recommends approval.
 4. Public Hearing-Dorothy Aldridge recommends moving homes from the hills and the access between subdivisions. John Doucet, PE, states that issues for future phases are addressed in the Development Agreement. Matt Matthews states that he attended a town hall meeting on August 21st that was attended by approximately 30 people to discuss the plat.
 5. Preliminary Plat-Councilman Alba makes a motion to table the plat, seconded by Councilman Kroll. VOTE: all in favor. The motion is carried.

X. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

- A. Farmers Market Report-on file.

XI. BUSINESS

Consideration and Possible Action On:

- A. Request for Waiver of Building Permit Fees for Eagle Scout Project at Hill Country Senior Citizens Thrift Store, *Gabriel Borg, Boy Scout Troop 101 (Sponsor: Mayor Pro Tem Foulds)*-Mr. Borg gives a presentation on his project and request. Councilman King makes a motion to waive the fees and ask Bureau Veritas to waive their fees, seconded by Councilman Busbey. VOTE: all in favor.

The motion is carried.

- B. Request for Reduction in Building Permit Fees for Eagle Scout Project at St. Martin de Porres Catholic Church, *Nathan Little, Boy Scout Troop 280 (Sponsor: Mayor Pro Tem Foulds)*-Mayor Pro Tem Foulds makes a motion to table the item, seconded by Councilman King. VOTE: all in favor. The motion is carried.
- C. Proposal for Eagle Scout Project to Install Kiosk and Mileage Markers at Dripping Springs Ranch Park, *Brenan Mayhew, Troop 585 (Sponsor: Mayor Purcell)*-Mr. Mayhew gives a presentation on his project and funding request for \$500 for materials. Ms. Dickinson states that the funds are available and she recommends approval of the project and request. Councilman Kroll makes a motion to approve the project and funding request, seconded by Councilman King. VOTE: all in favor. The motion is carried.
- D. Proposal for Eagle Scout Project to Install Kiosk at Dripping Springs Ranch Park, *John Scofield, Troop 399 (Sponsor: Mayor Purcell)*-Mr. John Reinhart, the applicant (the name on the agenda posting is an error) gives a presentation on his project and funding request for \$500 for materials. Ms. Dickinson states that the funds are available and she recommends approval of the project and request. Councilman Kroll makes a motion to approve the project and request for funds, seconded by Councilman Busbey. VOTE: all in favor. The motion is carried.
- E. Request to Rent a Portion of the Triangle for "Pumpkin Patch" from October 12 through November 1, 2014, *Kristin Myers, Junior Bible Quiz Coordinator, Dripping Springs United Methodist Church (Sponsor Mayor Pro Tem Foulds)*-Ms. Fischer gives a report and recommends a rental fee of \$350. Mayor Pro Tem Foulds makes a motion to approve the rental request with a fee of \$350, seconded by Councilman Alba. VOTE: all in favor. The motion is carried.
- F. Request to Rent a Portion of the Triangle for "Frosty's Christmas Trees" from November 24 through December 24, 2014, *Van Granger (Sponsor: Mayor Pro Tem Foulds)* Ms. Fischer gives a report and recommends a rental fee of \$900. Mayor Pro Tem Foulds makes a motion to approve the rental request with a fee of \$900, seconded by Councilman Busbey. VOTE: all in favor. The motion is carried.
- G. Ordinance No. 1070.62: An Ordinance of the City of Dripping Springs Amending the City of Dripping Springs Fee Schedule (*Sponsor: Mayor Pro Tem Foulds*)
 - 1. Staff Report-Ms. Fischer gives a report on the amended fees. Report on file.
 - 2. Public Hearing-no one speaks.
 - 3. Approval of Ordinance No. 1070.62-Mayor Pro Tem makes a motion to approve the ordinance. No one seconds it. Councilman Alba makes a motion table the item, seconded by Councilman Kroll. VOTE: all in favor. The motion is carried.
- H. Public Hearing on Proposed Fiscal Year 2015 Budget and Proposed 2014 Ad Valorem Tax Rate of **\$0.1700** per \$100.00 Assessed Valuation –no one speaks. Ms. Fischer states that the City received a letter from resident Laurie Smith opposing the rate increase. Mayor Pro Tem Foulds asks Ms. Fischer to

contact Ms. Smith and discuss her concerns.

- I. Resolution No. 2014-19: A Resolution of the City of Dripping Springs, Texas, Revising the Policy that was Adopted by Resolution No. 2009-7 for Allocating Living Unity Equivalents of Wastewater during Phase Two of the Wastewater Connection Program (*Sponsor: Mayor Pro Tem Foulds*)-Mayor Pro Tem Foulds makes a motion to approve the resolution, seconded by Councilman Kroll.
VOTE: all in favor. The motion is carried.

XII. ANNOUNCEMENTS

- A. City Council Meeting, September 16, 2014, at 6:00 p.m.
- B. Regular Parks & Recreation Meeting, October 8, 2014 at 6:00 p.m.
- C. Regular Planning & Zoning Commission Meeting, September 23, 2014 at 7:00 p.m.
- D. Regular Historic Preservation Commission Meeting, October 8, 2014 at 5:30 p.m.
- E. Regular Founders Day Commission Meeting, TBD
- F. Regular Farmers Market Board Association Meeting, October 14, 2014 at 10:00 a.m.

- XIII. **ADJOURN**-Councilman Alba makes a motion to adjourn, seconded by Councilman Kroll. VOTE: all in favor. The motion is carried and the meeting is adjourned at 8:05 pm.